

Regular Meeting Minutes
April 19, 2004 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on April 19, 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: 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: Boorum

Seconded By: Ecker

The April 5, 2004 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

B. PUBLIC HEARINGS.

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

- Butch Kehe protested the City's new cycle utility billing operations.
- Duane Liddle questioned staff on procedure for mowing contracts and the enterprise fund allocations to the building departments.

E. CONSENT AGENDA.

1. Special Class C Liquor License for Asian Garden.

Moved By: Ribich

Seconded By: Grace

Item 1 on the Consent Agenda is hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Reauthorize Agreement for Engineering Services for Runway 11/29 R.O.W. Acquisition.**

Staff informed Duane Liddle that federal funding had increased for R.O.W. acquisition to 95% for runway 11/29. The City would fund upfront costs and the FAA would then reimburse said costs. Discussion followed on fair market value procedure, appraisal and condemnation process. City Engineer Cherry informed Council that one house and structure would have to be relocated involving the tall structure ordinance. Fred Krumwiede asked if other locations had been considered. Jerry Weiland stated that WHKS, Inc would research environmental assessments or impacts for the real estate and easement acquisition. Neighboring landowner Marvin Schmidt voiced his concern with the market value of his land. Staff informed Marvin Schmidt that additional funding for construction of Runway 11/29 would be available

through 2007. Councilmembers Boorum and Rasmussen voiced their concerns with acquisition of the Schmidt property and the airport's land-locked position.

Moved By: Ribich

Seconded By: Kramer

Approve the Airport Commission's recommendation to reauthorize the Agreement for Engineering Services with WHKS & Co. dated April 7, 2003 for Runway 11/29 R.O.W. Acquisition is hereby approved. Under Section II of the Agreement, the scope of services authorized shall be limited to items: B. Real Estate Land and Easement Acquisition, F. Environmental Processing, G. Other Improvements, Upon Request.

Yes: 3 No: 3 (Boorum, Rasmussen, Grace) Absent: 1

Due to tie vote the motion failed to pass.

2. **Approve Professional Services Agreement for a Vehicular and/or Pedestrian Bridge at 1st Street SW over Dry Run Creek.**

Discussion followed on whether it may be more economical and beneficial to rebuild the existing bridge with a pedestrian walk instead of a pedestrian bridge.

Moved By: Ecker

Seconded By: Rasmussen

The Professional Services Agreement with WHKS & Co. in the amount of not-to-exceed fee of \$31,540 for a Vehicular and/or Pedestrian Bridge is hereby approved.

Yes: 6 No: 0 Absent: 1

3. **Approve Engineering Services Agreement for the 39th Street SE Reconstruction.**

Council agreed to remove preparation of any easements to the bike trail from the agreement until further discussions with neighboring landowners could be resolved.

Moved By: Rasmussen

Seconded By: Ribich

The Engineering Services Agreement with WHKS & Co. in the amount of \$31,850 for the 39th Street SE Reconstruction is hereby approved.

Moved By: Boorum

Seconded By: Rasmussen

To amend previous motion by removing preparation of easements to the bike trail from the agreement.

Yes: 6 No: 0 Absent: 1

The original motion as amended was then voted upon.

Yes: 6 No: 0 Absent: 1

4. **Resolution 04-39, A Resolution Approving of the Minor Subdivision Plat for the Dean Soash Property, Lot 11 of Copper Ridge First Addition.**

Moved By: Kramer

Seconded By: Grace

Resolution 04-39, A Resolution Approving of the Minor Subdivision Plat for the Dean Soash Property, Lot 11 of Copper Ridge First Addition is hereby approved.

Yes: 6 No: 0 Absent: 1

5. **Resolution 04-40, A Resolution Approving Final Plat, Construction Documents, Restrictive Covenants and Bonds for Stone Haven IV Subdivision.**
Moved By: Boorum **Seconded By: Rasmussen**
Resolution 04-40, A Resolution Approving Final Plat, Construction Documents, Restrictive Covenants and Bonds for Stone Haven IV Subdivision is hereby approved.
Yes: 6 No: 0 Absent: 1
6. **Resolution 04-41, A Resolution Approving Construction Document Amendment for Rolling Meadows – Phase 2A.**
Moved By: Ribich **Seconded By: Ecker**
Resolution 04-41, A Resolution Approving Construction Document Amendment for Rolling Meadows – Phase 2A is hereby approved.
Yes: 6 No: 0 Absent: 1
7. **First Reading of Ordinance 831, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa Providing for Rezoning of Certain Area of Said City (J. D. Francis Property South of Murphy Addition).**
Moved By: Boorum **Seconded By: Kramer**
First 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 (J. D. Francis Property South of Murphy Addition) is hereby approved and sets May 17, 2004 at 7:00 P.M. in Council Chambers at City Hall as the date, time and place for a public hearing.
Yes: 6 No: 0 Absent: 1
8. **Third Reading of Ordinance 826, An Ordinance Amending Water Rates and Minimum Charges for Water Usage.**
Donna Oberheu and Duane Liddle voiced concerns with said increases.
Moved By: Boorum **Seconded By: Ecker**
Third Reading of Ordinance 826, An Ordinance Amending Water Rates and Minimum Charges for Water Usage is hereby approved.
Yes: 6 No: 0 Absent: 1
9. **Third Reading of Ordinance 827, An Ordinance Amending Sewer Rates, Charges and Minimum Rate.**
Moved By: Grace **Seconded By: Ribich**
Third Reading of Ordinance 827, An Ordinance Amending Sewer Rates, Charges and Minimum Rate is hereby approved.
Yes: 6 No: 0 Absent: 1
10. **Third Reading of Ordinance 828, an Ordinance Amending Solid Waste Collection Rates.**
Moved By: Ribich **Seconded By: Kramer**
Third Reading of Ordinance 828, an Ordinance Amending Solid Waste Collection Rates is hereby approved.
Yes: 6 No: 0 Absent: 1

