

The Hiawatha City Council met in regular session in the Hiawatha Council Chambers on February 5, 2020. Mayor Bennett called the meeting to order at 5:30 p.m. Council members present: Aime Wichtendahl, Jerry Mohwinkle, Rob Archibald, Steve Dodson, and Dick Olson. Staff present: City Administrator Kim Downs, Finance Director Cindy Kudrna, Fire Chief Mike Nesslage, Community Development Director Pat Parsley, Police Chief Dennis Marks, and City Attorney Mark Parmenter. Guests: Janet Clark, Lisa Hinton, Dave Hinton, Charles Ashbacher, Paula Ashbacher, Daniel Hoffmann, Chelsea Schultz, Ollie Stark, Nick Stark, James Schumacher, Kathy Schumacher, and Deanna McLaud. Not all attendees signed in for the meeting.

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

Wichtendahl moved the approval of the following consent agenda items: Approval of bills; Regular Meetings December 4, 2019, December 18, 2019; Receive & File Minutes of Boards/Commissions/Committees: Planning and Zoning Commission December 16, 2019 and January 27, 2020, Library Board December 10, 2019 and January 14, 2020, Water Board December 17, 2019 and January 21, 2020, HEDCO November 21, 2019, History Commission November 4, 2019 and December 16, 2019; Approval of renewal Class C Native Wine (WCN), Outdoor Service and Sunday Sales for Farmer's Daughter's Market, 495 Miller Road, effective February 18, 2020; City Engineer's Report, Mayor's Report and City Administrator's Report, seconded by Archibald. Motion carried.

#### **Report from Council Members/Mayor/City Administrator**

Council Member Dodson gave an overview of the Water Board meeting in January. He noted a gentleman who contracts with homeland security asked about adding an antenna on the Robins Road water tower. The board will take this under consideration and get more information. They also set public hearing for a ground storage tank and rescinded and re-approved a new resolution for the FY2021 budget correcting clerical errors.

Council Member Mohwinkle attended the Planning and Zoning meeting. He indicated there were many good questions that were answered and added that tonight would be another opportunity for discussion.

City Administrator Downs reminded council of the Hiawatha Summit next Tuesday at HonKamp Krueger with the topic of Home Base Iowa and the incentives the state has available to those employers who hire veterans. It's another initiative through HEDCO that will be open to the public to learn more about Home Base Iowa.

Downs attended the ribbon cutting for ProActive Pediatric Therapy, a new business in Boyson Square opened by three young entrepreneurs who specialize in occupational therapy, physical therapy, and speech therapy for children. She added it was cool to see young entrepreneurs take a risk and to see them jump in and create their own business, they're doing awesome, and it was great to celebrate with them.

Downs also noted we received a phone call and an email from Cedar Rapids Metro Economic Alliance, Doug Neuman, complimenting us on our newsletter and the professionalism it shows. She added that it was nice to receive that compliment.

Finally, she updated the council on the library project noting that it is now above ground and moving along. She commented the lower level concrete is poured and framed and that the main floor concrete is poured as well. She added we are ready for the contractors build the rest of the framework and, after what felt like a slow start, it was nice to see that progress.

Council Member Mohwinkle congratulated City Administrator Downs on being part of the Book of Lists put on by the Corridor Business Journal.

#### **PUBLIC HEARING – to consider amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code §165.14 Establishment of Zoning Districts and §165.16 Land Uses and Regulations by District describing the Mixed-Use Overlay District and §165.17 Zoning Districts and Zoning District Map as recommended by the Robins Road Corridor Study submitted by Bolton and Menk**

Rose with Bolton and Menk, the company working with the City and community on the Robins Road Corridor Planning Study and the implementation gave an overview presentation of the overlay and implementation. She noted this process started more than one year ago with the desire of the community and the City to look at the Robins Road Corridor Study

Plan. The initial plan looked at actual roadway design, amenities to it, what that area of Hiawatha should be in the future, some land use, some redevelopment, some pedestrian amenities, etc. which led to several recommendations to the City for how to realize that vision. She added the pieces that relate to the zoning and planning portion of this would be the desire from steering committee and community to have a more walkable, pedestrian friendly kind of environment and some public investment and reinvestment in the infrastructure in the area that is already on the City's radar. So this leads us to consider how to take a holistic look at this and do it all at the same time. She noted in the planning process they heard Robins Road is a place we cut through, a place where some work, but no one identified a specific thing or place with Robins Road. She added the desire was to redevelop that area, create an identifiable place in the community, and reinvest, both publicly and privately, to potentially attract new businesses, new jobs, new residents to the area.

