

Regular Meeting Minutes  
August 6, 2007 ~ 7:00 p.m.

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on August 6, 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 Boorum, Cyndi Ecker, and Duane Liddle. Absent: Fred Ribich

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

**Moved By: Ecker**

That the agenda for this Council meeting as prepared is hereby approved by moving Item 4 under Regular Business to after Item 10.

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

2. **Minutes.**

**Moved By: Rasmussen**

The July 16 and July 23, 2007 Council Meeting Minutes are hereby approved as amended in July 16, 2007 remove language "maximum of 1,000 square feet" from Item 3 under Regular Business in the first paragraph and motion. In July 24, 2007 minutes add wording "except one" to Item 1 under Regular Business and remove wording "Mr. Cherry informed Council that the priorities were based on funding" in Item 2 under Study Session.

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

3. **Guest Councilperson.**

The Council welcomed Ryan Rasmussen as Guest Councilperson for August.

**B. PUBLIC HEARINGS.**

**C. TABLED ITEMS.**

**D. CONSENT AGENDA.**

1. Pay Request from Iowa Northland Regional Council of Governments in the amount of \$676.03 for the Lead Based Paint II.
2. Pay Request from Iowa Northland Regional Council of Governments for Rehab II in the amount of \$2,552.30.
3. Pay Request from Holland Contracting in the amount of \$44,328.00 for the Waverly Fire Station.
4. Pay Request from Mätt Construction for the 16<sup>th</sup> Street SW Sidewalk Construction 2007 in the amount of \$6,199.70.
5. Pay Request from Heartland Asphalt, Inc. for the 4<sup>th</sup> Avenue SW & 11<sup>th</sup> St. SW Reconstruction HMA Pavement Grade & Replace for the amount of \$58,715.49.
6. Pay Request from Yaggy Colby Associates for the 2007 Municipal Parking Lot Project in the amount of \$3,242.00.
7. Special Class C Liquor License for East Bremer Diner, Inc.

**Moved By: Ecker**

Items 1-7 on the Consent Agenda are hereby approved.

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

**E. REGULAR BUSINESS.**

1. **Resolution 07-63, A Resolution Approving a Voluntary Assessment Agreement (Water) with Richard Eckstein and Melody Eckstein for the Cashman Subdivision Parcel "K".**

**Moved By: Boorum**

Resolution 07-63, A Resolution Approving a Voluntary Assessment Agreement (Water) with Richard Eckstein and Melody Eckstein for the Cashman Subdivision Parcel "K" is hereby approved.

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

2. **Resolution 07-64, A Resolution Approving a Voluntary Assessment Agreement (Water) with William Cashman and Sharon Cashman for the Cashman Subdivision Parcel "L".**

**Moved By: Rasmussen**

Resolution 07-64, A Resolution Approving a Voluntary Assessment Agreement (Water) with William Cashman and Sharon Cashman for the Cashman Subdivision Parcel "L" is hereby approved.

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

3. **Resolution 07-65, A Resolution Approving the Street Finance Report FY 2006-07.**

Finance Director Jack Bachhuber stated that the report included:

- revenues and expenditures for RUT funds
- revenues and expenditures for General Fund sheets
- bond proceeds and debt services payments for street projects
- inventory of new and existing motorized street equipment

The goal of the IDOT is to have each city's list of equipment posted on their website.

**Moved By: Rasmussen**

Resolution 07-65, A Resolution Approving the Street Finance Report FY 2006-07 is hereby approved.

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

4. **Resolution 07-67, A Resolution Approving Contract Documents for the Culvert & Drainage Improvements – 2007.**

Costs for the project are coming from local option sales tax revenues and said improvements were approved in the 07/08 Budget.

**Moved By: Grace**

Resolution 07-66, A Resolution Approving Contract Documents (Contract, Performance and Payment Bonds, and Certificate of Insurance) for Skyline Construction, Inc. of Decorah for the Contract Sum of \$29,572.45 for the Culvert & Drainage Improvements – 2007 is hereby approved.

