

Study Session Meeting Minutes  
October 23, 2006 ~ 7:00 p.m.

**A. CALL TO ORDER.**

A Study Session of the Waverly City Council was held on October 23, 2006 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present were: Cyndi Ecker, Gary Grace, Gene Lieb, Fred Ribich, Connie Rasmussen, and Gary Boorum. Absent: Duane Liddle

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: 6**

**No: 0**

**Absent: 1**

**B. TABLED ITEMS.**

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.**

**Moved By: Boorum**

To move from table.

**Yes: 6**

**No: 0**

**Absent: 1**

Butch Kehe stated that in 1995 the preliminary Plat for Rolling Meadow Phase 1 and 1A showed R-4 zoning. The concept plan developed by Shive-Hattery in 2000 showed the area to be mixed use. Rolling Meadow Limited Partnership lost property with the 10<sup>th</sup> Avenue SW reconstruction. In 2003 zoning changed from C-2 to R-4 and the lots in Phase 2 sold. Lots A, B and C presently zoned C-2 have not been sold since they were created in 2004 and multi-family residential (R-4) is proposed for said lots. Glenn Cannon stated that Waverly Light and Power bought the adjacent lot in Rolling Meadow Phase 2B next to its substation to keep noise from residential dwellings. Mr. Kehe did not understand the opposition by surrounding residents to the three-story residential because commercial operations continue during evening hours. Mr. Kehe also stated that there is insufficient C-2 property in Waverly and there is no market for one acre commercial lots. Discussion followed on restrictions of C-2 and R-4 zoning. Dale Goeke reviewed Security State Bank's process of locating its new operation along the 10<sup>th</sup> Avenue SW corridor. Mr. Goeke stated that Security State Bank had worked with Butch Kehe and the City in establishing commercial zoning along 10<sup>th</sup> Avenue SW and if rezoning occurred it would change the character of the corridor. Security State Bank had relied on the City's commitment to the present C-2 zoning and the Comprehensive Plan. Glenn Cannon emphasized again that the utility's south load center contains two transformers and would be right up

against the proposed multi-family dwellings. If the R-4 rezoning proceeded, Mr. Kehe suggested that the City could move forward with individual restrictions on said lots.

**Motion 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, 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: 4                      No: 2(Lieb, Boorum)                      Absent: 1**

**Motion failed due to a lack of a super-majority.**

**C. REGULAR BUSINESS.**

1. **Resolution 06-80, A Resolution Approving Purchase of Real Estate from Gregory and Luann Scallon.**

Glenn Cannon informed Council that Waverly Light and Power leases land from Marlowe and Virginia Remley for their wind turbine. Waverly Light and Power is proposing to purchase the adjacent land owned by the Scallon's to add 2 to 3 wind turbines. Mrs. Luann Scallon stated that she and her husband were in complete favor of the additional wind turbines.

**Moved By: Grace**

Resolution 06-80, A Resolution Approving Purchase of Real Estate from Gregory and Luann Scallon for Waverly Light and Power is hereby approved.

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

2. **Approve Purchase Agreement, Addendum and Financing Plan for Fire Department Aerial Truck.**

**Moved By: Ecker**

The Purchase Agreement and Addendum for the Fire Department Aerial Truck with E-ONE, Inc. is hereby approved.

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

3. **Third Reading of Ordinance 868, An Ordinance Amending the Historic Preservation Commission Ordinance Regarding Definitions and Powers and Duties.**

**Moved By: Ribich**

Third Reading of Ordinance 868, An Ordinance Amending the Historic Preservation Commission Ordinance Regarding Definitions and Powers and Duties is hereby approved.

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

4. **Resolution 06-81, A Resolution Awarding the Asphalt Patching – 2006 Project.**

**Moved By: Ribich**

Resolution 06-81, A Resolution Awarding the Asphalt Patching – 2006 Project in the amount of \$10,410.03 to Steffes Construction of New Hampton, Iowa is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**D. STUDY SESSION.**

**E. BOARDS AND COMMISSIONS.**

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

Council thanked Jo Dorrence for her participation as Guest Councilperson for October.

**F. VISITORS / PUBLIC COMMENTS.**

**G. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 6**

**No: 0**

**Absent:1**

**Council adjourned at 7:39 P. M.**

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**Ivan J. Ackerman, Mayor**

**Attest:**

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**Jo-Ellen Raap, City Clerk**