The Hiawatha City Council met in regular session in the Hiawatha Council Chambers on April 17, 2019. Mayor Bennett called the meeting to order at 5:30 p.m. Council members present: Dick Olson, Aime Wichtendahl, Steve Dodson and Rob Archibald. Dennis Norton was absent. Staff present: Community Development Director Pat Parsley, City Administrator Kim Downs, Finance Director Cindy Kudrna, City Attorney Mark Parmenter and Police Chief Dennis Marks. Guests: Maggie Burger of Speer Financial, John Murphey of Speer Financial and Daniel Hoffmann. Not all attendees signed in for the meeting.

Dodson 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 March 2019; City Clerk's Report for March 2019; Department Reports: Community Development, Fire, Police, Library, and Parks and Recreation, Approval of renewal of Special Class C Liquor License (BW) (Beer/Wine), Outdoor Service, and Sunday Sales for Tomaso's Pizza & BBQ located at 1061 North Center Point Road, effective May 1, 2019, Approval of renewal Class C Liquor License (LC) (Commercial), Outdoor Service, and Sunday Sales for Lucky Penny, LLC located at 1705 Boyson Road, effective May 6, 2019, RESOLUTION #19-063 approving sewer waiver on second water meter for 3028 Valley Court, RESOLUTION #19-064 approving sewer waiver on second water meter for 101 Ashworth Court, seconded by Archibald. Motion carried.

Report from Council Members/Mayor/City Administrator

City Administrator Downs reminded Council of the City's Earth Day event on April 27 from 9:00 AM – 11:00 AM out at the Maintenance Shop.

Downs also mentioned the pre-construction meeting for the library schedule for the coming week, Garling was out taking measurements and plan to do the parking lot first.

PUBLIC HEARING – to consider amending Hiawatha Code of Ordinances Chapter 157 Electrical Code by deleting §157.08 Receptacles in its entirety to align with the State mandate

Mayor Bennett opened the public hearing to consider amending Hiawatha Code of Ordinances Chapter 157 Electrical Code by deleting §157.08 Receptacles in its entirety to align with the State mandate at 5:37 P.M.

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

Wichtendahl moved the 1st Reading of ORDINANCE #927 amending Hiawatha Code of Ordinances Chapter 157 Electrical Code by deleting §157.08 Receptacles in its entirety to align with the State mandate, seconded by Archibald. Roll call vote: AYES: Olson, Dodson, Archibald, Wichtendahl. NAYS: None. ABSENT: Norton. ***Motion carried.***

Olson moved to waive the 2nd and 3rd readings of ORDINANCE #927, seconded by Archibald. ***Motion carried.***

Wichtendahl moved the adoption of ORDINANCE #927 amending Hiawatha Code of Ordinances Chapter 157 Electrical Code by deleting §157.08 Receptacles in its entirety to align with the State mandate, seconded by Dodson. Roll call vote: AYES: Archibald, Olson, Wichtendahl, Dodson. NAYS: None. ABSENT: Norton. ORDINANCE #927 adopted.

$2,515,000 (Subject to Adjustment per Terms of Offering) General Obligation Capital Loan Notes, Series 2019

Maggie Burger of Speer Financial informed Council there were seven (7) bids received today and she is recommending UMB Bank, n.a., Kansas City, Missouri at a true interest rate of 2.4334%, $2,606,126.35.

Olson moved acknowledging receipt of bids, seconded by Wichtendahl. Motion carried.

Olson presented RESOLUTION #19-065 directing sale of $2,515,000 (subject to adjustment per terms of offering) General Obligation Capital Loan Notes, Series 2019, seconded by Archibald. Roll call vote: AYES: Dodson, Olson, Wichtendahl, Archibald. NAYS: None. ABSENT: Norton. **RESOLUTION #19-065 adopted.**

Authorizing the redemption of outstanding taxable General Obligation Capital Loan Notes, Series 2012B, of the City of Hiawatha, State of Iowa, dated April 4, 2012, and directing notice be given
Wichtendahl presented RESOLUTION #19-066 authorizing the redemption of outstanding taxable General Obligation Capital Loan Notes, Series 2012B, of the City of Hiawatha, State of Iowa, dated April 4, 2012, and directing notice be given, seconded by Dodson. Roll call vote: AYES: Archibald, Dodson, Olson, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #19-066 adopted.**

Approving Bond Disclosure Policy
Dodson presented RESOLUTION #19-067 approving Bond Disclosure Policy, seconded by Wichtendahl. Roll call vote: AYES: Wichtendahl, Archibald, Dodson, Olson, NAYS: None. ABSENT: Norton. **RESOLUTION #19-067 adopted.**

Approving and authorizing execution of a first amendment to the purchase, sale and development agreement for private development by and among the City of Hiawatha, Side by Side Own, L.L.C. and Side by Side Develop, L.L.C.
Wichtendahl presented RESOLUTION #19-068 approving and authorizing execution of a first amendment to the purchase, sale and development agreement for private development by and among the City of Hiawatha, Side by Side Own, L.L.C. and Side by Side Develop, L.L.C., seconded by Olson. Roll call vote: AYES: Archibald, Dodson, Olson, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #19-068 adopted.**

