The Hiawatha City Council met in regular session in the Hiawatha Council Chambers on July 3, 2019. Mayor Bennett called the meeting to order at 5:30 p.m. Council members present: Dennis Norton, Aime Wichtendahl, and Dick Olson. Rob Archibald and Steve Dodson were absent. Staff present: Finance Director Cindy Kudrna, City Engineer John Bender, Fire Chief Mike Nesslage, and Police Chief Dennis Marks. Guests: Daniel Hoffmann. Not all attendees signed in for the meeting.

Norton moved approval of the agenda, seconded by Wichtendahl. Motion carried.

Wichtendahl moved the approval of the following consent agenda items: Approval of bills; Regular Meetings May 15, 2019, June 5, 2019, Receive and File Minutes of Boards/Commissions/Committees: Parks and Recreation April 9, 2019, May 14, 2019, June 11, 2019; Water Board June 18, 2019; Library Board June 11, 2019; History Commission May 13, 2019; Approval of temporary five day Special Class C Liquor License (BW) (Beer/Wine) and outdoor service for Black Sheep CR LLC/ Clock House Brewing to be a vendor at the Hiawatha Fun Fest on August 2-3, 2019; Approval of temporary five day Special Class C Liquor License (BW) (Beer/Wine) for Cedar Valley Humane Society for their Cork and Canvas Night event; RESOLUTION #19-127 approving sewer waiver on second water meter for 3045 Dell Ridge Lane; City Engineer's Report, Mayor's Report and City Administrator's Report, seconded by Norton. Motion carried.

Report from Council Members/Mayor/City Administrator

City Administrator Kim Downs reminded the council of the Hiawatha Summit Young Business Professionals on July 9, 2019 from 4 P.M. - 6 P.M. at Access Systems' new building and they were working to catch a different group of people.

Downs also reminded everyone of the State of the City Luncheon on July 18th. There will be a Hiawatha Economic Development Forecast Panel, Pat Parsley will talk about the Robins Road Corridor Study, and Mayor Bennett and HEDCO Chair Kyle Kuntz will speak briefly.

Downs reminded the council of the Work Session on July 15th to discuss several items.

PUBLIC HEARING – to consider amending Hiawatha Code of Ordinances Chapter 21 Administrator by changing §21.04 to reflect the Purchasing Policies and Procedures

Mayor Bennett opened the public hearing to consider amending Hiawatha Code of Ordinances Chapter 21 Administrator by changing §21.04 to reflect the Purchasing Policies and Procedures at 5:35 P.M.

No public or written comments were received at or prior to the public hearing. Public Hearing closed at 5:36 PM.

Wichtendahl moved the 1st reading of ORDINANCE #929 amending Hiawatha Code of Ordinances Chapter 21 Administrator by changing §21.04 to reflect the Purchasing Policies and Procedures, seconded by Norton. Roll Call Vote: AYES: Wichtendahl, Olson, Norton. NAYS: None. ABSENT: Archibald, Dodson. ***Motion Carried.***

Norton moved to waive the 2nd and 3rd readings of ORDINANCE #929, seconded by Olson. ***Motion not carried due to lack of supermajority.***

Olson moved the adoption of ORDINANCE #929 amending Hiawatha Code of Ordinances Chapter 21 Administrator §21.04 to reflect the Purchasing Policies and Procedures, seconded by Wichtendahl. Roll call vote: AYES: Wichtendahl, Norton, Olson. NAYS: None. ABSENT: Archibald, Dodson. ORDINANCE #929 not adopted due to lack of supermajority.

