

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on August 16, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Dick Lindell, Tim Kangas, Kathy Olson, Gary Boorum, Gary Grace, Jim Vowels and Gene Lieb. Absent: None.

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

Moved By: Grace

That the agenda for this Council meeting as prepared is hereby approved as amended by moving Item No. 17 Under Regular Business until the next meeting.

Yes: 7

No: 0

Absent: 0

2. **Minutes.**

Moved By: Boorum

The August 2, 2010 Council Meeting Minutes are hereby approved.

Yes: 7

No: 0

Absent: 0

B. VISITORS/PUBLIC COMMENTS.

Public Services Superintendent Sullivan informed Duane Liddle that City crews have been cleaning the Dry Run Creek bottom.

City Attorney Carney will update the Council on maintenance of Augusta Lane and Andrews Place.

C. CONSENT AGENDA.

1. Pay Request from McClure Engineering Co. for the Waverly Municipal Airport Runway, Taxiway, & Apron Rehabilitation in the amount of \$909.50.
2. Pay Request from Heartland Asphalt, Inc. for the 5th Street NW Reconstruction & 5th Avenue NW Resurfacing Project in the amount of \$36,018.64 – Paving on 5th Street tomorrow and resurfacing of 5th Avenue NW is scheduled to be done by the end of next week.
3. Pay Request from ATC Associates, Inc. for the HMGP Asbestos Inspection and Survey Payment Schedule for 13 Properties in the amount of \$6,370.00.
4. Pay Request from ATC Associates, Inc. for the HMGP Asbestos Inspection and Survey Payment Schedule for 17 Properties in the amount of \$8,230.00.
5. Outdoor Service Extension to Current Class C Liquor License for the Fainting Goat for an outdoor bag tournament to be held on September 14, 2010.

Moved By: Lindell

Items 1 – 5 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

D. REGULAR BUSINESS.

1. **Resolution 10-109, A Resolution Allowing Placement of Non-Advertising Nostalgic Signs Inside the City Limits through City of Waverly Municipal Code Section 100.26.E.4 “Memorial Plaques, Cornerstones, Historical Markers, and Similar Representations.”**

Tiffany Kudron informed Council that the Waverly Chamber of Commerce applied to “Our Iowa Magazine” to bring back Burma Shave Signs to

Waverly. "Our Iowa Magazine" plans to erect one set of Burma Shave signs in each of Iowa's 99 counties. The magazine will promote the signs in their magazine and assigned trips and tours will come to Waverly. Steve Egli promoted the signage and the signs will be placed along the south side of 10th Avenue SW.

Moved By: Olson

Resolution 10-109, A Resolution Allowing Placement of Non-Advertising Nostalgic Signs Inside the City Limits through City of Waverly Municipal Code Section 100.26.E.4 "Memorial Plaques, Cornerstones, Historical Markers, and Similar Representations." which would allow the Waverly Chamber of Commerce to post Burma Shave Signs along 10th Avenue SW is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Resolution 10-110, A Resolution Requesting a Temporary Waiver of the City of Waverly Municipal Code Section 84.1, "Obstructions – Prohibited."**

Paula Stevenson informed Council that the proposal is temporary until the Chamber investigates what other towns do regarding holiday decor in front of businesses. The Chamber will come back to Council to propose changing the City Ordinance to permanently continue business holiday decorating along Bremer Avenue. Staff will review a bicycle ordinance change with Council at a later date.

Moved By: Grace

Resolution 10-110, A Resolution Requesting a Temporary Waiver of the City of Waverly Municipal Code Section 84.1, "Obstructions – Prohibited", this would allow merchants to place temporary holiday de'cor in front of their place of business, however, not to occupy the space 10 feet from the outer edge of the sidewalk as measured from the back of the curb, nor to occupy the space 6 feet of the outer edge of the sidewalk within the 100 block on either side of Bremer Avenue as measured from the back of the curb, beginning September 1, 2010 and continue until December 31, 2010 is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 10-111, A Resolution Approving the Minor Plat for Serenity Hills Addition as Proposed by Hal Moore in Northeast Waverly.**

Community Development and Zoning Official Kohout informed Council that Hal Moore is requesting approval to subdivide his existing seven acre parcel of land with an existing residence into three separate parcels. Hal Moore stated that wells could be shared dependent on water pressure and each lot would have its own septic system. City services are 1,000 feet away and would cross other properties. There are easements and road accesses to Lots 1, 3 and 4.

Moved By: Vowels

Resolution 10-111, A Resolution Approving the Minor Plat for Serenity Hills Addition as Proposed by Hal Moore in Northeast Waverly is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 10-112, A Resolution Establishing a Program for Maintenance and Repair of Existing Sidewalks.**

City Administrator Crayne reviewed:

- Maintenance and reconstruction of existing sidewalk

The proposal introduced is for the City to conduct a four year program to repair sidewalks that are deficient to comply with City Code.

The proposal is to:

- Divide the City into quadrants
- Mayor and Council select the order of the four areas
- A letter would go out this fall to property owners announcing the program and urge residents to apply for the program.
- Following the quadrant selection there would be an inspection to determine the sidewalk deficiencies, record the address and legal description of the property and send out a formal notification to said property owners in March.
- Inform residents of sidewalk deficiencies encouraging them to repair and if they do not wish to repair their sidewalks they would have the opportunity to participate in a voluntary special assessment program.
- Costs would be approved by Council and certified to the County Auditor and would be collected over time.
- Some property owners will complete their sidewalks on their own and if some property owners don't want to repair their sidewalks the City would repair said sidewalks and special assess the repairs.
- Administrative costs would be included in the special assessments.
- Additional staff would be needed at $\frac{3}{4}$ time for sidewalk assessment.

Mr. Crayne reviewed the defective sidewalk standards information. If the City does not see that property owners maintain their sidewalks the City could be liable. Mayor Brunkhorst informed Guest Councilperson Janet Platter that this proposal is phase one and phase two would identify sidewalk gaps.

There has been a long history of sidewalk repair discussion but safety is the issue. Also some residents have already paid for their sidewalk repair.

Discussion followed on:

- Corner lots, curb cuts/handicap ramps and driveway issues.
- City sidewalks have to be brought up to Code as well.
- The east Bremer sidewalk project should continue to the west side of the river to 4th Street SW.
- Moving forward with this proposal and develop a comprehensive plan for trails by next spring.
- The Code requires that in new subdivisions a four foot sidewalk be installed on both sides of the street. The City has entered into agreements with developer in width of sidewalks installed.
- Smart Growth planning will be included in the Comprehensive Planning update process.
- Sidewalks could be included in the 4th Street SW corridor improvements.
- City code requires concrete for sidewalks because of uniformity and functionality.

Staff informed Paula Stevenson that the City has a curb replacement program in place. Mayor Brunkhorst informed Duane Liddle that if Council approves the proposal staff will return with a program structure and cost

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

The damage on southwest corner of the old Irving School is due to utility disconnects.

The Engelbrecht House is out at the new Yardwaste site.

Council received good comments on the municipal Golf Course.

Discussion followed on:

- the current McDonalds after they move
- drainage issues at the corner of 3rd Ave & 4th Street NW
- the new Economic Development Director
- artifacts from the flood buyout homes
- parking around parks and trails

G. EXECUTIVE SESSION.

1. Discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

Moved By: Boorum

To enter into closed session.

Yes: 7

No: 0

Absent: 0

2. Discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

Moved By: Boorum

To reenter into open session.

Yes: 7

No: 0

Absent: 0

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 10:05 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk