

Regular Meeting Minutes
May 17, 2004 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on May 17, 2004, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Fred Ribich, Mel Kramer, Connie Rasmussen, Gary Grace, Darrel Steege and Cyndi Ecker. Absent: Gary Boorum

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

2. **Minutes.**

Moved By: Ecker

Seconded By: Steege

The May 3, 2004 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

B. PUBLIC HEARINGS.

1. This was the date, time, and place for a Public Hearing on the Rezoning Request for the J. D. Francis Property, South of the Murphy Addition also known as Impala Subdivision. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Grace

Seconded By: Ribich

Second Reading of Ordinance 831, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City from A-1, Agricultural District to R-1, Single Family Residential District is hereby approved.

Yes: 6

No: 0

Absent: 1

Approve Preliminary Plat for Impala Subdivision.

Moved By: Kramer

Seconded By: Ecker

The Preliminary Plat for the Impala Subdivision is hereby approved.

Yes: 6

No: 0

Absent: 1

2. This was the date, time and place for a public hearing on a proposed amendment to the current budget ending June 30, 2004. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was considered.

Moved By: Ribich

Seconded By: Ecker

Resolution 04-53, a Resolution Amending the Current Budget for the Fiscal Year Ending June 30, 2004 is hereby approved.

Yes: 6

No: 0

Absent: 1

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

- Jim Mango voiced his concerns with a proposed extension to the airport runway.
- Dean Soash voiced his concerns with the condition of 8th Street SE and 11th Street SE. He also asked the Council to consider reconstruction of Cedar Lane and the Green Bridge repairs on their list of priorities.

E. CONSENT AGENDA.

1. **Class C Liquor License for Waverly Bowl Inn.**

Moved By: Kramer

Seconded By: Ribich

Item 1 on the Consent Agenda is hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Resolution 04-46, a Resolution Approving Contract, Bond and Insurance for the East Bremer Avenue Sidewalk Improvements Project.**

Moved By: Steege

Seconded By: Ribich

Resolution 04-46, a Resolution Approving Contract, Bond and Insurance for the East Bremer Avenue Sidewalk Improvements Project is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Report to City Council on Input Received from West Bremer Avenue Property Owners on their Interest in a Sidewalk Improvement Project West of the River.**

Tara Harn reviewed the results of a letter sent by the Main Street Development Committee of the Waverly Area Development Group regarding whether West Bremer Avenue property owners were interested in a sidewalk improvement project. Ms. Harn informed the Council that the majority of property owners were not in favor of a sidewalk project. The Main Street Development Committee has decided to move forward with other projects. Rod Drenkow and Wayland Gade stated that the sidewalk project has no benefit to their businesses. Mr. Gade also had West Bremer property owners sign a petition objecting to a sidewalk project. Doug Nichols, owner of the Virginia Apartments, also objected to a sidewalk project. Sherry Dralle informed the Council that Classic Cleaners would be reconstructing some of their sidewalks when the 1st Street SW Project begins. City Administrator Crayne asked if the Council wanted the design continued on the West Bremer sidewalks if owners were to replace their sidewalks in the near future. The consensus of the Council was to do nothing more on the proposal. Staff informed Duane Liddle and Millie Dieter sidewalk designs are not centered in front of East Bremer business and entrances is that storefronts varied in widths along with a varied number of door locations. Therefore a consistent sidewalk brick design was impossible to match the inconsistent storefront and door locations.

3. **Resolution 04-48, a Resolution Proposing Sale of Lots 2 and 3 in the Replat of Rieger Addition to Waverly, Iowa.**
 Administrator Crayne reviewed a proposal to purchase Lots 2 and 3 of the Replat of the Rieger Addition to Waverly, Iowa from the City for \$40,000. The City is selling the lots for \$23,500 each. The buyer will develop a grading and elevation plan for both lots and will forego the \$1,000 rebate on the issuance of an occupancy permit within two years. June 7th is set as a public hearing date at which time the Council will look at all proposals.
Moved By: Ribich **Seconded By: Grace**
 Resolution 04-48, a Resolution Proposing Sale of Lots 2 and 3 in the Replat of Rieger Addition to Waverly, Iowa is hereby approved and sets June 7, 2004 at 7:00 in the Council Chambers at City Hall as the date, time and place for a public hearing.
Yes: 6 No: 0 Absent: 1
4. **Resolution 04-49, a Resolution Approving Construction Documents for Wartburg College Street Master Plan.**
 John Wuertz acknowledged that Wartburg College had not supplied a construction guarantee for infrastructure improvements or right-of-way acquisition plats to the City. After discussion on campus and street construction timelines, Wartburg College will submit construction guarantee for infrastructure improvements and right-of-way acquisition plats to finalize the public portion of the project.
Moved By: Ecker **Seconded By: Rasmussen**
 Resolution 04-49, a Resolution Approving Construction Documents for Wartburg College Street Master Plan is hereby approved.

