The Hiawatha City Council met in regular session in the Hiawatha Council Chambers on December 19, 2018. Mayor Bennett called the meeting to order at 5:30 p.m. Council members present: Dick Olson, Steve Dodson, Aime Wichtendahl, Dennis Norton and Rob Archibald. Staff present: City Engineer John Bender, City Attorney Mark Parmenter, City Administrator Kim Downs, Police Chief Dennis Marks, Deputy Fire Chief Training Matt Powers, Hiawatha Fire Members: Brad Ransford, John Zlabek, Zach Brunscheen, Greg Brenneman, and Jed Hobbs. Guests: Daniel Hoffmann. Not all attendees signed in for the meeting.

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

Wichtendahl moved the approval of the following consent agenda items: Approval of bills; Finance Director's Report for November 2018; City Clerk's Report for November 2018; Department Reports: Fire, Library, Parks and Recreation, Police and Public Works, Motion approving Mayoral and Council Re-Appointments of Board and Commission members as follows: re-appointment of History Commission Member: Pat Semelroth effective January 1, 2019-December 31, 2021, re-appointment of Board of Appeals Member: Tim Wilson, effective January 1, 2019-December 31, 2021, re-appointment of Board of Appeals Member: Dick Whitmore, effective January 1, 2019-December 31, 2021, re-appointment of Board of Appeals Member: Brian Vogel, effective January 1, 2019-December 31, 2021, re-appointment of Board of Adjustment Member: Tom Day, effective January 1, 2019-December 31, 2023, re-appointment of Board of Adjustment Member: David Matthews, effective January 1, 2019-December 31, 2023, re-appointment of Planning and Zoning Member: Lisa Jepsen, effective January 1, 2019-December 31, 2023, re-appointment of Planning and Zoning Member: Mark Ross, effective January 1, 2019-December 31, 2023, re-appointment of Parks and Recreation Member: Dawn Ewoldt, effective January 1, 2019-December 31, 2020 re-appointment of Parks and Recreation Member: Dan Wilkes effective January 1, 2019-December 31, 2020, seconded by Archibald. Motion carried.

Report from Council Members/Mayor/City Administrator

Council Member Dodson mentioned the Water Board Meeting had Maggie Burger from Speer Financial in attendance to talk about the best way to fund the storage tanks. Dodson also thanked the Police Department for spotting the water main break.

Council Member Archibald mentioned the library was presented with a $400,000 check from Hall Perrine.

ORDINANCE #919 amending Hiawatha Code of Ordinances Chapter 26 Historical Commission by reducing the number of members from seven to five and allowing non-residents to serve on the Historical Commission

Dodson moved to waive the 2nd and 3rd readings of ORDINANCE #919, seconded by Archibald. ***Motion carried.***

Norton moved the adoption of ORDINANCE #919 amending Hiawatha Code of Ordinances Chapter 26 Historical Commission by reducing the number of members from seven to five and allowing non-residents to serve on the Historical Commission, seconded by Wichtendhal. Roll call vote: AYES: Norton, Wichtendahl, Dodson, Olson, Archibald. NAYS: None. ORDINANCE #919 adopted.

PUBLIC HEARING – adopting the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS

Mayor Bennett opened the public hearing to consider adopting the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS at 5:35 P.M.

City Engineer Bender clarified the specs are used all over statewide and would be in effect first of the year.

No additional written or public comments were received at or prior to the public hearing. Public Hearing closed at 5:37 P.M.

Archibald presented RESOLUTION #18-243 adopting the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition by resolution as authorized by Chapter 165.58 Construction Standards for Improvements in lieu of the existing Cedar Rapids Metropolitan Area Standard Specification effective January 1, 2019, seconded by Dodson. Roll call vote: AYES: Olson, Norton, Archibald, Dodson, Wichtendahl. NAYS: None. **RESOLUTION #18-243 adopted.**

PUBLIC HEARING – to consider amending Hiawatha Code of Ordinances Chapter 115 Utility Lines, Chapter 135 Street Use and Maintenance, Chapter 160 Fire Code, Chapter 165 Unified Development Code and Chapter 167 Filling, Grading and Erosion Control Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition

Mayor Bennett opened the public hearing to consider amending Hiawatha Code of Ordinances Chapter 115 Utility Lines, Chapter 135 Street Use and Maintenance, Chapter 160 Fire Code, Chapter 165 Unified Development Code and Chapter 167 Filling, Grading and Erosion Control Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition at 5:39 P.M.