Rose spoke regarding the difference between several terms and their importance:

Zoning: The official designation that a City classifies a parcel of land. The designation prescribes the uses and activities that can occur and sets minimum development regulations such as: building setbacks, building height, signage allotments. Zoning is adopted by an ordinance and is an enforceable law for the City. It prescribes uses that are allowable in a district. It is possible that not all land use meets the standard of the adopted zoning:

- Uses that were established lawfully can continue subject to a City's nonconformities standards often referred to as uses that are 'grand-fathered'. (Section 165.70 Code of Ordinances)
- This means that a use can continue provided that it does not expand (in some cases), cease to operate for a period of time, or modify into a more intense nonconforming use. A Legal Non-conforming status is tied to property and not property ownership.
- Uses that were not established lawfully are not 'grand-fathered' and are subject to a City's zoning enforcement laws.

Land Use: The current and existing use of a property

Future Land Use: The designation that a City classifies a parcel of land for long term future use. The designation is made on a 'future land use' map and is adopted as part of the City's Comprehensive Plan. A comprehensive plan typically has a twenty year time horizon. It is necessary to convey a long-term vision to the community, land owners and developers.

- It provides a general understanding for the type and placement of community growth and/or redevelopment.
- A statement of consistency is typically made regarding future land use on any rezoning action in a City and is the legal test standard for most land use cases.

Rose discussed the concept of an overlay district. She noted an overlay district is a zoning district and would be part of the Unified Development Code. An overlay district sits on top of your other zoning and usually does one of two things: Either it allows for additional uses or exclusion of some uses or it could apply some different development standards than would be required in the other zoning districts required development standards. It is often used in some type of master plan and in a geographic context. An overlay district does not replace the zoning we have in place currently; it is placed over top of it.

Next Rose reviewed several frequently asked questions:

1. How soon will this happen?  
The redevelopment concept is private development driven - the City does not have a plan to actively acquire properties. The overall redevelopment of the corridor could take many years.
2. Does this require me to sell my property?  
No
3. Does this require me to proactively make improvements to my property?  
No. The overlay standards are required according to the proposed applicability section. A legal non-conforming status of your property is not changed based on the overlay.
4. If I have a single-family home. can I continue to use it as a residence?  
Yes, you may continue to utilize and/or sell the property for a residence provided it is not vacant for more than 6 months and/or is not destroyed by more than 50% (this regulation exists today and is not specific to the overlay)
5. Will this make my property tax increase?  
The City does not determine the assessed value of property, it is a responsibility of the Linn County Assessor's office. (The City of Hiawatha determines its owned levy rate.) The tax assessment classification is based on the use of the property and is not dependent on the zoning classification of a property.

6. Do other communities have similar requirements?

Often - Zoning and development regulations are locally adopted and each community uses a different set of standards. It is not uncommon for the elements included in the overlay district to be utilized. They may be in a combination of formats that may include: zoning districts, design guidelines, PUD regulations and/or site plan development requirements.

She noted in addition to the overlay there are some proposed changes to the underlying zoning. This was something that came up when we looked at the overall uses and vision of the corridor. This often was the industrial pieces but also included some commercial and residential as well when we talk more about the middle of the corridor and the neighborhood center. She presented a proposed Rezoning (Existing Districts) map and the Proposed Overlay District Boundary map.

