

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on February 7, 2011, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Kathy Olson, Gene Lieb, Jim Vowels, Gary Grace, Richard Lindell, Gary Boorum, and Tim Kangas. Absent: None

1. **Pledge of Allegiance.**

Mayor Bob Brunkhorst led the Council in the Pledge of Allegiance.

2. **Prayer.**

Pastor Marvin Talamantez introduced a prayer for the 2011 Council

3. **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.

Yes: 7

No: 0

Absent: 0

4. **Minutes.**

Moved By: Boorum

The January 17, 2011 and January 24, 2011 Council Meeting Minutes and the January 29, 2011 Budget Study Session Minutes are hereby approved.

Yes: 7

No: 0

Absent:

5. **Guest Councilperson.**

The Council welcomed Jen Wells as Guest Councilmember.

B. VISITORS/PUBLIC COMMENTS.

John Campbell urged Council to work with Waverly Shell Rock Schools on the sale of the old Junior High building.

Candlelight Ski night on Saturday was well attended.

Staff informed Duane Liddle that the intent of the sidewalk along the 4th Street SW corridor is to provide pedestrians with a safe place to walk.

C. CONSENT AGENDA.

1. Class B Beer Permit for Kwik Star East.

2. Class C Liquor License for Don Jose Family Mexican Restaurant No. 5.

3. Ownership Update for the Waverly Towne Tavern, L.L.C., a/k/a The Fainting Goat.

4. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$10,485.60

5. Pay Request from Snyder & Associates for the Waverly-Shell Rock Middle School Traffic Study in the amount of \$5,241.46.

6. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction – Phase 4 Construction Admin. & Resident Observation in the amount of \$25,179.88.

7. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Demolitions in the amount of \$3,876.96.

8. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts in the amount of \$2,584.26.
9. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Amvets Buyout in the amount of \$84.43.
10. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Flood Buyout in the amount of \$1,217.16.
11. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for Comprehensive Plan Update in the amount of \$3,510.00.

Moved By: Vowels

Items 1 - 11 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

D. REGULAR BUSINESS.

1. **Resolution 11-10, A Resolution Approving Pro Shop Lease and Beverage Lease Agreements with Waverly Golf and Country Club.**

The annual rent of \$9,500 for the Pro Shop for the next three years is the same under the current lease. The Beverage Lease Agreement provides that the Waverly Golf and Country Club pay the City \$500 in 2011, \$1,000 in 2012, and \$1,000 in 2013 to sell alcoholic beverages on the golf course. This is the first year of the Beverage Lease Agreement. The City would need a Liquor License to sell liquor out of the Pro Shop. Currently golfers can go into the Country Club to purchase alcohol. In the past the City did sell alcohol at the golf course but due to liquor license and dram shop liability costs, alcohol was taken over by the Country Club. City Attorney Carney stated that if the City received part of the Country Club liquor sales they would have to acquire a license and liability insurance.

Moved By: Lindell

Resolution 11-10, A Resolution Approving Pro Shop Lease and Beverage Lease Agreements with Waverly Golf and Country Club for 3 years at the present rate of \$9,500 per year and approving a 3 year lease for physical property on the course to be used for beverage sales with the lease amount paid to the City of Waverly in the amount of \$500 in 2011, \$1,000 in 2012 and \$1,000 in 2013 is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Resolution 11-11, A Resolution Finalizing the 5th Street NW & 5th Avenue NW Reconstruction Project 2010 and Approving the Final Pay Request.**

Discussion followed on manhole installation on newly constructed roadways. The contractor incurred 15 days of liquidated damages for overrunning the contract period.

Moved By: Olson

Resolution 11-11, A Resolution Finalizing the 5th Street NW & 5th Avenue NW Reconstruction Project 2010 and Approving the Final Pay Request for the amount of \$18,942.73 to Heartland Asphalt of Mason City, Iowa is hereby approved.

Yes: 7

No: 0

Absent: 0

The City does not remove snow from the short trail connector in Rolling Hills Subdivision.

The Inflatable Dam Update will come to Council on February 28th.

The Southeast Waverly Flood Protection Feasibility Study Update Public Forum will be February 22nd 4:30 P. M. to 6:30 P. M.

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

Moved By: Vowels

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 8:20 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk