

Study Session Meeting Minutes

August 22, 2005~ 7:00 p.m.

A. CALL TO ORDER.

1. A Study Session of the Waverly City Council was held on August 22, 2005 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present were: Cyndi Ecker, Fred Ribich, Gary Grace, Mel Kramer, Connie Rasmussen, Tammy McKenzie, and Gary Boorum. Absent: None.

Moved By: Kramer

Seconded By: Grace

That the agenda for this Council Meeting as prepared is hereby approved

Yes: 7

No: 0

Absent: 0

2. **Minutes.**

Moved By: Ecker

Seconded By: Kramer

The August 15, 2005 minutes are hereby approved by adding wording under Public Hearing No. 1 "for the new Firefighter Museum."

Yes: 7

No: 0

Absent: 0

B. PUBLIC COMMENTS.

Discussion followed on 5th Avenue SW between 3rd & 4th Street SW sewer project.

Council congratulated staff on Kohlmann Park project. Parks & Recreation Director Ray informed Council that seeding has been done in the park and that graffiti will be removed on the restroom facility.

Staff will investigate the reason there is algae on the ponds at the Golf Course.

D. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments in the amount of \$481.13 for the Housing Rehab.
2. Pay Request from Northland Regional Council of Governments in the amount of \$42.50 for the Comprehensive Plan Update.
3. Pay Request from Northland Regional Council of Governments in the amount \$740.48 for the Lead Based Paint II.
4. Class B Beer Permit for East Bremer Diner, Inc.

Moved By: Rasmussen

Seconded By: Ribich

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

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Approve Change Order No. 1 for the Sidewalk Improvements – 2005 Project.**

Moved By: Ribich

Seconded By: Ecker

Change Order No. 1 for net increase of \$1,681.85 is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Resolution 05-107, A Resolution Accepting the Sidewalk Improvements – 2005 Project and Approving Final Pay Request.**
Moved By: Kramer **Seconded By: Rasmussen**
Resolution 05-107, A Resolution Accepting the Sidewalk Improvements - 2005 Project and Final Pay Request from Mätt Construction of Sumner, Iowa in the amount of \$778.27 is hereby approved.
Yes: 7 **No: 0** **Absent: 0**

3. **Third and Final Reading of Ordinance 849, An Ordinance Amending Chapter 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions.**

Discussion followed on parking on 7th Street NW near Wartburg and 10 minute parking on 2nd Street SE across from the Post Office. Council amended motion to allow 10 minute parking across from the Post Office. Staff will come back to Council if any action needs to be taken on 7th Street NW parking near Wartburg.

Moved By: Ribich **Seconded By: Boorum**
Third and Final Reading of Ordinance 849, an Ordinance Amending Chapter 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions is hereby approved.

Moved By: McKenzie **Seconded By: Rasmussen**
It is unlawful to park any vehicle on the east side of Second Street S. E. from the intersection of First Avenue S. E. north to the alley which runs east and west between Second Street S. E. and Third Street S. E., for a period of more than ten minutes is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

The original motion as amended was then voted upon.

Yes: 7 **No: 0** **Absent: 0**

4. **Third and Final Reading of Ordinance 850, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City(Copper Ridge 3rd and 4th Addition).**

Moved By: Boorum **Seconded By: McKenzie**
Third and Final Reading of Ordinance 850, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City(Copper Ridge 3rd and 4th Addition) is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

5. **Third and Final Reading of Ordinance 851, An Ordinance renewing for a twenty-five (25) year period, provided that there may be a re-evaluation prior to the end of year fifteen (15) and year twenty (20), a non-exclusive natural gas supply, operation and maintenance franchise with MidAmerican Energy Company.**

Moved By: Rasmussen

Seconded By: Ecker

Third and Final Reading of Ordinance 851, An Ordinance renewing for a twenty-five (25) year period, provided that there may be a re-evaluation prior to the end

of year fifteen (15) and year twenty (20), a non-exclusive natural gas supply, operation and maintenance franchise with MidAmerican Energy Company is hereby approved.