She discussed the Establishment / Applicability of the overlay and what happens to put this into place:

1. New construction of commercial, industrial and multifamily structures and sites.
2. Additions to buildings that exceed 25% of the gross square footage of the existing structure, or when the cost of the addition exceeds 50% of the assessed value of the structure within a consecutive twenty-four (24) month period the entire building and site will be required to conform. The assessed value shall be as most recently established by the Linn County Assessor office;

Rose indicated we chose the assessed value because it is a metric that is available for all properties and will be the same across the bar, rather than individual appraisals for each one. Archibald asked if it was common to use the assessed value for this and Rose indicated she has seen it in other places but there are some places that in some cases do allow a third party appraisal to determine that number and the city will accept it. She indicated the idea isn't about certain numbers necessarily it's more about the idea of significantly increasing the value. Downs clarified that this piece not new, this is something we already have in place. Olson asked if a property owner wanted to dispute the assessed value, they could do and get a third party? Rose indicated that the way it is written today does not allow for this but we could change it so at their discretion the City could evaluate a third party result from a licensed appraiser. Archibald added it's a change we would have to make. Olson commented this would be beneficial to the property owner and that it would be work considering. Rose added that we would want to include

3. Substantial rehabilitation to commercial industrial and multi-family structures and sites. Substantial rehabilitation shall be defined as modifications equal to fifty (50) percent of the assessed value of the structure or structures on a lot, exclusive of land assessed value, in a twenty-four (24) month period of time. The assessed value shall be as most recently established by the Linn County Assessor office: update with provision of this chapter.
4. The re-occupancy of fifty (50) percent or more of any commercial, industrial, and multifamily structure or site which has been vacant for a period of six months Once fifty (50) percent or more of a building has been vacant for six months or more. It may not be reoccupied until such time that the entire structure has been brought into conformance with requirements of this Chapter;
5. All new signage shall comply with the limitations of this Chapter; and
6. Modification to more than 50% of the front facade area of the primary structure.

Rose discussed the proposed prohibited uses under the overlay that came out of their public input and committee. These are uses that were contrary to the walkable and pedestrian friendly idea of the corridor. These are consistent with the existing code.

1. Motor Vehicle Related Uses
2. Business Services; all business services contractor limited uses
3. Retail and Repair of large commodity uses
4. Storage and Warehouse and Distribution
5. Production and Manufacturing

Rose provided the Council with a series of images that are intended to demonstrate examples of the proposed overlay district to give them a better idea of what this would look like. As she went through she discussed the following:

- Access

1. Shared Either one two-way curb-cut or two one-way curb cuts are allowed onto the public street where property has one hundred fifty (150) feet or more of street frontage. One curb cut is allowed on the applicable corridor street where property has less than one hundred fifty (150) feet of public street frontage.
  2. For corner lots, a maximum of one curb cut is allowed on each intersecting side street that each property has frontage on regardless of the length of the frontage, curb cuts (between properties) are encouraged.
- Parking
    1. The minimum number of parking stalls shall be as required in Section 165.35 of the Unified Development Code.
    2. Parking lots shall be located in the rear of all commercial uses or on the side. Parking located on the side is allowable in accordance with the following:
      - a. The parking must not extend into the required front yard setback.
      - b. A single parking aisle, which is adjacent to the building, and meets the minimum dimension of the City's parking space requirements, is allowable in the side yard, outside of the minimum front yard setback.
    3. Parking areas shall be designed to minimize headlights shining into residential properties.
    4. Parking areas shall be set back 5 feet from the property line and shall be landscaped with vegetation and/or turf grass. This requirement can be waived where parking lots adjoin and have cross access agreements/easements.
  - Planting Requirements
    1. A five (5) feet wide landscape frontage strip shall be installed on each property abutting the public street as measured from the property line
    2. Planting in the landscape frontage strips shall include not less than the following:
      - a. A minimum of one deciduous or evergreen shrub per two lineal feet of street frontage shall be planted in the landscaping strip. The vegetation is not required to be planted in a singular row and may be placed in a designed arrangement provided the full total of required shrubs is placed within the frontage strip
    3. Site planting requirements shall be in accordance with Chapter 165.47 of the Unified Development Code and additionally shall require the following:
      - a. At least ten (10) percent or the gross site square footage shall be pervious unpaved planted surfaces. The required planting strips shall be included in the calculation of planted areas
      - b. All planted surfaces shall be planted with grasses, shrubs, perennials or groundcover plants so that they shall be completely covered by installed plants within three years of the planting date. Open mulch or rock beds shall not be accepted as planting area
      - c. Large deciduous shade trees shall be installed in parking lots in excess of thirty (30) spaces. The trees shall be located in planting areas of not less than fifty (50) square feet of unpaved surface per tree and at least one tree shall be planted for each three thousand (3,000) square feet of paving on site
  - Building Placement
    1. Screening is required where uses abut residential zones. Planting, fencing, or some combination thereof is allowable
      - a. A visual barrier shall be established in accordance with Section 165.23(8)(E)(1)
      - b. All dumpsters and exterior trash storage shall be screened in accordance with Section 106.06(1)
      - c. Structures shall be placed a maximum of 10 feet from the front property line
  - Architectural Preferences (Steering Committee)

