

(Subject to Approval)  
**CITY OF SWISHER, IOWA**  
**CITY COUNCIL MEETING MINUTES**  
**JANUARY 10, 2022**

This meeting was also held electronically. Anyone could attend in person, dial-in or connect electronically to hear the actual meeting.

**REGULAR CITY COUNCIL MEETING**

**Call To Order:** Mayor Christopher Taylor called the Swisher Council Meeting to order at 7:00 p.m. at Swisher Library, Swisher, Iowa on January 10, 2022.

**Council Present:** Mary Gudenkauf, Kris Heims, Kody Pudil, Michael Stagg. Absent: Rebekah Neuendorf.

**Also Present:** City Clerk/Finance Officer Tawnia Kakacek, Superintendent of Public Works Al Fear, Communication Coordinator Julie Persons, City Attorney Mark Parmenter, Chad McCleary, Audra, Keith, and Joe Nearad. Via zoom was Mary Bryan.

**Consent Agenda:** Gudenkauf moved, seconded by Stagg to approve the Consent Agenda consisting of: Agenda, December 13, 2021 Council Minutes; updated List of Claims; December 2021 Clerk/Treasurer Report and Utility Balance Report; Class C Alcohol License, Sunday and Outdoor Service renewal for Club 671 Inc.; Resolution No. 2022-01 appointing Rebekah Neuendorf as Fire Department Representative; notice of Board of Adjustment vacancies. Roll call vote. Ayes: Gudenkauf, Heims, Pudil, Stagg. Nays: None. Abstain: Neuendorf. Motion carried.

**Citizen Comments:** None presented.

**Reports:**

**Sheriff:** December 2021 Sheriff report was presented.

**Librarian:** Written report was submitted and is on file at city hall.

**Engineer:** Written report was submitted and is on file at city hall.

**Mayor:** Mayor Taylor reported the following: Lone Tree is the small city representative from Johnson County on ECICOG for this year; US Treasurer gave final rule of ARPA Funds that broadened the use of funds; Iowa League of Cities is working a brief where Ottumwa resident left personal sewer line go for years and now it saying it is the city's responsibility to fix; gave list of upcoming meetings that he will be attending in behalf of Swisher and council let him know if they want anything addressed at the meetings: Johnson County Joint Entities Meeting (Jan 24), MPOJC Rural Policy Board (Jan 26), College Community Schools Annual Mayor gathering (Jan 27), Iowa Mayors Association (Jan 27), EMA Commission (Jan 27), JoCo Assessor Conference Board (Feb 1), and Iowa League of Cities Executive Board (Feb 16).

**Council:** Gudenkauf reported she met with Stagg and Kakacek reviewing proposed changed annexation agreement and trying to meet with Cedar Rapids representative next week. Stagg noted they hope to finalize the agreement, then can work on fringe area agreements.

**Employees:** Chad McCleary with ION submitted written report and is on file at city hall; Fear noted the following: did a lot of snow removal, will take down holiday decorations on Wednesday; all city equipment are inside buildings; the new building should go up end of the month. Pudil noted residents asked why there was so much snow from the curb not removed. Fear noted they were being cautious not to hit the mailboxes but will work on getting closer to curb. Mayor Taylor noted the storm drains need to be cleared as well. Kakacek submitted written report and is on file at city hall; Persons noted she now has email address, working on newsletter, got her new computer, gave Facebook and website usage updates.

**Miscellaneous Reports:** Council reviewed Swisher Parks & Recreation November 17, 2021 Minutes.

**BUSINESS:**

**City Attorney Address Mayor/Council:** City Attorney Parmenter went over communication, open records and meetings, gift law, conflict of interests, Iowa Public Information Board, ethics, closed sessions, voting, ordinances and policies, Home Rule, etc.

**2<sup>nd</sup> Reading of Ordinance #279-Add Chapter 78-Allowing UTVs on City Streets:** Mayor noted a patron put on Facebook about House File 800 proposing to not allow cities to charge a registration fee on UTVs. He noted this has not passed but if it did, the city couldn't charge. The registration fee is to help pay for costs of tags and city staff time. Gudenkauf noted the City are not looking for violators. Mayor noted this is to let citizens know the rules/regulations. Gudenkauf moved, seconded by Heims, to introduce Ordinance #279 by title only entitled "CHAPTER 78, UTILITY VEHICLES ("UTVS")" allowing UTVs on Swisher city streets and be given its second reading. Roll call vote. Ayes: Gudenkauf, Heims, Pudil, Stagg. Nays: None. Absent: Neuendorf. Motion carried. Ordinance #279 was given its second reading.

Chad McCleary arrived and read his report on sewer plant. He recommended the city test weekly for chloride instead once a month and do average of the month to make sure City stays in compliance. Council agreed to weekly testing.

**Replace Sensor at Sewer Plant:** McCleary noted ordering a brand-new sensor is unavailable at this time, but he found 2 unused ones with open boxes on E-bay from \$700 to \$800 each with 30-day guarantee. He asked council if okay to purchase from eBay and council agreed.

**Consider Allowing ATVs on Swisher Streets:** Mayor noted to allow ATVs on certain city streets can be done by resolution per city code. Council discussed there should be a registration fee same as the UTVs. Gudenkauf noted registration is to help educate applicant and what the expectations/code states specific to safety. Council directed to City Attorney to draft ordinance to require registration on ATVs in Chapter 75, put on the January 24<sup>th</sup> agenda to set public hearing date. After the ordinance is passed for registration fees, council will then consider resolution to allow ATVs on certain city streets.

**Resignation of Public Works Superintendent and Advertise.** Fear presented resignation but gave council a few options where he could work part-time. After discussion, Pudil moved, seconded by Stagg to post job position with pay range of \$20-25 based on experience and keep Fear working as part-time and when hire new person keep Fear on as needed. Roll call vote. All ayes. Absent: Neuendorf. Motion carried.

**Set Public Hearing for Budget Amendment:** Kakacek presented updated budget amendment. Gudenkauf moved, seconded by Stagg to set public hearing for budget amendment to February 14, 2022 at 7 p.m. at Swisher Community Library. Call for vote. All ayes. Absent: Neuendorf. Motion carried.

**Advertise Meetings:** Persons recommended to setup Facebook event to go to city website about meetings; put on Twitter of meeting that night and refer back to website. Council approved those recommendations.

**City Website and Facebook Postings:** Persons recommended putting recorded council meetings on website and asked the timeline to keep them on the website. Pudil recommended to keep for 3 months and Heims would like to 4 to 6 months. Gudenkauf would like to see Council recognition of community members/partners at the start of each meeting. Persons recommended doing local business recognition. Mayor noted cities need to be careful not to promote one company's products over another, it would only be about their business and a policy should be done first to be fair. Persons asked if she should respond to the Facebook postings. Council noted she could respond to positive ones or give basic information to answer mistaken comments. Mayor asked her to start a policy manual; Persons said she was already compiling one.

**Investment Policy:** Council reviewed current City of Swisher Investment Policy and made no changes.

**Audit Report:** Council reviewed 2020-21 Audit Report.

**Certificates of Appreciation:** Mayor showed Certificate of Appreciations to Mary Bryan for serving 12 years on Swisher Library Board and to Angie Hinrichs for serving on the Swisher Planning & Zoning Commission; neither were present. Mayor and Council noted they appreciate all the work they did to fulfill their duties.

**Correspondence** Council reviewed Iowa State University Community Matters Now newsletter.

**Adjournment:** Motion by Pudil, seconded by Gudenkauf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:26 p.m.

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Tawnia Kakacek, City Clerk/ Finance Officer

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Christopher Taylor, Mayor