

Regular Meeting Minutes
September 10, 2007 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on September 10, 2007, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Gene Lieb, Gary Grace, Fred Ribich, Gary Boorum, Cyndi Ecker, and Duane Liddle. Absent: Connie Rasmussen

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

Moved By: Grace

That the agenda for this Council meeting is hereby approved as amended by having no public hearing on the sale of the south ½ of the south 268.35 feet of Lot 3 in the Waverly Industrial Plaza to Jamie Kutzner and taking no action on Resolution 07-78.

Yes: 6 No: 0 Absent: 1

2. **Minutes.**

Moved By: Ecker

The August 20, 2007 and August 27, 2007 Council Meeting Minutes are hereby approved.

Yes: 6 No: 0 Absent: 1

3. **Guest Councilperson.**

Kelly Engelken will be present at the next meeting.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing Proposing the Vacation of the 25-foot Drainage Easement within Parcel T (Lot 6) of the Re-Plat of Stone Haven Plat I. 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: Ribich

Resolution 07-77, a Resolution Authorizing the Vacation of the 25-foot Drainage Easement within Parcel T (Lot 6) of Stone Haven Plat I is hereby approved.

Yes: 6 No: 0 Absent: 1

2. There was no Public Hearing on the proposed sale of the South ½ of the South 268.35 Feet of Lot 3 in the Waverly Industrial Plaza to Jamie Kutzner and there was no action taken on Resolution 07-78.

Vern Gidley stated that it was his intention to expand Rubber Development 7,500 feet next spring and was interested in this lot next to his business and possibly the adjacent two lots.

3. This was the date, time and place for a public hearing on proposed new solid waste collection accounts and a user fee for disposal of yard waste, brush, trees and logs. Staff is recommending a disposal fee at the Yard Waste site for large volumes of brush, trees and logs. There is increased volume coming from commercial haulers. Other comments included:
- Apply disposal fee only to commercial haulers
 - Visual displays that show the volumes of wood debris and charges
 - The City is incurring grinding costs of \$12,000 annually and grinding from the last storm amounted to \$6,500

- The disposal fee would generate revenue to cover costs
- Pile logs on trailers for residents to take away
- Want residents to use the yardwaste site and keep properties clean
- Make sure that only Waverly residents use the yardwaste site and commercial haulers servicing Waverly

After further discussion Council directed City Attorney Carney to make changes to yardwaste disposal fee structure for the 3rd reading of the ordinance. The hearing was declared closed and the following action was taken.

Moved By: Grace

Second 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.

Yes: 5

No: 1(Liddle)

Absent: 1

C. VISITORS/PUBLIC COMMENTS.

D. TABLED ITEMS.

E. CONSENT AGENDA.

1. Pay Request from Snyder & Associates for the Technology Place & Oak Ridge Circle Realignment in the amount of \$1,331.75.
2. Pay Request from Yaggy Colby Associates for the 1st Street NW Municipal Parking Lot Construction in the amount of \$1,459.50.
3. Class C Beer Permit for Casey's General Store.
4. Class C Liquor License for The Other Place II.

Moved By: Ribich

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

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Approve Repair of Turf Care Center Dormers Using Remaining Funds from the Waverly Health Center Land Exchange.**

Moved By: Ecker

Approve repair of Turf Care Center Dormers using remaining funds for the estimated amount of \$3,000.00 from the Waverly Health Center Land Exchange is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Approve Change Order No. 1 for the 2007 Parking Lot and Street Improvements(3rd Street NE Municipal Parking Lot Reconstruction and 1st Street NW & West Bremer Intersection Improvements).**

The change order included curb and gutter and sidewalk work along the side of Mauer Eye Center and extra costs for the relocation of the traffic light on 1st Street NW.

Moved By: Ecker

Change Order No. 1 for the increased amount of \$5,218.77 to Heartland Asphalt for the 2007 Parking Lot and Street Improvements is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Resolution 07-79, A Resolution Accepting the 2007 Parking Lot and Street Improvements (3rd Street NE Municipal Parking Lot Reconstruction and 1st Street NW & West Bremer Intersection Improvements) and Approving Final Pay Request.**
Moved By: Grace
Resolution 07-79, A Resolution Accepting the 2007 Parking Lot and Street Improvements (3rd Street NE Municipal Parking Lot Reconstruction and 1st Street NW & West Bremer Intersection Improvements) as complete and approving final pay request in the amount of \$10,503.38 to Heartland Asphalt.
Yes: 6 No: 0 Absent: 1
4. **Approve Purchase of 25 1-1/2 Cubic Yard (290 Gallons) Refuse Carts.**
The 25 1 ½ cubic yard refuse carts could be used with the new side-load garbage trucks. The new containers would be used by the commercial accounts that would switch from the 2 cubic yard steel dumpsters to the new plastic carts. Public Services Superintendent Sullivan stated that they have already received requests for the new containers. Commercial accounts would also reduce their costs by switching to the new containers.
Moved By: Grace
The purchase of 25 1-1/2 Cubic Yard (290 Gallons) Refuse Carts from Elliott Equipment of Davenport in the amount of \$17,100 is hereby approved.
Yes: 6 No: 0 Absent: 1
5. **Third Reading of Ordinance 884, An Ordinance Amending Section 105.4.10 of the Waverly Municipal City Code Regarding Additional Parking Restrictions.**
Discussion followed on angle parking along 5th Avenue SW by the 4-H Building. Council added "as now constituted" to angle parking along 5th Avenue SW language in said ordinance.
Moved By: Ribich
Third 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
6. **Resolution 07-80, A Resolution A Resolution Authorizing Administration of Waverly Local Origination Cable Television Channels by Wartburg College.**
Professor Cliff Brockman will be replacing Jim Olmstede during Council meeting broadcasts.
Moved By: Ecker
Resolution 07-80, A Resolution A Resolution Authorizing Administration of Waverly Local Origination Cable Television Channels by Wartburg College is hereby approved.
Yes: 6 No: 0 Absent: 1
7. **Resolution 07-81, A Resolution Proposing the Vacation of the Two 10-foot Utility Easements Within Lots 2 and 3 of the Hurley Subdivision.**
Discussion followed on the easements and multiple lot deed agreements.
Moved By: Boorum
Resolution 07-81, A Resolution Proposing the Vacation of the Two 10-foot Utility Easements Within Lots 2 and 3 of the Hurley Subdivision is hereby approved and sets October 1, 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: 6 No: 0 Absent: 1

