The Hiawatha City Council met in regular session in the Hiawatha Council Chambers on August 1, 2018. Mayor Bill Bennett called the meeting to order at 5:30 p.m. Council members present: Rob Archibald, Steve Dodson, Aime Wichtendahl, Dick Olson, and Denny Norton. City Staff present: City Administrator Kim Downs, Finance Director Cindy Kudrna, City Attorney Mark Parmenter, City Engineer John Bender, Community Development Director Patrick Parsley, Fire Chief Mike Nesslage, and Police Chief Dennis Marks. Guests: Phil Matthews, Daniel Hoffmann, Loren from Shrader Group, and Keith Billick from Side by Side, Brian Stubblefield Sr., Brian Stubblefield Jr., Hank Stubblefield, and Maximillian Crist. 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, Minutes of Meetings: Regular Meetings May 16, 2018 (amended to fix Scrivener error), June 6, 2018, June 20, 2018, and July 18, 2018, Receive & File Minutes of Boards/Commissions/Committees: Library May 8, 2018 and June 20, 2018, Parks and Recreation June 12, 2018, Planning and Zoning May 21, 2018 and June 25, 2018, and Water Board June 19, 2018, Temporary five (5) day Special Class C Liquor License (BW) (Beer/Wine) and outdoor service for Black Sheep CR LLC / Clock House Brewing to provide vending at the Hiawatha Fun Fest on August 25, 2018, City Engineer's Report, Mayor's Report, City Administrator's Report, second from Archibald. Motion carried.

P. Matthews of 103 E Willman Street inquired about the increase to his water/sewer bill and asked council to consider installing stoplights at the intersection of Center Point Road and Willman Street with construction. Matthews additionally brought up issues with speeding on Willman Street.

Mayor Bennett opened the public hearing regarding a request from John and Lois Novak, to rezone unplatted property located south of Todd Hills Road and west of Diamondback Road from A (Agriculture District) to R-3 (Single Family Residence District). Loren from Shrader Group was present to answer questions on behalf of Novak. There being no comments offered for or against, Mayor Bennett declared the hearing closed.

ORDINANCE #905, an ordinance to approve rezoning of unplatted property located south of Todd Hills Road and west of Diamondback Road from A (Agriculture District) to R-3 (Single Family Residence District) was placed on file by Norton, second from Wichtendahl. RCV: five AYES. Motion by Archibald, second from Norton, to waive the requirement for three separate readings. RCV: five AYES. Motion by Olson, second from Dodson, to adopt ordinance #905. RCV: five AYES. **ORDINANCE #905 adopted.**

Mayor Bennett opened the public hearing to consider amending Hiawatha Code of Ordinances Chapter 161 Flood Plain Regulations to update language as recommended by the Iowa Department of Natural Resources. Community Development Director Parsley noted the changes were administrative and grammar related. There being no additional comments offered for or against, Mayor Bennett declared the hearing closed.

ORDINANCE #906, an ordinance amending Hiawatha Code of Ordinances Chapter 161 Flood Plain Regulations to update language as recommended by the Iowa Department of Natural Resources was placed on file by Dodson, second from Archibald. RCV: five AYES. Motion by Wichtendahl, second from Dodson, to waive the requirement for three separate readings. RCV: five AYES. Motion by Norton, second from Olson, to adopt ordinance #906. RCV: five AYES. **ORDINANCE #906 adopted.**

Mayor Bennett opened the public hearing to consider amending Hiawatha Code of Ordinances Chapter 166 Sign Code §166.27 (7) (C) and Table 1 Permitted Signs By Zoning District by adding an allowance for multiple ground signs in industrial zones. There being no comments offered for or against, Mayor Bennett declared the hearing closed.

ORDINANCE #907, an ordinance amending Hiawatha Code of Ordinances Chapter 166 Sign Code §166.27 (7) (C) and Table 1 Permitted Signs By Zoning District by adding an allowance for multiple ground signs in industrial zones was placed on file by Wichtendahl, second from Dodson. RCV: five AYES. Motion by Archibald, second from Norton, to waive the requirement for three separate readings. RCV: five AYES. Motion by Dodson, second from Olson, to adopt ordinance #907. RCV: five AYES. **ORDINANCE #907 adopted.**

Mayor Bennett opened the public hearing on the proposal to enter into a Development Agreement with Wickwire Chiropractic and Wellness Center P.C. City Administrator Downs stated this is a traditional TIF agreement, five years at 75%. There being no additional comments offered for or against, Mayor Bennett declared the hearing closed.

Olson presented RESOLUTION #18-135 approving and authorizing execution of a five (5) year Development Agreement by and between the City of Hiawatha and Wickwire Chiropractic and Wellness Center, P.C., second from Dodson. RCV: five AYES. **RESOLUTION #18-135 adopted.**

Wichtendahl presented RESOLUTION #18-136 setting a public hearing date (August 15, 2018 @ 5:30 P.M.) to consider amending Hiawatha Code of Ordinances Chapter 137 Vacation and Disposal of Streets to vacate and dispose of a portion of Robins Road right of way found in Plat of Survey 2262, Part of Lot 5 Auditor's Plat 345, second from Archibald. RCV: five AYES. **RESOLUTION #18-136 adopted.**

Olson presented RESOLUTION #18-137 (1) approving minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the Urban Renewal Area; (2) determining that the proposal submitted by Side by Side Own, L.L.C. and Side by Side Develop, L.L.C. satisfies the offering requirements and declaring the intent of the City to enter into a Purchase, Sale and Development Agreement by and among the City of Hiawatha, Iowa, Side by Side Own, L.L.C. and Side by Side Develop, L.L.C. in the event that no competing proposals are submitted; and (3) soliciting competing proposals, second from Dodson. RCV: five AYES. **RESOLUTION #18-137 adopted.**

Wichtendahl presented RESOLUTION #18-138 setting a public hearing date (September 5, 2018 @ 5:30 P.M.) on the proposal to enter into a Purchase, Sale, and Development Agreement with Side by Side Own, L.L.C. and Side by Side Develop, L.L.C., second from Archibald. RCV: five AYES. **RESOLUTION #18-138 adopted.**

Norton presented RESOLUTION #18-139 accepting sanitary sewer improvements installation for Bali Hai First Addition, second from Dodson. RCV: five AYES. **RESOLUTION #18-139 adopted.**

Archibald presented RESOLUTION #18-140 authorizing payment for Hiawatha portion of sanitary sewer construction in Bali Hai First Addition as outlined in the development agreement, second from Wichtendahl. RCV: five AYES. **RESOLUTION #18-140 adopted.**

Olson presented RESOLUTION #18-141 approving and placing on file the 2018 Strategic Planning and Goal Setting Report, second from Wichtendahl. RCV: five AYES. **RESOLUTION #18-141 adopted.**

There being no further discussion, Wichtendahl moved to adjourn at 5:57 P.M., second from Dodson. Motion carried.

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Bill Bennett, Mayor

ATTEST:

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Kelly Kornegor, City Clerk