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

5. **Approve Purchase of SCADA Equipment Upgrade (Phase 3).**

Public Services Superintendent informed Council that this was the last phase of the upgrade. There would be additional cost to move equipment if the Public Services building were relocated.

**Moved By: Rasmussen**

The purchase of SCADA Equipment Upgrade for \$23,577.00 from Siemens of Vadnais Heights, Minnesota is hereby approved.

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

6. **Resolution 07-68, A Resolution Changing the Name of Willow Lawn Park.**

The Ramker family requested that the full name of the park be the Robert W. Ramker Willow Lawn Park.

**Moved By: Grace**

Resolution 07-68, A Resolution Changing the Name of Willow Lawn Park to Robert W. Ramker Willow Lawn Park is hereby approved.

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

7. **Memorandum of Understanding Between the City of Waverly and Iowa Northland Regional Council of Governments.**

City Engineer Cherry informed Council that the proposed 10<sup>th</sup> Avenue South Extension Project, from 4<sup>th</sup> Street SW to East Bremer Avenue, may be eligible for funding through

the Iowa Clean Air Attainment Program (ICAAP). Local (TIF and Local Option Sales Tax), state and federal funding may be utilized to create the proposed roadway. INRCOG has been successful in applying for said funding. Mr. Cherry stated that this application is to see how much funding could be obtained. The Iowa Clean Air Attainment Program funding is competitive. The Engineering Services agreement for Technology Place and Oak Ridge Circle has already been approved and funding has been identified. The Engineering Services include traffic impact study update and conducting an archeological and environmental study for the Technology Place, Oak Ridge Circle Project and proposed 16<sup>th</sup> Avenue SW Project. The staff emphasized that this application is just to see what funding is available for the proposed 10<sup>th</sup> Ave South project and in no way impacts the Technology Place and Oak Ridge Circle project.

**Moved By: Ecker**

Memorandum of Understanding Between the City of Waverly and Iowa Northland Regional Council of Governments for the Maximum Amount of \$3,000.00 for a Grant Writing Agreement is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

8. **Resolution 07-69, A Resolution Approving an Agreement for Engineering Services for the Wastewater Treatment Facility Improvements - 2008.**

City Engineer Cherry informed Council that staff felt it was a good time to seek new consultants for the Wastewater Treatment Facility Improvements.

McClure Engineering has had a 10 year history with the City but lost key personnel dealing with wastewater treatment engineering. Consultants are chosen by their qualifications rather than by competitive bid.

**Moved By: Ecker**

Resolution 07-69, A Resolution Approving an Agreement for Engineering Services with WHKS & Co. of Rochester, Minnesota, for the Wastewater Treatment Facility Improvements - 2008 for the amount of \$70,800.00 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

9. **Review an Agreement for Professional Engineering Services for a Chemical Storage Building for Hazardous Material.**

City Engineer Cherry informed Council that the City does not have hazardous materials storage. The old Wastewater Facility was used by the Golf Course for chemical storage which also flooded in 1999. It has no running water for eye washing, no phone and is not in a secure area. If a chemical storage was built on the current Wastewater site, it could be used by all City departments and be locked up after hours. Mr. Cherry also stated that the City has expanded the trail through Brookwood Park and if the old Wastewater Facility was removed it would enhance the appearance of said park area. The proposed new chemical storage building was missed during Strategic Planning and was not budgeted. Sufficient sewer funds would allow for the project to be completed. Council was concerned with using excess sewer funds to fund said project. Council also questioned why the present chemical storage was in poor condition. After discussion Council agreed that the proposed chemical storage building be brought back during budget time.

10. **Resolution 07-66, A Resolution Approving Contract Documents for the Demolition of the Old Water Pollution Control Facility – 2007.**

The project involves the demolition of three reinforced-concrete holding structures from the old Water Pollution Control Facility.

**Moved By: Grace**

Resolution 07-66, A Resolution Approving Contract Documents (Contract, Performance and Payment Bonds, and Certificate of Insurance) for Peterson

Contractors, Inc. of Reinbeck for the Contract Sum of \$19,300.00 for the Demolition of the Old Water Pollution Control Facility – 2007 is hereby approved.

