

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on April 21, 2008, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Cyndi Ecker, Gene Lieb, Gary Boorum, Gary Grace, Jim Vowels and Fred Ribich. Absent: None

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: 7**

**No: 0**

**Absent: 0**

2. **Minutes.**

**Moved By: Ecker**

The corrected April 7, 2008 Council Meeting Minutes are hereby approved. The correction is under No. 5 under Regular Business paragraph was changed to read as follows:

St. Mary is responsible for the extension of water main from the west side of roadway, near the southeast corner of Hinds Third Addition, to the east side of the roadway and to the north boundary of their property. St. Mary shall be responsible for the construction of a right-hand turn lane at the south access drive. The City, in consideration for the above-referenced public improvements and the potential development of the area, agrees to a one-time grant of \$45,000 to be delivered to St. Mary upon acceptance of improvements. Any future connections to the water main completed under this project will be subject to the NE Water & Sewer connection fee policy. The City will annex 26 acres and St. Mary Catholic Church will remain in Waverly. Voluntary annexation will have to be reviewed by the Planning and Zoning Commission, approved by the City Council, and filed with state agencies. The water main extension would have no impact on Hinds Addition. If the Hinds Addition would like to connect to the main it would have to be brought into the development. Staff also informed Ron Nicolaus that the City would have to acquire rights from him if they extended a sewer line to St. Mary Catholic Church. Engineers for St. Mary plan to install a septic sewer system that conforms to County and City specifications. Upon completion of the project, St. Mary will request voluntary annexation to the City.

**Yes: 7**

**No: 0**

**Absent: 0**

3. **Proclamation.**

**Moved By: Ecker**

The Proclamation – Municipal Clerks Week, May 4 through May 10, 2008 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**B. PUBLIC HEARINGS.**

1. This was the date, time and place for a Public Hearing on the Proposed Sale of Parcel "Q" along 1<sup>st</sup> Street NW to SAAK Productions, L.C. (Steve Angstman and Angie Keller) for SAAK's River Grill. Saak Productions, L. C. will pay \$.30 per square foot totaling \$609.30 to the City of Waverly for Parcel "Q". The hearing was declared closed and the following action was taken.

**Moved By: Grace**

Resolution 08-68, A Resolution Authorizing the Sale of Parcel "Q" along 1<sup>st</sup> Street NW to SAAK Productions, L.C. (Steve Angstman and Angie Keller) for SAAK's River Grill is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

2. This was the date, time and place for a Public Hearing on Plans, Specifications, Form of Contract and Estimated Cost for the Drainage Improvements 2008 Project. Council asked

if there was any resolution to 4<sup>th</sup> Street SW and Emery Drive drainage issues. Staff informed Council that Wal-Mart is currently surveying the 4<sup>th</sup> Street SW area to determine the elevation for a swail or concrete improvement north to the drainageway. The City had the opportunity to use excess soil from the Wartburg-Waverly Wellness Center construction to widen the shoulder on 12<sup>th</sup> Street NW. The culvert extensions on 12<sup>th</sup> Street will complete the shoulder widening work initiated in 2006. The proposed project also includes grading and gabion basket work upstream of the 1<sup>st</sup> Street SW Bridge and will help stabilize the embankment and reduce the risk of erosion and undermining of the roadway. Staff will continue to work with Wal-Mart to solve drainage issues on 4<sup>th</sup> Street SW and will bring back information on the Emery Drive drainage to the May 5<sup>th</sup> Council Meeting. The hearing was declared closed and the following action was taken.

**Moved By: Ribich**

Resolution 08-69, A Resolution Approving the plans, specifications, form of contract and estimated cost for the Drainage Improvements 2008 Project is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**C. VISITORS/PUBLIC COMMENTS.**

Linda Podhajsky introduced her Civics' Class students who were Guest Council persons for April.

**D. TABLED ITEMS.**

**E. CONSENT AGENDA.**

1. Pay Request from PMDI Architects for Design and Administrative Services for Golf Course Improvements Project – 2008 in the amount of \$1,453.68.
3. Pay Request from VJ Engineering for Public Services Facility Site Development, specifically for the Yard Waste Facility Site Design, in the amount of \$1,703.75.
4. Special Class C Liquor License for Asian Garden.

