

Regular Meeting Minutes  
October 15, 2007 ~ 7:00 p.m.

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on October 15, 2007, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Cyndi Ecker, Gary Boorum, Fred Ribich, Gary Grace, Connie Rasmussen, Gene Lieb and Duane Liddle. Absent: None

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.

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

2. **Minutes.**

**Moved By: Ribich**

The October 1, 2007 Corrected (published as Study Session Minutes and should be Regular Meeting Minutes) Council Meeting Minutes are hereby approved as amended by adding wording to Item 4 under Regular Business:

- maintenance costs of \$18,000 per year
- land and all maintenance costs for five years
- The City subsidy for 06-07 was \$73,981.

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

3. **Guest Council Person.**

The Council welcomed Austin Draude as the Guest Councilperson for October.

**B. PUBLIC HEARINGS.**

1. This was the date, time and place for a Public Hearing on Ordinance 889, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning and Amending the Comprehensive Land Use Plan of Certain Area of Said City from C-2 (Commercial District) and R-4 (Multiple-Family Residential – Transitional District) to R-2 (One and Two Family Residential District) of Said City (South of East Bremer Avenue for the Rolling Hills Third Addition). John Monaghan, developer, stated that the land has not been sold. The hearing was declared closed and the following action was taken.

**Moved By: Boorum**

Second Reading of Ordinance 889, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning and Amending the Comprehensive Land Use Plan of Certain Area of Said City from C-2 (Commercial District) and R-4 (Multiple-Family Residential – Transitional District) to R-2 (One and Two Family Residential District) of Said City (South of East Bremer Avenue for the Rolling Hills Third Addition) is hereby approved.

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

**C. VISITORS/PUBLIC COMMENTS.**

Members of the Public only.

**D. TABLED ITEMS.**

1. **Approve Change Order to Engineering Services for 4<sup>th</sup> Street SW Drainage, Grading and Sidewalk Improvements.**

No action was taken on said change order. The Manager and Engineer of the Waverly Super Wal-Mart have looked at the project and will report back to Wal-Mart. The drainage, grading and sidewalk improvements along the 218 Business corridor does not affect the Technology Place and Oak Ridge Circle intersection. The Change Order to the Engineering Services Agreement for the proposed Technology Place and Oak Ridge Circle Realignment Project is for the inclusion of certain storm sewer, grading and sidewalk improvements along 4<sup>th</sup> Street SW.

**E. CONSENT AGENDA.**

1. Pay Request from Yaggy Colby Associates for the 2007 Municipal Parking Lot Project in the amount of \$1,416.00.
2. Pay Request from Holland Contracting in the amount of \$14,825.00 for the Waverly Fire Station-only the retainage amount remains on said contract.
3. Pay Request from McClure Engineering in the amount of \$11,815.00 for the SE Water Main Loop.

**Moved By: Ecker**

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

**Yes: 7**

**No: 0**

**Absent: 0**

**F. REGULAR BUSINESS.**

1. **Resolution 07-94, A Resolution Approving a City / Company Agreement Between the City of Waverly and Colleen Miller and George Miller.**

City Administrator Crayne stated that Wal-Mart appealed to Bremer County to have their assessed value lowered while their building was vacant. The incremental value will increase \$812,000 when redevelopment of the old Wal-Mart and construction of pad sites occur. The City's Urban Renewal Plan will have to be amended to capture the mall area. The new incremental value will cover the tax rebatement. The City will reimburse the developer for completion of driveway paving on the east side of the old-Walmart for the not to exceed figure of \$40,000, and for reconstruction of the entryway into the above described property off of 218 Business to and from the additional pad sites and onto 218 Business. The proposed additional incentives are for a major commercial reuse project by an established merchant. Council discussed the Economic Development Assistance Strategy as a guideline not a policy. Council adjusts the strategy with each request. Council amended the motion and changed the tax rebatement to \$128,000 over six years. Mr. Crayne also

informed Council that \$812,000 will bring the incremental value back to where it was when Wal-Mart occupied the building.

**Moved By: Ribich**

Resolution 07-94, A Resolution Approving a City / Company Agreement Between the City of Waverly and Colleen Miller and George Miller providing for certain tax rebatement and payment incentives to assist in the reuse and development of the former Wal-Mart facility located at 1201 4<sup>th</sup> Street SW in Waverly, Iowa is hereby approved.