Moved By: Kramer **Seconded By: Steege**
 Table Resolution 04-49 is hereby approved.
Yes: 6 No: 0 Absent: 1
5. **Resolution 04-50, a Resolution Proposing the Vacation of the North 132 Feet of 9th Street NW between 1st Avenue NW and West Bremer Avenue to Wartburg College.**
Moved By: Kramer **Seconded By: Steege**
 Resolution 04-50, a Resolution Proposing the Vacation of the North 132 feet of 9th Street NW to Wartburg College is hereby approved and sets June 7, 2004 at 7:00 in the Council Chambers of City Hall as the date, time and place for a public hearing on said proposal.
Yes: 6 No: 0 Absent: 1
6. **Resolution 04-51, a Resolution Approving a Special Provisional Use for the Vineyard Community Church.**
 Rev. Bill Carpenter stated that with the approval of the special provisional use, the Vineyard Community Church will move forward with church building plans. Discussion followed on traffic impacts to 11th Street SE. The Council

will look at traffic impacts to street corridors and funding mechanisms at a future study session.

Moved By: Grace

Seconded By: Ecker

Resolution 04-51, a Resolution Approving a Special Provisional Use for the Vineyard Community Church is hereby approved.

Yes: 6

No: 0

Absent: 1

7. **Resolution 04-52, a Resolution Approving the Development Agreement to address phasing in Stone Haven Plat IV.**

Moved By: Rasmussen

Seconded By: Grace

Resolution 04-52, a Resolution Approving the Development Agreement to address phasing in Stone Haven Plat IV is hereby approved.

Yes: 6

No: 0

Absent: 1

8. **First Reading of Ordinance 833, an Ordinance Repealing Chapter 71 of the Waverly Municipal Code Regarding Open Burning and Enacting and Adopting New Provisions.**

Duane Liddle asked Council to vote down the first reading of Ordinance 833 and enact the nuisance law for those abusing open burning. City Attorney Carney reviewed yard waste as organic debris such as grass, leaves, tree limbs, etc., which is produced on the property as a part of yard and garden development and maintenance. Recreational fires mean fires for cooking, heating camping, recreation or bonfires using clean, dry wood or charcoal. It would allow for prairie fires with a permit. Emergency burning would be with the City Administrator's permission. A system of permits and policies would be set by resolution to follow this ordinance. Discussion followed on prohibiting burning in burn barrels. Appeal from Administrative denial of a burn permit shall be to the City Council. Some alternatives offered to open burning are free pickup of leaves and grasses, biodegradable bags, increased hours at the yard waste site, and composting. Permit Applications shall be available at the Public Works office or City Clerk's office for burning yard wastes on one acre-plus lots, burning prairie grass or wild flower areas or emergency burns. The Council will review the ordinance in one year to evaluate its effectiveness. The Council also discussed changing hours for open burning from noon to 9:00 a.m. Chief Simpson informed the Council that patrolling officers would probably give violators a warning the first time and a citation the second time but stated that most violations were complaint driven. Mr. Simpson also stated that burn barrels are unsightly and officers have no way of policing. Open burning permit fees are charged to encourage residents to look at alternatives to burning and thereby reduce danger to public health and safety, especially in densely populated areas of the City. Duane Liddle voiced concern with cigarette smoking. Public Services Superintendent Sullivan stated that free pickup is two weeks in the spring and four weeks in the fall.

Moved By: Ribich

Seconded By: Rasmussen

First Reading of Ordinance 833, an Ordinance Repealing Chapter 71 of the Waverly Municipal Code Regarding Open Burning and Enacting and Adopting New Provisions.

Yes: 6 No: 0 Absent: 1

9. **Approve Contract for Sanitary Disposal Services for the Bremer County Landfill.**

Moved By: Kramer Seconded By: Rasmussen

The Contract for Sanitary Disposal Services for the Bremer County Landfill is hereby approved.

Yes: 6 No: 0 Absent: 1

10. **Third Reading of Ordinance 832, An Ordinance Establishing Fine Charged for Illegal Parking.**

Moved By: Ribich Seconded By: Steege

Third Reading of Ordinance 832, An Ordinance Establishing Fine Charged from \$5.00 to \$10.00 for Illegal Parking is hereby approved.

Yes: 6 No: 0 Absent: 1

11. **Approval of April Cash Disbursements.**

Moved By: Grace Seconded By: Ecker

The April Cash Disbursements are hereby approved.

Yes: 6 No: 0 Absent: 1

G. BOARDS AND COMMISSIONS.

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

H. ADJOURNMENT.

Moved By: Steege Seconded By: Ribich

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 8:44 p.m.

Mayor

ATTEST:

City Clerk