Regular Meeting Minutes July 2, 2007 ~ 7:00 p.m.

A. <u>CALL TO ORDER.</u>

The regular meeting of the Waverly City Council was held on July 2, 2007, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Gene Lieb, Gary Grace, Connie Rasmussen, Gary Boorom, Cyndi Ecker, Fred Ribich and Duane Liddle. Absent: None

1. <u>Approve Agenda as Printed or Add Items for Discussion Only.</u>
Moved By: Ecker

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

Yes: 7 No: 0 Absent: 0

2. Minutes.

Moved By: Grace

The June 18 and June 25, 2007 Council Meeting Minutes are hereby approved by adding wording "Administrator Crayne said he thought the authority to make decision on multi-lot deed agreements came from within the inherent authority of City administration but that he would check into this matter" in June 25th minutes under Visitors and Public Comments.

Yes: 7 No: 0 Absent: 0

3. **Guest Councilperson.**

Council welcomed Tim Morrison as Guest Councilperson for July.

B. **PUBLIC HEARINGS.**

1. This was the date, time and place for a Public Hearing on a Proposed Sale of Residential Property to Darold and Diane Wolff. The Mayor called for any oral or written comments and there were none. The hearing was closed and the following action was taken.

Moved By: Ribich

Resolution 07-54, a Resolution authorizing the Sale of Residential Property in the amount of \$220,000.00 to Darold and Diane Wolff is hereby approved.

Yes: 7 No: 0 Absent: 0

2. This was the date, time and place for a Public Hearing on a Proposed Sale of Acreage Property to Chelsea Vette and Jacob Lohmann. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Boorom

Resolution 07-55, A Resolution Authorizing the Sale of Acreage Property to Chelsea Vette and Jacob Lohmann in the amount of \$72,500.00 is hereby approved.

Yes: 7 No: 0 Absent: 0

3. This was the date, time and place for a Public Hearing on plans, specifications, form of contract and estimated cost for the Culvert and Drainage Improvements 2007. Discussion followed on the extension of culvert versus sidewalk and railing. The hearing was declared closed and the following action was taken.

Moved By: Rasmussen

Resolution 07-56, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the Culvert and Drainage Improvements 2007 is hereby approved.

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

C. TABLED ITEMS.

D. CONSENT AGENDA.

- 1. Pay Request from Iowa Northland Regional Council of Governments in the amount of \$413.12 for the Lead Based Paint II.
- 2. Pay Request from Iowa Northland Regional Council of Governments for Rehab II in the amount of \$2,287.07.
- 3. Pay Request from Yaggy Colby Associates for the 2007 Municipal Parking Lot Project in the amount of \$1,973.62.
- 4. Pay Request from Advanced Environmental Testing and Abatement, Inc. for Removal of Asbestos at the Old Fire Station in the Amount of \$15,640.00.
- 5. Pay Request from Heartland Asphalt, Inc. in the amount of \$24,922.24 for the 4th Ave. SW & 11th St. SW Reconstruction HMA Pavement Grade & Replacement.
- 6. Pay Request from Heartland Asphalt, Inc. in the amount of \$35,516.37 for the 3rd Street NE Parking Lot Reconstruction & 1st Street NW Intersection Improvements.
- 7. Pay Request from Holland Contracting in the amount of \$28,531.00 for the Waverly Fire Station.
- 8. Class C Liquor License and Outdoor Service Application for the Pablo's Mexican Grill, Inc.
- 9. Class B Beer Permit for Waverly Heritage Days.

Moved By: Ribich

Items 1-9 on the Consent Agenda are hereby approved.

Yes: 7 No: 0 Absent: 0

E. REGULAR BUSINESS.

1. Request to Proceed with a Dog Park Project to be Located on the Front Lawn of the Waverly Water Pollution Control Facility.

Jane Kielman stated that there is interest in a dog park for Waverly. A dog park should have more than an acre and have a double gate entry. There are rules for dog and owner behavior. All dogs are required to have immunization records. Parks & Recreation Director Ray informed Council that eight sites were chosen and scored. The front of the Wastewater

Plant was the preferred site because it is in a central location and close to the Rail Trail. Brookwood Park is heavily wooded and the Wastewater site is larger. City Administrator Crayne also informed Council that in the past the WPC site was also considered for an adult ball field and for yardwaste expansion. The traffic to the dog park would be staggered. Cedar Falls matches funding for their dog park. Estimated cost for the dog park is \$70,000 and includes fencing and double gate entry, waste disposal, water fountain and restroom facilities. The City's water main extends along 8th Street SE and the side of the Wastewater Plant. No child under six years old will be allowed in the dog park and all dogs have to be accompanied by their owners. It is the owner's liability if their dog bites another person. Parking would be off 8th Street SE.

Moved By: Ribich

The site and concept to build a Dog Park in Waverly is hereby approved.

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

2. Resolution 07- 57, A Resolution Regarding the City of Waverly's Economic Development Assistance Strategy within an Urban Renewal District Utilizing Tax Increment Financing.

The strategy was created to utilize the incremental value in providing assistance to new businesses and expansion of businesses in the Tax Increment Financing District. Strategy I allows for construction of public infrastructure, acquiring land site improvements, tax rebatement, or loan or grant assistance. Tax rebatement is measured by jobs created and allows the company to utilize a portion of additional property taxes for land acquisition and building costs. Strategy II provides forgivable loans to companies who purchase an existing facility where no additional tax increment is anticipated and creation of new jobs with good benefits. All strategy agreements are approved by Council. Mayor Ackerman felt the requirement that businesses had to be in the Tax Increment Financing District to qualify for assistance was too stringent. The new Economic Development Director should review said strategy and make his recommendations. Discussion followed on the use of TIF financing for Business 218 corridor improvements. Staff will layout a plan for the Business 218 and 10th Avenue East Corridors at the July Study Session.

Moved By: Liddle

Resolution 07-57, A Resolution Regarding the City of Waverly's Economic Development Assistance Strategy within an Urban Renewal District Utilizing Tax increment Financing is hereby approved.

Yes: 7 No: 0 Absent: 0

3. Second Reading of Ordinance 883, An Ordinance Amending
Chapters 100 & 103 of the Waverly Municipal Code Regarding Zoning
and Subdivision Requirements.

Staff will visit with Councilperson Liddle on recommended changes for accessory buildings. The current Code wording will remain as far as notification requirements to all property owners within 250 feet. INRCOG has recommended that the City keep the protest requirement at 200 feet.

Discussion followed on building height limitation and the addition of the number of stories.

Moved By: Ecker

The Second Reading of Ordinance 883, An Ordinance Amending Chapters 100 & 103 of the Waverly Municipal Code Regarding Zoning and Subdivision Requirements is hereby approved.

Yes: 7 No: 0 Absent: 0

4. Third and Final Reading of Ordinance 882, An Ordinance Adding Chapter 33 to the Waverly Municipal Code Regarding the Economic Development Commission.

Councilmember Liddle wanted "City Administrator" removed from Sec. 33.6 (2) of said ordinance. Administrator Crayne stated that no policy changes bypass Council.

Moved By: Liddle

To remove City Administrator from Sec. 33.6 (2) is hereby approved.

Yes: 1 No: 6 Absent: 0

The original motion was then acted upon.

Moved By: Grace

Third and Final Reading of Ordinance 882, An Ordinance Adding Chapter 33 to the Waverly Municipal Code Regarding the Economic Development Commission is hereby approved.

Yes: 7 No: 0 Absent: 0

5. Resolution 07-58, A Resolution Approving of the Sidewalk Performance Guarantee (Letter of Credit) for Centennial Oaks Golf Course Phase 3A.

Staff is progressing on completing street settlement of Augusta Lane in Phase 3A. Resolution 07-58 would extend letter of credit for sidewalks in said phase.

Moved By: Ribich

Resolution 07-58, A Resolution Approving of the Sidewalk Performance Guarantee (Letter of Credit) for Centennial Oaks Golf Course Phase 3A is hereby approved.

Yes: 7 No: 0 Absent: 0

6. Review of Bids and Approval of Equipment Purchase for the Parks Division.

Moved By: Ecker

The purchase of Land Pride 11' Flexwing Mower for \$7,336, the Landpride 6' Mower for \$2,130 and the pull behind sprayer for \$868, all from Dieke implement of Waverly is hereby approved.

Yes: 7 No: 0 Absent: 0

7. Disposal of City Equipment.

Public Services Superintendent stated that 5th Ave. SW street repair will be completed with the sealcoat program set to begin July 16th. The ground around the sewer repair on 5th Ave. SW has to settle before the

street can be repaired. It would be too costly to bring in a sealcoat crew to finish just one street. Staff tries to get all water and sewer leak street repairs done in fall before winter. The sealcoat equipment up for bid has not been used for two to five years and would cost more to fix than what the equipment is worth. Sale proceeds of equipment revert back to the department that purchased it.

F. BOARDS AND COMMISSIONS.

Boards and Commissions.

Waverly Area Development Group Minutes – volunteers needed for Heritage Days

Golf Commission Minutes – discussion of private carts on the Golf Course

- 2. Reports.
- 3. Communications.

Memo Prepared by City Attorney Gerald Carney Regarding the Family Video Parking Lot Injunction Petitioned by Rodney D. Drenkow – City not named in injunction.

G. VISITORS / PUBLIC COMMENTS.

Chuck Brittain presented more Ball Field petitions to Council and said that there would be more petitions coming in the future. There will be Baseball and Softball classics during Heritage Days.

Chief Pursell will have his report on safety of diagonal parking on 1st Ave NE at the next meeting.

City Administrator Crayne will pass on Zoning Administrator's e-mail to Council on multi-lot deed agreements and review strategy regarding ball field locations at the next meeting.

Public Services Superintendent Sullivan stated that the average number of cars through the Recycling Center on Saturdays is between 70-80. It does help that all recycling is accepted in residential recycling containers.

H. ADJOURNMENT.

Moved By: Boorom		
That the City Council M	leeting be adjourr	ned.
Yes: 7	No: 0	Absent: 0
Council adjourned at	8:28 P. M.	
	Ivan J. Ackerman, Mayor	
Attest:		
Jo-Ellen Raap, City Cl	lerk	