Consider Resolution approving partial payment #2 to Maxwell Construction Inc. for the 2018 Sewer Extension and Forcemain Project

Norton presented RESOLUTION #19-128 approving partial payment #2 in the amount of $40,597.56 to Maxwell Construction Inc. for the 2018 Sewer and Foremain Project, seconded by Wichtendahl. Roll call vote: AYES: Norton, Olson, Wichtendahl. NAYS: None. ABSENT: Dodson, Archibald. **RESOLUTION #19-128 adopted.**

Consider Resolution approving final payment to Pate Asphalt for the Guthridge Park Trail Replacement

Wichtendahl presented RESOLUTION #19-129 approving final payment in the amount of $31,426.28 to Pate Asphalt for the Guthridge Park Trail Replacement, seconded by Olson. Roll call vote: AYES: Wichtendahl, Olson, Norton. NAYS: None. ABSENT: Dodson, Archibald. **RESOLUTION #19-129 adopted.**

Consider Resolution approving Work Order #9 to Hall and Hall Engineers for the 18th Avenue Widening Project
Norton stated he's been waiting for this project and it is good to see.

City Engineer John Bender indicated work has already begun and noted possible future work in the area.

Olson presented RESOLUTION #19-130 approving Work Order #9 in an amount not to exceed $19,780.00 to Hall and Hall Engineers for the 18th Avenue Widening Project, seconded by Norton. Roll call vote: AYES: Olson, Wichtendahl, Norton. NAYS: None. ABSENT: Archibald, Dodson. **RESOLUTION #19-130 adopted.**

Consider Resolution approving Notice of Default and Termination Agreement by and between the City of Hiawatha, Iowa, Side by Side Own, LLC, and Side by Side Develop, LLC
Wichtendahl expressed her disappointment this agreement did not work out and the councils disinterest in chasing after bad money with good money. She also remained confident the Midtown Project would work out. Mayor Bennett agreed.

Norton presented RESOLUTION #19-131 approving Notice of Default and Termination Agreement by and between the City of Hiawatha, Iowa, Side by Side Own, LLC, and Side by Side Develop, LLC, seconded by Olson. Roll call vote: AYES: Norton, Olson, Wichtendahl. NAYS: None. ABSENT: Dodson, Archibald. **RESOLUTION #19-131 adopted.**

Consider Resolution rescinding Resolution 19-074 in its entirety (Resolution approving a lease agreement with Side by Side Own, LLC for certain land described as Exhibit "a" 100 Emmons Street; POS No 2260 revised Plat "A")
Norton presented RESOLUTION #19-132 rescinding Resolution 19-074 in its entirety (Resolution approving a lease agreement with Side by Side Own, LLC for certain land described as Exhibit "a" 100 Emmons street; POS NO 2260 revised Plat "A"), seconded by Wichtendahl. Roll call vote: AYES: Olson, Wichtendahl, Norton. NAYS: None. ABSENT: Archibald, Dodson. **RESOLUTION #19-132 adopted.**

Consider Resolution approving Hiawatha Fire Department Attendance-Based Volunteer Incentive Program and the appropriate funding to support
Mayor Bennett and Council Members expressed their excitement and approval of this program.

Olson stated this was a "tremendous recruiting and retention tool."

Olson presented RESOLUTION #19-133 approving Hiawatha Fire Department Attendance-Based Volunteer Incentive Program and the appropriate funding to support, seconded by Norton. Roll call vote: AYES: Norton, Olson, Wichtendahl. NAYS: None. ABSENT: Archibald, Dodson. **RESOLUTION #19-133 adopted.**

Consider Resolution setting public hearing date (July 17 @ 5:30 P.M.) to review competitive quotes and award a city contract for a project to complete an existing partial fiberoptic network ring for city facility connectivity
Mayor Bennett spoke on behalf of the project stating, "We've been working with this and I think this is a great thing for the City."

Wichtendahl presented RESOLUTION #19-134 setting public hearing date (July 17 @ 5:30 P.M.) to review competitive quotes and award a city contract for a project to complete an existing partial fiberoptic network ring for city facility connectivity, seconded by Olson. Roll call vote: AYES: Wichtendahl, Olson, Norton. NAYS: None. ABSENT: Archibald, Dodson. **RESOLUTION #19-134 adopted.**

There being no further discussion, Wichtendahl moved to adjourn at 5:42 P.M., seconded by Norton. Motion carried.

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Bill Bennett, Mayor

ATTEST:

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Amy Scheer, Deputy City Clerk