Rose indicated this is where the topics move away from site development and being talking about the structure itself. She indicated the images on the screen were part of a visual preference survey they did in the Robins Road Corridor Study. Several images were provided of buildings with different architecture and they asked people what they liked. The more contemporary, flat roof it what held true.
  - Architecture
    1. All commercial industrial and multi-family structures shall be constructed of wall materials including brick, stone masonry, stucco like exterior systems, pre-cast concrete wan panels, or other like material. Painted concrete block or flat poured concrete walls are not allowed unless the blocks include an architectural finish and an articulated pattern that varies the block sizes, horizontal face alignment, and/or the coursing and

vertical joints. Building walls may also be constructed of wood, fiber cement board, architectural CMU block, vinyl, aluminum, or steel lap siding, or corrugated metal only when at least seventy-five (75) percent of the street facade is constructed of approved masonry. In cases where the structure is viewable from a public right-of-way or space the structure shall utilize the above materials on all building elevations.

- Walls shall extend above flat roofs as necessary to screen views of roof-mounted equipment. Cornice lines will be established using metal materials and shall be straight and true. Alternative screening system for roof top mechanical may be considered provided they completely screen the mechanicals from public view.
- Awnings and architectural features shall not extend beyond property lines. They shall not be installed higher than building roof lines.
- Pitched roofs and hipped roofs are not permitted. Check energy code for unintended conflicts related to multi-family structures.
- The front façade of any new non-residential building shall be comprised of at least fifty (50) percent windows and doors at ground level.
- Accessory structures shall be constructed of similar and/or complimentary materials as the primary structure and shall be required to be comprised of at least twenty-five (25) percent windows and doors at the ground level.

Mayor Bennett commented we've spent a lot of time with this and we're obviously excited about this.

Mayor Bennett opened the public hearing to consider amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code §165.14 Establishment of Zoning Districts and §165.16 Land Uses and Regulations by District describing the Mixed-Use Overlay District and §165.17 Zoning Districts and Zoning District Map as recommended by the Robins Road Corridor Study submitted by Bolton and Menk at 6:13 P.M.

Paula Ashbacher, 104 Northwood Drive, addressed the council regarding her properties value and the City's plans to purchase property in the overlay district. City Attorney Mark Parmenter commented at this time the City has no plans to purchase any property relating to the overlay district.

Charles Ashbacher asked for clarification on some of the rules for new structures. He asked if council would consider people who want to put solar panels on top of their roof. With a flat roof you can't angle the solar panels. He also asked for clarification on the phrase "cease to operate for a period of time" as far as residential. He asked if someone lives in a residence intermittently would that be a violation under cease to operate. Community Development Director Parsley commented that from his understanding intermittent occupancy is allowed and that would not be considered cease of use or vacating the property.

Pat Callanan, 97 North Center Point Road, thanked City and Council for considering this proposal, he commented the ability to have a vision, lay the groundwork, and plant the seeds for the future is awesome, it's good for Hiawatha, it's good for his business and it will be good for that area. He added that he hopes Council considers this and that they go through with this to keep Hiawatha moving on the right path.

No other written or public comments were received at or prior to the public hearing. Public Hearing closed at 6:22 P.M.

