

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on April 18, 2005, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Fred Ribich, Tammy McKenzie, Connie Rasmussen, Gary Boorum, Gary Grace and Cyndi Ecker. Absent: Mel Kramer

1. **Approve Agenda as Printed or Add Items for Discussion Only.**

Moved By: Ribich

Seconded By: Rasmussen

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: Ribich

The April 4, 2005 Council Meeting Minutes are hereby approved as amended by changing the adjournment time.

Yes: 6

No: 0

Absent: 1

B. PUBLIC HEARINGS.

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

The Mayor acknowledged Cub Scout Pack 90 working on their Merit Badges.

E. CONSENT AGENDA.

1. **Class C Liquor License for the Asian Garden, Inc.**

Moved By: Ecker

Seconded By: Ribich

Item 1 on the Consent Agenda is hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **First Reading of Ordinance 842, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Fire Station).**

Moved By: Ecker

Seconded By: Grace

First Reading of Ordinance 842, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Fire Station) is hereby approved and sets May 16, 2005 at 7:00 P. M. in the Council Chambers at City Hall as the date, time and place for a public hearing on said rezoning.

Yes: 6

No: 0

Absent: 1

2. **Approve 2nd Phase (Design and Build) of the Agreement Between the City of Waverly and Gardner Architecture for Architectural Services for the Fire Station Project.**

Mr. Tom Gardner stated that the schematic design phase of the project was completed and would like to proceed with detailed plans for the Fire Station. Mr. Gardner informed the Council cost estimates had been updated for inflation and for updated space utilization. He also informed staff that construction would not infringe on flowways and that grades would be refined for the pedestrian trail. Discussion followed on single lump sum bidding process and his architecture fees. Council stated that they hoped estimated

costs would come close to bid amounts. After further discussion Council approved 2nd Phase of the agreement with Gardner Architecture following public hearing and adoption of ordinance rezoning property for said Fire Station.

Moved By: Ribich

Seconded By: McKenzie

Approve 2nd Phase (Design and Build) of the Agreement Between the City of Waverly and Gardner Architecture for Architectural Services for the Fire Station Project is hereby approved following public hearing and adoption of ordinance rezoning property for said Fire Station.

Yes: 6

No: 0

Absent: 1

3. **Update on Shared Equipment with Janesville Volunteer Fire Department.**

Chief Dan McKenzie reviewed the new equipment obtained through a Homeland Security grant submitted by Kip Ladage from Bremer County that will be shared with Janesville Volunteer Fire Department. The 6x6 Polaris Ranger will be housed at the Waverly Fire Department and is available to all emergency services. Chief McKenzie also informed the Council that the equipment would be used for emergency responses along the bike trail, Cedar Bend Park, during wildland fires along the river, railroad tracks and wooded areas, etc. Discussion followed on licensing and insurance liability.

4. **Review of Web-Based Council Agendas.**

Rich Eckstein with Networking Solutions reviewed software capabilities and process of implementing web-based Council agendas. The software allows viewers to access agenda items and linked documents on the City's website. Mr. Eckstein stated that the software will have future capabilities of storing documents for retrieval purposes for the public's view. The software will substantially cut staff time in producing Council agendas and cut paper costs.

Moved By: Ecker

Seconded By: Rasmussen

Phase 1 costs for web-based Council agendas (Agenda Manager Software and Web-site link) in the amount of \$7,000 are hereby approved.

Yes: 6

No: 0

Absent: 1

5. **First Reading of Ordinance 843, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa Providing for Rezoning of Certain Area of Said City (1607 5th Ave. NW).**

J. D. Francis was present to request the Council's approval of the first reading of Ordinance 843 rezoning his property at 1607 5th Avenue NW. Mr. Francis voiced his concern with Planning and Zoning's action to vote against his rezoning request. The Planning and Zoning Commission denied Mr. Francis' rezoning request based on spot zoning. Mr. Francis is proposing to build a duplex on his lot and stated that Irma Mattke and surrounding neighbors were not against the rezoning. Mr. Ed Zelle voiced concerns in a letter to the Planning and Zoning Commission but his property does not border Mr. Francis' property. Mr. Francis felt that it would be a good transition from R-1 behind his property, to his property proposed for R-2 and then to the R-3 zoning on Bartels' property across the street. The lot is landlocked with a residence to the west and a future City street to the east and 5th Avenue NW to the north and the dry run to the south. The property south of his lot is a waterway (dry run) and Mr. Francis has spent a

considerable amount of money on fill to bring the lot up to grade. Discussion followed on the size of the duplex and flooding.

Moved By: Ecker **Seconded By: Grace**

First Reading of Ordinance 843, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa Providing for Rezoning of Certain Area of Said City (1607 5th Ave. NW) is hereby approved and sets May 16, 2005 at 7:00 P. M. in the Council Chambers at City Hall as the date, time and place for a public hearing on said rezoning.

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

6. **The Engineering Services Agreement (Amendment No. 1) for the 10th Avenue SW Water Main Loop Project.**

City staff informed Council that it would be in the best interest of the City to have McClure Engineering provide on-site project monitoring services.

Moved By: Boorum **Seconded By: Ecker**

The Engineering Services Agreement (Amendment No. 1) for the 10th Avenue SW Water Main Loop Project is hereby approved.

Yes: 5 **No: 1(Boorum)** **Absent: 1**

7. **Set Public Hearing Date for the Copper Ridge Sanitary Sewer Extension.**

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

The Public Hearing Date of May 2, 2005 at 7:00 P. M. in the Council Chambers at City Hall for the Copper Ridge Sanitary Sewer Extension is hereby approved.

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

8. **Resolution 05-64, A Resolution Making Award of Contract for Basketball Slab for Rolling Meadow Park.**
Suggested Motion.

Moved By: Ribich **Seconded By: Ecker**

Resolution 05-64, A Resolution Making Award of Contract to Happel Excavation in the amount of \$9,067.50 for a basketball slab at Rolling Meadow Park is hereby approved.

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

9. **First Reading of Ordinance 844, An Ordinance Amending Chapter 100 of the Waverly Municipal Code Regarding Zoning Requirements.**

Moved By: Grace **Seconded By: Ribich**

First Reading of Ordinance 844, An Ordinance Amending Chapter 100 of the Waverly Municipal Code Regarding Zoning Requirements is hereby approved.

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

10. **Approval of March Cash Disbursements.**

Moved By: Ecker **Seconded By: Boorum**

The March Cash Disbursements are hereby approved.

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

11. **Mayoral Appointments.**

Moved By: Grace **Seconded By: Ribich**

The reappointments of Dave Huser and Edith Waldstein to the Planning and Zoning and appointment of Bill Wilson to Planning and Zoning and

reappointment of Karla Shea to the Board of Adjustment are hereby approved:

Yes: 6

No: 0

Absent: 1

G. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
Airport – Flight fuel report
Bremer County Law Board – Jail ready – May 16th and new custodian.
Parks & Recreation – Ball Diamonds to be discussed.
2. Reports.
3. Communications.

H. ADJOURNMENT.

Moved By: Boorum

Seconded By: Ribich

That the City Council Meeting be adjourned.

Yes: 6

No: 0

Absent: 1

Council adjourned at 8:07 P. M.

Ivan J. Ackerman, Mayor

Attest:

Richard J. Crayne, City Administrator