**Moved By: Grace**

To amend the previous motion by providing for certain tax rebatement in the amount of \$128,000 over 6 years is hereby approved.

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

The original motion as amended was hereby approved.

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

2. **Third and Final Reading of Ordinance 886, An Ordinance Amending Chapter 18 (Parks & Recreation Director) of the Waverly Municipal City Code to Change All Wording from Parks and Recreation to Leisure Services.**

**Moved By: Ribich**

Third and Final Reading of Ordinance 886, An Ordinance Amending Chapter 18 (Parks & Recreation Director) of the Waverly Municipal City Code to Change All Wording from Parks and Recreation to Leisure Services is hereby approved.

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

3. **Third and Final Reading of Ordinance 887, An Ordinance Amending Chapter 36 (Parks & Recreation Commission) of the Waverly Municipal City Code to Change All Wording from Parks and Recreation to Leisure Services.**

**Moved By: Ribich**

Third and Final Reading of Ordinance 887, An Ordinance Amending Chapter 36 (Parks & Recreation Commission) of the Waverly Municipal City Code to Change All Wording from Parks and Recreation to Leisure Services is hereby approved.

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

4. **Third and Final Reading of Ordinance 888, An Ordinance Amending Chapter 47 (Golf Course Commission) of the Waverly Municipal City Code Regarding Secretary Duties and to Change All Wording from Parks & Recreation to Leisure Services.**

**Moved By: Ecker**

Third and Final Reading of Ordinance 888, An Ordinance Amending Chapter 47 (Golf Course Commission) of the Waverly Municipal City Code Regarding Secretary Duties and to Change All Wording from Parks & Recreation to Leisure Services is hereby approved.

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

5. **Resolution 07-95, A Resolution Approving an Agreement Between the Iowa Department of Natural Resources and the City of Waverly for the Crestwood Park to Brookwood Park Trail Extension Project.**

The City of Waverly has received \$100,000 REAP(Resource Enhancement and Protection Funding) for the Crestwood Park to Brookwood Park Trail Extension. The proposed project involves the construction of paved pedestrian trail from near the intersection of 7<sup>th</sup> Avenue SE and 1<sup>st</sup> Street SW through Crestwood Park, over 4<sup>th</sup> Street SE, around and behind Southeast Elementary School, ending in a loop through Brookwood Park. A trail head with paved parking will also be constructed in Brookwood Park. \$35,000 was already budgeted for the grading work. The \$100,000 grant would complete the grading, basework and asphaltting of the trail. The City can request 90% advance reimbursement of the grant award. Leisure Services Director Ray stated that the stagnate water in Brookwood Park is a natural overflow area in a parkland setting. The Green Bridge Task Force previously discussed a bridge crossing along the trail area. Concerns were expressed on costs for removal of the Old Wastewater holding structures and maintenance building, sludge removal and chemical storage replacement.

**Moved By: Ribich**

Resolution 07-95, A Resolution Approving an Agreement Between the Iowa Department of Natural Resources and the City of Waverly for the Crestwood Park to Brookwood Park Trail Extension Project for the grant funding of a maximum of \$100,000.00 is hereby approved.

**Yes: 4 No: 3(Lieb, Rasmussen, Liddle) Absent: 0**

6. **Resolution 07-96, A Resolution Approving a 28E Agreement Between the Iowa Department of Natural Resources and the City of Waverly for the Source Water Study.**

The 28E Agreement with the DNR will map the community's source of ground water and potential areas of vulnerability. Waverly is one of forty communities deemed vulnerable to have a nitrate problem. Staff informed Council that the City would work with private well owners to help mitigate contamination of aquifer because most residents are consuming water drawn from the same aquifer.

**Moved By: Ecker**

Resolution 07-96, A Resolution Approving a 28E Agreement Between the Iowa Department of Natural Resources providing \$5,000 in kind contribution and \$3,000 from the SWP Program and the City of Waverly providing \$23,000 for the Source Water Study is hereby approved.

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

7. **Resolution 07-97, A Resolution Approving a Special Provisional Use for the Waverly Dog Park.**

The Project involves no taxpayer money and the Comprehensive Land Use Map designates this area as Public, Government, Church and Recreational use. Jane Kielman stated that the land in front of the Wastewater Plant was the preferred site and the Committee developed a plan for said site. Discussion followed on developing the land by the Amvets ball fields as a dog park site and possibly share restroom facilities with the rail trail. Leisure Services Director Ray informed Council that the Wastewater property was the right size, easily assessable, and would be part of the future extension of the internal trail system. Staff informed Council that there are no plans to use the property for any City functions.

