

(Subject to Approval)

**CITY OF SWISHER, IOWA**  
**CITY COUNCIL AND PLANNING & ZONING JOINT MEETING MINUTES**  
**OCTOBER 28, 2019**

**CALL TO ORDER:** Mayor Christopher Taylor called the joint Council and Planning & Zoning meeting to order at 7:00 p.m. at Swisher Community Library, Swisher, Iowa on October 28, 2019.

**Roll Call:** Council Present: Mary Gudenkauf, Jerry Hightshoe, James Rowe, Mike Stagg. Absent: Rebekah Neuendorf. Planning & Zoning Present: Kenny Feldmann, Angie Hinrichs, Randy Hurlbert, Alice Linhart, Josh Pfannebecker, Kathy Riggle, Dean Sturtz.

**Also present:** City Clerk Tawnia Kakacek, HR Green Representative Tim Cutsforth and Engineer Jim Halverson, Johnson County Planning, Development & Sustainability Director Josh Busard, Kathy Gregory-Fiala, Tony Roe and family, Bonnie Handen, and few other residents.

**Consent Agenda:** Motion by Stagg, seconded by Rowe, to approve the Agenda as presented. Roll call vote was taken. All ayes. Absent: Neuendorf. Motion carried.

**Presentation of Proposed Fringe Area Agreements with Johnson County/Swisher and Johnson**

**County/Swisher/Cedar Rapids:** Josh Busard of Johnson County Planning and Development presented proposed 2-mile fringe area agreement between Swisher and Johnson County. It was noted the current agreement doesn't expire until July 15, 2035 but Busard was directed to update all county agreements as the county updated their comprehensive plan and to make agreement easier/simpler. Also noted the 2-mile fringe area doesn't go quite 2 miles north or east of Swisher due to county line and Shueyville. Cedar Rapids is close enough to have control over most of the land along Hwy 965. County would have to let Cedar Rapids handle zoning/annexing if closer to that city than to Swisher. Halverson noted city could ask for a moratorium for the northern fringe area where other entities cannot subdivide, annex, etc. but Cedar Rapids might not agree. Mayor pointed out Swisher might not be able to provide the same services as Cedar Rapids. Busard didn't think Cedar Rapids was looking into expanding into Johnson County, but hasn't heard back from them about the current fringe area proposal so hard to say. Even if the city limits don't move, the state law gives Cedar Rapids some control over area northeast of Swisher. Stagg requested the city be informed when the county wants to redo their Future Land Use Map. Busard said the city would get a notice. Mayor stated under the current agreement Area 2, the City once approved a county rezoning but the Supervisors voted differently and said the City should have denied it, even though it was the county's decision. Busard noted this agreement will not allow that to happen again. Mayor and Stagg also mentioned when City and Council disagreed on rezoning within the growth area, a compromise was reached, but the County ultimately decided not to follow the compromise. Busard pointed out in the new agreement that the county would still have final say. Sturtz inquired why was it considered easier, Busard said the county and not the city would make decisions within certain areas and not go to the city for recommendation or approval. City would have control in other areas. The City would like to be notified of anything within the 2-miles of the city, even if not in growth area, and have that included in the agreement. This agreement will need to go to county attorney and Board of Supervisors for review before city approves and Busard would like to wait until he receives Cedar Rapids Agreement. Busard noted Cedar Rapids wants to redo the proposed fringe area agreement between Johnson County/Swisher/Cedar Rapids. The current agreement expired in August 2019. He has not heard back from them since but recommended the Mayor contact Cedar Rapids Mayor or Council to get them to work on this.

**Adjournment:** Motion by Gudenkauf, seconded by Rowe to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:15 p.m.

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Tawnia Kakacek, City Clerk

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Christopher Taylor, Mayor

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Randy Hurlbert, P & Z Chairperson