

Regular Meeting Minutes
August 21, 2006 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on August 21, 2006, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Fred Ribich, Gene Lieb, Connie Rasmussen, Gary Boorum, Cyndi Ecker, Duane Liddle and Gary Grace. Absent: None.

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

Moved By: Ribich

That the agenda for this Council meeting as prepared is hereby approved.

Yes: 7 No: 0 Absent: 0

2. **Minutes.**

Moved By: Ecker

The August 7, 2006 Council Meeting Minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

3. **Proclamation.**

Moved By: Grace

September, 2006 is hereby declared Friends of the Library Month.

Yes: 7 No: 0 Absent: 0

B. PUBLIC HEARINGS.

C. TABLED ITEMS.

D. CONSENT AGENDA.

1. **Special Class C Liquor License for East Bremer Diner, Inc.**

Moved By: Boorum

Item 1 on the Consent Agenda is hereby approved.

Yes: 7 No: 0 Absent: 0

E. REGULAR BUSINESS.

1. **First Reading of Ordinance 863, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area (area along the West Side of 1st Street SE)of Said City.**

Moved By: Ribich

First Reading of Ordinance 863, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from U-1 (Environmentally Sensitive Protected District) to C-3(Commercial Central Business District) and R-4 (Multiple-Family Residential – Transitional District) of Certain Area (along the west side 1st Street SE) of Said City is hereby approved and sets September 11, 2006 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: 7 No: 0 Absent: 0

2. **Resolution 06-59, A Resolution Approving Minor Plat for Kevin Sievers for Lots 215, 216 and 217 in Rolling Meadow Subdivision Phase 2a.**

Moved By: Rasmussen

Resolution 06-59, A Resolution Approving Minor Plat for Kevin Sievers for Lots 215, 216 and 217 in Rolling Meadow Subdivision Phase 2a is hereby approved.

Yes: 7 No: 0 Absent: 0

3. **First Reading of Ordinance 864, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area (1607 5th Avenue NW)of Said City.**

J. D. Francis reviewed his proposal to put a duplex on his lot at 1607 5th Avenue NW. He stated his property would match the R-3 zoning across the street at Bartels. There was a

petition filed from surrounding property owners against the rezoning. Mr. Francis' plans to rent the duplex to prospective clients while their home is being constructed. The property is not in the flood plain and the zoning conforms to the Comprehensive Land Use Plan. Mr. Francis said it would be hard to justify putting a home on the property because it has a waterway in back and a vacant lot and railroad to the east of the lot. Some of the comments expressed include:

All of Rieger addition is R-1, Single Family Residential district

Negative impact on property values

Resale concerns

Put R-2 zoning restrictions on said lot.

A favorable vote of at least three-fourths of all members of the City Council is required to approve a rezoning request which has been subject to a protest

Moved By: Ribich

First Reading of Ordinance 864, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from R-1 (Residential District) to R-3 (Multiple-Family Residential) of Certain Area (1607 5th Avenue NW) of Said City is hereby approved and sets September 11, 2006 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: 5 No: 2(Liddle, Ecker) Absent: 0

4. **Review and Approval of the Waverly Volunteer Fire Department Aerial Truck Bid and Specifications.**

Chief McKenzie stated that the underground infrastructure is completed and said that Holland Contracting is doing well on the Fire Station Construction.

Moved By: Boorum

Waverly Volunteer Fire Department Aerial Truck Bid and Specifications are hereby approved.

Yes: 7 No: 0 Absent: 0

5. **Resolution 06-60, A Resolution Determining the Necessity and Setting Date for a Public Hearing on a Proposed Amended Waverly Urban Renewal Plan for Economic Development for a Proposed Urban Renewal Area in the City of Waverly Amendment No. 7.**

Administrator Crayne informed Council that the Planning and Zoning Commission approved the amendment and that he had received no objections from Bremer County, Hawkeye Community College, and the Waverly-Shell Rock Schools. Urban Renewal Plan does not authorize the use of TIF funding for residential development projects.

Moved By: Ribich

Resolution 06-60, A Resolution Determining the Necessity and Setting Date for a Public Hearing on a Proposed Amended Waverly Urban Renewal Plan for Economic Development for a Proposed Urban Renewal Area in the City of Waverly Amendment No. 7 is hereby approved and sets September 11, 2006 at 7:00 p.m. in the Council Chambers at City Hall as the date time and place for a public hearing on said amendment.

