

## **Study Session Meeting Minutes**

January 26, 2004 ~ 7:00 p.m.

### A. **CALL TO ORDER.**

A Study Session of the Waverly City Council was held on January 26, 2004 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present were: Connie Rasmussen, Mel Kramer, Cyndi Ecker, Fred Ribich, Darrel Steege and Gary Boorum. Absent: Gary Grace

#### 1. **Approve Agenda as Printed or Add Items for Discussion Only.**

**Moved By: Kramer**

**Seconded By: Ribich**

That the agenda for this Council Meeting as prepared is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

### B. **PUBLIC COMMENTS.**

### C. **REGULAR BUSINESS.**

#### 1. **Resolution 04-16, a Resolution Approving a City/Company Agreement with Burrier Plumbing & Spas, Inc.**

Dan Burrier thanked the Council for approving the agreement and for their support.

**Moved By: Ecker**

**Seconded By: Steege**

Resolution 04-16, a Resolution Approving a City/Company Agreement with Burrier Plumbing & Spas, Inc. is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

### D. **STUDY SESSION.**

#### 1. **Review of Gas Franchise Renewal Proposal.**

John R. Sehnert of Mid American Energy was present to review the Gas Franchise Renewal Proposal. Said agreement between the City and Mid American Energy expires on April 16, 2004. A franchise agreement is a contract between the City and a utility to utilize the streets, alleys, avenues and public areas of the city for the infrastructure necessary to deliver and sell their product.

The franchise agreement is the only method of granting a utility the right to do business in a city sanctioned by the Code of Iowa. Said agreement guarantees an energy supply and provides for relocations and indemnification at no cost to the City. The agreement can provide a no risk revenue stream via franchise fees. A Franchise Fee is collected as a tax on the sales of natural gas to the end users in the City. If the City desired to raise \$80,000, it would cost the average residential gas customer approximately \$1.49 monthly, the commercial customer \$6.11, and a transport customer \$24.00. Mr. Sehnert reviewed the cities that have franchise fees. The franchise fee can be imposed only after a public hearing and adoption of an ordinance authorizing said fee. Mr. Sehnert also reviewed Mid American's rate history. Mid American protects its customers from skyrocketing gas prices by purchasing its gas in the summer and storing it for the winter and has access to multiple pipelines to secure favorable transportation rates. Mr. Sehnert also stated that Mid American Energy has replaced a substantial amount of infrastructure in Waverly. If the City would renew its franchise agreement it would secure its gas supply and rates, and

continue its property tax revenue stream of \$36,500 along with a potential revenue source, franchise fees. Discussion followed on Mid American Energy's economic development efforts in the community and local option sales tax relating to franchise fees. Staff will review a proposal from a consultant to conduct a feasibility study on the benefits of the formation of a municipal natural gas utility in Waverly.

2. **Results of Study by the Burning Restrictions Task Force.**

Don Freeman and Lake Lambert introduced the Burning Restrictions Task Force Members and reviewed the results of their study. Mr. Freeman introduced a map showing property one acre in size or larger within Waverly's city limits. The Task Force encouraged staff to assemble literature for properties under one acre encouraging other forms of yard waste disposal such as mulching, and purchase of biodegradable bags. The group requested that staff look at the best options for loose-leaf pickup and additional hours at the Yard Waste facility, utilizing volunteers. The Committee also proposed a burn permit for properties over an acre. Burn permits may be denied or revoked based on a citation for violation of the nuisance. Some burning restrictions include no burning of rubbish, building materials and paper products, and only when a water supply is available at the site. Also a burn permit does not allow a property owner to burn when the State Marshall issues a burn ban. Discussion followed on enforcement issues. The Task Force also requested that Council implement a ban on burn barrels immediately. Scott Whitcome voiced his concern with the Task Force's decision to ban any yard waste burning for properties under an acre in the City limits. Staff will come back to the Council with a report on the feasibility of loose-leaf pickup and additional yard waste hours.

**Moved By: Kramer**

**Seconded By: Ecker**

The recommendations of the Burning Restrictions Task Force are hereby accepted.

**Yes: 6**

**No: 0**

**Absent: 1**

3. **Review of South Riverside Park Pedestrian Trail Project.**

The proposed work would involve constructing a 10-foot-wide pedestrian trail through South Riverside Park at the same time, and under the same contract, as the 1<sup>st</sup> Street SW Reconstruction Project. City Engineer Cherry reviewed the current curb & gutter and safety issues relating to the proposed 1<sup>st</sup> Street SW Reconstruction Project. The proposed South Riverside Park Pedestrian Trail Project would be a continuation of the trail system from Kohlmann Park and require a pedestrian bridge to span the dry run creek at the south end of Riverside Park over to Southeast School. Discussion followed on the future expansion of the fire station and seeding of the dry run area on 7<sup>th</sup> Avenue SW. Total estimated costs are \$100,000 for the trail and pedestrian bridge and \$325,000 for the 1<sup>st</sup> Street SW Reconstruction project. There would be TEA 21 Federal Funds totaling \$175,000 available for the project with a local fund match of \$250,000. The Council will look at this proposed project along with other projects at their budget session meeting on Saturday.

4. **Review of 2004 Water Pollution Control Facility Project.**  
The Council will review 2004 Water Pollution Control Facility Project at its February 2<sup>nd</sup> Meeting.
5. **Review of City Tuition Reimbursement Policy.**  
The Council reviewed and approved the City Tuition Reimbursement Policy.

E. **BOARDS AND COMMISSIONS.**

1. Boards and Commissions.
2. Reports.
3. Communications.

F. **ADJOURNMENT.**

**Moved By: Boorum**

**Seconded By: Ribich**

That the City Council Meeting be adjourned.

**Yes: 6**

**No: 0**

**Absent: 1**

**Council adjourned at 9:19 p.m.**

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Mayor

ATTEST:

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City Clerk