Regular Meeting Minutes September 19, 2005 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on September 19, 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 Boorom, and Connie Rasmussen. Absent: Tammy McKenzie

1. 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: Ribich

The September 12, 2005 Council Meeting Minutes are hereby approved.

Yes: 6 No: 0 Absent: 1

- B. **PUBLIC HEARINGS.**
- C. TABLED ITEMS.
- D. <u>VISITORS / PUBLIC COMMENTS.</u>

E. CONSENT AGENDA.

- 1. Pay Request from Mätt Construction for the Dry Run Creek Improvements 2005 in the amount of \$24,409.30.
- 2. Pay Request from Heartland Asphalt, Inc. for the 39th Street SE Reconstruction Project in the amount of \$44,326.47.
- 3. Pay Request from WHKS & Co. for the Waverly Airport Corridor Improvements in the amount of 2,366.09.
- 4. Pay Request from Gardner Architecture, P.L.C. for the Waverly Fire Station New Facility in the amount of \$36,237.00.
- 5. Class C Beer Permit for Risky Business.
- 6. Class C Beer Permit for The Other Place II.

Moved By: Grace Seconded By: Ribich Items 1-6 on the Consent Agenda are hereby approved.

Yes: 6 No: 0 Absent: 1

F. REGULAR BUSINESS.

1. Resolution 05-119, A Resolution Proposing to Release a Mortgage
Lien (and Subsequent Conditions of the Assistance) Against the
Assisted Property Currently Owned by Delbert L. Rittgers and
Chris S. Rittgers.

Chris Rittgers petitioned the Council to consider release of mortgage lien for Housing Rehab improvements made to their property in the spring of this year. Mrs. Rittgers informed the Council that her husband has accepted a pastorate in Knoxville, Iowa and that their home here in Waverly is for sale. Council recommended that the Rittgers sell their property first and then come back to the City with their request to see if the fair market value of their house had increased. Clarissa Nicholson of Iowa Northland Regional Council of Governments did state that the Housing Rehab contracts have a prorated clause and that the loan is forgiven after five years. Any recovered grant money is used for future rehab projects. Discussion followed on repayment of the Rittgers' USDA mortgage and the housing rehab grant. The Council will make a decision on a payback of the Housing Rehab loan when the Rittgers' house is sold.

Moved By: Ribich Seconded By: Grace

Resolution 05-119, A Resolution Proposing to Release a Mortgage Lien (and Subsequent Conditions of the Assistance) Against the Assisted Property Currently Owned by Delbert L. Rittgers and Chris S. Rittgers is hereby approved.

Yes: No: Absent:

Moved By: Ribich Seconded By: Kramer

To table previous motion is hereby approved.

Yes: 6 No: 0 Absent: 1

 Resolution 05-120, A Resolution of the City Council of the City of Waverly, Iowa Awarding Bids to Contractors for Projects Number Four, Five and Six in the Waverly Housing Rehabilitation Program.
 Clarissa Nicholson of Iowa Northland Regional Council of Governments informed the Council that costs have doubled and the repairs are more extensive on said contracts.

Moved By: Boorom Seconded By: Rasmussen Resolution 05-120, A Resolution of the City Council of the City of Waverly, Iowa Awarding Bids to Contractors for Projects Number Four, Five and Six in the Waverly Housing Rehabilitation Program in the amounts of \$28,502, \$24,722 and \$22,120 respectively is hereby approved.

Yes: 6 No: 0 Absent: 1

3. Resolution 05-121, A Resolution Approving Iowa Regional Utility
Association and City of Waverly Water Interconnection Agreement to
Service Water to Cedar Bend Park.

The agreement requests the City of Waverly serve as a temporary source of water for the Cedar Bend Park for a period of three years, with the opportunity to request an extension to this agreement if the need arises. The requested connection would be on the northwest boundary of City limits, where Central Iowa Water Association would set a 2" meter. City Engineer Cherry stated that the City has the capacity to service Cedar Bend Park. Dan McGinnis stated that Cedar Bend Park would have their water connection when they open in the spring. Mr. McGinnis stated that

Central Iowa Water Association is developing an agreement with Habitat for Humanity for water extension to the Old Air Base south of Waverly.

Moved By: Kramer Seconded By: Ribich Resolution 05-121, A Resolution Approving Iowa Regional Utility Association and City of Waverly Water Interconnection Agreement to Service Water to Cedar Bend Park is hereby approved.

