The Hiawatha City Council met in regular session in the Hiawatha Council Chambers on May 3, 2017. Mayor Bill Bennett called the meeting to order at 5:30 p.m. Council members present: Marty Bruns, Bob Rampulla, Dick Olson and Aime Wichtendahl. Dennis Norton was absent. Staff present: Community Development Director Patrick Parsley, City Administrator Kim Downs, City Engineer John Bender, Fire Chief Mike Nesslage, and Police Chief Dennis Marks. Guests: Daniel Hoffmann, Deacon Dennis Mulherin, John Zlabek, and Chad Pelley of Ahmann Companies.

Bruns moved approval of the agenda, seconded by Rampulla. Motion carried.

Wichtendahl moved the approval of the following consent agenda items: Approval of bills; Regular Meeting April 5, 2017 and April 19, 2017; Receive and File Minutes of Boards/Commissions/Committees: History Committee April 10, 2017, Library Board April 11, 2017, Planning and Zoning Commission March 27, 2017 and Water Board April 18, 2017; City Engineer's Report, Mayor's Report and City Administrator's Report, seconded by Olson. Motion carried.

PUBLIC HEARING – to consider rezoning of properties located at 3950, 3980 and 3990 Blairs Ferry Road from A (Agriculture Zone District) and C-2 (Neighborhood Convenience District) to C-3 (Highway Commercial District) as requested by Peck's Landing, LLC

Mayor Bennett opened the public hearing to consider rezoning of properties located at 3950, 3980 and 3990 Blairs Ferry Road from A (Agriculture Zone District) and C-2 (Neighborhood Convenience District) to C-3 (Highway Commercial District) as requested by Peck's Landing, LLC at 5:31 P.M.

Chad Pelley of Ahmann Companies announced he is available to answer any questions on the project.

Mayor Bennett asked City Engineer Bender and Community Development Director Parsley to provide background information on the rezoning request and Planning and Zoning recommendation.

City Engineer Bender explained the property is located at the corner of Edgewood Road and Blairs Ferry Road and includes a rezoning application and preliminary plat.

Community Development Director Parsley said Planning and Zoning heard both the rezoning and preliminary plat requests. There were no major concerns except educating neighbors on the plans for the property. Parsley said there is a timing issue so staff is asking City Council to consider only the first reading at this time. Final approval is contingent on the developer addressing traffic in the area.

Mayor Bennett added he attended the Planning and Zoning meeting and citizen concerns mainly related to the type of project planned for the property. This matter was addressed during the meeting.

No additional written or public comments were received at or prior to the public hearing. Public Hearing closed at 5:34 P.M.

Bruns moved the 1st Reading of ORDINANCE #876 regarding rezoning of properties located at 3950, 3980 and 3990 Blairs Ferry Road from A (Agriculture Zone District) and C-2 (Neighborhood Convenience District) to C-3 (Highway Commercial District) as requested by Peck's Landing, LLC, seconded by Wichtendahl. Roll call vote: AYES: Olson, Wichtendahl, Rampulla, Bruns. NAYS: None. ABSENT: Norton. **ORDINANCE #876 adopted.**

The 2nd and 3rd readings and adoption of ORDINANCE #876 will come back for City Council approval at a later date to be determined.

Approving the Preliminary Plat for Peck's Landing First Addition

Rampulla presented RESOLUTION #17-078 approving the Preliminary Plat for Peck's Landing First Addition, seconded by Bruns. Roll call vote: AYES: Bruns, Rampulla, Wichtendahl, Olson. NAYS: None. ABSENT: Norton. **RESOLUTION #17-078 adopted.**

PUBLIC HEARING – on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder - Not to Exceed $1,485,000 General Obligation Capital Loan Notes
Mayor Bennett opened the public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder for the $1,485,000 General Obligation Capital Loan Notes at 5:35 P.M.

No written or public comments were received at or prior to the public hearing. Public Hearing closed at 5:35 P.M.

Instituting proceedings to take additional action on Not to Exceed $1,485,000 General Obligation Capital Loan Notes
Olson presented RESOLUTION #17-079 instituting proceedings to take additional action not to exceed $1,485,000 General Obligation Capital Loan Notes, seconded by Wichtendahl. Roll call vote: AYES: Wichtendahl, Olson, Bruns, Rampulla. NAYS: None. ABSENT: Norton. **RESOLUTION #17-079 adopted.**

PUBLIC HEARING – on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder - Not to Exceed $3,780,000 General Obligation Capital Loan Notes
Mayor Bennett opened the public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder for the $3,780,000 General Obligation Capital Loan Notes at 5:36 P.M.

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

Instituting proceedings to take additional action on Not to Exceed $3,780,000 General Obligation Capital Loan Notes
City Administrator Downs said $1.5 million of the Notes are refinancing to a lower interest rate; estimating approximately $33,000 in savings.

Rampulla presented RESOLUTION #17-080 instituting proceedings to take additional action on not to exceed $3,780,000 General Obligation Capital Loan Notes, seconded by Wichtendahl. Roll call vote: AYES: Rampulla, Bruns, Olson, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #17-080 adopted.**

Directing the advertisement for sale and approving electronic bidding procedures and Official Statement - $5,265,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes, Series 2017
Olson presented RESOLUTION #17-081 directing the advertisement for sale and approving electronic bidding procedures and Official Statement for the $5,265,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes, Series 2017, seconded by Bruns. Roll call vote: AYES: Olson, Bruns, Wichtendahl, Rampulla. NAYS: None. ABSENT: Norton. **RESOLUTION #17-081 adopted.**

Setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider amending Hiawatha Code of Ordinance Chapter 101 Storm Water Drainage System §101.01 Purpose, §101.03 Rates, and §101.06 Storm Water Emergencies by adding retention or detention basin to definitions, establishing rates by ordinance and providing clarification to fees for City staff work on privately owned storm sewer
Wichtendahl presented RESOLUTION #17-082 setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider amending Hiawatha Code of Ordinance Chapter 101 Storm Water Drainage System §101.01 Purpose, §101.03 Rates, and §101.06 Storm Water Emergencies by adding retention or detention basin to definitions, establishing rates by ordinance and providing clarification on fees for City staff work on privately owned storm sewer, seconded by Bruns. Roll call vote: AYES: Wichtendahl, Bruns, Olson, Rampulla. NAYS: None. ABSENT: Norton. **RESOLUTION #17-082 adopted.**

Setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider amending Hiawatha Code of Ordinance Chapter 102 Illicit Discharge to Storm Sewer System §102.05 Illicit Discharge Detection and Reporting, Cost Recovery, §102.06 Suspension of Access to the City's Storm Sewer System, and §102.09 Appeal to allow flexibility between City departments in administration and enforcement duties and assign City Council to hear appeals
Rampulla presented RESOLUTION #17-083 setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider amending Hiawatha Code of Ordinance Chapter 102 Illicit Discharge to Storm Sewer System §102.05 Illicit Discharge Detection and Reporting, Cost Recovery, §102.06 Suspension of Access to the City's Storm Sewer System, and §102.09 Appeal to allow flexibility between City departments in administration and enforcement duties and assign City Council to hear appeals, seconded by Olson. Roll call vote: AYES: Bruns, Rampulla, Wichtendahl, Olson. NAYS: None. ABSENT: Norton. **RESOLUTION #17-083 adopted.**

Setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider amending Hiawatha Code of Ordinance Chapter 162 Storm Water Runoff Control §162.04 Applicability, deleting §162.05 Affidavit of Disclosure of Property Interest, amending §162.19 Certification and Maintenance, and §162.21 Administration to modify regulations and add establishment of an advisory committee
Bruns presented RESOLUTION #17-084 setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider amending Hiawatha Code of Ordinance Chapter 162 Storm Water Runoff Control §162.04 Applicability, deleting §162.05 Affidavit of Disclosure of Property Interest, amending §162.19 Certification and Maintenance, and §162.21 Administration to modify regulations and add establishment of an advisory committee, seconded by Rampulla. Roll call vote: AYES: Rampulla, Wichtendahl, Olson, Bruns. NAYS: None. ABSENT: Norton. **RESOLUTION #17-084 adopted.**

Approving an "At Your Own Risk" Building Permit to begin construction on a new commercial building for Studio 32 located at 950 Metzger Drive
Wichtendahl presented RESOLUTION #17-085 approving an "At Your Own Risk" Building Permit to begin construction on a new commercial building for Studio 32 located at 950 Metzger Drive, seconded by Olson. Roll call vote: AYES: Bruns, Olson, Rampulla, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #17-085 adopted.**

Approving the plan of improvements installation for Dell Ridge Phase III
Olson presented RESOLUTION #17-086 approving the plan of improvements installation for Dell Ridge Phase III, seconded by Rampulla. Roll call vote: AYES: Wichtendahl, Olson, Bruns, Rampulla. NAYS: None. ABSENT: Norton. **RESOLUTION #17-086 adopted.**

Accepting improvements installation for Heritage Green Twelfth Addition
Rampulla presented RESOLUTION #17-087 accepting improvements installation for Heritage Green Twelfth Addition, seconded by Bruns. Roll call vote: AYES: Olson, Bruns, Wichtendahl, Rampulla. NAYS: None. ABSENT: Norton. **RESOLUTION #17-087 adopted.**

