

Regular Meeting Minutes  
May 19, 2008 ~ 7:00 p.m.

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on May 19, 2008, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Gene Lieb, Jim Vowels, Gary Grace, Fred Ribich and Cyndi Ecker. Absent: Gary Boorum

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: Ecker**

The May 5, 2008 Council Meeting Minutes are hereby approved as amended by deleting the word "Council" and adding the words "Councilmember Grace" at the beginning of sentence 1 in the second paragraph of item H and by inserting the words "for the area near Emery Drive" after the words "cost estimate" of the same paragraph.

**Yes: 6**

**No: 0**

**Absent: 1**

3. **Proclamation.**

**Moved By: Ecker**

Proclamation – National Public Works Week May 18 – May 24, 2008 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**B. PUBLIC HEARINGS.**

1. This is the date, time and place for the Public Services Site Development – Phase 1a Grading Project.

There were no public comments. Councilmember Duane Liddle voiced his concerns for order of priorities.

**Moved By: Ribich**

Resolution 08-84, A Resolution Approving the plans, specifications, form of contract and estimated cost for the Public Services Site Development – Phase 1a Grading Project is hereby approved.

**Yes: 5**

**No: 1 (Liddle)**

**Absent: 1**

2. This is the date, time and place for a Public Hearing on the 2007-2008 Budget Amendment.

Finance Director Jack Bachhuber explained that Iowa law requires the City to file an amended budget when expenditures are exceeded in any program of the budget. Some examples of this might include: purchases made in a previous budget year but not paid until the current budget year, any repairs or maintenance that were needed but not budgeted for, timing of completion of projects, and fuel price increases.

**Moved By: Ecker**

Resolution 08-85, a Resolution Adopting the Amended Budget for Fiscal Year Ending June 30, 2008 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**C. VISITORS/PUBLIC COMMENTS.**

Derek Solheim made a request to council for a sidewalk / trail along the east side of Horton Road from south of Carmen's Photography up to the St. Mary's building site to be explored as a possible project. This sidewalk / trail would provide a safe way for residents to access the church and homes within the Hinds Addition. Derek Solheim stated that maybe a good time to complete this project would be when the water connections are constructed for St. Mary Church. City Engineer Mike Cherry will report back to Council on June 2, 2008 regarding the sidewalk / trail.

**D. TABLED ITEMS.**

**E. CONSENT AGENDA.**

1. Pay Request from the Iowa Department of Natural Resources (IDNR) for installation and drilling of boreholes and conductivity probes, nitrogen lab analyses and professional fees in the amount of \$22,500.00.
2. Pay Request from VJ Engineering for Public Services Facility Site Development, specifically for the Yard Waste Facility Site Design, in the amount of \$2,726.25.
3. Pay Request from PMDI Architects for Design and Administrative Services for Golf Course Improvements Project – 2008 in the amount of \$500.00.
4. Pay Request from Heartland Asphalt, Inc. for 1<sup>st</sup> Street NW Parking Lot Construction in the amount of \$21,212.07.
5. Pay Request from Heartland Asphalt, Inc. for the 1<sup>st</sup> Street NW & Adams Parkway HMA Overlay 2008 in the amount of \$4,666.74.
6. Pay Request from Heartland Asphalt, Inc. for the Crestwood Park to Brookwood Park Trail Construction 2008 in the amount of \$5,945.00.
7. Special Class C Liquor License for Harmony Restaurant.
8. Class C Liquor License for the Waverly Bowling Lanes, Inc.
9. Class B Beer Permit for Hawk-Eye Pizza LLC (Pizza Hut).

**Moved By: Ribich**

Items 1-9 on the Consent Agenda is hereby are approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**F. REGULAR BUSINESS.**

1. **State Representative Pat Grassley Will Be Present to Review Action taken by the Iowa Legislature and How it Impacts Cities.**

State Representative Pat Grassley gave an overview on:

- Details regarding the smoking ban which was just passed;
- Collective Bargaining – bill which was vetoed by the Governor;
- Property tax relief – it will be hard to fund relief from the State's general fund;
- Immigration Legislation – New legislation fell apart toward the end of the session.

