

Regular Meeting Minutes  
December 4, 2006 ~ 7:00 p.m.

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on December 4, 2006, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Gary Boorum, Duane Liddle, Gary Grace, Cyndi Ecker, Gene Lieb, Connie Rasmussen and Fred Ribich. 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: Ribich**

The November 20, 2006 and November 27, 2006 Council Meeting Minutes are hereby approved.

**Yes: 7                      No: 0                      Absent: 0**

3. **Guest Councilperson.**

Council welcomed Ron Stahlberg as the Guest Councilperson for December.

**B. PUBLIC HEARINGS.**

**C. TABLED ITEMS.**

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

**Moved By: Boorum**

To move from the table.

**Yes: 7                      No: 0                      Absent: 0**

**Moved By: Boorum**

To amend the motion to revise the pay request from Design Alliance in the amount of \$692.50 is hereby approved.

**Yes: 7                      No: 0                      Absent: 0**

The original motion as amended was voted upon.

**Yes:                      No: 0                      Absent: 0**

**D. CONSENT AGENDA.**

2. **Pay Request from Holland Contracting Corporation for Waverly Fire Station.**

Pay Request from Holland Contracting Corporation in the amount of \$225,498.00 for Waverly Fire Station.

**Suggested Motion.**

**Moved By: Ribich**

Item 2 on the Consent Agenda is hereby approved.

**Yes: 7                      No: 0                      Absent: 0**

1. **Pay Request from Kehe Construction for the 3<sup>rd</sup> Street Bridge Repair-2006.**

Discussion followed on the expansion gaps in the sidewalks. Staff will continue to monitor situation. City Engineer Cherry stated that the special fiber reinforced concrete was used for the sidewalk and has a rougher texture. Pay Request from Kehe Construction in the amount of \$17,555.52 for the 3<sup>rd</sup> Street Bridge Repair -2006.

3. **Pay Request from Design Alliance Inc. for the Waverly Public Works Facility.**

Staff informed Council that this was the final pay request and the Feasibility Report is finalized and available in the Public Works office. Pay Request from Design Alliance Inc. in the amount of \$1,289.76 for the Waverly Public Works Facility.

**Moved By: Ecker**

Items 1 and 3 on the Consent Agenda are hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**E. REGULAR BUSINESS.**

1. **Resolution 06-94, A Resolution Approving a Community Attraction and Tourism Program (CAT) Grant Agreement for the Waverly-Wartburg Wellness Center.**

Staff informed Council that if approved by the Waverly Light and Power Board 15 annual payments of \$120,000 will be transferred by Waverly Light and Power to the City and the City will in turn transfer the payments to Wartburg College.

**Moved By: Boorum**

Resolution 06-94, A Resolution Approving a Community Attraction and Tourism Program (CAT) Grant Agreement for the grant amount of \$813,000 for the Waverly-Wartburg Wellness Center is hereby approved contingent upon Waverly Light and Power Board approval of a Wellness Center Funding Agreement Between the City of Waverly and Waverly Municipal Electric Utility.

**Yes: 7**

**No: 0**

**Absent: 0**

2. **Resolution 06-95, A Resolution Approving a Wellness Center Funding Agreement Between the City of Waverly and Waverly Municipal Electric Utility(Waverly Light and Power).**

**Moved By: Ribich**

Resolution 06-95, A Resolution Approving a Wellness Center Funding Agreement Between the City of Waverly and Waverly Municipal Electric Utility (Waverly Light and Power) is hereby approved and thereby Waverly Light and Power will make 15 annual \$120,000 payments to the City and then the City will make 15 annual \$120,000 payments to Wartburg College.

**Yes: 7**

**No: 0**

**Absent: 0**

3. **Information Update on Waverly Low Rent Housing Agency.**

Housing Director Rebecca Laas informed the Council that the Waverly Low Rent Housing Agency has 100 apartments and is governed by the Housing Commission and HUD(Housing of Urban Development). The Housing Commission meets six times a year. A Tenant Board arranges events for residents. Waverly Homes began in 1970. All the efficiency apartments were remodeled into one bedroom apartments. Waverly Homes receives Capital Fund money from HUD. The Manor has investments to continue well into the future without the City's assistance. Waverly Manor was built in 1980 and has 54 one-bedroom units. Waverly Low Rent Housing is an independent living facility. Home Health Care and Visiting Nurses help residents maintain their independent living. Most of the residents are elderly but there are some younger residents with special needs. Waverly Homes does have a waiting list and rents are figured on income limits. Most residents have less than a \$10,000 income. The housing operates on rents and the average rent is \$250. The minimum rent is \$50 and the maximum is \$472. The Agency is constantly updating and is conducting a Waverly Light and Power Energy Audit. Waverly Homes provides affordable housing to low income citizens that is warm and comfortable.

4. **Review and Approval of Civic Center Improvement Plan Phase 1**

Tab Ray, Director of Parks and Recreation stated that the recommended improvements include AV upgrades for the Civic Center Meeting Rooms and the Council Chambers. Building upgrades included expansion of the AV Storage room to make a control room, reducing the size of the kitchen and creation of additional storage, new countertops for the kitchen, public and employee restrooms, and employee breakroom and cabinetry for the Civic Center kitchen. \$31,000 would come from the hotel/motel tax revenues for the building upgrades and \$62,900 for the AV equipment would come from the Cable Franchise funds. Staff felt it was appropriate to use hotel/motel tax revenues for the building upgrades because cultural and multi-day events are held in the Civic Center. The Civic Center public lease revenue bonds will be paid off in 06/07. The Civic Center AV upgrades include the construction of a control room, ceiling mounted projector, remote control cameras, presentation station, laptop for Power Point and document reader, ceiling mounted retractable screen and hand held microphones, electronic voting system, and installation of AV upgrades in Civic Center meeting rooms. Mr. Ray stated that Cable/Telecommunications Commission approved the Civic Center improvements. After discussion on the electronic voting system, City Attorney Carney will ask for the attorney general's opinion on electronic voting systems. Council modified the proposed improvements by removing replacement of staff breakroom and restroom countertops from the plan.

**Moved By: Ribich**

The AV Upgrades to the Civic Center and Council Chambers and Building Improvements is hereby approved.

**Moved By: Ribich**

The previous motion was amended by temporarily removing the voting system from the proposal and the elimination of staff breakroom and restroom countertops from the plan is hereby approved.

**Yes: 7                      No: 0                      Absent: 0**

The original motion as amended was then voted on.

**Yes: 7                      No: 0                      Absent: 0**

5. **Third 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**

Third 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**

6. **Third Reading of Ordinance 871, An Ordinance Adopting the “City Code of the City of Waverly, Iowa”**

**Moved By: Ecker**

Third Reading of Ordinance 871, An Ordinance Adopting the “City Code of the City of Waverly, Iowa” is hereby approved.

**Yes: 7                      No: 0                      Absent: 0**

7. **Third 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 2<sup>nd</sup> and 3<sup>rd</sup> Additions.**

Dave Hampton, Cheryl Huygens and Ron Matthias asked the Council to delay parking restrictions around the Waverly Health Center until the new parking lot at the Golf Maintenance facility is completed. Cheryl Huygens voiced her concern with the present signage. Tom Huygens again voiced his concern with Waverly Health Center employees who smoke and park off campus even when parking is available in the Health Center lot. After discussion Council amended the ordinance regarding the parking around the Waverly Health Center to go into effect after July 15, 2007 until the parking lot can be constructed at the Golf Maintenance facility.

**Moved By: Boorum**

Third 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 2<sup>nd</sup> and 3<sup>rd</sup> Additions is hereby approved.

**Yes: 7                      No: 0                      Absent: 0**

8. **Resolution 06- 96, A Resolution Noting the Expiration of Maintenance Guarantee and the Existence of Unacceptable Public Improvements for Stone Haven Phase III.**  
 Dennis Happel stated that the 16<sup>th</sup> Avenue SE road section is a bump issue going from paved to non-paved and will be repaired with the development of the next phase. The hydrant valve box is completed and product is ordered for the expansion joint. Mr. Happel voiced his concerns regarding performance guarantees for sidewalks. Discussion followed on lawsuit between developer and contractor for Centennial Oaks Golf Club.  
**Moved By: Ribich**  
 Resolution 06-96, A Resolution Noting the Expiration of Maintenance Guarantee and the Existence of Unacceptable Public Improvements for Stone Haven Phase III and a 2 year extension of the 4-year Performance Bond to complete the unfinished sidewalk is hereby approved.  
**Yes: 4 No: 3(Boorum, Lieb, Liddle) Absent:**
9. **Resolution 06-97, A Resolution Finalizing the 12<sup>th</sup> Street NW Railroad Crossing Project and Approve Final Pay Request.**  
**Moved By: Ribich**  
 Resolution 06-97, A Resolution Finalizing the 12<sup>th</sup> Street NW Railroad Crossing Project and Approve Final Pay Request in amount of \$3,902.18 to Steffes Construction is hereby approved.  
**Yes: 7 No: 0 Absent: 0**
10. **Resolution 06- 98, A Resolution Finalizing the Asphalt Patching – 2006 and Approve Final Pay Request.**  
**Moved By: Ecker**  
 Resolution 06-98, A Resolution Finalizing the Asphalt Patching – 2006 and Approve Final Pay Request in amount of \$15822.73 to Steffes Construction is hereby approved.  
**Yes: 7 No: 0 Absent: 0**
11. **Mayoral Appointments.**  
**Moved By: Ribich**  
 The following Mayoral Appointments of Reid Koenig to the Electric Utility Board. Gene Drape will assume Chris Schmidt’s duties on the Electric Utility Board after Mr. Schmidt’s resignation. Both mayoral appointments are hereby approved.  
**Yes: 7 No: 0 Absent: 0**

**F. BOARDS AND COMMISSIONS.**

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

**G. VISITORS / PUBLIC COMMENTS.**

City Administrator Crayne stated that he and City Attorney Carney are working on a city/company agreement with Big Blue property owner John Rieger and a possible tenant for Little Brown on proposed parking improvements.

Discussion followed on lawsuits pending against the City of Waverly and the burn ordinance.

Chief Pursell stated that the police department does not mark cars outside restaurant facilities.

Public restrooms at South Riverside park and downtown will be brought back to Council at budget time.

Staff will present results on the Golf Course Marketing at the December 18<sup>th</sup> Council Meeting.

Council will discuss solid waste and enhancing recycling efforts at Strategic Planning.

Finance Director Bachhuber reviewed fund and GAP accounting with Council.

**H. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 7**

**No: 0**

**Absent: 0**

Council adjourned at 9:05 P. M.

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Ivan J. Ackerman, Mayor

Attest:

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Jo-Ellen Raap, City Clerk