

The Hiawatha City Council met in regular session in the Hiawatha Council Chambers on June 4, 2008. Mayor Tom Theis called the meeting to order at 7:00 P.M. Council members present: Bob Rampulla, Marty Bruns, Dick Olson, Linda Bendixen, Nancy Melsa. Staff present: City Administrator, Dave Van Dee; Fire Chief, Mike Nesslage; Deputy Chief, Rob Archibald; Community Development Director, Mark Powers . Guests: Dan Hoffman, and Gazette Reporter, John Schweitzer.

Linda Bendixen moved the approval of the agenda, second by Dick Olson.

Nancy Melsa moved the approval of the consent agenda as follows: approval of bills; Meeting Minutes: Regular Meetings 5/07/08, and 5/21/08; Received & Filed minutes of Library 5/19/08, Park & Recreation 5/13/08, Water 5/20/08, Planning & Zoning 5/27/08; City Administrator's Report unavailable; City Engineer's Report: Mayor's Report, second by Bob Rampulla.

Public Hearing- Amending UDC (Unified Development Code) Section 165.82:6 (D) Authorized Variances

Mayor Theis opened the public hearing at 7:01 P.M. regarding the amendment of Section 165.82:6 (D) Authorized Variances of the Unified Development Code. No written or oral comments were received at or prior to the public hearing. Public hearing closed at 7:02 P.M.

Dick Olson placed Ordinance #617 amending Section 165.82:6 (D) Authorized Variances to allow building heights greater than the maximum height allowed with the Board of Adjustment using the knowledge of the surrounding area, total size of the structure compared to the requested height and location of the structure on the lot and in consideration of the surrounding neighborhood on its first reading, second by Marty Bruns. Motion carried.

Dick Olson move to waive the 2nd and 3rd readings of Ordinance #617 amending Section 165.82:6 (D) Authorized Variances, second by Marty Bruns.

Roll call:

AYES: Nancy Melsa, Bob Rampulla, Linda Bendixen, Dick Olson, Marty Bruns

NAYS: None

Marty Bruns moved the adoption of **Section 165.82:6 (D) Authorized Variances of the Unified Development Code**, second by Bob Rampulla.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIAWATHA, IOWA, 1996, BY AMENDING THE UNIFIED DEVELOPMENT CODE §165.82.6 (D) AUTHORIZED VARIANCES

Roll call:

AYES: Linda Bendixen, Dick Olson, Nancy Melsa, Bob Rampulla, Marty Bruns

NAYS: None

Ordinance #617 adopted.

Introduction of new Deputy Chief-Training & Safety Rob Archibald

Fire Chief, Mike Nesslage introduced Rob Archibald as the new Deputy Chief Training & Safety. Nesslage stated that Archibald was well qualified for the position and comes to the City of Hiawatha with the knowledge necessary to be successful. Nesslage stated that with over 700 calls per year for fire and ambulance services, a training & safety position is needed and will enhance the city's services and aid in our employee safety/worker's compensation program. Nesslage additionally stated that the training & safety deputy chief position is one out of two positions that will be hired this year.

Set Public Hearing to consider amending Code of Ordinance Chapter 69 Parking Regulations Section 08 No Parking Zones

Marty Bruns moved to set a public hearing date (June 18, 2008 at 7:00 P.M.) for the consideration of amending Code of Ordinances Chapter 69 Parking Regulations Section 08 No Parking Zones adding the following:

3. Nixon Drive, the west side, from Northwood Drive to Pirie Drive
35. Eleventh Avenue, on both sides from Bowler Street to Raney Street
- 36 Litchfield Drive and North Eighteenth Avenue Intersection back 50' feet on all four sides of the intersection
37. Emmons Street and Eighteenth Avenue Intersection back 50' feet on all four sides of the intersection

second by Nancy Melsa. Motion carried.

Holiday Schedule for FY 08-09

Linda Bendixen presented RESOLUTION #08-098 setting Holiday Schedule for Fiscal Year 2008/2009, second by Bob Rampulla.

Roll call vote:

AYES: Nancy Melsa, Marty Bruns, Dick Olson, Bob Rampulla, Linda Bendixen

NAYS: None

Resolution #08-098 adopted.