**Moved By: Ribich**

Resolution 07-97, A Resolution Approving a Special Provisional Use for the Waverly Dog Park is hereby approved.

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

8. **Resolution 07-98, A Resolution Approving the Extension of Sidewalk Performance Guarantee (Letter of Credit) for Rolling Meadow Phase 2A and 2B.**

**Moved By: Ecker**

Resolution 07-98, A Resolution Approving the Extension of Sidewalk Performance Guarantee (Letter of Credit – extended to October 18, 2008) for Rolling Meadow Phase 2A and 2B is hereby approved.

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

9. **Resolution 07-99, A Resolution Accepting the 4<sup>th</sup> Avenue SW & 11<sup>th</sup> Street SW Reconstruction -2007 Project.**

City Engineer Cherry stated that property owners who wanted to reconstruct their entire approach paid for their portion of said reconstruction.

**Moved By: Ribich**

Resolution 07-99, A Resolution Accepting the 4<sup>th</sup> Avenue SW & 11<sup>th</sup> Street SW Reconstruction -2007 Project as complete and the final pay request of \$11,721.73 to Heartland Asphalt is hereby approved.

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

10. **Update on Aerial Project and Approval to Purchase Loose Equipment for Aerial Truck for the Waverly Fire Department.**

Due to the age and operational condition of the current aerial, little to no current loose equipment (hoses, nozzles, hand tools, power tools, radios, etc.) would be available for transfer to the new aerial and the fire department is requesting \$48,000 to replace said equipment. Chief McKenzie reviewed the loose equipment needed for the new aerial truck. The Fire Department received notification from E-one that there was a steel shortage in Finland and the Bronto unit production will be backlogged 90 to 120 days. E-one has agreed to assume all of the dealer prep work including graphic design and application, interior cabinet shelving and acceptance testing due to the delay. E-one has also agreed

to fly two firefighters to the E-one plant in mid December for a special/additional inspection of the aerial.

**Moved By: Liddle**

To allow the Fire Department to receive the best pricing and maintain equipment consistency with existing equipment, approve the purchase of loose equipment of up to \$48,000 by means of price quotes from current vendors for items like radios, nozzles and Bronto enabled power tools and price quotes from at least three vendors for generic items like hose, hand tools and power tools is hereby approved.

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

11. **Approval of September Cash Disbursements.**

Discussion followed on:

\$11,379.58 payment to First National Bank for the Golf Course Cart Path 1<sup>st</sup> St. NW Parking Lot will not be completed this fall due to asbestos abatement on the Gulick house.

\$65,000 to Waverly Health Center-\$40,000 was from Hotel/Motel Tax Fund and \$25,000 was from Waverly Light and Power for the Waverly Health Center Rooftop Garden.

**Moved By: Rasmussen**

The September Cash Disbursements are hereby approved.

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

12. **Mayoral Appointments.**

**Moved By: Rasmussen**

The Mayoral Appointments of Barb McWhirter to the Housing Commission and Gene Drape to the Waverly Light and Power Board are hereby approved.

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

**G. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**

Bremer-Waverly Law Enforcement Board Minutes- engineer fixing leaks in the building.

Waverly Public Library Board of Trustees Minutes –Council received compliments on the library at the Iowa League of Cities Meeting. Library Director Sarah Meyer Ryerson stated that the Library is working with additional part-time staff to work on technology issues.

Waverly Airport Commission Minutes – discussion regarding airport relocation and the Waverly Airport as a future site for the Bremer County Fair.

Historic Preservation Commission Minutes- discussion of wall mounted placards to recognize significant vanished places.

Planning and Zoning Commission Minutes-discussion of Public Works facility and the Dog Park

2. **Reports.**

3. **Communications.**

**H. CITY COUNCIL COMMENTS ON POLICY ISSUES.**

Discussion of yardwaste in the flow-way and fireworks for Christmas on Main.

Bids for City vehicles will come to Council at a Study Session.

City Engineer Cherry stated that traffic signal replacement will come to Council at budget time. Discussion followed on the limited time for turning north onto 4<sup>th</sup> Street NW from Bremer Ave.

10<sup>th</sup> Avenue East corridor – no federal funding and the City has not heard about ICAAP funding.

**I. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

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

**Council adjourned at 8:21 P. M.**