

The Mayor and City Council met at 6:30 p.m. in the Civic Center Parking Lot to observe the new Canine Unit and Vehicle.

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

A. CALL TO ORDER.

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

1. **Approve agenda as printed or add items for discussion only.**

Moved By: Ribich **Seconded By: Kramer**

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

Yes: 6 **No: 0** **Absent: 1**

2. **Minutes.**

Moved By: Boorum **Seconded By: Ribich**

The May 17 and 24, 2004 Council minutes are hereby approved.

Yes: 6 **No: 0** **Absent: 1**

3. **Guest Councilperson.**

Council welcomed Tammy McKenzie as the Guest Councilperson for June.

4. **Introduction of the Canine Unit of the Waverly Police Department.**

Chief Simpson thanked the Council and the Citizens of Waverly for their support of the Canine Unit. The Chief introduced Officer Jeff Jones and his dog, Cindy.

B. PUBLIC HEARINGS.

1. This was the date, time, and place for a public hearing on the proposed sale of Lots 2 and 3 in the Replat of Rieger Addition to Waverly, Iowa. The Mayor asked for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Boorum **Seconded By: Ribich**

Resolution 04- 53, A Resolution Authorizing the Sale of Lots 2 and 3 in the Replat of Rieger Addition to Waverly, Iowa is hereby approved.

Yes: 6 **No: 0** **Absent: 1**

2. This was the date, time and place for a public hearing on the proposal to vacate the north 132 feet of 9th Street NW between 1st Avenue NW and West Bremer Avenue to Wartburg. 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: Kramer **Seconded By: Rasmussen**

Resolution 04-54, A Resolution Authorizing the Vacation of the North 132 Feet of 9th Street NW between 1st Avenue NW and West Bremer Avenue is hereby approved.

Yes: 6 **No: 0** **Absent: 1**

C. TABLED ITEMS.

1. **Resolution 04-49, A Resolution Approving Construction Documents for Wartburg College Street Master Plan.**

D. VISITORS / PUBLIC COMMENTS.

- The Council viewed Ralph Juhl's tape on the World War II Memorial Dedication. Mr. Juhl was part of a group from Iowa sponsored by Hawkeye Stages that traveled to Washington to participate in the Dedication of the World War II Memorial.

E. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments in the amount of \$1,100.00 for the Comprehensive Plan Update.
2. Class C Liquor License for Hy-Vee Food Store.
3. Class C Beer Permit and Class B Wine Permit for Fareway.
4. Pay Request from McClure Engineering in the amount of \$3,500.00 for the WPC Improvements.

Moved By: Ecker

Seconded By: Ribich

Items 1-4 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. Review 2004 Water Pollution Control Facility Report.

Mike Trotter of McClure Engineering reviewed the recommendations and conclusions of the Water Pollution Control Facility Study. The proposed work at the WPC Facility would replace the screening mechanism and roof at the main lift station. The last project repaired gas holding capability of the primary digester and made improvements that generate more digester gas. The gas flare system requires continuous operation and natural gas is continuously used and creates waste and larger boiler leaks. The recommendation is to replace waste gas burner control to allow intermittent operation and replace larger boiler with capability to burn natural gas or digester gas. The secondary digester cover was installed in 1978 and is in poor condition. The roof is wood and the rollers and guides jam and cover won't float as designed. Priorities to keep the plant in a good state of repair are the replacement of screening equipment and roof, modification of the existing boiler or boilers to utilize digester gas, and miscellaneous sludge system improvements for a total of \$499,100. Future improvements needed are a secondary digester cover, digester gas flow meters, gas detection equipment in the digester building basement and sludge pump station and digester hot water pump controls.

2. Review of Bid for Kohlmann Park Improvement Project Phase 2.

Parks & Recreation Director Ray informed the Council that only one bid was received for the Kohlmann Park Improvement Project Phase 2. Staff recommended to reject the bid and proceed with plan revision to bid at a later date.

Moved By: Boorum

Seconded By: Kramer

Reject bid from Happel Excavating due to the difference between the bid and the Architect's estimate and proceed with revising plans to bid at a later date is hereby approved.