11. **Second Reading of Ordinance 829, An Ordinance Establishing Additional Stop Signs in Potentially Dangerous Intersections in the City of Waverly.**
Moved By: Ribich **Seconded By: Ecker**
 Second Reading of Ordinance 829, An Ordinance Establishing Additional Stop Signs in Potentially Dangerous Intersections in the City of Waverly is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
12. **Second Reading of Ordinance 830, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions.**
Moved By: Grace **Seconded By: Kramer**
 Second Reading of Ordinance 830, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
13. **Resolution 04-42, A Resolution Establishing Fees for Services for the Waverly Police Department as Provided for in Chapter 21 of the Waverly Municipal Code.**
 Funeral escort fees were removed from the resolution.
Moved By: Grace **Seconded By: Ribich**
 Resolution 04-42, A Resolution Establishing Fees for Services for the Waverly Police Department as Provided for in Chapter 21 of the Waverly Municipal Code is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
14. **Resolution 04-43, A Resolution Establishing Fees in Responding to Repeated False Alarm Calls.**
 Discussion followed on modifying the resolution to charge \$50.00 on the 4th false alarm.
Moved By: Ecker **Seconded By: Ribich**
 Resolution 04-43, A Resolution Establishing Fees in Responding to Repeated False Alarm Calls is hereby approved.

Moved By: Rasmussen **Seconded By:**
 Amend previous motion to establish fee on the 4th false alarm.
Motion died for lack of a second.

 The original motion was then voted upon.
Yes: 6 **No: 0** **Absent: 1**
15. **First Reading of Ordinance 832, An Ordinance Establishing Fine Charged for Illegal Parking.**
Moved By: Grace **Seconded By: Kramer**
 First Reading of Ordinance 832, An Ordinance Establishing Fine Charged for Illegal Parking is hereby approved.

Yes: 6 No: 0 Absent: 1

16. **Purchase Software for Modeling Sanitary Sewer Collection System.**
City Engineer Cherry stated that the City does not have computer software to model the sanitary sewer collection system. The proposed software will allow the City to accurately determine how much sewer capacity is available for future development. The City will also be able to accurately size future sewer lines and target existing sections that could be replaced to maximize service territory. Mr. Cherry also reviewed system costs and informed the Council that an intern will help staff enter key data into the system.

Moved By: Grace Secoded By: Ecker

The sanitary sewer collection system modeling software from Haestad Methods for a cost of \$15,000 is hereby approved.

Yes: 6 No: 0 Absent: 1

17. **Award Bid for Painting of 150+ Fire Hydrants.**
Discussion followed on the transition to bi-annual hydrant painting.

Moved By: Ribich Secoded By: Boorum

The bid from Mongan Painting of Cherokee, Iowa for the amount of \$90 per hydrant is hereby approved.

Yes: 6 No: 0 Absent: 1

18. **Award Bid for Refuse Packer Body.**
The bid from Elliott Equipment of Davenport, Iowa for \$50,598.87 less trade-in of garbage truck is hereby approved. Elliott Equipment will also pay an additional \$4,401.13 to the City as part of that trade-in.

Moved By: Ecker Secoded By: Rasmussen

The bid from Elliott Equipment of Davenport, Iowa for \$50,598.87 less trade-in of garbage truck is hereby approved. Elliott Equipment will also pay an additional \$4,401.13 to the City as part of that trade-in.

Yes: 6 No: 0 Absent: 1

19. **Award Bid for Road Materials.**
The bid from Heartland Asphalt for cold mix asphalt for \$37.00 per ton, the bid from Heartland Asphalt for hot mix asphalt for \$37.00 per ton for City hauled material, and the bid from Paul Niemann Construction for road stone for \$9.16 per ton for delivered material are hereby approved.

Moved By: Kramer Secoded By: Ribich

The bid from Heartland Asphalt for cold mix asphalt for \$37.00 per ton, the bid from Heartland Asphalt for hot mix asphalt for \$37.00 per ton for City hauled material, and the bid from Paul Niemann Construction for road stone for \$9.16 per ton for delivered material are hereby approved.

Yes: 6 No: 0 Absent: 1

20. **Approval of March Cash Disbursements.**
The March Cash Disbursements are hereby approved.

Moved By: Ribich Secoded By: Boorum

The March Cash Disbursements are hereby approved.

Yes: 6 No: 0 Absent: 1

G. BOARDS AND COMMISSIONS.

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

Council congratulated Bob Edgar and the Fire Department on their Fire Fighters School conducted at the Civic Center Saturday, April 17th.

H. **ADJOURNMENT.**

Moved By: Boorum

Seconded By: Ribich

That the City Council Meeting be adjourned.

Yes: 6

No: 0

Absent: 1

Council adjourned at 8:25 P.M.

Ivan J. Ackerman, Mayor

ATTEST:

Richard J. Crayne, City Clerk