Demonstrating City Council support and pledging financial support in the Linn County Conservation Morgan Creek Development Project
Archibald presented RESOLUTION #19-069 demonstrating City Council support and pledging financial support not to exceed $250.00 from the General Fund to the Linn County Conservation Morgan Creek Development Project, seconded by Wichtendahl. Roll call vote: AYES: Olson, Wichtendahl, Archibald, Dodson. NAYS: None. ABSENT: Norton. **RESOLUTION #19-069 adopted.**

Supporting a Police Department Golf Outing Fundraiser on August 4, 2019 with all proceeds strictly for the K-9 program
Dodson presented RESOLUTION #19-070 supporting a Police Department Golf Outing Fundraiser on August 4, 2019 with all proceeds strictly for the K-9 program, seconded by Archibald. Roll call vote: AYES: Dodson, Olson, Wichtendahl, Archibald. NAYS: None. ABSENT: Norton. **RESOLUTION #19-070 adopted.**

No Parking Designation for Library Renovation and Expansion
Wichtendahl presented RESOLUTON #19-071 authorizing temporary no parking areas during library renovation/expansion project effective April 2019 through October 2020, seconded by Dodson. Roll call vote: AYES: Wichtendahl, Archibald, Dodson, Olson. NAYS: None. ABSENT: Norton. **RESOLUTION #19-071 adopted.**

Archibald presented RESOLUTION #19-072 setting a public hearing date of (May 1, 2019 at 5:30 P.M.) amending Hiawatha Code of Ordinances Chapter 69 Parking Regulations §69.08 No Parking Zones by adding no Parking restrictions on the east side of 1st Avenue from Willman Street, south to the first Zion Church parking lot entrance, seconded by Wichtendahl. Roll call vote: AYES: Archibald, Dodson, Olson, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #19-072 adopted.**

Tower Terrace Road Reconstruction Project from I-380 to North Center Point Road
City Engineer Bender commented staff has been working on this for several weeks and have the latest contract for you, also moved the schedule up.

City Council Member Olson questioned the original cost was $4 million and now we are at $3 million.

Bender stated DOT did an estimate and is right around the $3 million mark for construction.

Archibald presented RESOLUTION #19-073 approving a Design Contract with Snyder and Associates for Engineering Service directed by city council on February 20, 2019 for the following purposes and under the following terms of preparation preliminary design, final design, construction plans and specifications, contact documents, right-of-way

acquisition and bid phase services in an amount not to exceed $283,420.00, seconded by Dodson. Roll call vote: AYES: Olson, Wichtendahl, Archibald, Dodson. NAYS: None. ABSENT: Norton.

Approving a lease agreement for 100 Emmons Street in association with sale of city property

City Attorney Parmenter commented the lease agreement commences on the project date and ends October 31, 2020, the use of limit is for public safety equipment, nothing else has changed. They don't want anyone in there after October 31, 2020 or lease amount goes up to $2,500 per month, will have to maintain current insurance and need to add certificate for City Clerk to attest.

City Council Member Olson commented this is the longest lease agreement he has read through for $1.00.

City Administrator Downs mentioned staff has been looking at options for garage across the street.

Wichtendahl presented RESOLUTION #19-074 approving a lease agreement for 100 Emmons Street in association with sale of city property, seconded by Olson.

Discussion/Possible Action regarding Willman Street Signal Project approved by City Council on March 20

City Engineer Bender said he looked at final plans and will go out for bids in about one month for construction, only have one price because they are special poles and forgot to add all pedestrian poles when getting estimates. Staff can go back to a different pole but these would match all the other poles, still a good plan and within the budget.

City Administrator Downs asked to amend RESOLUTION #19-051 to add in additional costs.

Bender commented once the purchase order is approved, they will have all the major equipment.

Olson presented RESOLUTION #19-075 authorizing city staff to move forward with ordering and purchasing the necessary the traffic signal mast arms and poles at a total estimated cost of $114,170.00, for the 2019 Willman Street Signal Project approved by Resolution #19-051, seconded by Wichtendahl. Roll call vote: AYES: Archibald, Olson, Dodson, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #19-075 adopted.**

Approving purchase agreement for property located at 107 N B Avenue including the following parcel identification numbers: 11333-76011-00000, 11333-76102-00000, 11333-76015-00000, 113333-76016-00000

City Attorney Parmenter said the appraised values is $4,200.00, they accepted that price pending DHS approval and asked the city to pay property taxes from date of closing to end for that period; adding $1,100.00 fee for abstracts plus $1,000.00 for taxes in addition to the $4,200.00 all subject to DHS approval.

Wichtendahl presented RESOLUTION #19-076 approving purchase agreement for property located at 107 N B Avenue including the following parcel identification numbers: 11333-76011-00000, 11333-76102-00000, 11333-76015-00000, 113333-76016-00000, seconded by Archibald. Roll call vote: AYES: Dodson, Olson, Wichtendahl, Archibald. NAYS: None. ABSENT: Norton. **RESOLUTION #19-076 adopted.**

Opposing proposed legislative changes in city finance and directing staff to send to State legislators and Governor Reynolds

City Council Member Archibald commented he had mixed feelings about this at first and educated himself and now supports this.

Wichtendahl presented RESOLUTION #19-077 opposing proposed legislative changes in city finance and directing staff to send to State legislators and Governor Reynolds, seconded by Dodson. Roll call vote: AYES: Olson, Archibald, Dodson, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #19-077 adopted.**

There being no further discussion, Wichtendahl moved to adjourn at 6:14 P.M., seconded by Olson. Motion carried.

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Bill Bennett, Mayor

ATTEST:

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Kari Graber, City Clerk