Yes: 6

No: 0

Absent: 1

3. Resolution 04-47, a Resolution Approving a City / Company Agreement between the City of Waverly and First National Bank of Waverly.

City Administrator Crayne requested that the contractor for the First National Bank project visit with staff on sewer infrastructure needs. Mr. Crayne also stated First National Bank would participate at the same City/property owner cost-sharing level

as all other property owners in the East Bremer Avenue Sidewalk Improvement Project area. The additional incremental value generated by the First National Bank project will be beneficial in funding the parking lot improvements to the west of the bank. Further discussion followed on parking lot improvements.

Moved By: Kramer

Seconded By: Ribich

Resolution 04-47, a Resolution Approving a City / Company Agreement between the City of Waverly and First National Bank of Waverly is hereby approved.

Yes: 6

No: 0

Absent: 1

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

City Attorney Carney informed Duane Liddle that open burning permit fees would be established by resolution. City Administrator Crayne reviewed changes Council requested from the first reading. Staff informed Council that the fee was introduced to encourage other yard waste disposal. Discussion followed on prairie grass and ditch burning exemption. Scott Whitcome voiced his concern with the 1 acre restriction on open burning. Mr. Whitcome did not feel that the Task Force represented the community as a whole and stated that his neighbors in Murphy Addition felt the 1 acre restriction was unfair. Council did not want to discredit the efforts of the Burning Restrictions Task Force. Lake Lambert stated the committee only looked at properties 1 to 5 acres. The Committee felt that citizens should be educated on burning restrictions when applying for a permit. John Wuertz stated that Wartburg College takes in fresh air to cool and heat their facilities and encouraged the Council to consider air quality. Council added that air quality issue is a privilege not a right. Staff informed Fred Krumweide that he could not burn corn sacks on his property. Council informed Duane Liddle that the Task Force was formed because 41 people petitioned an amendment to the open burning ordinance. They also informed Mr. Liddle that if open burning ordinance is violated, City staff can investigate.

Moved By: Ribich

Seconded By: Ecker

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

Yes: 6

No: 0

Absent: 1

5. **Review of Draft Resolution Adopting Policies and Permit Fees for Open Burning.**

Discussion followed on no permit fees for open burning. The Council requested staff to prepare two resolutions. One resolution would include an open burning permit fee and the second would be drafted without a permit fee. One of the reasons for an open burning fee was to pay printing costs for an education flyer. Scott Whitcome requested the Council study the residential areas with $\frac{3}{4}$ of an acre and up.

6. **Third 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 (also known as Impala Subdivision).**

Moved By: Kramer

Seconded By: Grace

Third 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 (also known as Impala Subdivision) is hereby approved.

Yes: 6 No: 0 Absent: 1

7. **Approve Use of Local Option Sales Tax Revenues for Funding of Fire Department Facility Needs Study.**

Moved By: Boorum Seconded By: Ribich

The use of Local Option Sales Tax Revenues for funding of a Fire Department Facility Needs Study in the amount of \$3,000 to \$6,000 is hereby approved.

Yes: 6 No: 0 Absent: 1

8. **Approve purchase of new Meter Truck for Accounting Department.**

Moved By: Ecker Seconded By: Ribich

The purchase of a new meter truck for the Accounting Department from Holmes Community Sales in Clive, Iowa, in the amount of \$19,052 is hereby approved.

Yes: 6 No: 0 Absent: 1

9. **Mayoral Appointments.**

Moved By: Kramer Seconded By: Ribich

The Mayoral Appointment of Mary Cheville to the Historic Preservation Commission is hereby approved.

Yes: 6 No: 0 Absent: 1

G. BOARDS AND COMMISSIONS.

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

H. ADJOURNMENT.

Moved By: Boorum Seconded By: Ribich

That the City Council Meeting is hereby adjourned.

Yes: 6 No: 0 Absent: 1

Adjourn at 8:32 P.M.

Mayor

ATTEST:

City Clerk