No written or public comments were received at or prior to the public hearing. Public Hearing closed at 5:40 P.M.

Olson moved the 1st Reading of ORDINANCE #920 amending Hiawatha Code of Ordinances Chapter 115 Utility Lines in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Wichtendahl. Roll call vote: AYES: Archibald, Norton, Dodson, Wichtendahl, Olson. NAYS: None. ***Motion carried.***

Norton moved to waive the 2nd and 3rd readings of ORDINANCE #920, seconded by Archibald. ***Motion carried.***

Archibald moved the adoption of ORDINANCE #920 amending Hiawatha Code of Ordinances Chapter 115 Utility Lines in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Olson. Roll call vote: AYES: Wichtendahl, Olson, Archibald, Norton, Dodson. NAYS: None. ORDINANCE #920 adopted.

Dodson moved the 1st Reading of ORDINANCE #921 amending Hiawatha Code of Ordinances Chapter 135 Street Use and Maintenance in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Wichtendahl. Roll call vote: AYES: Wichtendahl, Olson, Norton, Dodson, Archibald. NAYS: None. ***Motion carried.***

Dodson moved to waive the 2nd and 3rd reading of ORDINANCE #921, seconded by Olson. ***Motion carried.***

Norton moved the adoption of ORDINANCE #921 amending Hiawatha Code of Ordinances Chapter 135 Street Use and Maintenance in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Archibald. Roll call vote: AYES: Archibald, Olson, Wichtendahl, Dodson, Norton. NAYS: None. ORDINANCE #921 adopted.

Olson moved the 1st Reading of ORDINANCE #922 amending Hiawatha Code of Ordinances Chapter 160 Fire Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Archibald. Roll call vote: AYES: Dodson, Archibald, Olson, Norton, Wichtendahl. NAYS: None. ***Motion carried.***

Wichtendahl moved to waive the 2nd and 3rd reading of ORDINANCE #922, seconded by Archibald. ***Motion carried.***

Norton moved the adoption of ORDINANCE #922 amending Hiawatha Code of Ordinances Chapter 160 Fire Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Dodson. Roll call vote: AYES: Dodson, Wichtendahl, Norton, Archibald, Olson. NAYS: None. ORDINANCE #922 adopted.

Olson moved the 1st Reading of ORDINANCE #923 amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Archibald. Roll call vote: AYES: Wichtendahl, Olson, Norton, Archibald, Dodson. NAYS: None. ***Motion carried.***

Norton moved to waive the 2nd and 3rd reading of ORDINANCE #923, seconded by Archibald. ***Motion carried.***

Dodson moved the adoption of ORDINANCE #923 amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Wichtendahl. Roll call vote: AYES: Olson, Norton, Archibald, Dodson, Wichtendahl. NAYS: None. ORDINANCE #923 adopted.

Wichtendahl moved the 1st Reading of ORDINANCE #924 amending Hiawatha Code of Ordinances Chapter 167 Filling, Grading, and Erosion Control Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Dodson. Roll call vote: AYES: Wichtendahl, Norton, Dodson, Olson, Archibald. NAYS: None. ***Motion carried.***

Norton moved to waive the 2nd and 3rd reading of ORDINANCE #924, seconded by Wichtendahl. ***Motion carried.***

Olson moved the adoption of ORDINANCE #924 amending Hiawatha Code of Ordinances Chapter 167 Filling, Grading, and Erosion Control Code in relation to the adoption of the 2018 Statewide Urban Design and Specification (SUDAS) and the General Supplemental Specifications to SUDAS, 2018 Edition, seconded by Archibald. Roll call vote: AYES: Olson, Norton, Archibald, Dodson, Wichtendahl. NAYS: None. ORDINANCE #924 adopted.

2018 Edgewood Road Sewer Extension and Mitchell Drive Forcemain Replacement Project

Norton presented RESOLUTION #18-244 approving application for Partial Pay Estimate #1 for the 2018 Hiawatha Sewer Extension and Forecmain Replacement Project, and direct City Clerk to make payment to Maxwell Construction, Inc. of Iowa City, in the amount of $84,129.04, seconded by Archibald. Roll call vote: AYES: Olson, Wichtendahl, Norton, Dodson, Archibald. NAYS: None. **RESOLUTION #18-244 adopted.**

Edgewood Road Culvert and Grading Project Phase I with Linn County Secondary Roads

