

Regular Meeting Minutes  
November 19, 2007 ~ 7:00 p.m.

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on November 19, 2007, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Gary Boorum, Fred Ribich, Gary Grace, Connie Rasmussen, Gene Lieb and Duane Liddle. Absent: Cyndi Ecker

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

**Moved By: Ribich**

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

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

2. **Minutes.**

**Moved By: Rasmussen**

The November 5, 2007 Council Meeting Minutes are hereby approved.

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

**B. PUBLIC HEARINGS.**

**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.**

Not ready for action.

2. **Resolution 07-102, A Resolution Amending City Administrator's Employment Agreement.**

Not ready for action.

**E. CONSENT AGENDA.**

1. Pay Request from WHKS & Co. for the Wastewater Treatment Facility Improvements - 2008 in the amount of \$3,400.36.
2. Pay Request from McClure Engineering in the amount of \$10,255.00 for the SE Water Main Loop.
3. Pay Request from PMDI Architects for Design and Administrative Services for Golf Course Improvements Project – 2008 in the amount of \$1,500.00.
4. Pay Request from Heartland Asphalt, Inc. for Asphalt Patching – 2007 in the amount of \$12,680.92.

**Moved By: Grace**

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

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

F. **REGULAR BUSINESS.**

1. **Resolution 07-104, A Resolution of the City Council of the City of Waverly, Iowa, Awarding Bid to Contractor for Project Number Fourteen in the Waverly Housing Rehabilitation Program.**

Adam Roberts of Iowa Northland Regional Council of Governments informed Council that there are four projects in progress and Project Number 14 will start in April. The City has completed fourteen homes with this grant. Costs are figured on what improvements are needed and all projects have to be outside the City's flood plain area.

**Moved By: Ribich**

Resolution 07-104, A Resolution of the City Council of the City of Waverly, Iowa, Awarding Bid to L & L Construction in the amount of \$20,325.00 for Project Number Fourteen in the Waverly Housing Rehabilitation Program is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

2. **Resolution 07-108, A Resolution Approving the Minor Plat for McRae Enterprises, L.L.C. along 16<sup>th</sup> Street SW.**

**Moved By: Grace**

Resolution 07-108, A Resolution Approving the Minor Plat for McRae Enterprises, L.L.C. along 16<sup>th</sup> Street SW is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

3. **Presentation to City Council of Greg Mason, PGA Professional – Waverly Golf Course.**

Greg Mason, Pro Shop Manager reviewed his background. Mr. Mason stated that he has a well trained staff and wants the golfers to come back and play all the time at the Waverly Golf Course. He tries to balance everyday outing play with the season ticket holder. Programs started this year include weekday special until 2 P. M., weekend special, fall season pass, and new events were the Red Tee Open and Beat the Pro – 4 person Best Shot. Season ticket holders have to sign in each time they golf. Outside and inside golf course staff communicate very well. Rounds went up 11.7% and revenues increased by 13.4%. Season passes increased by 15. The goal is to increase season passes and rounds. Mr. Mason hopes to use \$7,500 again from the Hotel/Motel Tax revenues for advertising.

4. **Review and Approval of Golf Pro Employment Agreement.**

City Administrator Crayne stated that the Employment Agreement is a contract with the City and Mr. Mason and said agreement also includes budget considerations.

**Moved By: Ribich**

The Golf Pro Employment Agreement for Greg Mason to serve as Golf Professional for 2008 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

5. **Resolution 07-109, A Resolution Determining the Necessity and Setting Date for a Public Hearing on a Proposed Amended Waverly Urban Renewal Plan for Economic Development (Amendment Number 8) for a Proposed Amended Urban Renewal Area in the City of Waverly.**

The proposed amendment to the Urban Renewal Plan would include the Mall and 10<sup>th</sup> Avenue East. Hy-Vee and the original Wal-Mart never requested to be included in the Urban Renewal or TIF district. The new Super Wal-Mart was included in a previous plan amendment to pay for highway improvements. Urban Renewal or TIF areas promote growth and economic development. Urban Renewal Area Amendments impact the City, County and Community College but regard Urban Renewal areas as an investment in economic development. City Administrator Crayne stated that TIF financing provides assistance to new businesses and can be used for expansion of current businesses in the Urban Renewal Plan area.

