

Regular Meeting Minutes
September 20, 2004 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on September 20, 2004, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Gary Boorum, Mel Kramer, Connie Rasmussen, Tammy McKenzie, Fred Ribich and Cyndi Ecker. 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

2. **Minutes.**

Moved By: Ribich

Seconded By: Boorum

The September 13, 2004 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Employee Highlight.**

Council congratulated Carla Guyer on joining the City of Waverly staff.

A. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on a Notice of Intent to Commence a public improvement project to reconstruct 39th Street SE from IA 3 to the Waverly Rail Trail and to acquire property for said project. Mr. Steve Rosol voiced his opposition to 39th Street Reconstruction. Mr. Rosol stated that leveling 39th Street SE would solve the site problem and the proposed reconstruction could lead to flooding in his farm fields. City Engineer Cherry informed the Council that detailed plans and acquisition documents would be available later in the week. The preliminary plans identify the street reconstruction and rural shoulder sections and comply with design standards. After discussion regarding necessary documents outlined in the resolution Council tabled action until detailed plans and property acquisition impacts were available along with the City Attorney's approval. October 4, 2004 was the date scheduled for action on said resolution.

Moved By: Kramer

Seconded By: Ribich

Resolution 04-81, A Resolution of Intent to Commence a Public Improvement Project to Reconstruct 39th Street SE Project from Highway 3 to the Waverly Rail Trail and to Acquire Property for the Project is hereby approved.

Moved By: Ribich

Seconded By: Kramer

To table Resolution 04-81.

Yes: 6

No: 0

Absent: 1

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

Jeff Franzen informed the Council that Thursday, September 23 the Blood Center of Iowa would be having a blood drive at the Civic Center and the Red Cross' Blood Drive was being held at the AMVETS. Mr. Franzen petitioned all citizens to give blood at either event.

E. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments in the amount of \$412.53 for the Housing Rehab.
2. Pay Request from Yaggy Colby in the amount of \$1,562.50 for the Comprehensive Plan Update.
3. Pay Request from Mike Dolan Concrete & Masonry in the amount of \$19,469.04 for the East Bremer Avenue Sidewalk Improvement Project.
4. Class C Liquor License for Other Place II.
5. Class C Liquor License for Risky Business.

Moved By: Ribich

Seconded By: Ecker

Items 1-5 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Discussion with Harlan Platte on the Sewer Line in Front of his Residence.**

Public Services Superintendent Sullivan reviewed standards for City sewer lines. Information obtained from past records show that standard City mains are eight inches. Mr. Platte's line is located on 5th Avenue SW between 3rd & 4th Street SW and has three attached services. The City has been treating Mr. Platte's line as a private line but has helped with general line maintenance. Specifications dating back to 1917 document materials used and placement of mains and manholes but does not indicate Mr. Platte's line as a sewer main. Attorney David Platte representing Harlan Platte informed the Council that the line was on public property. No records or easement documents are on file indicating that the line was dedicated as a City sewer main. Mr. Platte stated that his father was requesting the City to straighten his sewer line to help resolve any potential backup problems. Mr. Sullivan also emphasized that there are other areas in the City with similar sewer line configurations. After further discussion Council directed staff to produce plans and specifications to correct the Platte sewer line. Mr. Sullivan stated that the City will correct the Platte's problem but freedom from sewer line backup cannot be guaranteed and is subject to what people drain into their sewer lines. Council will review any other unusual sewer line configurations on a case by case basis as problems arise.

2. **Resolution 04-82, A Resolution Approving An Agreement for Maintenance of Wartburg College Roundabout Street.**

Moved By: Ecker

Seconded By: Ribich

Resolution 04-82, A Resolution Approving An Agreement for Maintenance of Wartburg College Roundabout Street is hereby approved.

- Yes: 6 No: 0 Absent: 1**
 2. **Approve Change Order No. 1 for the 29th Avenue SE Lift Station.**
Moved By: Kramer Seconded By: Ecker
 Change Order No. 1 for the decreased amount of \$46.70 to Blazek Corporation is hereby approved.
- Yes: 6 No: 0 Absent: 1**
 3. **Resolution 04-83, A Resolution Accepting Closing Documents for the 29th Avenue SE Lift Station and Approving Final Pay Request.**
Moved By: Rasmussen Seconded By: Ribich
 Resolution 04-83, A Resolution Accepting Closing Documents for the 29th Avenue SE Lift Station and approves the final pay request in the amount of \$4,962.99 is hereby approved.
- Yes: 6 No: 0 Absent: 1**
 4. **Approval of August Cash Disbursements.**
Moved By: Ecker Seconded By: Ribich
 The August Cash Disbursements are hereby approved.
- Yes: 6 No: 0 Absent: 1**

G. BOARDS AND COMMISSIONS.

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

Council discussed the letter sent to Project Manager on the delays of the Law Enforcement Center project. The County will incur extra costs in transporting prisoners as well as housing prisoners in other facilities. The City of Waverly will not be effected.

H. EXECUTIVE SESSION.

To discuss collective bargaining strategy for upcoming City Unit negotiations. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.

Moved By: Kramer Seconded By: Rasmussen

To enter into Executive Session is hereby approved.

Yes: 6 No: 0 Absent: 1

Moved By: Kramer Seconded By: Ribich

To reenter into open session is hereby approved.

Yes: 6 No: 0 Absent: 1

I. **ADJOURNMENT.**

Moved By: Boorum

Seconded By: Ribich

That the City Council Meeting be adjourned.

Yes: 6

No: 0

Absent: 1

Council adjourned at 8:42 P. M.

Mayor

ATTEST:

City Clerk