Olson presented RESOLUTION #18-245 accepting the 2017-2018 Edgewood Road Culvert and Grading Project Phase I from Tower Terrace Road North to County Home Road, constructed by Linn County Secondary Road Department, and approving application for (Final) Pay Estimate #2 and directing City Clerk to make payment to Linn County Secondary Road Department, in the amount of $32,368.71 immediately, seconded by Archibald. Roll call vote: AYES: Dodson, Wichtendahl, Olson, Archibald, Norton. NAYS: None. **RESOLUTION #18-245 adopted.**

Accepting the improvements installation for Peck's Landing Edgewood Road Extension

Norton presented RESOLUTION #18-246 accepting the improvements installation for Peck's Landing Edgewood Road Extension, seconded by Dodson. Roll call vote: AYES: Archibald, Norton, Olson, Wichtendahl, Dodson. NAYS: None. **RESOLUTION #18-246 adopted.**

Authorizing city staff to proceed with design plans for the installation of permanent traffic signals at the intersection of Center Point Road and Willman Street

Olson presented RESOLUTION #18-247 authorizing City Staff to proceed with design plans including ADA improvements as prepared by Shive Hattery Engineering of Cedar Rapids, for the installation of traffic signals at the intersection of Center Point Road and Willman Street, utilizing available funding in Local Option Sales Tax and Service (LOSST) dollars in the amount of $24,500, seconded by Dodson. Roll call vote: AYES: Norton, Dodson, Archibald, Wichtendahl, Olson. NAYS: None. **RESOLUTION #18-247 adopted.**

Tower Terrace Road Reconstruction from I-380 to North Center Point Road

Dodson presented RESOLUTION #18-248 authorizing the solicitation of Request for Proposals for the planning and design of the Tower Terrace Road Reconstruction from I-380 to Center Point Road, seconded by Olson. Roll call vote: Norton, Archibald, Dodson, Wichtendahl, Olson. NAYS: None. **RESOLUTION #18-248 adopted.**

Authorizing the creation of a Parks and Recreation Master Plan Steering Committee

Norton presented RESOLUTION #18-249 authorizing the creation of a Parks and Recreation Master Plan Steering Committee, seconded by Wichtendahl. Roll call vote: AYES: Dodson, Archibald, Norton, Olson, Wichtendahl. NAYS: None. **RESOLUTION #18-249 adopted.**

Amending 2010 Employee Policy Manual updating in its entirety and deleting the 2010 Part-Time/Temporary/Seasonal Employee Policy Manual

Amy Reasner from Lynch Dallas explained the amendments and updates to the Employee Policy Manual was a major overhaul from the previous manual putting everything into one book, while using current standards and consistent language throughout the manual. Reasner said this is important for employees to know what they need and where to find it in the updated manual.

Council Member Wichtendahl stated most of the updates were well needed but is removing council from employee disputes and does not think council should be taken out if disputes arise.

Reasner explained, "The grievance procedure is a lengthy process that should end with the operational manager and will involve highly confidential records. Making the process a public forum involving council is not in the best interest of the council."

Council Member Archibald asked if changing the language to add Mayor/City Administrator removing Council would provide oversight at the elected official level. Again, Ms. Reasner said this wouldn't change the public forum and would not recommend it.

Wichtendahl stated there is hesitation to remove council from day to day procedures.

Council Member Olson said they are more operational issues than oversight issues and are many steps in the process and questions whether council really needs to be involved.

Reasner commented employment level issues shouldn't be public.

Olson asked to hear City Attorney Mark Parmenter's opinion.

City Attorney Parmenter commented the changes are more consistent and easier to read. He said council sets city policy, day to day staff make employee policies/oversights and having council oversee employment issues makes him nervous as it can open council up for liability issues when it becomes public.

Reasner added, having employee issues open to the public opens Council up to defamation claims.

Olson stated, "council has legal liabilities and does not think that's where he wants to see council go. He said the City Administrator would keep council informed of any disputes with city staff as she does today."

Council Member Norton stated he has no concerns with the changes.

Olson presented RESOLUTION #18-250 amending 2010 Employee Policy Manual updating in its entirety and deleting the 2010 Part-Time/Temporary/Seasonal Employee Policy Manual, seconded by Norton. Roll call vote: AYES: Norton, Wichtendahl, Dodson, Olson, Archibald. NAYS: None. **RESOLUTION #18-250 adopted.**

There being no further discussion, Wichtendahl moved to adjourn at 6:05 P.M., seconded by Dodson. Motion carried.

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Bill Bennett, Mayor

ATTEST:

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Kari Graber, Deputy City Clerk