Yes: 7

No: 0

Absent: 0

6. **Resolution 05-108, A Resolution Proposing to Approve a Lease Agreement Between the City of Waverly and the Waverly Volunteer Fire Department.**

Moved By: Ecker

Seconded By: Boorum

Resolution 05-108, A Resolution Proposing to Approve a Lease Agreement Between the City of Waverly and the Waverly Volunteer Fire Department is hereby approved and sets September 12, 2005 at 7:00 P. M. in the Council Chambers at City Hall as the date, time and place for a public hearing.

Yes: 7

No: 0

Absent: 0

7. **Resolution 05-109, A Resolution Approving a Purchase Agreement Between the City of Waverly and the Waverly Volunteer Fire Department for Purchase of All Rights and Interests of the Waverly Volunteer Fire. Including All Rights to the Fire Fighter Museum Building or Other Improvements Constructed Upon the Leased Land for a Purchase Price of \$175,000.00.**

Fire Chief Dan McKenzie stated that the storage costs for museum equipment and memorabilia and additional funds benefit would exceed the City's offer of \$175,000 for museum reconstruction. City Administrator Crayne recommended that the City purchase the Waverly Volunteer Fire Department's lease and museum at the higher estimated figure of \$175,000 payable on or before January 1, 2006 as soon as the bond sale is completed. The time period from receipt of funds by the Volunteer Fire Department until funds are needed down the road can provide interest income to offset some equipment storage costs. Discussion followed on suitable storage facilities. Mayor Ackerman informed Chief McKenzie that storage costs and additional-funds-benefit cannot be paid by local option sales tax bonds. Council added the following language to the proposed motion "to cover costs associated with the construction of a new Waverly Fire Fighters Museum."

Moved By: Boorum

Seconded By: Kramer

Resolution 05-109, A Resolution Approving a Purchase Agreement Between the City of Waverly and the Waverly Volunteer Fire Department for Purchase of All Rights and Interests of the Waverly Volunteer Fire. Including All Rights to the Fire Fighter Museum Building or Other Improvements Constructed Upon the Leased Land for a Purchase Price of \$175,000.00 is hereby approved.

Moved By: Ribich

Seconded By: Ecker

The above motion is hereby amended by adding wording "to cover costs associated with the construction of a new Waverly Firefighters Museum" in No. 4 of Resolution and Purchase Agreement.

Yes: 7

No: 0

Absent: 0

The original motion as amended was then voted upon.

Yes: 7

No: 0

Absent: 0

8. **Resolution 05-110, A Resolution Reapportioning Special Assessment Originally Apportioned to Melvin J. Schulz and Karen Neil, f/k/a Karen Schulz.**

Moved By: Ribich

Seconded By: Grace

Resolution 05-110, A Resolution Reapportioning Special Assessment Originally Apportioned to Melvin J. Schulz and Karen Neil, f/k/a Karen Schulz.

Yes: 7

No: 0

Absent: 0

9. **Resolution 05-111, A Resolution Approving the Professional Services Agreement for Construction Review and Observation Services Relating to the New Wal-Mart Supercenter.**

City Engineer Cherry informed Council that Earth Tech will be performing construction observation services for public infrastructure relating to the Wal-Mart Supercenter project. City Engineer Cherry stated that Wal-Mart reimburses the City for 8% of construction costs. The City has estimated those costs to be \$1,000,000. City Attorney Carney also stated that the City could request Wal-Mart to disclose construction costs. The City is contracting with Earth Tech for a not-to-exceed figure of \$75,000. City staff time is not included in reimbursable construction costs. City Engineer Cherry also stated that the crossover water main on Highway 218B will be a separate project.

Moved By: Ecker

Seconded By: Ribich

Resolution 05-111, A Resolution Approving the Professional Services Agreement for Construction Review and Observation Services Relating to the New Wal-Mart Supercenter for a not-to-exceed amount of \$75,000 is hereby approved.

Yes: 7

No: 0

Absent: 0

F. STUDY SESSION.

G. BOARDS AND COMMISSIONS.

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

Council thanked Larrie Steenhard for being the Guest Councilperson for August.

Discussion followed on the Iowa Department of Transportation Commission.

H. ADJOURNMENT.

Moved By: Boorum

Seconded By: Ribich

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 7:40 P. M.

Ivan J. Ackerman, Mayor

Attest:

Richard J. Crayne, City Administrator