

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on September 9, 2013, at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gene Lieb, Dan McKenzie, Wes Gade, Chris Neuendorf, Kathy Olson, Gary Boorum and Tim Kangas. Absent: None

1. **Pledge of Allegiance.**

Mayor Brunkhorst led the Council in the Pledge of Allegiance.

2. **Prayer.**

Councilmember Boorum led the prayer.

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

**Moved By: Olson**

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

**Yes: 7**

**No: 0**

**Absent: 0**

4. **Minutes.**

**Moved By: Boorum**

The August 19, 2013 and August 26, 2013 Council Meeting Minutes are hereby approved.

**Yes: 7**

**No: 0**

**Absent:**

5. **Guest Councilperson.**

Council welcomed Guest Councilperson Diana Blake.

**B. PUBLIC HEARING.**

1. This was the date, time and place for a public hearing on the rezoning of 1402 4<sup>th</sup> St. SW and amendment to the Future Land Use Plan. The Mayor called for any or written comments. There was a written comment from Michael Wilhelms voicing his concern with a convenience store at that location. **Duane Liddle spoke in favor of the project and is a positive for Waverly. Wade Dumond reviewed Kwik Star's specifications for lot size, accessibility and visibility for their store locations.** Community Development & Zoning Specialist stated that Kwik Trip or the City have no desire to extend the frontage road beyond where it is today. The hearing was declared closed and the following action was taken.

**Moved By: McKenzie**

The second reading of Ordinance 973, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) and R-1 (Single Family Residential District) to C-2 (Commercial District) of Said City for the Property at 1402 4<sup>th</sup> St. SW and to amend the Future Land Use Plan for the two subject properties from Residential to Commercial and to amend the south three adjacent properties on the Future Land Use Plan from Residential to Mixed Use is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**C. VISITORS/PUBLIC COMMENTS.**

Ed Westin requested that the Council consider a proposal to legalize the keeping of backyard laying hens in City limits. The proposal will come back to Council.

Duane Liddle voiced concern with dry run area north of Bremer Ave filled with gravel and the dry run by the Waverly Sales. Public Services Superintendent informed Council that Wartburg College cleaned out their Dry Run area and staff cleaned out 12<sup>th</sup> St. NW Dry Run and will continue dry run maintenance through the fall. .

**D. CONSENT AGENDA.**

1. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for EDA Dam Project in the amount of \$55.49.
2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Dam Project in the amount of \$110.99.

3. Pay Request from Snyder & Associates, Inc. for the Bremer County Fairgrounds Plat of Survey 2 in the amount of \$1,300.00.
4. Pay Request from Tiedt Nursery, LTD for the Riverview Park Project in the amount of \$3,471.60.
5. Tobacco permit for the Hookah Lounge.  
City Engineer Cherry informed Council that the City still have the historic recognition taking place with Tall Grass Historians. The EDA and CDBG require quarterly reports that are processed by INRCOG.

**Moved By: Neuendorf**

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

**Yes: 7**

**No: 0**

**Absent: 0**

**E. REGULAR BUSINESS.**

1. **Resolution 13-77, A Resolution Releasing Maintenance Guarantee for the Heritage Dental Clinic – 10<sup>th</sup> Avenue SW Left-Turn Lane Public Improvement.**

**Moved By: Boorum**

Resolution 13-77, A Resolution Releasing Maintenance Guarantee for the Heritage Dental Clinic – 10<sup>th</sup> Avenue SW Left-Turn Lane Public Improvement effective September 14, 2013 is hereby approved.

**Yes:7**

**No:0**

**Absent: 0**

2. **Resolution 13-78, A Resolution Approving Contract, Bonds and Certificate of Insurance from Feldman Concrete and Authorizing the Mayor to Sign the Contract for the Citywide Sidewalk Repairs 2013 Project.**

Finance Director Bachhuber stated the City will be bonding for the sidewalk repairs next spring.

**Moved By: Olson**

Resolution 13-78, A Resolution Approving Contract, Bonds and Certificate of Insurance from Feldman Concrete of Dyersville, Iowa and Authorizing the Mayor to Sign the Contract for the Citywide Sidewalk Repairs 2013 Project in the amount of \$103,018.00 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

3. **Approve Change Order No. 1 for the 2013 Bituminous Seal Coat Program.**

City Engineer Cherry informed Council that staff was short on their estimate of quantities. Mr. Cherry stated that the sealcoat contractor puts down paper on manholes and water vales. During street construction projects the manholes are brought up to be level with the surface to clean, flush and televise the sewer mains.

**Moved By: Neuendorf**

Change Order No. 1 for the increased amount of \$10,544.40 for the final adjustment of quantities for the 2013 Bituminous Seal Coat Program is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

4. **Resolution 13-79, A Resolution Accepting the 2013 Bituminous Seal Coat Program and Approving Final Pay Request.**

**Moved By: Gade**

Resolution 13-79, A Resolution Accepting the 2013 Bituminous Seal Coat Program from Blacktop Services Co. of Cedar Falls and approves final pay request for \$ 27,968.16 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

5. **Approve/Reject an Indefinite Deferment of Sidewalk for Two Properties.**

City Administrator Jones informed Council that there were two properties in Eliassen Addition that had partial sidewalks installed but did not have sidewalks built to connect to the older Crestwood subdivision that does not have sidewalks. After talking the property owners it was decided that the City would defer installing the sidewalks that lead to the older subdivision until there is a safe route or trail program connection. City Engineer Cherry stated that the sidewalks were not installed when they were supposed to be installed. The Council discussed sidewalks going nowhere and second and third



Golf Commission Minutes-best August in the history of the Golf Course.

2. **Reports.**

3. **Communications.**

Administrator Jones informed Council that City and Chamber staff reviewed downtown parking for future upper story renovations.

The City Unions have ratified the agreement for the new insurance proposal that will begin on October 1<sup>st</sup>.

The City received the Champions Ridge contract from Bremer County Fair Board with minor adjustments. The Traffic Impact Study is back and will be coming to a study session.

Staff will review the results of the rental workshops for adoption of a streamlined and practical code amendment.

Municipal infraction code will be coming to Council in the future.

Next week there will be an executive session on land issues and an update on pending legal matters.

The Economic Development will be meeting tomorrow at CUNA Mutual building.

Administrator Jones thanked staff for helping during his illness.

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

The Community Strategy Session is tomorrow. The meetings is September 10<sup>th</sup> at the Heritage Ballroom in Wartburg Seamann Center from 5:00 to 8:30 P. M.

City Attorney Werger stated there will be limit on the number of amendments for the Rental Ordinance.

The Council discussed solid waste containers and bags left out all week and specials for golfers on the City Golf Course.

September 19<sup>th</sup> is the last day for filing for the City elections.

**H. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 7**

**No: 0**

**Absent:0**

**Council adjourned at 8:10 P. M.**

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**Bob Brunkhorst, Mayor**

**Attest:**

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**Jo-Ellen Raap, City Clerk**