

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on November 20, 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, Cyndi Ecker, Duane Liddle, and Gene Lieb.

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 as amended by changing the order of Regular Business Items No. 4 and No. 5 and discuss Regular Business Item No. 5 and then Regular Business Item No. 4.

Yes: 7 No: 0 Absent: 0

2. **Minutes.**

Moved By: Ribich

The November 6, 2006 Council Meeting Minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on Ordinance 870, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Golf Maintenance Facility Block). Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Lieb

Second 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: 7 No: 0 Absent: 0

2. This was the date, time and place for a Public Hearing on the Approval of a Water Tower Option and Ground Space Lease Agreement for Waterloo/Cedar Falls CellTelCo (US Cellular). Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Boorum

Resolution 06-91, A Resolution Approving the Water Tower Option and Ground Space Lease Agreement for Waterloo/Cedar Falls CellTelCo (US Cellular) is hereby approved.

Yes: 7 No: 0 Absent: 0

3. This was the date, time and place for a Public Hearing on the Vacation of City Right-of-Way on 6th Avenue NW East of 1st Street NW and Transfer of Property to Nestle USA. Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Ecker

Resolution 06-92, A Resolution Authorizing the Vacation of City Right-of-Way on 6th Avenue NW East of 1st Street NW and Transfer of Property to Nestle USA is hereby approved.

Yes: 7 No: 0 Absent: 0

4. This was the date, time and place for a Public Hearing on the Vacation of City Right-of-Way (Alley Between 6th Street NW and 7th Street NW and Between West Bremer Ave. and 1st Ave. NW) and Transfer of the west half of the alley to Riggs Real Estate Fund. Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Rasmussen

Resolution 06-93, A Resolution Authorizing the Vacation of City Right-of-Way (Alley between 6th Street NW and 7th Street NW and Between West Bremer Ave. and 1st Ave. NW) and Transfer of the west half of alley to Riggs Real Estate Fund is hereby approved.

Yes: 7

No: 0

Absent: 0

C. TABLED ITEMS.

1. **Pay Request from Design Alliance Inc. in the amount of \$2,121.25 for the Waverly Public Works Facility.**

Dave Harrison from Design Alliance, Inc. was in attendance and spoke on this item. Mr. Harrison stated that Design Alliance, Inc. did feel that the error should be in favor of the City of Waverly. The \$2,121.25 amount did reflect time spent on this project before and after this incident, however. The amount credited back to the City of Waverly will be \$1,428.75. Revised paperwork will follow and this item will be brought up for motion on the December 4, 2006 meeting agenda.

D. CONSENT AGENDA.

1. Pay Request from Gardner Architecture, P.L.C. for the new Waverly Fire Station in the amount of \$900.00.
2. Pay Request from McClure Engineering, Co. for the Sanitary Sewer Capacity Analysis in the amount of \$7,480.00.
3. Pay Request from Denver underground for the 5th Avenue Sanitary Sewer Replacement in the amount of \$20,954.71.
4. Pay Request from Iowa Northland Regional Council of Governments for the Rehab II in the amount of \$1,123.50.
5. Pay Request from Iowa Northland Regional Council of Governments for the Lead Based Paint in the amount of \$613.61.

Moved By: Grace

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

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Review of Waverly Light and Power 2007 Adopted Budget.**

Glenn Cannon, Waverly Light and Power General Manager summarized their 2007 Adopted Budget followed by an explanation of future rate increases of 3%. Waverly Light and Power will be using an inverted block rate method of billing during the 4 peak months of each year. This method of billing will charge higher rates for higher users which will ideally discourage high demands of energy. The Good Cents Program will remain in effect.

2. **Resolution 06-86, A Resolution of Support and Financial Commitment for the Main Street Program Administered through Waverly Area Development Group in Waverly, Iowa.**

Tara Harn of Waverly Area Development Group informed Council that the City of Waverly has been a Main Street Iowa Program since 1989, going on 17 years. Main Street Iowa has completed 20 years in their national program. This resolution is required every 2 years to maintain Main Street Iowa eligibility.

Moved By: Rasmussen

Resolution 06-86, A Resolution of Support and Financial Commitment for the Main Street Program Administered through Waverly Area Development Group in Waverly, Iowa is hereby approved.