Yes: 7 No: 0 Absent: 0

6. **Resolution 06-61, A Resolution Awarding Contract for 5th Avenue SW Sanitary Sewer Replacement.**

Moved By: Boorum

Resolution 06-61, A Resolution Awarding Contract for 5th Avenue SW Sanitary Sewer Replacement to Denver Underground of Waverly, Iowa in the amount of \$25,391.80 is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Resolution 06-62, A Resolution Accepting Public Improvements for Copper Ridge 2nd and 3rd Additions.**

Moved By: Ecker

Resolution 06-62, A Resolution Accepting Public Improvements for

Copper Ridge 2nd and 3rd Additions, Approving Public Improvement Maintenance Bond, Sidewalk Subdivision Bond, and Reimbursement for Construction of Water Main under Bremer Road to BNKD, Inc. in the amount of \$8,360.00 is hereby approved.

Yes: 7 No: 0 Absent: 0

8. **Approving a Professional Engineering Services Agreement for 3rd Street NE Municipal Parking Lot Reconstruction and 1st Street NW & West Bremer Avenue Intersection Improvements.**

Project will start in May or June of next year. Discussion followed on the engineering costs of \$25,500 for the parking lot reconstruction and intersection improvements. Total construction costs for the Parking lot is \$165,000 and for the intersection is \$70,000. Council voiced concern with diagonal parking on 1st Avenue NE. Staff enlisted Yaggy Colby services due to the poor condition of the parking lot.

Moved By: Ecker

A Professional Engineering Services Agreement with Yaggy Colby Associates in the amount of \$25,500 for 3rd Street NE Municipal Parking Lot Reconstruction and 1st Street NW & West Bremer Avenue Intersection Improvements and the method of parking to be determined later is hereby approved.

Yes: 7 No: 0 Absent: 0

9. **First Reading of Ordinance 865, An Ordinance Providing for Monitoring Storm Water Erosion.**

The new ordinance goes into effect for all new subdivisions. The ordinance provides that developers, contractors, or owners of property who are constructing improvements that require storm water management permits from the Iowa Department of Natural Resources shall provide the City of Waverly Public Works Department with copies of Iowa Department of Natural Resources Natural Pollutant Discharge Elimination System (NPDES) application, Storm Water Pollution Prevention Plan and any revisions, correspondence relating to the NPDES permits and any storm water construction site inspection reports. After passage of the ordinance staff will meet with contractors and developers on the mechanics of this process. Any penalty would be a misdemeanor.

Moved By: Ecker

First Reading of Ordinance 865, An Ordinance Providing for Monitoring Storm Water Erosion is hereby approved.

Yes: 7 No: 0 Absent: 0

10. **Set Public Hearing for the 4th Avenue SW & 11th Street SW Reconstruction Project – 2007.**

Moved By: Grace

September 11, 2006 at 7:00 p.m. in the Council Chambers at City Hall as the date, time and place for a public hearing on plans, specifications, and form of contract for the 4th Avenue SW & 11th Street SW Reconstruction Project – 2007 is hereby approved.

Yes: 7 No: 0 Absent: 0

11. **Approval of July Cash Disbursements.**

Discussion followed on fuel costs.

Moved By: Boorum

July Cash Disbursements are hereby approved.

Yes: 7 No: 0 Absent: 0

12. **Resolution 06-63, A Resolution Approving an Agreement Regarding the Use of the City of Waverly's Outdoor Warning System Encoder to Activate the City of Readlyn's Outdoor Warning System.**

Readlyn and Waverly have purchased Whelan Outdoor Warning Systems. As a convenience to the City of Readlyn the City of Waverly is letting Readlyn use the Bremer-Waverly Law Center encoder to activate their outdoor warning system and Readlyn and Waverly will share any maintenance costs regarding said encoder.

Moved By: Rasmussen

Resolution 06-63, A Resolution Approving an Agreement Regarding the Use of the City of Waverly's Outdoor Warning System Encoder to Activate the City of Readlyn's Outdoor Warning System is hereby approved.

Yes: 7

No: 0

Absent: 0

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
Bremer-Waverly Law Enforcement Board Minutes – open house went well.
2. Reports.
3. Communications.

G. VISITORS / PUBLIC COMMENTS.

Governor Vilsack will conduct his Town Meeting on August 30th at 4:00 P. M. at the Waverly Public Library.

Sarah Meyer-Reyerson reviewed a recent study titled "Long Overdue: a Fresh Look at Public and Leadership Attitudes About Libraries in the 21st Century," which was prepared by Public Agenda. The Waverly Public Library has over 16,000 borrowers currently registered. Library visits have increased by 50% since 1995.

Staff will bring back a curb and gutter policy to the September 18th Council Meeting. Councilmember Ribich informed Council that a survey will be going out soon asking for feedback from Waverly citizens on Solid Waste services.

Discussion followed on Cedar Lane Shoulder Widening Project,

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:20 P. M.

Gary Grace, Mayor Pro-Tem

Attest:

Jo-Ellen Raap, City Clerk