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

11. **Approve Pay Request No. 1 for the 2007 Bituminous Seal Coat Program.**

Discussion followed on aggregate used in the sealcoat program. Public Services Superintendent Sullivan informed Council that staff is conducting their first round of sweeping up said aggregate and will conduct another round of sweeping again before winter. The aggregate used for the seal coat program is state certified. City Engineer Cherry stated that staff is looking at the current program to see if more streets could have been done.

**Moved By: Grace**

Pay Request No. 1 in the amount of \$103,500.73 to Concrete Foundations for the 2007 Bituminous Seal Coat Program is hereby approved.

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

12. **Change Order No. 1 for the 2007 Bituminous Seal Coat Program.**

**Moved By: Boorum**

Change Order No. 1 – final adjustment of quantities for the decreased amount of \$10,549.86 for Concrete Foundations for the 2007 Bituminous Seal Coat Program is hereby approved.

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

13. **Resolution 07-70, A Resolution Finalizing the 2007 Bituminous Seal Coat Program and Approving Final Pay Request.**

**Moved By: Ecker**

Resolution 07-70, A Resolution Finalizing the 2007 Bituminous Seal Coat Program and Approving Final Pay Request in the amount of \$5,447.41 is hereby approved.

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

14. **Resolution 07-71 A Resolution Amending the Development Agreement for Rolling Meadows Phase 2A.**

The proposed amendment would relocate the access locations to align with the median openings along 10<sup>th</sup> Avenue SW and add a new allowable access within said corridor. The new locations would be approximately between Lots A and B , one for Lot C and a separate location for the remaining land in the Security State Bank Subdivision.

**Moved By: Ecker**

Resolution 07-71 A Resolution Amending the Development Agreement for Rolling Meadows Phase 2A is hereby approved.

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

15. **First Reading of Ordinance 884, An Ordinance Amending Section 105.4.10 of the Waverly Municipal City Code Regarding Additional Parking Restrictions.**

Council requested two parking spaces be eliminated closest to the west side of 2<sup>nd</sup> Street NE and on the south side of 1<sup>st</sup> Avenue NE. In an effort to correct sections of the Code additional language will be coming to Council at the Second Reading. Council requested a map identifying angle parking sites.

**Moved By: Rasmussen**

First Reading of Ordinance 884, An Ordinance Amending Section 105.4.10 of the Waverly Municipal City Code Regarding Additional Parking Restrictions is hereby approved.

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

16. **Mayoral Appointments.**

**Moved By: Ecker**

The Mayoral Appointment of Linda Moeller to the Electric Utility Board starting November 1, 2007 is hereby approved

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

**F. BOARDS AND COMMISSIONS.**

1. Boards and Commissions.  
Parks & Recreation Minutes – new statue in Riverside Park at no cost to the City.
2. Reports.
3. Communications.
  1. Memorandum prepared by Finance Director Jack Bachhuber regarding Grant Revenue Information – Fire Department Grant was for equipment.

**G. VISITORS / PUBLIC COMMENTS.**

Judy Kahler of 303 11<sup>th</sup> St. SW thanked Happel Excavating crews and City staff Dee Heine for their work on reconstruction of 11<sup>th</sup> Street SW.  
City Engineer Cherry stated that drain tile under the Wal-Mart parking lot drains to the detention basin and then releases across Waverly Tire and Walker Auto Salvage properties, the problem being that the water never dries out. As part of the 4<sup>th</sup> Street Improvements staff recommended that the detention basin outlet be extended 650 feet to the north. The roadway shoulder embankment would be widened and built over the new storm sewer allowing for construction of sidewalk.  
Engineering costs for 1<sup>st</sup> Street NW Parking lot project are for the demolition of three existing properties. Staff is still negotiating with last property owner. The FEMA property will remain green space.  
City Engineer Cherry stated that the traffic light controllers are in bad shape and are in need of repair. Staff will be looking into different options for traffic light controllers.

**H. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 6**

**No: 0**

**Absent: 1**

**Council adjourned at 8:29 P. M.**

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**Ivan J. Ackerman, Mayor**

**Attest:**

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**Jo-Ellen Raap, City Clerk**