*Archibald moved the 1st Reading of ORDINANCE #934 amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code §165.14 Establishment of Zoning Districts and §165.16 Land Uses and Regulations by District describing the Mixed-Use Overlay District, seconded by Wichtendahl. Roll call vote: AYES: Mohwinkle, Dodson, Olson, Wichtendahl, Archibald. NAYS: None. ABSENT: None. Motion carried.*

*Archibald moved to waive the 2nd and 3rd readings of ORDINANCE #934, seconded by Mohwinkle. Motion carried.*

*Olson moved the adoption of ORDINANCE #934 amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code §165.14 Establishment of Zoning Districts and §165.16 Land Uses and Regulations by District describing the Mixed-Use Overlay District, seconded by Dodson. Roll call vote: AYES: Wichtendahl, Dodson, Olson, Mohwinkle, Archibald. NAYS: None. ABSENT: None. ORDINANCE #934 adopted.*

*Olson moved the 1st Reading of ORDINANCE #935 amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code §165.17 Zoning Districts and Zoning District Map, seconded by Archibald. Roll call vote: AYES: Dodson, Olson, Mohwinkle, Archibald, Wichtendahl. NAYS: None. ABSENT: None. Motion carried.*

*Archibald moved to waive the 2nd and 3rd readings of ORDINANCE #935, seconded by Dodson. Motion carried.*

*Wichtendahl moved the adoption of ORDINANCE #935 amending Hiawatha Code of Ordinances Chapter 165 Unified Development Code §165.17 Zoning Districts and Zoning District Map, seconded by Archibald. Roll call vote: AYES: Olson, Archibald, Wichtendahl, Dodson, Mohwinkle. NAYS: None. ABSENT: None. ORDINANCE #935 adopted.*

#### **Cigarette Violations**

Olson moved approval of the Acknowledgement / Settlement Agreement in connection with a 1st offense tobacco violation for Hawkeye Convenience Store located at 975 Robins Road, seconded by Dodson. Motion carried.

#### **Consider Resolution approving an Engagement Agreement to disclose and memorialize the terms and conditions for services provided with Ahlers & Cooney (bond counsel) to the City of Hiawatha in connection with the issuance of General Obligation Capital Loan Notes**

Archibald presented RESOLUTION #20-014 approving an Engagement Agreement to disclose and memorialize the terms and conditions for services provided with Ahlers & Cooney (bond counsel) to the City of Hiawatha in connection with the issuance of General Obligation Capital Loan Notes, seconded by Dodson. Roll call vote: AYES: Archibald, Mohwinkle, Olson, Dodson, Wichtendahl. NAYS: None. ABSENT: None. **RESOLUTION #20-014 adopted.**

#### **Not to Exceed \$3,100,000 General Obligation Capital Loan Notes**

Olson presented RESOLUTION #20-015 fixing date (February 19, 2020 @ 5:30 P.M.) for a meeting on the authorization of a Loan Agreement and the issuance of Not to Exceed \$3,100,000 General Obligation Capital Loan Notes of the City of Hiawatha, State of Iowa (For Essential Corporate Purposes), and providing for publication of notice thereof, seconded by Dodson. Roll call vote: AYES: Olson, Wichtendahl, Archibald, Mohwinkle, Dodson. NAYS: None. ABSENT: None. **RESOLUTION #20-015 adopted.**

#### **Not to Exceed \$556,000 General Obligation Capital Loan Notes**

Dodson presented RESOLUTION #20-016 fixing date (February 19, 2020 @ 5:30 P.M.) for a meeting on the authorization of a Loan Agreement and the issuance of Not to Exceed \$556,000 General Obligation Capital Loan Notes of the City of Hiawatha, State of Iowa (For General Corporate Purposes), and providing for publication of notice thereof, seconded by Wichtendahl. Roll call vote: AYES: Wichtendahl, Dodson, Archibald, Olson, Mohwinkle. NAYS: None. ABSENT: None. **RESOLUTION #20-016 adopted.**

#### **Not to Exceed \$85,600 General Obligation Capital Loan Notes**

Wichtendahl presented RESOLUTION #20-017 fixing date (February 19, 2020 @ 5:30 P.M.) for a meeting on the authorization of a Loan Agreement and the issuance of Not to Exceed \$85,600 General Obligation Capital Loan Notes of the City of Hiawatha, State of Iowa (For General Corporate Purposes), and providing for publication of notice thereof, seconded by Archibald. Roll call vote: AYES: Dodson, Olson, Mohwinkle, Wichtendahl, Archibald. NAYS: None. ABSENT: None. **RESOLUTION #20-017 adopted.**

#### **Consider Resolution setting public hearing date (February 19, 2020) to consider amending Hiawatha Code of Ordinances Chapter 3 Boundaries to add the Newly Annexed Territory ITC Midwest LLC-CIPCO**

Dodson presented RESOLUTION #20-018 setting public hearing date (February 19, 2020) to consider amending Hiawatha Code of Ordinances Chapter 3 Boundaries to add the Newly Annexed Territory ITC Midwest LLC-CIPCO, seconded by Archibald. Roll call vote: AYES: Mohwinkle, Dodson, Olson, Wichtendahl, Archibald. NAYS: None. ABSENT: None. **RESOLUTION #20-018 adopted.**

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

Wichtendahl presented RESOLUTION #20-019 approving contract amendment #1 to the Professional Services Agreement for Design work in connection with Tower Terrace Road Reconstruction Project to proceed with adding the design necessary to relocate the existing water main to the south in order to move it from under the new street paving, seconded

by Dodson. Roll call vote: AYES: Wichtendahl, Olson, Archibald, Mohwinkle, Dodson. NAYS: None. ABSENT: None. **RESOLUTION #20-019 adopted.**

**New commercial development on the property located at 1460 North Center Point Road**

Archibald presented RESOLUTION #20-020 approving the design of a new commercial development to Hiawatha Design Guidelines, seconded by Mohwinkle. Roll call vote: AYES: Olson, Mohwinkle, Wichtendahl, Archibald, Dodson. NAYS: None. ABSENT: None. **RESOLUTION #20-020 adopted.**

**Consider Resolution referring proposal to vacate a portion of Oak Street right of way West 150 feet of Oak Street to the Planning and Zoning Commission (as established in Section 137.02 of the Code of Ordinances) for the purpose of a study and recommendation to City Council for consideration**

Archibald presented RESOLUTION #20-021 referring proposal to vacate a portion of Oak Street right of way West 150 feet of Oak Street to the Planning and Zoning Commission (as established in Section 137.02 of the Code of Ordinances) for the purpose of a study and recommendation to City Council for consideration, seconded by Wichtendahl. Roll call vote: AYES: Archibald, Wichtendahl, Mohwinkle, Dodson, Olson. NAYS: None. ABSENT: None. **RESOLUTION #20-021 adopted.**

**DAEC/Outdoor Warning System update – Fire Chief Nesslage**

Fire Chief Mike Nesslage updated the council on the current situation with the Duane Arnold Energy Center (DUEC) and the Outdoor Warning System. He began by explaining that Linn and Benton Counties have a robust outdoor warning system that is provided by Duane Arnold Energy Center. In addition to nuclear events at the power plant, the outdoor warning system provides critical advanced warning in the event of storms or other catastrophes. Although there are other technologies that supplement an advanced warning system (media, cellular, and reverse 911) the outdoor warning system is an effective way to draw attention to a pending emergency. Currently, DAEC fully funds the operating, maintenance, and repair of the existing system, including same day fix to sirens by an on-site specialist who maintains the siren. When the power plant is shut down, it will no longer be required to support that system. Consistent with past practices, it is likely the owner of the plant, FPL, will donate the system to the affected Linn and Benton counties for free. It is also expected the power plant will stop producing power in the fall of 2020 and that the OWS will be maintained through fall of 2021, at which point it will fall to the counties, if they accept the donation, who will then be responsible for maintaining the system. The counties will need to determine: whether or not to accept the siren system, the level at which the siren system will be maintained, and how that cost (Estimated at \$168,750 for Linn County) will be funded. Linn County EMA is forming a committee to look at this topic and make recommendations to the Linn County EMC. He concluded by stressing that this system is important in public safety here in Hiawatha, it's still an important step in our warning and in keeping our citizen safe especially during severe weather but that's going to be impacted by what decisions are made.

Council Member Dodson asked, currently when there is a tornado in the area, who actually turns on the siren? Nesslage commented that the system can be activated at Duane Arnold, which doesn't happen often, it can be activated by the Linn County Sheriff's office, and that's who usually activates it, or it can be activated by EMA. Dodson clarified that the National Weather Service doesn't do anything. Archibald added that they just provide recommendations.

