

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on February 15, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Dick Lindell, Gary Grace, Tim Kangas, Jim Vowels, Kathy Olson, Gary Boorum, 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.

Yes: 7

No: 0

Absent: 0

2. **Minutes.**

Moved By: Olson

The January 30th and February 6, 2010 Budget Study Session Minutes and the February 1, 2010 Council Meeting Minutes are hereby approved as amended by changing the sentence to read in No. 7 under Regular Business to read " Mr. Carney stated that the City could be interested in purchasing the whole piece of First National property" and changing Mr. Turnball to Ms. Turnball under No. 8 under Regular Business.

Yes: 7

No: 0

Absent: 0

B. VISITORS/PUBLIC COMMENTS.

Staff informed Duane Liddle that the 4th Street SW project includes the sidewalk and the changed costs are outlined in the staff summary. The project **cost** estimate includes the sidewalk, drainage, **street widening and** realignment work and estimated cost is \$2,000,000. It would be a Council decision to remove sidewalks from the project. The sidewalks are proposed to be six foot wide.

C. CONSENT AGENDA.

1. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$1,896.18.
2. Pay Request from Vieth Construction for the Dry Run Creek Retaining Wall Construction 2009 in the amount of \$9,200.04. **The** contractor is back working this week.
3. Class C Liquor License for Centennial Oaks Golf Club.

Moved By: Vowels

Items 1-3 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

D. REGULAR BUSINESS.

1. **Review of the City of Waverly Audit.**

Due to weather, Jeff Peters of Williams & Co. will come to a future meeting to review the audit for the Fiscal Year Ending June 30, 2009.

2. **Resolution 10-20, A Resolution Approving a Special Provisional Use for the Waverly Area Veterans Post for Club Use in a New Facility in Northwest Waverly.**

A petition was received to have a $\frac{3}{4}$ vote of all Council members for the special provisional use approval. City Attorney Carney has reviewed the petition and has ruled that it is not a rezoning request and does not require a $\frac{3}{4}$ vote of all Council members. Jim Beam stated that this project includes American Legion, AMVETS, Marine Corps League, and VFW groups for the purpose of building a common facility. The common facility is more economical for future veterans to use. The facility is 8,000 square feet **per floor** with office space for each group, meeting rooms, storage areas, facility manager's office, an armory, and reception area. The reception area would accommodate 350 people and has an adjoining kitchen area. The lower level will accommodate 100 people for dining and a bar/lounge area for 50 people. Parking arrangements include 134 spaces. The veterans groups agree:

- The school can use the parking lot for student drop-off and pickup, and teacher parking. The facility can be used as an emergency shelter if there are any problems at Carey school. The **Waverly Area Veterans Post** in cooperation with the school will open at 4:00 P. M.
- The new facility is surrounded by collector streets and will not add significant traffic volume.

Barbara Truesdale stated that neighbors that are within 250 feet of the facility are opposed to this plan.

- VFW is a non-conforming use and the expansion should not proceed.
- The new building is not appropriate in a residential area.
- A club in an R-2 zone is only permissible through a special provisional use.
- Concern for dancing and alcohol use in a residential neighborhood.
- The building would be rented by groups of people who are not members of the club.
- Most of the increase in capacity is in the ballroom.
- Non-conforming uses would alter the character of the neighborhood.
- The Special Provisional Use was not approved by the Planning and Zoning Commission because it did not carry a majority vote.

Arne Waldstein stated that AMVETS and American Legion sustained substantial damage during the flood.

- The Marine League has joined the Veterans group.
- A survey was sent out to 300 veterans and 90% responded favorably to the combined veteran facility.
- VFW has a 56 year history and was the **favored** site.
- Waverly Vets honor the country during parades, and provide honor guards at funerals.

- This would be the first **combined Veterans facility** and could set an example to other Veteran organizations.
- The Veterans will be good neighbors.

Augie Waltmann stated:

- The new building is 2 ½ times bigger than the current building and new parking does not fit into the scale of a residential neighborhood.
- The parking lot would create a sense of invading privacy. The new lighting is to light up the new expanded parking lot.
- There are not enough parking spaces when the banquet hall is fully utilized.
- The Carey school playground is used by children in the evenings and weekends.
- Alcohol use is a concern.

Cal Corson stated:

- Enhance the present facility to accommodate all Veterans.
- The Veterans want to be good neighbors.
- The Veterans believe that the improvements will create a larger footprint on their property but realize the improvements will enhance the neighborhood.
- This will be the Waverly Area Veterans Post not the Waverly Area Community Building.
- There are facilities in the community to accommodate the needs for rental halls.

Dr. Mike Berstler stated:

- There are homes directly against the VFW property on the west side and there are no streets between them.
- The neighbors are very concerned with off street parking.
- Neighbors would like a buffer of landscaping and berms and don't want to see the parking lot.
- The neighbors would like the cannon moved.
- The neighbors would like truck delivery and HVAC systems located on the east side of the building to block noise.
- The deck should be eliminated or provide more sound proof area.
- Communication with school that there is no overlap of night activities at the school and VFW facilities at the same time.
- Neighbors would also like the special provisional use that is approved be a long term commitment.
- Neighbors would like a monitoring process.

Jim Beam informed Council that the peak of the roof will not be higher than it is today and there will be vegetation all around the building.

Mr. Beam stated that economically it makes sense to build in the space.

Fundraising efforts will pay for this facility. The Veterans group is not depending on revenue generation from the banquet hall. The Veterans will monitor the usage of the banquet room. Community Development and

Zoning Official Ben Kohout informed Council that the parking **per ordinance** is more than adequate for the facility and there will be additional parking on the north side of the building. Brian Sanderman from InVision Architecture reviewed the drawings of the building and the terraced parking area. Cal Corson informed Council the new facility has less square footage than all three cumulative veteran's group buildings have presently. The same process would be followed for a special provisional use approval if the VFW sold their property. A fundraising feasibility report will be coming to the Veterans Group April 1st. Council discussed that there are other provisional uses that were approved such as churches, schools, clubs, hospital. The hospital has no berming. Council hopes the neighbors will work together with the Veteran's group. The resolution states that the Veteran's group will have to seek input from neighbors and Community Development and Zoning Official Kohout will get the final design before the permit is granted. Council discussed whether the final design should have approval or have periodic updates from staff on the Waverly Veterans Post process.

Moved By: Kangas

Add Item No. 3 to **Resolution 10-20** to read "Waverly Area Veterans Post will coordinate bar/lounge(serving of alcohol) hours to not operate until 45 minutes after normal school dismissal time."

Yes: 6

No: 1(Vowels)

Absent: 0

The Mayor requested that the final site plan be more detailed. Mr. Sanderman informed the Council full cutoff fixtures that will light the parking lot focus down on the area that is to be lighted. The final site plans would show the size and type of vegetation landscaping.

Moved By: Lieb

To amend No. 1 of Resolution 10-20 to read: "Waverly Area Veterans Group facilitated with City Staff assistance will seek input and comments on design standards from surrounding property owners within 250 ft. of the development to minimize effects of noise and lighting."

Yes: 7

No: 0

Absent: 0

Approval of the Veterans Post Liquor License is done annually and neighbors can voice concerns during the approval process.

Moved By: Lieb

Resolution 10-20, A Resolution Approving a Special Provisional Use for the Waverly Area Veterans Post for Club Use in a New Facility in Northwest Waverly is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 10-21, A Resolution Authorizing the Mayor to Sign a Grant Application to Request Funds to Purchase the AMVETS Building using HMGP funds and to Authorize the Signing of a**