8. **Resolution 07-82, A Resolution Approving Construction Documents for the 10th Avenue SW Turning-Lane Improvements.**
 All costs for the turning –lane improvements will be incurred by the Developer.
Moved By: Ecker
 Resolution 07-82, A Resolution Approving Construction Document, Performance and Payment Bonds, and Certificate of Insurance) for the 10th Avenue SW Turning-Lane Improvements is hereby approved.
Yes: 6 No: 0 Absent: 1
9. **Approve Change Order No. 18 for the Waverly Fire Station.**
 Zoning Administrator Passmore stated that there should be one more change order and pay request in addition to the retainage for the Waverly Fire Station Reconstruction.
Moved By: Ribich
 Change Order No. 18 for the decreased amount of \$3,580.00 to Holland Contracting is here approved.
Yes: 6 No: 0 Absent: 1
10. **Approve Pay Request for the Waverly Fire Station.**
Moved By: Boorum
 The Pay Request from Holland Contracting in the amount of \$6,562.00 is hereby approved.
Yes: 6 No: 0 Absent: 1
11. **Approve Change Order to Engineering Services for Technology Place and Oak Ridge Circle Realignment 2008.**
 Discussion followed on keeping Technology Place in its present location and aligning Oak Ridge Circle straight across. Staff hopes to get input from surrounding property owners at a meeting scheduled for September 18th. This change order authorizes Snyder & Associates to perform additional traffic counts on 16th Avenue SW. Survey work is part of the preliminary design.
Moved By: Ecker
 The Change Order to Engineering Services for Technology Place and Oak Ridge Circle Realignment 2008 for the increased amount of \$4,662.00 to Snyder & Associates is hereby approved.
Yes: 6 No: 0 Absent: 1
12. **Approve Change Order to Engineering Services for 4th Street SW Drainage, Grading and Sidewalk Improvements.**
 Adjoining property owners contacted Teresa Burgess, project manager for Wal-Mart and asked if Wal-Mart would participate in costs related to storm water runoff from their parking lot. City Engineer Cherry stated that the City accepts and maintains subdivision drainage detention facilities because it would be difficult to ask all homeowners in a subdivision to take care of their detention areas. Council moved to table said change order.
Moved By: Ribich
 The Change Order to Engineering Services for 4th Street SW Drainage, Grading and Sidewalk Improvements for the increased amount of \$7,750.00 to Snyder & Associates is hereby approved.
Moved By: Boorum
 To table said change order.
Yes: 6 No: 0 Absent: 1

13. **Resolution 07-83, A Resolution Approving the Purchase of Real Estate from Craig and Mardell Mehmen, Donna M. and Susan Kay Gulick and Waverly Realty Corporation for the West Side Parking Lot along 1st Street NW.**

Council had previously approved all purchases but the resolution is a formal approval of said purchases. West side parking lot improvement costs totaling \$465,000 would be paid by General Obligations Bonds. The City does not sell bonds for the project before actual costs are established.

Moved By: Ribich

Resolution 07-83, A Resolution Approving the Purchase of Real Estate from Craig and Mardell Mehmen for \$87,500, Donna M. and Susan Kay Gulick for \$80,000 and Waverly Realty Corporation for \$55,467.00 for the West Side Parking Lot along 1st Street NW is hereby approved.

Yes: 5 No: 1(Liddle) Absent: 1

G. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Board of Adjustment- Dillovou Oil is waiting for DNR variance.

Historic Preservation – Commission is trying to establish a historic marker program. INRCOG working to see if Airbase outside Waverly could be eligible to be on the National Historic Registry.

2. **Reports.**

3. **Communications.**

2007 Goose Harvest – same as last year.

H. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Cleanup of the old Wastewater facility will begin next week at an estimated cost of \$50,000. Discussion followed on storing of chemicals at the old Wastewater storage building and solid waste pickup at McDonalds.

I. EXECUTIVE SESSION.

To evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session – City Administrator's Performance Evaluation.

Moved By: Grace

To enter into closed session is hereby approved.

Yes: 6 No: 0 Absent: 1

Moved By: Ribich

To Re-enter into open session is hereby approved.

Yes: 6 No: 0 Absent: 1

J. ADJOURNMENT.

Moved By: Boorom

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 8:48 P. M.