

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

**A. CALL TO ORDER.**

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

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: Kramer**

**Seconded By: Grace**

The December 6, 2004 Council Meeting Minutes are hereby approved as amended by entering the motion for mayoral appointments.

**Yes: 6**

**No: 0**

**Absent: 1**

3. **Presentation by the Veteran's Tribute Committee.**

Ralph Juhl, Harry Janssen and Ted Lanske representing Waverly's Veteran Groups presented pictures of the Veteran's Tribute Ceremony to the City of Waverly, Waverly Area Development Group and the Waverly Public Library.

4. **Appointment of Fire Chief for Year 2005.**

**Moved By: Boorum**

**Seconded By: Ribich**

The Appointment of Dan McKenzie as Fire Chief for Year 2005 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

5. **Representative Bill Dix and Senator Bob Brunkhorst will update the Mayor and City Council on upcoming state legislative issues and provide their opinions on local government impact of these issues.**

Representative Bill Dix congratulated Waverly on its growth and reviewed the State's 05/06 taxes and receipts, appropriations, revenues and funding. Some funding increases include:

- a. K-12 Funding Increase
- b. Medicaid reform
- c. State employees salary increases
- d. Property tax credits
- e. Class size reduction
- f. Tobacco endowment transfer

Mr. Dix also outlined his financial objectives and goals for year 05/06 and they include:

- a. Pass a budget without tax increase
- b. Establish a plan to repay state debt

- c. Stop delaying current expenses into future years
- d. Reduce costs in State Medicaid Plan
- e. Encourage new investment in our communities – telecommunication infrastructure
- f. Improve job opportunities including reducing costs on employers associated with regulation
- g. Long term plan to modernize current property, sales and income tax codes.

Bob Brunkhorst stated that the Legislature is looking at the state's economic growth and medicaid issues. Mr. Brunkhorst also stated that the Senate is investigating at the restructure of the State's property tax and sales tax systems and a push is on for specialized early reading and math training in Iowa Schools.

Lorelei Heisinger stated that the Iowa League of Cities is working with the Legislature to reform Iowa's property tax structure.

**B. PUBLIC HEARINGS.**

1. This was the date, time and place for a Public Hearing on plans, specifications, form of contract for the 1<sup>st</sup> Avenue SE Municipal Parking Lot Reconstruction. Discussion following on financing of the project. The Mayor closed the hearing and the following action was taken.

**Moved By: Grace**

**Seconded By: Ribich**

Resolution 04-114, a Resolution Approving Plans, Specifications, Form of Contract for the 1<sup>st</sup> Avenue SE Municipal Parking Lot Reconstruction is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

2. This was the date, time and place for a Public Hearing on plans, specifications, form of contract for the 39<sup>th</sup> Street SE Reconstruction. Steve Rosol voiced concerns with roadway ditch drainage way and his driveway entrance. After discussion Council directed staff to reconstruct waterway outlet to the Rail Trail. The hearing was declared closed and the following action was taken.

**Moved By: Boorum**

**Seconded By: Ecker**

Resolution 04-115, a Resolution Approving Plans, Specifications, Form of Contract for the 39<sup>th</sup> Street SE Reconstruction and address Mr. Rosol's drainage issues are hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**Moved By: Kramer**

**Seconded By: Ribich**

Resolution 04-116, A Resolution Establishing Fair Market Value and Authorizing Acquisition of Property for the Waverly, Iowa 39<sup>th</sup> Street SE Reconstruction Project is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**C. TABLED ITEMS.**

**D. VISITORS / PUBLIC COMMENTS.**

Discussion followed on appraisal services and the City's insurance carrier. The Council thanked Monte Bowden from Wartburg TV for his work televising Council meetings and wished him well in future endeavors.

**E. CONSENT AGENDA.**

1. Pay Request from Yaggy Colby Associates for the East Bremer Avenue Sidewalk Improvements in the amount of \$1,077.00.
2. Pay Request from Yaggy Colby Associates for the East Bremer Avenue Sidewalk Improvements in the amount of \$2,157.90.
3. Pay Request from Taylor Construction, Inc. for the South Riverside Park Pedestrian Bridge Project in the amount of \$33,019.81.
4. Final Pay Requests in the amounts of \$15,968.59 and \$10,018.94 from WHKS & Co. for the South Riverside Pedestrian Bridge Project.

**Moved By: Boorum**

**Seconded By: Ribich**

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

**Yes: 6**

**No: 0**

**Absent: 1**

**F. REGULAR BUSINESS.**

1. **Approve a Temporary Pharmacy for Hy-Vee at 1311 4<sup>th</sup> Street SW.**

**Moved By: Grace**

**Seconded By: Rasmussen**

The Temporary Pharmacy for Hy-Vee at 1311 4<sup>th</sup> Street SW is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

2. **Resolution 04-120, A Resolution Approving a Special Provisional Use for Vineyard Community Church at 319 West Bremer Avenue.**

**Moved By: Boorum**

**Seconded By: Ribich**

Resolution 04-120, A Resolution Approving a Special Provisional Use for Vineyard Community Church at 319 West Bremer Avenue is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

3. **Resolution 04-117, A Resolution Accepting Work on the East Bremer Sidewalk Improvement Project.**

**Moved By: Ecker**

**Seconded By: Ribich**

Resolution 04-117, A Resolution Accepting Work on the East Bremer Sidewalk Improvement Project.