Approving a sidewalk deferment for the property located at 1195 Boyson Road as requested by Brainiac Inc. on behalf of Mercy Surgery Center/Wolfe Eye Clinic
Olson presented RESOLUTION #17-088 approving a sidewalk deferment for the property located at 1195 Boyson Road as requested by Brainiac Inc. on behalf of Mercy Surgery Center/Wolfe Eye Clinic, seconded by Bruns. Roll call vote: AYES: Rampulla, Wichtendahl, Bruns, Olson. NAYS: None. ABSENT: Norton. **RESOLUTION #17-088 adopted.**

Approving a 28E Agreement between the City of Hiawatha and Linn County for the construction of Phase I of the Edgewood Road paving, grading and culverts project
Bruns presented RESOLUTION #17-089 approving a 28E Agreement between the City of Hiawatha and Linn County for the construction of Phase I of the Edgewood Road paving, grading and culverts project, seconded by Wichtendahl. Roll call vote: AYES: Bruns, Rampulla, Olson, Wichtendahl. NAYS: None. ABSENT: Norton. **RESOLUTION #17-089 adopted.**

Approving the appointment of four (4) Fire Department Chaplains: Fr. Mark Ressler, Deacon Dennis Mulherin, Deacon Frank Easton, and Deacon Scott Zogg
Fire Chief Nesslage thanked Deacon Dennis Mulherin of St. Elizabeth Church. Nesslage said there is a lot of stress in fire service and EMS and fire department members need resources; chaplains are only part of the plan. Nesslage mentioned City Council approved an employee assistance plan (EAP) previously. The Fire Department also does peer counseling training and watch and monitor staff, making referrals to counseling if necessary.

Olson moved approving the appointment of four (4) Fire Department Chaplains: Fr. Mark Ressler, Deacon Dennis Mulherin, Deacon Frank Easton, and Deacon Scott Zogg, seconded by Rampulla. **MOTION carried.**

Approving the appointment of one (1) Volunteer Firefighter: Taylor Brown
Wichtendahl moved approving the appointment of one (1) Volunteer Firefighter: Taylor Brown, seconded by Bruns. **MOTION carried.**

Authorizing the Mayor to sign an agreement with Cedar Rapids Toyota for the purchase of a Toyota Tacoma Truck in the amount of $1.00 for the Parks Department to use from May through October
Bruns presented RESOLUTION #17-090 authorizing the Mayor to sign an agreement with Cedar Rapids Toyota for the purchase of a Toyota Tacoma Truck in the amount of $1.00 for the Parks Department to use from May through October, seconded by Wichtendahl. Roll call vote: AYES: Olson, Wichtendahl, Rampulla, Bruns. NAYS: None. ABSENT: Norton. **RESOLUTION #17-090 adopted.**

Approving an Amateur Radio Field Day in Clark Park past the 10:00 p.m. curfew on June 23-25, 2017
Bruns presented RESOLUTION #17-091 approving an Amateur Radio Field Day in Clark Park past the 10:00 P.M. curfew on June 23, 2017 through June 25, 2017, seconded by Rampulla. Roll call vote: AYES: Bruns, Olson, Wichtendahl, Rampulla. NAYS: None. ABSENT: Norton. **RESOLUTION #17-091 adopted.**

Employee Policy Manual Amendments (and amending the Part-Time / Temporary / Seasonal Employee Policy Manual accordingly) - Amending Section III Hours of Work, Attendance and Absenteeism by adding a policy for Fire Medic on call pay and amending Recording Work Hours policy to add new procedures for electronic timesheet program, amending Section VII Substance Abuse Policy to update procedures for employee drug and alcohol testing, amending Section VIII Vacation Policies to change minimum usage rate, and amending DOT Drug and Alcohol Policy and DOT Driver Handout to update DOT regulations
Bruns presented RESOLUTION #17-092 amending Section III Hours of Work, Attendance and Absenteeism by adding a policy for Fire Medic on call pay and amending Recording Work Hours policy to add new procedures for electronic timesheet program, amending Section VII Substance Abuse Policy to update procedures for employee drug and alcohol testing, amending Section VIII Vacation Policies to change minimum usage rate, and amending DOT Drug and Alcohol Policy and DOT Driver Handout to update DOT regulations, seconded by Wichtendahl. Roll call vote: AYES: Wichtendahl, Olson, Bruns, Rampulla. NAYS: None. ABSENT: Norton. **RESOLUTION #17-092 adopted.**

Setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider the FY 2017 Budget Amendment #2 and direct publication of notice
Wichtendahl moved setting a public hearing date (May 17, 2017 @ 5:30 P.M.) to consider the FY 2017 Budget Amendment #2 and direct publication of notice, seconded by Bruns. **MOTION carried.**

There being no further discussion, Rampulla moved to adjourn at 5:52 P.M., seconded by Wichtendahl. Motion carried.

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Bill Bennett, Mayor

ATTEST:

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Kelly Kornegor, City Clerk