

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on October 16, 2006, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Fred Ribich, Gary Grace, Connie Rasmussen, Gary Boorum, and Cyndi Ecker. Absent: Duane Liddle and Gene Lieb.

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

Moved By: Rasmussen

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

Yes: 5 No: 0 Absent: 2

2. **Minutes.**

Moved By: Ribich

The October 2, 2006 Council Meeting Minutes are hereby approved.

Yes: 5 No: 0 Absent: 2

3. **Employee Highlights.**

Council thanked Ross Long and Kyle Shores for joining the City of Waverly staff.

B. PUBLIC HEARINGS.

C. TABLED ITEMS.

D. CONSENT AGENDA.

1. Pay Request from Gardner Architecture, P.L.C. for the new Waverly Fire Station in the amount of \$1,200.00.

2. Pay Request from Terry D. VanLaningham for Citywide Hydrant Benchmarking in the amount of \$13,000.00.

3. Pay Request from Kluesner Construction, Inc. for the City of Waverly Golf Course Golf Cart Path in the amount of \$57,811.98.

4. Class C Liquor License for Blake's.

5. Special Class C Liquor License for Martins Brandenburg Restaurant.

Moved By: Grace

Items 1 - 5 on the Consent Agenda are hereby approved.

Yes: 5 No: 0 Absent: 2

E. REGULAR BUSINESS.

1. **First Reading of Ordinance 869, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Lots A, B, C Rolling Meadow Subdivision, Phase 2A) and Amendment of the Comprehensive Land Use Plan .**

Per City ordinance, a favorable vote of at least ¾ of all members of the City Council shall be required to approve a rezoning request which has been subject to a protest or which has not been approved by the zoning commission. Council did not feel it was appropriate to vote on the motion when there was not a sufficient number of councilmembers present.

Moved By: Grace

First Reading of Ordinance 869, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area (Lots A, B, C, Rolling Meadow Subdivision, Phase 2A) of Said City from C-2, (Commercial District) to R-4 (Multiple-

Family Residential-Transitional District and amendment of the Comprehensive Land Use Plan is hereby approved and sets November 6, 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: **No:** **Absent:**

Moved By: Ribich

To table the First Reading of Ordinance 869 is hereby approved.

Yes: 5 No: 0 Absent: 2

2. **Resolution 06-77, A Resolution Approving Extension of Sidewalk Performance Guarantee (Letter of Credit) for Rolling Meadow Subdivision – Phase 2a and 2b.**

Moved By: Boorum

Resolution 06-77, A Resolution Approving Extension of Sidewalk Performance Guarantee (Letter of Credit – extended to October 18, 2007) for Rolling Meadow Subdivision – Phase 2a and 2b is hereby approved.

Yes: 5 No: 0 Absent: 2

3. **First Reading of Ordinance 870, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Golf Maintenance Facility Block).**

Moved By: Ribich

First Reading of Ordinance 870, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) to R-2 (One and Two Family Residential District) of Certain Area of said City (Golf Maintenance Facility Block) is hereby approved.

Yes: 5 No: 0 Absent: 2

4. **Resolution 06-78, A Resolution Accepting Public Improvements for Impala Subdivision.**

Moved By: Rasmussen

Resolution 06-78, A Resolution Accepting Public Improvements including:

- water, sanitary and storm sewers and streets for Impala Subdivision
- approving sidewalk performance guarantee (expires on August 15, 2008)
- approve infrastructure maintenance bond (expires on October 16, 2010)
- approve reimbursement of shared and oversized infrastructure cost to J. D. Francis in the amount of \$10,820.13 per the agreement dated and approved August 18, 2004.

All of the above items are hereby approved.

Yes: 5 No: 0 Absent: 2

5. **Resolution 06-79, A Resolution Approving a City of Waverly Curb and Gutter Maintenance Program and Policy.**

Discussion followed on leveling depressed curb and gutter sections with hot mix asphalt and compressing areas with rollers. Council agreed that staff should begin curb and gutter maintenance program in the spring of 07 with funds coming from local option sales tax revenues.

Moved By: Rasmussen

Resolution 06-79, A Resolution Approving a City of Waverly Curb and Gutter Maintenance Program and Policy is hereby approved.

Yes: 5 No: 0 Absent: 2

6. **Approval of September Cash Disbursements.**

Moved By: Boorum

September Cash Disbursements are hereby approved.

Yes: 5 No: 0 Absent: 2

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Bremer-Waverly Law Enforcement Board Minutes thank you to Butch Kehe for Building diagrams

2. **Reports.**

3. **Communications.**

Invitation to Participate in the Senior Citizens Programs – November 5th Fundraiser

G. VISITORS / PUBLIC COMMENTS.

Michael deNeui of Gym 24 requested Council action to remove his business from the TIF district. He felt TIF funding generated from his business for the Wartburg/Waverly Wellness Center was a conflict to his own business.

Mayor Ackerman stated that \$150,000 for 8 years was coming from the Recreational Capital Improvement Fund and all Parks & Recreation programs would be transferred to the Wellness Center therefore eliminating City staff. Also revenue projections are just a guess and City guarantees are still unknown. Council also informed Mr. deNeui that the Advisory Board stayed away from programs that would compete with other health clubs in the area. Administrator Crayne did inform Council that Mr. deNeui's request for removal from the TIF district was a policy decision and would require an amendment to the Urban Renewal Plan. Mr. Crayne said that TIF financing is used to move economic development forward and provide incentives to new businesses and expansion of existing businesses. Parks and Recreation Director Ray stated that Centennial Oaks Golf Club was in the same situation when they paid taxes for the Waverly Municipal Golf Course drainage costs. Mr. deNeui's request for a vote to remove his business from the TIF district will come to the Council at its November 6th Meeting.

Staff informed Council and TV viewers that they should contact the Police Department if residents are raking leaves in the street and if there are unprotected appliances in yards.

The 5th Avenue sewer project will begin next Monday and the 12th Street NW Railroad crossing is still expected to be completed this fall.

Public Input Session on potential golf holes will be Tuesday evening from 6:30 – 7:45 P. M. at the Library.

Public input session with Mediacom at 7:00 P. M. in the Council Chambers.

Butch Kehe stated that he is still waiting for the steel to complete 3rd Street Bridge repairs.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 5

No: 0

Absent: 2

Council adjourned at 7:41 P. M.

Ivan J. Ackerman, Mayor

Attest:

Jo-Ellen Raap, City Clerk