Yes: 6 No: 0

Review and Discussion of the Public Works Facility Needs Study. 4. Kristofer Orth of Design Alliance reviewed site analysis and layout plan for two additional sites as possible locations for a new Public Services Facility. One site was north of the Soccer Fields and north of yardwaste. 20.78 acres are available for the site including land north of the present yardwaste. Crestwood, 8th Street SE and future 10th Avenue SE are corridors to the facility. 8th Street SE and Crestwood Avenue after 4th Street SE do not have curb and gutter and were not designed for substantial traffic. The yardwaste would have to be extended north 7.25 acres. The northeast half of the site is presently in the 100 year flood plain and site is isolated during floods. The site is adjacent to the Soccer Complex to the south and adjacent to residential east, north and west. There is sanitary sewer available on the east side and water on the north and east side. Council questioned whether local option sales tax can be used for 10th Avenue East extension. The cost for said 10th Avenue East extension is \$2,200,000. Mayor Ackerman stated that homeowners in the proposed area favor the Public Services construction. The building is 350 feet by 400 feet with an L-shape design at a cost of \$4,400,000. The land was purchased with Recreational Capital Improvement funds and questioned whether there is a need to replenish said funds. The site would require seven feet of fill at its lowest point but has a 100-foot setback line a tree buffer. Site # 3 contains 18.22 acres and is adjacent to Bartel's Lutheran Home and Sale Barn on 20th Street NW. It has accesses on 5th Avenue NW and 20th Street NW. A 1980 Flood Study proposed that the north half of the site be a dry run detention area. The L-shape building design would again be suitable to the site and water & sanitary mains are on south edge. Said property would have to be acquired but land near soccer fields is presently owned by the City. Council again discussed traffic in the Crestwood area and over the Green Bridge. The fill material for the facility may create a change in the flood plain. A member of the audience again stressed the need for extension of 10th Avenue East but Council did not believe that said costs should be associated with the Public Services facility project. Previously the Council had examined the Tiedt site along Horton Road. A member of the audience stated that surrounding property owners around Tiedt site do not support a yard waste facility. Public Services Superintendent Sullivan stated that combining operations makes for efficient service. The Tiedt site contains 27.4 acres at \$15,000 an acre. Discussion on the Industrial Park site and Fred Krumweide's property north of Waverly as possible sites for

the Public Services facility. Staff will prepare a comparison of each site along with infrastructure costs and their recommendation to Council.

5. Resolution 05-122, A Resolution Supporting Entry into the Great American Main Street Awards Competition.

Tara Harn from Waverly Area Development Group reviewed the process of entry into the Great American Main Street Awards Competition.

Moved By: Boorom Seconded By: Ecker

Resolution 05-122, A Resolution Supporting Entry into the Great American Main Street Awards Competition is hereby approved.

Yes: 6 No: 0 Absent: 1

6. Resolution 05-123, A Resolution Approving a Memorandum of Agreement Between Wartburg College and the City of Waverly For Broadcasting Waverly City Council Meetings and Planning and Zoning Meetings.

Councilmember Grace stated that the agreement remains the same but there will be an analysis of equipment before the next renewal.

Moved By: Rasmussen

Seconded By: Kramer

Resolution 05-123, A Resolution Approving a Memorandum of Agreement between Wartburg College and the City of Waverly for Broadcasting Waverly City Council Meetings and Planning and Zoning Meetings is hereby approved.

Yes: 5 No: 0 Absent: 1 Abstain: 1(Grace)

7. Resolution 05-124, A Resolution Approving a Certified Local
Government Program Grant for Funding for an Intensive
Architectural / Historical Survey of the Southeast Quadrant of
Waverly.

Parks & Recreation Director Ray informed Council that the State Historical Society asked the City to apply for Certified Local Government Program Grant. The State approves all consultants. The survey could lead to the City of Waverly's nomination to the National Register of Historic Places of either a historic residential district or a number of individual properties.

Moved By: Ribich Seconded By: Rasmussen
Resolution 05-124, A Resolution Approving a Certified Local Government
Program Grant for Funding for an Intensive Architectural / Historical
Survey of the Southeast Quadrant of Waverly is hereby approved.

Yes: 6 No: 0 Absent: 1

7. Review and Set Public Hearing to Amend the Comprehensive Land
Use Plan for the Area South of 10th Avenue SW and East of
16th Street SW.

Moved By: Grace Seconded By: Ribich

Review and Set Public Hearing to Amend the Comprehensive Land Use Plan for the Area South of 10th Avenue SW and East of 16th Street SW and set October 3, 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

9. Resolution 05-125, A Resolution Approving the Extension of the

<u>Performance Guarantee (Letter of Credit) for Copper Ridge Second Addition.</u>

Moved By: Boorom Seconded By: Rasmussen

Resolution 05-125, A Resolution Approving the Extension of the Performance Guarantee (Letter of Credit) for Copper Ridge Second Addition is hereby approved.

Yes: 6 No: 0 Absent: 1

G. BOARDS AND COMMISSIONS.

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

H. EXECUTIVE SESSION.

To discuss collective bargaining strategy for upcoming Public Safety Unit negotiations. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.

Moved By: Kramer Seconded By: Rasmussen

To enter into Executive Session is hereby approved.

Yes: 6 No: 0 Absent: 1

Moved By: Kramer Seconded By: Ecker

To reenter into open session is hereby approved.

Yes: 6 No: 0 Absent: 1

After discussion on unopened bids received September 13th due to allegations of a flawed bidding process for the New Fire Station, Councilmembers Boorom and McKenzie were appointed to work with the Fire Department Building Committee, Architect, City Attorney and Bonding Attorney on development of new plans and specifications.

I. ADJOURNMENT.

Moved By: Boorom Seconded By: Ribich

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 8:45 P. M.

	Ivan J. Ackerman, Mayor
Attest:	
Richard J. Crayne, City	Administrator