2. **Review of the Waverly Light and Power Financial Statement.**

Diane Johnson, General Manager and Sheila Bishop, Manager of Business Operations and Development from Waverly Light and Power reviewed the financial statements of Waverly Light and Power.

- This audit does include 2 new wind turbines being made possible through Clean Renewable Energy Bonds (CREB) and are expected to be operating by early 2009.



8. **Resolution 08-90, A Resolution Approving Construction Documents for Heritage Dental Properties for their Proposed New Facility at 1400 10<sup>th</sup> Avenue SW.**  
**Moved By: Vowels**  
Resolution 08-90, A Resolution Approving Construction Documents for Heritage Dental Properties for their Proposed New Facility at 1400 10<sup>th</sup> Avenue SW is hereby approved.  
**Yes: 6 No: 0 Absent: 1**
9. **Resolution 08-91, A Resolution Approving the City / Company Agreement for Heritage Dental Properties for their Proposed New Facility at 1400 10<sup>th</sup> Avenue SW.**  
Dr. Maixner explained that his business has outgrown the current dental office location and the current location is in need of updating which were the driving forces to change locations.  
**Moved By: Grace**  
Resolution 08-91, A Resolution Approving the City / Company Agreement for Heritage Dental Properties for their Proposed New Facility at 1400 10<sup>th</sup> Avenue SW is hereby approved.  
**Yes: 6 No: 0 Absent: 1**
10. **Approve Purchase of Street Sweeper.**  
**Moved By: Ecker**  
Purchase of a Street Sweeper from Elliot Equipment of Davenport, Iowa in the amount of \$115,348.75 is hereby approved.  
**Yes: 6 No: 0 Absent: 1**
11. **Approval of March and April Cash Disbursements.**  
**Moved By: Ribich**  
March and April Cash Disbursements are hereby approved.  
**Yes: 6 No: 0 Absent: 1**
12. **Mayoral Appointments.**  
Reappointment of Diana Blake and Elaine Main to the Library Board.  
**Moved By: Vowels**  
The Mayoral Appointments are hereby approved.  
**Yes: 6 No: 0 Absent: 1**

**G. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**  
Waverly Public Library Board of Trustees Minutes – No additional comments.  
Bremer-Waverly Law Enforcement Board Minutes – It was noted that Councilmembers Boorum and Ribich were both absent and present on the minutes. Ribich confirmed they were both present.  
Planning and Zoning Commission Minutes – No additional comments.
2. **Reports.**  
Open Burning Permits Issued – Monthly Report – No additional comments.
3. **Communications.**  
Senior Citizens Group Calendar – Councilmember Ecker noted that a successful strategic planning session was completed.

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

- Councilmember Grace inquired if there was any future regarding wind turbines being constructed on individual properties foreseen. Diane Johnson responded that there are some possibilities for doing that. A

partial list of items that would need to be thought and discussed through would be:

- How would the metering or net billing be tracked?
- Amount of infrastructure costs.
- Safety would be an issue, the electric workers would need to be able to work in a particular area and feel confident that the power was shut off as needed.
- The City would need to make land use decisions on noise, aesthetics and size.
- Discussion followed on the progress of Technology Place and Oak Ridge Circle project.
- City Engineer Mike Cherry will report back to Council at the June 2, 2008 meeting regarding Emery Drive drainage.
- City Engineer Mike Cherry believes the City has no responsibility for the walls in the dry run located at the Waverly Bowl Inn.
- Mayor Ackerman thanked Angie Keller for her participation as a guest council person and wished her luck with the new restaurant.

I. **ADJOURNMENT.**

**Moved By: Ribich**

That the City Council Meeting be adjourned.

**Yes: 6**

**No: 0**

**Absent: 1**

**Council adjourned at 8:48 P. M.**

\_\_\_\_\_  
Ivan J. Ackerman, Mayor

Attest:

\_\_\_\_\_  
Richard J. Crayne, City Administrator