

Regular Meeting Minutes
February 7, 2005 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on February 7, 2005, 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 Grace and Cyndi Ecker. Absent: Gary Boorum, Tammy McKenzie

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: 5

No: 0

Absent: 2

2. **Minutes.**

Moved By: Ecker

Seconded By: Kramer

The January 17 and 24, 2005 Council Meeting Minutes and January 22 and 29, 2005 Budget Meeting Minutes are hereby approved.

Yes: 5

No: 0

Absent: 2

3. **Guest Councilperson.**

The Council welcomed Jim Mormann as Guest Councilperson for February.

4. **Presentation of Plaques.**

City Administrator Crayne along with the Mayor and City Council thanked Dave Nelson for his 18 years of service as Chief of the Waverly Volunteer Fire Department. Dave has provided valued leadership in moving the Fire Department forward for the betterment of Waverly and the surrounding rural area.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on the Vacation of the 66-feet of Street Right-of-Way for the extensions of 2nd and 3rd Avenue NW into Kohlmann Park. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Rasmussen

Seconded By: Kramer

Resolution 05-14, a Resolution Authorizing the Vacation of the 66-feet of Street Right-of-Way for the extensions of 2nd and 3rd Avenue NW into Kohlmann Park in Harmon LeValley Addition from the east right-of-way of 1st Street NW to the west edge of the Cedar River is hereby approved.

Yes: 5

No: 0

Absent: 2

2. This was the date, time and place for a Public Hearing on the plans, specifications, form of contract and estimated costs for the Kohlmann Park Improvement Project. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Ribich

Seconded By: Grace

Resolution 05-13, a Resolution Approving Plans, Specifications, Form of Contract and Estimated Costs for the Kohlmann Park Improvement Project are hereby approved.

Yes: 5 No: 0 Absent: 2

3. This was the date, time and place for a Public Hearing on plans, specifications, form of contract and estimated costs for the Dry Run Creek Improvements - 2005. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Ecker Seconded By: Ribich

Resolution 05-15, a Resolution Approving Plans, Specifications, Form of Contract and Estimated Costs for the Dry Run Creek Improvements - 2005 are hereby approved.

Yes: 5 No: 0 Absent: 2

4. This was the date, time and place for a Public Hearing on Plans, Specifications, Form of Contract and Estimated Costs for the Sidewalk Improvements – 2005. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Kramer Seconded By: Ecker

Resolution 05-16, a Resolution Approving Plans, Specifications, Form of Contract and Estimated Costs for the Sidewalk Improvements – 2005 are hereby approved.

Yes: 5 No: 0 Absent: 2

5. This is the date, time and place for a Public Hearing on the plans, specifications, form of contract and estimated costs for the 10th Avenue SW Water Main Loop. Discussion followed whether the Water Main Loop would help Amerihost's water pressure. The hearing was declared closed and the following action was taken.

Moved By: Kramer Seconded By: Ribich

Resolution 05-17, a Resolution Approving Plans, Specifications, Form of Contract and Estimated Costs for the 10th Avenue SW Water Main Loop are hereby approved.

Yes: 5 No: 0 Absent: 2

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

Emily Barnd of Wartburg's Student Senate invited the Mayor and City Council to the Waves of Love Benefit Dinner on February 18th at Wartburg's St. Elizabeth and Heritage Ballrooms in the Saemann Student Center at 7:00 P. M. The event is a benefit for Tsunami victims. Staff informed audience members of the limited use of eminent domain for trails. Discussion followed on the heater at the Golf Maintenance Building and the Golf Course Fund.

E. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments in the amount of \$423.09 for the Housing Rehab.
2. Pay Request from Northland Regional Council of Governments in the amount of \$270.00 for the Comprehensive Plan Update.
3. Pay Request from Gardner Architecture in the amount of \$3000 for the Harlington Cemetery Crypt Restoration.
4. Class E Liquor License, Class B Wine Permit, and Class C Beer Permit for Regal Liquors (Hy-Vee, Inc.).
5. Class B Wine Permit, and Class C Beer Permit for Fareway Stores, Inc.
6. Class C Beer Permit for Kwik Star East.

Moved By: Ecker

Seconded By: Ribich

Items 1-6 on the Consent Agenda are hereby approved.

Yes: 5

No: 0

Absent: 2

F. REGULAR BUSINESS.

1. **Approve Agreement Between the City of Waverly and Gardner Architecture for Architectural Services for the Fire Station Project.**

Moved By: Ribich

Seconded By: Kramer

The Agreement between the City of Waverly and Gardner Architecture for Architectural Services for the lump sum amount of \$221,820 for the Fire Station Project is hereby approved.

Yes: 5

No: 0

Absent: 2

2. **Resolution 05-18, A Resolution Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$2,850,000 General Obligation Refunding Capital Loan Notes of Waverly, Iowa, and Providing for Publication of Notice Thereof.**

City will have to wait until June 1, 2006 to redeem refunded bonds.

Moved By: Grace

Seconded By: Ribich

Resolution 05-18, A Resolution Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$2,850,000 General Obligation Refunding Capital Loan Notes of Waverly, Iowa, and Providing for Publication of Notice Thereof is hereby approved and sets February 21, 2005 at 7:00 p.m. in Council Chambers at City Hall as the Date, Time and Place for a Public Hearing.

Yes: 5

No: 0

Absent: 2

3. **Resolution 05-19, A Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$1,400,000 General Obligation Bonds (For an Essential Corporate Purpose) of Waverly, Iowa, and Providing for Publication of Notice Thereof.**

The \$190,000 for the 1st Avenue SE Parking Lot Improvements can be repaid by tax increment financing revenues.

Moved By: Ribich

Seconded By: Kramer

Resolution 05-19, A Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$1,400,000 General

Obligation Bonds (For an Essential Corporate Purpose) of Waverly, Iowa, and Providing for Publication of Notice Thereof is hereby approved and sets February 21, 2005 at 7:00 p.m. in Council Chambers at City Hall as the Date, Time and Place for a Public Hearing.

Yes: 5 No: 0 Absent: 2

4. **Resolution 05-20, A Resolution Setting User Fees and Charges for the Parks and Recreation Department for 2005.**

Moved By: Ecker Seconded By: Ribich

Resolution 05-20, A Resolution Setting User Fees and Charges for the Parks and Recreation Department for 2005 is hereby approved.

Yes: 5 No: 0 Absent: 2

5. **Resolution 05- 23, A Resolution Proposing the Vacation of City Right-of-Way within Riverside Park.**

Moved By: Kramer Seconded By: Ribich

Resolution 05- 23, A Resolution Proposing the Vacation of City Right-of-Way within Riverside Park is hereby approved and sets February 21, 2005 at 7:00 P. M. in the Council Chambers at City Hall as the date, time and place for a public hearing.

Yes: 5 No: 0 Absent: 2

6. **Resolution 05-21, A Resolution Awarding Contract for the 1st Street SW Reconstruction Project & South Riverside Park Trail.**

Staff informed audience members that project trail costs are \$23,000.

Moved By: Ecker Seconded By: Ribich

Resolution 05-21, A Resolution Awarding Contract to Heartland Asphalt in the amount of \$328,335.35 for the 1st Street SW Reconstruction Project & South Riverside Park Trail is hereby approved.

Yes: 5 No: 0 Absent: 2

7. **Approve WHKS & Co.'s Engineering Services Agreement for Project Work Order No. 1 for the Waverly Municipal Airport.**

Staff informed audience members that the agreement would be coming back to the Council on February 21st. The FAA requested some language modification. The proposed services would include an update of the Airport Layout Plan and said services are eligible for 95% federal reimbursement.

Moved By: Kramer Seconded By: Ribich

Approve WHKS & Co.'s Engineering Services Agreement for Project Work Order No. 1 for the not-to-exceed amount of \$58,619.00 for the Waverly Municipal Airport is hereby approved.

Yes: No: Absent:

Moved By: Ribich Seconded By: Rasmussen

To table WHKS & Co.'s Engineering Services Agreement is hereby approved.

Yes: 5 No: 0 Absent: 2

8. **Resolution 05-22, A Resolution Approving Acquisition Settlement for the 39th Street SE Reconstruction Project.**

Staff informed Council that the total land settlement to Steven J. Rosol & Kristine Rosol amount \$11,040.00, \$3,425.00 for fence removal on their property. An existing agricultural deferred sanitary sewer assessment on a parcel of Mr. Rosol's properties will also be waived in the amount of \$6,627.00.

Moved By: Ecker

Seconded By: Grace

Resolution 05-22, A Resolution Approving Acquisition Settlement with Steve and Kristine Rosol for the 39th Street SE Reconstruction Project is hereby approved.

Yes: 5

No: 0

Absent: 2

9. **Resolution 05-24, A Resolution Approving Contract Documents for the 39th Street SE Reconstruction Project.**

Moved By: Rasmussen

Seconded By: Ribich

Resolution 05-24, A Resolution Approving Contract Documents for Heartland Asphalt for the 39th Street SE Reconstruction Project in the amount of \$326,796.65 is hereby approved.

Yes: 5

No: 0

Absent: 2

10. **Set Public Hearing Date for Harlington Cemetery Crypt Renovation Plans and Specifications and Form of Contract and Estimated Costs.**

Moved By: Kramer

Seconded By: Ecker

February 21, 2005 at 7:00 P. M. in the Council Chambers at City Hall is the date, time and place for a public hearing on plans, specifications, form of contract and estimated costs for the Harlington Cemetery Crypt Renovation and is hereby approved.

Yes: 5

No: 0

Absent: 2

11. **Resolution 05-25, A Resolution Approving Contract Documents for the 1st Avenue SE Municipal Parking Lot Improvements.**

Moved By: Ribich

Seconded By: Grace

Resolution 05-25, A Resolution Approving Contract Documents for Rainbow Concrete for the 1st Avenue SE Municipal Parking Lot Improvements in the amount of \$152,991.75 is hereby approved.

Yes: 5

No: 0

Absent: 2

G. BOARDS AND COMMISSIONS.

1. Boards and Commissions.

Planning and Zoning set public hearing on Walmart.

Contractors can make requests to the Board of Electrical Examiners and the Board of Plumbing Examiners even though building inspections will be taken over by Bremer County.

The Ball Diamond Committee will meet with Parks & Recreation Commission.

2. Reports.

3. Communications.

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: Ribich **Seconded By: Kramer**

To enter into closed session is hereby approved.

Yes: 5 **No: 0** **Absent: 2**

Moved By: Kramer **Seconded By: Ribich**

To Re-enter into open session is hereby approved.

Yes: 5 **No: 0** **Absent: 2**

I. **ADJOURNMENT.**

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

That the City Council Meeting be adjourned.

Yes: 5 **No: 0** **Absent: 2**

Council adjourned at 9:06 P. M.

Ivan J. Ackerman, Mayor

Attest:

Richard J. Crayne, City Administrator