

Regular Meeting Minutes
August 20, 2007 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on August 20, 2007, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Cyndi Ecker, Gary Boorum, Gary Grace, Fred Ribich, Connie Rasmussen, Gene Lieb and Duane Liddle. Absent: None

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

Moved By: Grace

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

Yes: 7 No: 0 Absent: 0

2. **Minutes.**

Moved By: Rasmussen

The August 6, 2007 Council Meeting Minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

3. **Proclamation.**

Moved By: Ecker

The Proclamation for the Kiwanis Club of Greater Waverly 30th Anniversary Recognition is hereby approved.

Yes: 7 No: 0 Absent: 0

B. PUBLIC HEARINGS.

C. VISITORS/PUBLIC COMMENTS.

Waverly Senior Center members thanked the City for subsidizing their activities. The members also thanked Cyndi Ecker for her participation on the new Visionary Board of the Senior Center.

Don Barr of the Murphy Addition voiced his concerns with 1st Street NW along Adams Parkway. Mr. Barr asked why the area along Adams Parkway wasn't considered in this year's Sealcoat program. Council had programmed the 1st Street NW project including Adams Parkway area as Strategic Planning priority. Mr. Barr stressed that the area around the manhole was deteriorating and also was concerned with increased traffic from the new St. Mary's Church. City Engineer Cherry informed Council that project cost will double if the area along Adams Parkway is included with the 1st Street NW. There is no Farm to Market funding available for said project. Administrator Crayne stated that the City would have to issue bonds for said project. Mr. Cherry said that the roadway is 40 years old and some of the panels are cracking. The repair would include concrete patch with 3 to 3 1/2 inch overlay and manhole reconstruction. Staff will possibly time the 1st Street NW reconstruction during Nestle shutdown.

D. TABLED ITEMS.

E. CONSENT AGENDA.

1. Pay Request from McClure Engineering Company for the SE Water Main Loop in the amount of \$15,927.50.
2. Pay Request from Heartland Asphalt, Inc. for the 4th Ave. SW & 11th Street SW Reconstruction Project in the amount of \$190,805.83.
3. Pay Request from Mätt Construction for the 16th Street SW Sidewalk Construction 2007 Project in the amount of \$28,396.07.

4. Outdoor Service Permit for PepCorp, L.L.C., d/b/a Big Ben's Pour House for Riverfest.

Moved By: Grace

Item 1-4 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

F. REGULAR BUSINESS.

1. **Review a Request for the City of Waverly's Participation in Replacing the Dirt / Gravel Alley and Parking Lot South of the Buildings Located at 90 East Bremer Avenue, 94 East Bremer Avenue, and 96 East Bremer Avenue with a 3" Asphalt Material.**

Ben Neil of Riggs Real Estate stated that building owners of 90, 94, 96 East Bremer are requesting the City pay their share of costs to replace the dirt/gravel alley with a 3" asphalt mat in conjunction with property owners doing the same with dirt/gravel sections on their property.

Mr. Neil informed Council that they have received two bids because the project is so small, but both contractors have said they can complete the project this summer or fall. This alley is the last one left in the east downtown area to be reconstructed. Costs for the reconstruction will come from the Road Use Tax or the Capital Improvement account.

Moved By: Ribich

The request for the City of Waverly's participation in the amount of \$3,622.50 with a contingency that base rock may be needed at an additional cost in replacing the dirt / gravel alley and parking lot south of the buildings located at 90 East Bremer Avenue, 94 East Bremer Avenue, and 96 East Bremer Avenue with a 3" asphalt material is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Resolution 07-73, A Resolution Approving the Minor Plat for the Waverly Industrial Plaza (The South 268 Feet of Lot 3).**

Kutzner Cabinets wishes to purchase the south ½ of the south 268.35 feet of Lot 3. Rubber Development has shown renewed interest in acquiring all of the 268.35 feet. Council asked if property across the street would be a suitable location for Kutzner Cabinets. Mr. Crayne will contact Rubber Development to see if they were definitely interested in buying both halves of the south 268.35 feet of Lot 3 and if Kutzner Cabinets would like to change their lot location. The Council did not want to discourage Kutzner Cabinets from locating in Waverly.

Moved By: Boorum

Resolution 07-73, A Resolution Approving the Minor Plat for the Waverly Industrial Plaza (The South 268 Feet of Lot 3) is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 07-75, A Resolution Proposing Sale of the South ½ of the South 268.35 Feet of Lot 3 in the Waverly Industrial Plaza.**

Council agreed to proceed and set a public hearing on said proposal.

Moved By: Rasmussen

Resolution 07-75, a Resolution Proposing Sale of the South ½ of the South 268.35 Feet of Lot 3 (the south 134 Feet of Lot 3) in the Waverly Industrial Plaza is hereby approved and sets September 10, 2007 at 7:00 P. M. in the Council Chambers at City Hall as the date, time and place for a public hearing on said proposal.

Yes: 7

No: 0

Absent: 0

4. **Approval of the Waverly Fire Department Meeting Room Use Policy.**
After discussion on parking for meeting room groups and Fire Department personnel being present during meetings, Council agreed to table said motion until they could get more information.
Moved By: Ecker
The Waverly Fire Department Meeting Room Use Policy is hereby approved.
Moved By: Boorum
To table previous motion.
Yes: 7 No: 0 Absent:
5. **Resolution 07-74, a Resolution Proposing the Vacation of the 25-foot Drainage Easement within Parcel T (Lot 6) of the Re-Plat of Stone Haven Plat I.**
Moved By: Grace
Resolution 07-74, a Resolution Proposing the Vacation of the 25-foot Drainage Easement within Parcel T (Lot 6) of Stone Haven Plat I is hereby approved and sets September 10, 2007 at 7:00 P. M. in the Council Chambers at City Hall as a date, time and place for a public hearing.
Yes: 7 No: 0 Absent: 0
6. **Second Reading of Ordinance 884, An Ordinance Amending Section 105.4.10 of the Waverly Municipal City Code Regarding Additional Parking Restrictions.**
Chief Pursell will have the existing angle parking areas on 5th Avenue SW and 8th Street NW near the Wartburg Residence Halls added to the ordinance as part of the next reading.
Moved By: Rasmussen
Second 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: 7 No: 0 Absent: 0
7. **Resolution 07-72, A Resolution Finalizing the Civic Center Audio / Visual Upgrade Project and Approving Final Pay Request.**
Discussion followed on the quality of Wartburg TV broadcasts of the Council meetings.
Moved By: Ribich
Resolution 07-72, A Resolution Finalizing the Civic Center Audio / Visual Upgrade Project and Approving Final Pay Request to ECS, Inc. in the amount of \$2,523.01 is hereby approved.
Yes: 7 No: 0 Absent: 0
8. **First Reading of Ordinance 885, An Ordinance Approving New Solid Waste Collection Accounts and Yard Waste Disposal Charge.**
The Yard Waste Disposal Charge is for large volumes of brush, trees and logs. The City is incurring grinding costs of \$12,000 annually and the volume of material continues to grow. City Engineer Cherry informed Council that tree service contractors and tree service providers outside the City bring their trees to the yardwaste site because there are no established fees. Cedar Falls has curb yardwaste collection and residents are charged. Staff felt it would be a liability if residents cut their own wood at the yardwaste site. Staff also felt that it was not cost efficient for personnel to split wood for firewood. Currently brush, trees and logs are ground into wood mulch and is provided free to the public.
The proposed new solid waste accounts will allow low volume commercial customers two additional options. The new commercial accounts are for a ½-

cubic yard (96 gallons) and 1 ½ cubic yard container that can be emptied by the new side-loading garbage trucks. The new accounts could be transferred to the residential route taking pressure off commercial routes. The 1/2 –cubic yard containers would require no stickers and cater to low volume commercial customers. Additional comments included moving 2 cubic yard containers to Wartburg for recyclables, charging professional tree cutters a yardwaste disposal fee, and have staff transfer logs onto resident trailers for firewood. Council will discuss the yardwaste disposal charge again at the second reading.

Moved By: Ecker

First Reading of Ordinance 885, An Ordinance Approving New Solid Waste Collection Accounts which Provide Two New Options for Commercial Customers and Establishes a User Fee for Disposal of Yard Waste Brush, Trees and Logs is hereby approved and sets September 10, 2007 at 7:00 P. M. in the Council Chambers at City Hall as a date, time and place for a public hearing on said proposals.

Yes: 7

No: 0

Absent: 0

9. **Resolution 07-76, a Resolution Approving an Agreement for Disposal Services Between the City of Waverly and the Black Hawk County Solid Waste Management Commission.**

The current tipping fee at Bremer County Landfill is \$35.75. The contract with Bremer County Landfill will end September 30, 2007.

Moved By: Ecker

Resolution 07-76, a Resolution Approving an Agreement for Disposal Services Between the City of Waverly and the Black Hawk County Solid Waste Management Commission at the Current Rate of \$33.25 per Ton is hereby approved.

Yes: 7

No: 0

Absent: 0

10. **Approval of July Cash Disbursements.**

The cash disbursements discussed:

- \$27,000 is second payment of the golf course equipment 3 year purchase program
- Park & Recreation refunds were for cancellation of the Children's Theatre
- Tarps were replaced at the pool.

Moved By: Rasmussen

The July Cash Disbursements are hereby approved.

Yes: 7

No: 0

Absent: 0

G. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Waverly Public Library Board of Trustees Minutes-downloadable books available at the Library

Planning and Zoning Commission Minutes-set public hearing on Rolling Hills 3rd Addition.

Economic Development Commission Minutes-add to minutes that Fred Ribich was present at the meeting.

2. **Reports.**

3. **Communications.**

"Next Transportation Crisis is Looming" – Federal aid funding being cut.

August 2007 Parks and Recreation Commission Update – Ball Diamond Task Force Meeting – waiting on one appointee.

H. CITY COUNCIL COMMENTS ON POLICY ISSUES.

- Discussion on Golf Course Commission minutes.
- Chemicals in the chemical storage were moved before the 1999 Flood.
- Staff classifies sidewalks as local, collector, and arterial. AASHTO guidelines specify a minimum width of 10 ft with 2 ft shoulders for major pedestrian trails / sidewalks such as the Waverly Rail Trail. An 8 ft wide pedestrian sidewalk was chosen for 16th Street SW because most students from the Rolling Meadow Subdivision walk to the High School and the school will likely use a small plow truck to clear the snow from the sidewalk.
- Wartburg Television Agreement with the City of Waverly expires the end of August.

I. EXECUTIVE SESSION.

To discuss the purchase of a particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

Moved By: Ribich

To enter into closed session is hereby approved.

Yes: 7 No: 0 Absent: 0

Moved By: Ribich

To Re-enter into open session is hereby approved.

Yes: 7 No: 0 Absent: 0

J. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7 No: 0 Absent: 0

Council adjourned at 9:00 P. M.

Ivan J. Ackerman, Mayor

Attest:

Jo-Ellen Raap, City Clerk