Mayor Ackerman stated that it would endanger everyday City operations if the entire City was in a Urban Renewal area. The City's TIF areas are predominately along good transportation corridors. 10<sup>th</sup> Avenue East is similar to the Highway 3 corridor. Council will have approve all costs related to the connection of 10<sup>th</sup> Avenue East to Highway 3.

**Moved By: Ribich**

Resolution 07-109, A Resolution Determining the Necessity on a Proposed Amended Waverly Urban Renewal Plan for Economic Development (Amendment Number 8) for a Proposed Amended Urban Renewal Area in the City of Waverly is hereby approved and sets December 3, 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 plan amendment.

**Yes: 6**

**No: 0**

**Absent: 1**

6. **Resolution 07-110, A Resolution Accepting Certification Filed by the City Clerk to the Bremer County Auditor Detailing the Amount of New Loans, Advances and Indebtedness which Qualify for Payment from Tax Increment Revenues of the Waverly Urban Renewal Plan.**

**Moved By: Boorum**

Resolution 07-110, A Resolution Accepting Certification Filed by the City Clerk to the Bremer County Auditor Detailing the Amount of New Loans, Advances and Indebtedness which Qualify for Payment from Tax Increment Revenues of the Waverly Urban Renewal Plan is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

7. **Second Reading of Ordinance 890, An Ordinance Adopting the "City Code of Waverly, Iowa."**

**Moved By: Ribich**

Second Reading of Ordinance 890, An Ordinance Adopting the "City Code of Waverly, Iowa" is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

8. **First Reading of Ordinance 891, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning and Amending the Comprehensive Land Use Plan of Certain Area from R-4 (Multiple Family Residential – Transitional District) to C-3 (Commercial – Central Business – District) of Said City in Northwest Waverly along the South Side of 1<sup>st</sup> Avenue NW and the West Side of 1<sup>st</sup> Street NW.**

The City of Waverly intends to clear the approximate quarter block and create a downtown parking lot for the area. The proposed rezoning would match the south half of the property. The Comprehensive Land Use Map designates this entire area as residential and is being requested to be amended to commercial.

**Moved By: Ribich**

First Reading of Ordinance 891, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning and Amending the Comprehensive Land Use Plan of Certain Area from R-4 (Multiple Family Residential – Transitional District) to C-3 (Commercial – Central Business – District) of Said City in Northwest Waverly along the South Side of 1<sup>st</sup> Avenue NW and the West Side of 1<sup>st</sup> Street NW) and setting a Public Hearing Date, Time and Place of December 17, 2007 at 7:00 P. M. at City Hall on said Rezoning and Amendment of the Comprehensive Land Use Plan is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

9. **Resolution 07-111, A Resolution Approving a Special Provisional Use for the Waverly Public Services Facility.**

A Special Provisional Use is required for public buildings, churches and schools. A rezoning amendment is not required as long as the Special Provisional Use is approved. The new Fire Station was rezoned because of setbacks and for the Fire Department Museum.

**Moved By: Grace**

Resolution 07-111, A Resolution Approving a Special Provisional Use for the Waverly Public Services Facility is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

10. **Resolution 07-112, A Resolution Finalizing the Waverly Fire Station – 2007 Project and Approving Final Pay Request.**

After discussion, Council agreed to hold in escrow \$5,000 from Holland Contracting retainage due to a dispute between J&J Masonry(Holland Subcontractor) and Dillavou Oil Co. If a court order or arbitration decision is not presented to the City by March 1, 2008 awarding a judgment against Holland Contracting Corp., the City shall pay the entire sum of \$5,000 to Holland Contracting by mailing a check to its corporate office in Forest City, Iowa.

**Moved By: Boorum**

Resolution 07-112, A Resolution Finalizing the Waverly Fire Station – 2007 Project and Approving Final Pay Request in the amount of \$98,778.00 to Holland Contracting is hereby approved minus \$5,000 due to a dispute between J&J Masonry(Holland Subcontractor) and Dillavou Oil Co. If a court order or arbitration decision is not presented to the City by March 1, 2008 awarding a judgment against Holland Contracting Corp., the City shall pay the entire sum of \$5,000 to Holland Contracting by mailing a check to its corporate office in Forest City, Iowa.

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

11. **Approval of October Cash Disbursements.**

The City pays for the Airport’s propane and Cedar Valley Aviation reimburses the City.