**Yes: 6**

**No: 0**

**Absent: 1**

4. **Resolution 04-118, A Resolution Ordering Preparation of Final Plat and Schedule of Assessments for the East Bremer Sidewalk Improvement Project.**

**Moved By: Kramer**

**Seconded By: Ecker**

Resolution 04-118, A Resolution Ordering Preparation of Final Plat and Schedule of Assessments for the East Bremer Sidewalk Improvement Project is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

5. **Resolution 04-119, A Resolution Adopting and Levying Final Schedule of Assessments for the East Bremer Sidewalk Improvement Project.**  
**Moved By: Rasmussen**                      **Seconded By: Ribich**  
Resolution 04-119, A Resolution Adopting and Levying Final Schedule of Assessments for the East Bremer Sidewalk Improvement Project is hereby approved.  
**Yes: 6**                                      **No: 0**                                      **Absent: 1**
6. **Resolution 04-123, A Resolution Accepting the East Bremer Avenue Sidewalk Improvements – Supplemental Contract and Approving Final Pay Request.**  
**Moved By: Ribich**                              **Seconded By: Kramer**  
Resolution 04-123, A Resolution Accepting the East Bremer Avenue Sidewalk Improvements – Supplemental Contract and Approving Final Pay Request in the amount of \$7,112.50 for the East Bremer Avenue Sidewalk Improvement Project (Supplemental Contract) is hereby approved.  
**Yes: 6**                                      **No: 0**                                      **Absent: 1**
7. **Resolution 04-121, A Resolution Accepting Public Improvements for Rolling Hills Addition –Phase 2.**  
**Moved By: Boorum**                              **Seconded By: Ecker**  
Resolution 04-121, A Resolution Accepting Public Improvements for Rolling Hills Addition –Phase 2, Maintenance Letter of Credit which expires on December 20, 2008, and Sidewalk Performance Letter of Credit which expires on December 20, 2008 are hereby approved.  
**Yes: 6**                                      **No: 0**                                      **Absent: 1**
8. **Approval of Disbursement of Funds to WSR Soccer Association.**  
Attached for your review is a Staff Summary from Parks and Recreation Director Ray on said disbursement and attached Financial Report.  
**Moved By: Kramer**                              **Seconded By: Grace**  
The 4th Annual Payment of \$53,750, which includes the additional \$10,000 annual payment the City Council authorized matching Vision Iowa's funds, to the Waverly-Shell Rock Soccer Association is hereby approved.  
**Yes: 6**                                      **No: 0**                                      **Absent: 1**
9. **Approve Phase 1b of the Professional Services Agreement for the Public Services Facility Needs Study.**  
**Moved By: Ribich**                              **Seconded By: Boorum**  
The Phase 1b of the Professional Services Agreement for the Public Services Facility Needs Study is hereby approved.  
**Yes: 6**                                      **No: 0**                                      **Absent: 1**
10. **Resolution 04-122, A Resolution Proposing the Vacation of City Property for Jim Lindner Relating to the East Bremer Avenue Sidewalk Improvement Project.**  
**Moved By: Kramer**                              **Seconded By: Ecker**

Resolution 04-122, A Resolution Proposing the Vacation of City Property for Jim Lindner Relating to the East Bremer Avenue Sidewalk Improvement Project and sets January 3, 2005 at 7:00 P. M. in the Council Chambers at City Hall is the date, time and place for a public hearing on said vacation and is hereby approved.

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

11. **Mayoral Appointments.**

**Moved By: Ribich                                      Seconded By: Rasmussen**

The following Mayoral Appointments are hereby approved:  
Steve Johnson – Park & Recreation Commission  
Ron Stahlberg and Barb McLaughlin - Housing Commission  
Larry Van Daalen – Golf Commission  
Kris Brunkhorst - Historic Preservation  
Jim Denner – Civil Service  
Jerry Keller – Plumbing Board  
Jon Bruns – Electrical Board

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

12. **Council Liaisons to the Boards and Commissions.**

The Council Liaisons to the Commissions below are hereby approved:

- Parks and Recreation Commission - McKenzie
- Golf Commission – Ribich
- Board of Adjustments – Grace
- Board of Appeals – Ackerman
- Board of Electrical Examiners – McKenzie
- Board of Plumbing Examiners – Ecker
- Planning & Zoning Commission – Grace
- RTC Board – Boorum
- Public Safety Board – Ribich & Boorum
- Public Safety Board (Alternate) - Kramer
- Historic Preservation Commission – Rasmussen
- Airport Commission - Ecker
- Municipal Housing Commission – Ribich
- Telecommunications Commission – Grace
- Electric Utility Board of Trustees – Kramer
- Library Board – Ecker
- Waverly Area Development Group – Rasmussen
- Heritage Days – Boorum
- Soccer Association – Kramer
- Municipal Band – Rasmussen

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

13. **Approval of November Cash Disbursements.**

**Moved By: Ribich                                      Seconded By: Rasmussen**

The November Cash Disbursements are hereby approved.

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

14. **Quarterly Review of Strategic Planning Report.**

Council will review seeking special federal appropriations during its Strategic Planning Session and continue to study effective City services.

15. **Third Reading of Ordinance 837, An Ordinance Adopting the “City Code of Waverly, Iowa”.**  
**Moved By: Kramer**    **Seconded By: Ecker**  
 Third Reading of Ordinance 837, An Ordinance Adopting the “City Code of Waverly, Iowa” is hereby approved.  
**Yes: 6**                                **No: 0**    **Absent: 1**
16. **Cancellation of December Study Session.**  
**Moved By: Ecker**    **Seconded By: Rasmussen**  
 The Waverly City Council’s December Study Session is hereby cancelled.  
**Yes: 6**    **No: 0**    **Absent: 1**

**G. BOARDS AND COMMISSIONS.**

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

The Council thanked Dan Kielman for his service as Guest Councilperson for December.

**H. EXECUTIVE SESSION.**

Discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

**Moved By: Kramer**    **Seconded By: Grace**  
 To enter into closed 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 9:20 P. M.**

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**Mayor**

**ATTEST:**

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**City Clerk**