

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on September 11, 2006, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Pro-Tem Gary Grace presided. Council members present: Fred Ribich, Gene Lieb, Connie Rasmussen, Gary Boorum, Cyndi Ecker, and Gary Grace. Absent: Duane Liddle

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: 6 No: 0 Absent: 1

2. **Minutes.**

Moved By: Ecker

The August 21, 2006 and August 28, 2006 Council Meeting Minutes are hereby approved.

Yes: 6 No: 0 Absent: 1

3. **Guest Councilperson.**

Council welcomed Barth Steere as the Guest Councilperson for September.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on Ordinance 863, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (area along the west side of 1st Street SE). Mayor Pro-Tem Gary Grace 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

Second Reading of Ordinance 863, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City from U-1 (Environmentally Sensitive Protected District) to C-3(Commercial Central Business District) and R-4 (Multiple-Family Residential – Transitional District) for the area along the west side of 1st Street SE is hereby approved.

Yes: 6 No: 0 Absent: 1

2. This was the date, time and place for a Public Hearing on Plans, Specifications, Form of Contract and Estimated Cost for the 4th Avenue SW and 11th Street SW Reconstruction Project - 2007. The project will begin next summer but the City has to send plans and specifications to the Iowa Department of Transportation for their letting process. The project is also eligible for \$200,000 Federal-Aid Funding and \$200,000 will come from local option sales tax revenues. City Engineer Cherry stated that the west end of 4th Avenue SW and the curb on 11th Street SW badly need repair. Mr. Cherry also informed Council that the City did consult with WSR Schools on the timing of their project. All structural work on the High School Buildings should be completed by next summer. A decision on where millings will go from 4th Avenue SW and 11th Street SW project will be made at a later date.

Moved By: Boorum

Resolution 06-65, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the 4th Avenue SW and the 11th Street SW Reconstruction Project – 2007 is hereby approved.

Yes: 6 No: 0 Absent: 1

3. This was the date, time and place for a Public Hearing on the proposed Amendment to Waverly's Urban Renewal Plan for Economic Development. The proposed resolution and ordinance is an amendment to the Urban Renewal Plan and Tax Increment Financing boundaries. The Planning and Zoning Commission approved the amendment at their August meeting and a consultation with the County, School District and Area Colleges was held on August 10, 2006. No responses were received from the three entities. The

natural feature and would like to amend the current ordinance and incorporate the additional definitions. The Waverly Historic Registry will help identify, publicize, and promote the preservation of sites important to Waverly's past, help residents to understand better the events and people that shaped the community's past and to raise awareness of historic preservation issues. The Commission would recognize the properties by media, an awards event, and a permanent plaque to be placed on the property and would like to amend the Historic Preservation Ordinance and recommend a budget to the City Council for the operation of said events. The first reading of the ordinance amendments will be brought back to Council next week. Ms. Payne stated that it is very difficult to get properties on the national registry and very rare that money is available to restore significant properties.

3. **First Reading of Ordinance 867, An Ordinance Amending Chapter 48 of the Waverly Municipal Code Regarding the Cable/Telecommunications Commission.**

Discussion followed on clarification of expending funds from the Cable Franchise revenues.

Moved By: Rasmussen

First Reading of Ordinance 867, An Ordinance Amending Chapter 48 of the Waverly Municipal Code Regarding the Cable/Telecommunications Commission is hereby approved.

Yes: 6 No: 0 Absent: 1

4. **Resolution 06-66, 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.**

The agreement comes up for annual renewal at the beginning of Wartburg's academic year and the only change is to Jim Ohmstede's compensation from \$7,500 to \$7,800, the same compensation as an adjunct professor.

Moved By: Ribich

Resolution 06-66, 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: 6 No: 0 Absent: 1

5. **Change Order No. 4 for the Waverly Fire Station Construction.**

Moved By: Boorum

Change Order No. 4 for the decreased amount of \$1,463.00 from Holland Contracting for the Waverly Fire Department Construction is hereby approved.

Yes: 6 No: 0 Absent: 1

6. **Pay Request from Holland Contracting for the Waverly Fire Station Construction.**

Moved By: Ecker

The Pay Request from Holland Contracting in the amount of \$281,967.00 for the Waverly Fire Station Construction is hereby approved.

Yes: 6 No: 0 Absent: 1

7. **Resolution 06-67, A Resolution Approving a Release Sidewalk Maintenance Guarantee for Centennial Oaks Development Phase 1C.**

The Developer is requesting replacement of the 4-year maintenance guarantee Letter of Credit with a 2-year Letter of Credit. Discussion followed on sidewalk gaps in developments. Guest Councilperson Barth Steere stated that it is best to wait to construct sidewalk until big equipment construction is completed otherwise the contractor would have to put in sidewalks twice.

Moved By: Rasmussen

Resolution 06-67, A Resolution Approving a Release of 4 year Sidewalk Maintenance Guarantees Letter of Credit #86771 and replace with Letter of Credit #88971 for Centennial Oaks Development Phase 1C is hereby approved.

Yes: 6 No: 0 Absent: 1

8. **Resolution 06-68, A Resolution Approving Bid for Brookwood Park Improvement Project Phase 1-Boat Ramp/Parking Lot.**