Yes: 7 No: 0 Absent: 0

3. **Proposal for a City-Owned West Side Parking Lot on the West Side of the Waverly Main Street Business District.**

Carol Jahnke of Waverly Area Development Group informed Council the proposed parking lot would be utilized by Kohlmann Park visitors and “Big Blue and Little Brown” buildings employees and visitors. This parking lot would create 40 – 45 parking spaces. No other locations have been looked at recently and this proposal is an immediate opportunity. Waverly Area Development will bring to Council for December 4 meeting a City/Company Agreement to show commitment from potential new business operators. The City could utilize financing from the Downtown TIF District monies. It was made clear that Council is only being asked to approve the plan at this stage.

Moved By: Rasmussen

The plan to purchase 4 residential properties at an estimate of \$255,000 and demolition of 3 residential properties at an estimate of \$45,000 and a pave/brick/landscape new space at an estimate of \$100,000 to enhance and encourage future development on the West side of the Waverly Business District contingent upon and subject to presentation of a developer’s agreement to redevelop Big Blue and Little Brown buildings is hereby approved.

Yes: 7 No: 0 Absent: 0

5. **Resolution 06-89, A Resolution Approving a Memorandum of Agreement Regarding Transfer of City Property to the Waverly Health Center for Parking.** (South ½ of Golf Maintenance Facility Block)

Mike Trachta informed Council there would be restricted parking during the daytime hours and would be open to public each evening. This project would create approximately an additional 100 parking spaces.

Moved By: Grace

Resolution 06-89, A Resolution Approving a Memorandum of Agreement Regarding Transfer of City Property to the Waverly Health Center for Parking is hereby approved.

Yes: 6 No: 1 (Liddle) Absent: 0

4. **Second Reading of Ordinance 872, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions Near the Waverly Health Center and Within the Copper Ridge 2nd and 3rd Additions.**

Citizens voiced their concerns with parking being permitted on the east side of 8th Street SW. Another concern is the egress of semis from the north parking lot. They have a hard time pulling out of the hospital parking lot with the room they have now. Citizens would like the parking restriction changes to be made after the new parking lot is constructed and also suggested a 4-Way Stop be initiated at the intersection of 2nd Avenue SW and 10th Street SW.

Moved By: Ribich

Second Reading of Ordinance 872, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions Near the Waverly Health Center and Within the Copper Ridge 2nd and 3rd Additions is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Resolution 06-90, A Resolution Approving the Minor Subdivision Plat for Mike Trachta for Parcel "W" in Centennial Oaks Estates.**

Moved By: Ribich

Resolution 06-90, A Resolution Approving the Minor Subdivision Plat for Mike Trachta for Parcel "W" in Centennial Oaks Estates is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Resolution 06-87, A Resolution Accepting Certification Filed by the City Clerk to the Bremer County Auditor Detailing the Amount of Loans, Advances and Indebtedness which Qualify for Payment from Tax Increment Revenues of the Waverly Urban Renewal Plan.**

Moved By: Boorum

Resolution 06-87, A Resolution Accepting Certification Filed by the City Clerk to the Bremer County Auditor Detailing the Amount of Loans, Advances and Indebtedness which Qualify for Payment from Tax Increment Revenues of the Waverly Urban Renewal Plan is hereby approved.

Yes: 7 No: 0 Absent: 0

8. **Resolution 06-88, A Resolution Approving Iowa Regional Utility Association and City of Waverly Water Interconnection Agreement to Service Water to Heartland Hills and Additional Users.**

City Engineer Mike Cherry said he sees no disadvantage to the City of Waverly passing this resolution. Since the construction of Well #8 in 1999 we now have a huge capacity to our water supply system. Iowa Regional Utility Association is asking the City to provide up to 50,000 gallons of water per day. The City has a pumping capacity of 5 million gallons per day and we utilize on average about 900,000 gallons per day.

Moved By: Ecker

Resolution 06-88, A Resolution Approving Iowa Regional Utility Association and City of Waverly Water Interconnection Agreement to Service Water to Heartland Hills and Additional Users is hereby approved.