West Clark Street and 4th Avenue Storm Sewer, Water Main, and Pavement Reconstruction Project FY 07

City Engineers have reviewed and recommend Pay Estimate #5 for the West Clark Street and 4th Avenue Storm Sewer, Water Main, and Pavement Reconstruction Project FY 07 in the amount of \$65,623.31 to Ricklefs' Excavating, LTD. The remaining contract amount is \$15,953.04 or 6%.

Linda Bendixen presented RESOLUTION #08-099 approving Pay Estimate #5 West Clark Street and 4th Avenue Storm Sewer, Water Main, and Pavement Reconstruction

Project FY-07 in the amount of \$65,623.31 to Ricklefs' Excavating, second by Nancy Melsa.

Roll Call Vote:

AYES: Linda Bendixen, Bob Rampulla, Marty Bruns, Nancy Melsa, Dick Olson

NAYS: None

Resolution #08-099 adopted.

City Engineers have reviewed and recommend Change Order #3 for the West Clark Street and 4th Avenue Storm Sewer, Water Main, and Pavement Reconstruction Project FY-07. The change order consists of the replacement of a tree in the city's right of way, soil preparation for seeding, the installation of 50 lineal feet of 3" PVC electrical conduit, installation of granular sub base, stabilization of the sub grade, additional fittings connecting the new water main to the existing water main and the removal and replacement of an existing driveway and lower the grade of the driveway located at 405 West Clark Street. The change order increase amount is \$12,465.47.

Linda Bendixen presented RESOLUTION #08-100 approving Change Order #3 for the West Clark Street and 4th Avenue Storm Sewer, Water main, and Pavement Reconstruction Project FY-07 with an increase amount of \$12,465.47 with Ricklefs' Excavating Project FY-07, second by Marty Bruns.

Roll call vote:

AYES: Marty Bruns, Linda Bendixen, Bob Rampulla, Dick Olson, Nancy Melsa

NAYS: None

Resolution #08-100 adopted.

City Engineers have reviewed and recommend balancing Change Order #4 for the West Clark Street & 4th Avenue Storm Sewer, Water Main, and Pavement Reconstruction Project FY-07 with an increase amount of \$2,840.16, revised contract amount of \$283,689.65. The change order reflects a quantity adjustment as dictated by construction. Also included in the change order is the milestone incentive of \$5,000.00 for the phase I pavement being completed prior to July 1, 2007.

Dick Olson presented Resolution #08-101 approving balancing Change Order #4 for the West Clark Street & 4th Avenue Storm Sewer, Water Main, and Pavement Reconstruction Project FY-07 with an increase amount of \$2,840.16, revised contract amount of \$283,689.65 with Ricklefs' Excavating, LTD, second by Bob Rampulla.

Roll call vote:

AYES: Marty Bruns, Dick Olson, Linda Bendixen, Bob Rampulla, Nancy Melsa

NAYS: None

Resolution #08-101 adopted.

Summer 2008 Playground Program

Park & Recreation Director has requested council consent for the hiring of six (6) summer playground staff for the summer 2008 Playground Program.

Bob Rampulla moved the consent of the hiring of six (6) playground staff for the summer 2008 Playground Program, second by Nancy Melsa. Motion carried.

Engineering and Legal Services

City Administrator, Dave Van Dee and Mayor Theis have visited with the city's engineering and legal service providers regarding each of their fees and services. Van Dee and Theis have reviewed both services comprehensively, reviewing the quality of work and quantity of work product. Van Dee also added that staff has been very proactive in monitoring our use for services with both companies and because of that our costs for both services have been sustainably less. At this time both Van Dee and Theis recommend staying with the current providers. Council agreed.

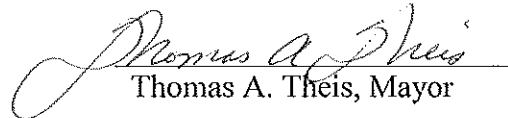
Reports from Council/Mayor

Council member, Bruns was contacted by Mr. & Mrs. Gillespie regarding a Planning & Zoning issue. All council members received a letter regarding the issue at hand. Dave Van Dee, Mark Powers, and council all agreed this issue should be handled through the Community Development Department and if not resolved they may choose to take the next step but council should be last.

Bob Rampulla adjourned the meeting at 7:40 PM, second by Linda Bendixen. Motion carried.

ATTEST:


Kim Downs, City Clerk


Thomas A. Theis, Mayor