

Regular Meeting Minutes
August 15, 2005 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on August 1, 2005, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Councilmembers present: Mel Kramer, Fred Ribich, Cyndi Ecker, Gary Grace, Gary Boorum, and Connie Rasmussen. Absent: Tammy McKenzie

1. **Approve Agenda as Printed or Add Items for Discussion Only.**
Moved By: Kramer **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: Boorum**
The August 1, 2005 Council Meeting Minutes are hereby approved.
Yes: 6 **No: 0** **Absent: 1**

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on plans, specifications, form of contract and estimate of cost for the Fire Department Construction.
Brian Stark of Gardner Architecture reviewed facility plans.
City Attorney Carney advised that architecture fees for the new Firefighter Museum should not be paid for by use of Local Option Sales Tax funding and council agreed.
Moved By: Boorum **Seconded By: Kramer**
Resolution 05-97, A Resolution Approving Plans, Specifications, Form of Contract and Estimate of Cost for the Fire Department Construction is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
2. This was the date, time and place for a Public Hearing on a proposal to renew for a twenty-five (25) year period, provided that there may be a re-evaluation prior to the end of year fifteen (15), a non-exclusive natural gas supply, operation and maintenance franchise with MidAmerican Energy Company.
No oral comments and one written comment which was received prior to the meeting by Harold and Cathy Pitts.
Moved By: Ecker **Seconded By: Rasmussen**
Second Reading of Ordinance No. 851 Granting to MidAmerican Energy Company, Its Successors and Assigns, the Non-exclusive Right and Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Waverly, Iowa, a Natural Gas System and to Furnish and Sell Natural Gas to the City and its Inhabitants for a Period of 25 Years (Provided that there may be a Re-evaluation Prior to the End of Year 15) is hereby approved.

Prior to voting on said motion, an amendment was moved by Rasmussen and Seconded by Ecker providing for reevaluations of said franchise prior to the end of year 15 and year 20. The vote on said amendment was

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

Council then considered adoption of the second reading of said ordinance as amended (Reevaluations prior to the end of year 15 and year 20.)

Moved By: Rasmussen **Seconded By: Ecker**

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

3. This was the date, time and place for a Public Hearing on Amending Chapter 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions. Proposed Ordinance 849 should be amended to add language for additional parking restrictions.

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

Second Reading of Ordinance 849, an Ordinance Amending Chapter 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions is hereby approved by amending it to add the words “excluding designated off-street parking” in Section 1 in paragraph entitled Wartburg College Area, at the end of the third bullet.

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

4. This was the date, time and place for a Public Hearing on 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: Rasmussen **Seconded By: Grace**

Second Reading of Ordinance 850, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City and Comprehensive Land Use Amendment (Copper Ridge 3rd & 4th Addition) is hereby approved.

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

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

Councilmember Boorum asked why there were still no sidewalks at 39th Street SE and stated there was still concern with the grade cut on the east side of street. City Engineer Cherry stated there were no sidewalks planned for in the construction process but there are paved shoulders. Mr. Boorum stated it might be a good idea to put up a retaining wall to hold trees and erosion back away from the street.

Councilmember Boorum asked about the progress of maintenance on the green bridge. Public Services Superintendent Sullivan informed Council that cleaning and welding had been done over the summer. Further maintenance is still being planned.

Councilmember Boorum also commented on the storm sewer catch basin along 12th Street NW is in need of improvements.

E. CONSENT AGENDA.

1. Pay Request from WHKS & Co. for Professional Engineering and Surveying Services for the Waverly Municipal Airport.

Pay Request from WHKS & Co. in the amount of \$3,506.25 for Professional Engineering and Surveying Services for the Waverly Municipal Airport.

2. **Pay Request from Mätt Construction, Inc. for Kohlmann Park Improvements.**

Pay Request from Mätt Construction, Inc. for Kohlmann Park Improvements in the amount of \$16,245.

3. **Pay Request from Gardner Architecture for Fire Station Project.**

Pay Request from Gardner Architecture in the amount of \$34,200 for the Fire Station.

Moved By: Kramer

Seconded By: Boorum

Items 1-3 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Resolution 05-98, A Resolution Approving Contract Documents for the Copper Ridge Sanitary Sewer Extension –2005.**

Moved By: Ecker

Seconded By: Ribich

Resolution 05-98, A Resolution Approving Contract, Bond and Insurance for the Copper Ridge Sanitary Sewer Extension –2005 is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Approval of the Preliminary Plat for Copper Ridge Third Addition.**

Attached for your review is a staff summary from Zoning Administrator Jason Passmore on said addition.

Moved By: Ribich

Seconded By: Kramer

Approval of the Preliminary Plat for Copper Ridge Third Addition is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Direct the City Attorney to Prepare an Agreement Between the City of Waverly and the Waverly Volunteer Fire Department Providing for Cash Reimbursement for the Loss of the Fire Museum, and Providing Land (Legal Description) for Lease/Sale (\$1) to Waverly Volunteer Fire Department.**

Moved By: Ecker

Seconded By: Rasmussen

Motion to direct City Attorney to prepare an agreement between the City of Waverly and the Waverly Volunteer Fire Department providing for cash reimbursement for the loss of the Fire Museum, and providing land (legal description) for lease/sale (\$1) to Waverly Volunteer Fire Department is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Resolution 05-104, A Resolution Proposing the Vacation of a City Roadway Easement within the CUNA Mutual Property for the Extension of 10th Avenue SW.**

Moved By: Ecker

Seconded By: Ribich

Resolution 05-104, A Resolution Proposing the Vacation of a City Roadway Easement within the CUNA Mutual Property for the Extension of

10th Avenue SW is hereby approved and September 12 at 7:00 p.m. at City Hall is the date, time and place for a public hearing.

Yes: 6 No: 0 Absent: 1

5. **Resolution 05- 99, A Resolution Accepting Airport Hangars – 2005 and Approving Final Pay Request.**

Moved By: Kramer Seconded By: Ribich

Resolution 05-99, A Resolution Accepting Airport Hangars – 2005 and Final Pay Request in the amount of \$2,800 is hereby approved.

Yes: 6 No: 0 Absent: 1

6. **Approve Change Order No. 1 for the Bituminous Seal Coat – 2005 Program.**

Moved By: Rasmussen Seconded By: Ecker

Change Order No. 1 for net decrease of \$4,384.63 is hereby approved.

Yes: 6 No: 0 Absent: 1

7. **Resolution 05-100, A Resolution Accepting the 2005 Bituminous Seal Coat Program and Approving Final Pay Request.**

Moved By: Ribich Seconded By: Rasmussen

Resolution 05-100, A Resolution Accepting the 2005 Bituminous Seal Coat Program and Final Pay Request in the amount of \$4,404.78 is hereby approved.

Yes: 6 No: 0 Absent: 1

8. **Resolution 05-101, A Resolution Approving IDOT Agreement for Federal – Aid for the 9th Avenue NW Reconstruction Project – 2006.**

Moved By: Kramer Seconded By: Ribich

Resolution 05-101, A Resolution Approving IDOT Agreement for Federal – Aid for the 9th Avenue NW Reconstruction Project – 2006 is hereby approved.

Yes: 6 No: 0 Absent: 1

9. **Resolution 05-102, A Resolution Approving Restrictive Covenants and Final Plat for Rolling Meadow Phase 2C.**

Moved By: Boorum Seconded By: Kramer

Resolution 05-102, A Resolution Approving Restrictive Covenants and Final Plat for Rolling Meadow Phase 2C is hereby approved.

Yes: 6 No: 0 Absent: 1

10. **Resolution 05-103, A Resolution Approving Material Purchase for the 2nd Avenue SW Railroad Crossing.**

Moved By: Rasmussen Seconded By: Ecker

Resolution 05-103, A Resolution Approving Material Purchase for the 2nd Avenue SW Railroad Crossing.

Yes: 6 No: 0 Absent: 1

11. **Resolution 05-105, A Resolution Approving the Street Finance Report for Fiscal Year 2004-05.**

Moved By: Boorum Seconded By: Ecker

Resolution 05-105, A Resolution Approving the Street Finance Report for Fiscal Year 2004-05 is hereby approved.

Yes: 6 No: 0 Absent: 1

12. **Approve Change Order No. 1 for the 1st Avenue SE Municipal Parking Lot Improvements.**

Moved By: Boorum

Seconded By: Ribich

Change Order No. 1 for the increased amount of \$5,208.55 for the 1st Avenue SE Municipal Parking Lot Improvements is hereby approved.

Yes: 6 No: 0 Absent: 1

13. **Resolution 05-106, A Resolution Accepting 1st Avenue SE Municipal Parking Lot Improvements and Approving Final Pay Request.**

Moved By: Kramer Seconded By: Ecker

Resolution 05-106, A Resolution Accepting 1st Avenue SE Municipal Parking Lot Improvements and Approving Final Pay Request is hereby approved.

Yes: 6 No: 0 Absent: 1

14. **Approval of July Cash Disbursements.**

Moved By: Rasmussen Seconded By: Ecker

The July Cash Disbursements are hereby approved.

Yes: 6 No: 0 Absent: 1

G. BOARDS AND COMMISSIONS.

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

H. ADJOURNMENT.

Moved By: Boorum

Seconded By: Grace

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 8:32 P.M.

Ivan J. Ackerman, Mayor

Attest:

Richard J. Crayne, City Administrator