The City had to saw through the wall of the old Wastewater Facility to extract the sludge.

**Moved By: Ribich**

The October Cash Disbursements are hereby approved.

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

12. **Resolution 07-105, A Resolution Authorizing the Mayor to Sign a Memorandum of Understanding with the Iowa Northland Regional Council of Governments for the Administration of Grant Funds Awarded Throughout the 2007 Hazard Mitigation Grant Program (HMGP) for Hazard Mitigation Planning Purposes.**

City Administrator Crayne stated that the last Hazard Mitigation Plan update was in 2003. With this renewal, the City would again be eligible for disaster funding

from FEMA. The City received funding from FEMA for the ice storm damage last winter.

**Moved By: Rasmussen**

Resolution 07-105, A Resolution Authorizing the Mayor to Sign a Memorandum of Understanding with the Iowa Northland Regional Council of Governments for the Administration of Grant Funds Awarded Throughout the 2007 Hazard Mitigation Grant Program (HMGP) for Hazard Mitigation Planning Purposes is hereby approved.

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

13. **Resolution 07-106, A Resolution of the City Council of the City of Waverly Committing Local Match Funds Necessary to Secure Potential Grant Funding Made Available from the Federal Emergency Management Agency Through the Iowa Emergency Management Division.**

**Moved By: Ribich**

Resolution 07-106, A Resolution of the City Council of the City of Waverly Committing Local Match Funds of \$1,050 Necessary to Secure Potential Grant Funding Made Available from the Federal Emergency Management

Agency Through the Iowa Emergency Management Division is hereby approved.

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

14. **Resolution 07-107, A Resolution of the City Council of the City of Waverly Authorizing Sharon Juon of the Iowa Northland Regional Council of Governments and Chair as the Applicant's Authorized Representatives for all Matters Pertaining to the Preparation and Administration of a Local Hazard Mitigation Plan.**

**Moved By: Boorum**

Resolution 07-107, A Resolution of the City Council of the City of Waverly Authorizing Sharon Juon of the Iowa Northland Regional Council of Governments and Chair as the Applicant's Authorized Representatives for all Matters Pertaining to the Preparation and Administration of a Local Hazard Mitigation Plan is hereby approved.

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

**G. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**

Bremer-Waverly Law Enforcement Board Minutes-building mapped out.  
Waverly Public Library Board of Trustees Minutes – Stain Glass project underway.

Senior Citizens Group, Inc. Board Minutes – had a good fundraiser.  
Waverly Area Development Group Minutes – need volunteers for Christmas events

2. **Reports.**

Building Trades Permit Issuance-17 new units  
Departmental Status Reports – Golf Reserve Fund corrected

3. **Communications.**

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

There were concerns expressed regarding standing water and silt fencing in Impala Subdivision. City Engineer Cherry informed Council that the developer is holding the storm water permit until the last home is built in said subdivision. City just plays an observation role. Administrator Crayne, City Engineer Cherry and Councilmember Ecker are investigating modifications to storm water drainage. Discussion followed on mowing of retention basins.

Traffic was disrupted on Bremer Ave due to a Utility Company puncturing the City's water main and a water service leak in front of Gosling & Gosling.

1<sup>st</sup> Street NW and Adams Parkway – it is the property owner's responsibility for snow removal for sidewalks 6 foot or less. If the sidewalk is 6 foot then the property owner is required to clear snow 4 feet. Staff will review snow removal policy at the November Study Session.

The amendment to the Technology Place and Oak Ridge Circle Engineering Contract was to do a traffic study on the 16<sup>th</sup> Street SW

intersection. The data will be reviewed by the IDOT and Council. Since the 4<sup>th</sup> Street Corridor is a state highway all improvements along said corridor must be approved by the IDOT.

Administrator Crayne reminded the Council of the Municipal Leadership Academy session at Centennial Oaks on December 1<sup>st</sup>.

Leisure Services Director Ray informed Council that the evergreen tree next to the Santa House in Kohlmann Park is being removed and will be replaced with another evergreen tree.

**I. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 6**

**No: 0**

**Absent: 1**

**Council adjourned at 8:14 P. M.**

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**Ivan J. Ackerman, Mayor**

**Attest:**

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**Jo-Ellen Raap, City Clerk**