Wichtendahl asked how many sirens are within city limits? Nesslage said three or four and there are some in Cedar Rapids that affect us.

Mayor Bennett commented that his concern is because of the total number of sirens (144) and because some are owned by individual cities are we going to be able to get everyone on the same page so we can control this. Nesslage commented that's a good question. He added that some of the cities involved actually own their own systems, like Fairfax and Walford, and have the capacity to activate their own siren in addition to Linn County having the ability to activate their system. One idea is that not only would Linn County take over all the sirens owned by DAEC, but they would take over those owned by independent municipalities as well. He added that Fairfax and Walford seem to get hit a lot before the rest of the county is active and they like to have the ability to activate the sirens on their own. This would be up to the committee, but EMA has indicated if they are responsible for the system they want control of all the sirens. There is liability for the company who owns the siren so Emergency Management has very tight guidelines that must be met before they activate the sirens to limit liability. This is a piece that will be discussed by the committee for them to decide.

Mayor Bennett indicated Council Member Archibald had volunteered to sit through these committee meetings. Nesslage added this is a situation where it is important to have an elected official sitting in on that because it's a long term policy.

Nesslage added that he supports the siren system and that it's important to public safety. Archibald added that maintaining the system is a no brainer it's a huge benefit to have this system. Nesslage commented if we didn't have this system, he would recommend getting sirens for our community. Archibald added that the system was just upgraded in the last two years so it's not like Linn County would be getting an outdated system. He indicated they recently spent \$10 million dollars to allow for the system to be activated in separate subsections of the county whereas it used to be all or none county-wide. The new ones also have solar backup so they can't go down. Downs commented it's a good system. Archibald added we're very fortunate and hopefully everyone across the county feels the same as us.

Nesslage added that one position maintains the warning system which is another piece that's out there. He indicated that they do specific training and have special tools in the ambulances specifically do deal with nuclear power because of Duane Arnold. Olson added that we also have a revenue stream from DAEC.

Olson asked if other communities have their own systems, if it would come to it, do you have an idea of cost to have your own? Nesslage indicated it is \$40,000 per siren, it's very expensive because it's not just the siren, it's wiring and everything else. Wichtendahl clarified that would be an upfront cost. Archibald asked how many municipalities in Linn County have their own? Nesslage indicated he believes Springville, Mount Vernon, Alburnett, Central City, and maybe several others. Archibald added it's the communities outside the Emergency Planning Zone which is ten miles from the plant. This will shrink significantly once the plant shuts down.

Olson asked would there be any benefit to owning our own system? Nesslage said he likes the fact that someone else is responsible for the sirens. Archibald added that at this point it's more beneficial to keep the sirens together. If something should happen and they decide to disband the system, then it may be beneficial to consider getting our own.

Wichtendahl asked if as we expand to the northwest will we need more? Nesslage indicated that is a long way off yet and currently we're expanding toward the plant. Mayor Bennett added as they condense they've talked about moving some sirens to other locations so this could be an option. Nesslage added a GIS mapping of the system will be out soon.

#### **Special Event Application for Mary's Meals**

Archibald moved the approval of a Special Event request from Chelsea Schultz to hold a 5K Run/Walk in Hiawatha on May 9, 2020, as a fundraiser for Mary's Meals, seconded by Wichtendahl. **Motion carried.**

#### **Possible Closed Session as per Iowa Code 21.5(c) to discuss pending litigation**

*Wichtendahl moved entering closed session as per Iowa Code 21.5(c) to discuss pending litigation at 6:54 PM, seconded by Dodson. Roll call vote: AYES: Mohwinkle, Archibald, Olson, Wichtendahl, Dodson. NAYS: None. ABSENT: None. Motion Carried.*

*Archibald moved to go out of closed session and enter into regular session at 7:13 PM, seconded by Wichtendahl. Roll call vote: AYES: Olson, Archibald, Mohwinkle, Wichtendahl, Dodson. Motion carried.*

There being no further discussion, Wichtendahl moved to adjourn at 7:14 P.M., seconded by Dodson. **Motion carried.**

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Bill Bennett, Mayor

ATTEST:

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Kari Graber, City Clerk