**Moved By: Ecker**

Discussion followed on line items of the Heartland Pay Request.

2. Pay Request from Heartland Asphalt, Inc. for the 1<sup>st</sup> Street NW Parking Lot Construction in the amount of \$23,574.25.

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

**Yes: 7**

**No: 0**

**Absent:**

**F. REGULAR BUSINESS.**

1. **Resolution 08-70, A Resolution Appointing Wells Fargo Bank N. A. of Des Moines, Iowa, to Serve as Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement for \$2,270,000 General Obligation Capital Loan Notes, Series 2008A.**

**Moved By: Ribich**

Resolution 08-70, A Resolution Appointing Wells Fargo Bank N. A. of Des Moines, Iowa, to Serve as Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement for \$2,270,000 General Obligation Capital Loan Notes, Series 2008A is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

2. **Approval of Tax Exemption Certificate for \$2,270,000 General Obligation Capital Loan Notes, Series 2008A.**

**Moved By: Ecker**

The Tax Exemption Certificate for \$2,270,000 General Obligation Capital Loan Notes, Series 2008A is hereby approved.



To amend the previous motion by removing the words: and also approves the remaining payment of \$415,806 be paid 60 days later.

**Yes: 7**

**No: 0**

**Absent: 0**

The original motion as amended was then voted upon.

**Yes: 7**

**No: 0**

**Absent: 0**

9. **Resolution 08-75, A Resolution Approving Contract Documents for the 2008 Golf Course Pump Station Renovation Project.**

The scope of this renovation is to install a new irrigation pump station with a life expectancy of 20 years. Discussion followed on costs for said project.

**Moved By: Ribich**

Resolution 08-75, A Resolution Approving Contract Documents from Pump Station Service LLC of Blue Springs, Missouri in the amount \$99,626 for the 2008 Golf Course Pump Station Renovation Project is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

10. **Resolution 08-76, A Resolution Noting the Expiration of Maintenance Guarantee for Copper Ridge First Addition.**

The 4-year maintenance guarantee is set to expire on May 3, 2008. The items in need of repair are:

- The northeast side of the detention basin has moderately deep erosion rills that need to be repaired and seeded
- The rip-rap for the detention facility outlet needs to be repositioned or relayed to prevent erosion
- The hydrant at the end of the cul-de-sac is in line with the sidewalk and needs to be relocated towards the street

**Moved By: Ecker**

Resolution 08-76, A Resolution Noting the Expiration of Maintenance Guarantee and the existence of some public improvements, constructed and maintained as part of Copper Ridge First Addition deemed in need of repair, and establishes a completion date of June 30, 2008, for any necessary corrective action is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

11. **Setting Public Hearing Date for the Public Services Site Development – Phase 1a Grading Project.**

The project involves constructing a new Yard Waste Site and developing the site for the new Recycling Center. Construction costs have increased 15% per year and steel prices 10% per month. Staff will continue to monitor costs.

**Moved By: Ribich**

Set Public Hearing Date for the Public Services Site Development – Phase 1a Grading Project is hereby approved and sets May 19, 2008 at 7:00 p.m. in the Council Chambers at City Hall as the date, time and place for said public hearing.

**Yes: 7**

**No: 0**

**Absent: 0**

12. **Third and Final Reading of Ordinance 898, An Ordinance Approving New Solid Waste Accounts.**

Residential customers have the option to obtain a 35-gallon or 64-gallon City of Waverly refuse container. There will be no changes in the base rate.

**Moved By: Lieb**

Third Reading of Ordinance 898, An Ordinance Approving New Solid Waste Accounts which would provide options for residential and commercial customers is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**



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

Staff will review land needed for the future extension of 10<sup>th</sup> Avenue before the Ball Field land is sold. The City is looking at REAP funding for future ball diamonds.  
City Administrator Crayne recommends salary adjustments for non-union personnel. The City Attorney is appointed by the Council.

**I. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 7**

**No: 0**

**Absent: 0**

**Council adjourned at 8:16 P. M.**

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Ivan J. Ackerman, Mayor

Attest:

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Jo-Ellen Raap, City Clerk