Yes: 7 No: 0 Absent: 0

9. **Change Order No. 7 for the Waverly Fire Station Construction.**
Moved By: Ribich
Change Order No. 7 in the increased amount of \$1,083.50 submitted Holland Contracting for the Waverly Fire Department Construction is hereby approved.
Yes: 7 No: 0 Absent: 0
10. **Second Reading of Ordinance 871, An Ordinance Adopting the “City Code of Waverly, Iowa.”**
Moved By: Ecker
Second Reading of Ordinance 871, An Ordinance Adopting the “City Code of Waverly, Iowa” is hereby approved.
Yes: 7 No: 0 Absent: 0
11. **Approve an Engineering Services Agreement for the Citywide Biennial Bridge Inspection and Horton Road Bridge – Pedestrian Accommodation Feasibility Report.**
City Engineer Mike Cherry informed Council the Citywide Biennial Bridge Inspection is something that is done every two years and is required. The Horton Road Bridge – Pedestrian Accommodation Feasibility Report is optional.
Moved By: Ribich
Approve a Professional Services Agreement for the Citywide Biennial Bridge Inspection and Horton Road Bridge - Pedestrian Accommodation Feasibility Report is hereby approved.
Moved By: Liddle
To amend previous motion by striking the optional portion Part (b) Horton Road Feasibility Report (Optional) of the Professional Services Agreement is hereby approved.
Yes: 7 No: 0 Absent: 0
The original motion as amended was then voted upon.
Yes: 7 No: 0 Absent: 0
12. **First Reading of Ordinance 873, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area From A-1(Agricultural District) to R-1(Single Family Residential District) of Said City (the Telleen Property along the West Side of 30th Street SE, South of the Waverly Rail-Trail).**
Moved By: Boorum
First Reading of Ordinance 873, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) to R-1 (Single Family Residential District) of Certain Area of Said City (the Telleen Property along the West Side of 30th Street SE, South of the Waverly Rail-Trail) is hereby approved and sets December 4, 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
Due to a change in publishing schedules because of the Thanksgiving Holiday, the hearing has been rescheduled for December 18, 2006 at 7:00 p.m. in the Council Chambers at City Hall to meet statutory publication requirements.

13. **First Reading of Ordinance 874, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area from R-2(One and Two Family Residential District) to C-2A (Commercial District) of Said City (the OPW Property along 9th Street SW) and Setting a Public Hearing Date on said rezoning and Amendment of the Comprehensive Land Use Plan.**

Moved By: Grace

First Reading of Ordinance 874, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from R-2 (One and Two Family Residential District) to C-2A (Commercial District) of Certain Area of Said City (the OPW Property along 9th Street SW) and setting a Public Hearing Date on said Rezoning and Amendment of the Comprehensive Land Use Plan is hereby approved and sets December 4, 2006 at 7:00 p. m. in the Council Chambers at City Hall as the date, time and place for a public hearing.

Yes: 7 No: 0 Absent: 0

Due to a change in publishing schedules because of the Thanksgiving Holiday, the hearing has been rescheduled for December 18, 2006 at 7:00 p.m. in the Council Chambers at City Hall to meet statutory publication requirements.

14. **Approval of October Cash Disbursements.**

Moved By: Rasmussen

October Cash Disbursements are hereby approved.

Yes: 7 No: 0 Absent: 0

15. **Mayoral Appointments.**

Moved By: Ribich

The following Mayoral Appointments are hereby approved:

Re-appointment of Parks and Recreation Commission members:

Dave Rathe

Ron Reusche

Janet Withers

Re-appointment of Golf Commission members:

Jim Murray

Dave Klamfoth

Yes: 7 No: 0 Absent: 0

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Main Street Iowa Monthly Report – no additional comments

Bremer-Waverly Law Enforcement Board Minutes – no additional comments

Waverly Public Library Board of Trustees Minutes – no additional comments

Planning and Zoning – no additional comments

2. **Reports.**

Building Trades Permit Issuance – Monthly Report

Departmental Status Reports

3. **Communications.**

City Clerk Jo Raap has earned the designation of Iowa Certified Municipal Clerk which is awarded by the Iowa Municipal Finance Officer's Association

G. VISITORS / PUBLIC COMMENTS.

Chief of Police Richard Pursell announced there would be an "Internet Safety for Kids" seminar for parents, and any child who is the age of understanding the internet, to be held at the Waverly Civic Center, December 7, 2006 at 6:00 p.m.

City Engineer Mike Cherry informed Council the 3rd Street SE Bridge Pedestrian Fence is not complete and still needs installation clips and brackets.

H. ADJOURNMENT.

Moved By: Rasmussen

That the City Council Meeting be adjourned.

Yes:

No:

Absent:

Council adjourned at 9:02 P. M.

Ivan J. Ackerman, Mayor

Attest:

Richard J. Crayne, City Administrator