

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
OCTOBER 9, 2023

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 6:30 p.m. at Swisher Library, Swisher, Iowa on October 9, 2023.

Council Present: Kody Pudil, Michael Stagg. Joined by Zoom was Mary Gudenkauf, Rebekah Neuendorf.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Johnson County Deputy Sheriff, Curt Cline, Sonya LaGrange, Nikki Hynek, Kris Heims, Ann Hootman, Devin Krenz from Ion Environment, several Prairie high school students. Attended via zoom were Sarah Thompson of Director of Rural Development Greater Iowa City, Inc., Kimberly Grier, Courtney Janss.

Consent Agenda: After review, Neuendorf moved, seconded by Pudil to approve the Consent Agenda consisting of Agenda, September 11, 2023 Minutes with removing Kris Heims as present and September 25, 2023 Council Minutes; updated List of Claims; September 2023 Clerk/Treasurer's Report and Utility Balance Report; updated 2024-25 TIF Certification; street closure for "A Very Merry Christmas in Swisher" parade; notice of 2023 and 2024 vacancies. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Motion carried.

Citizens' Comments: Curt Cline inquired when the newsletter will be sent out. Persons noted the e-newsletter will come out this week.

Reports:

Sheriff: September 2023 Police Report was submitted, and email of traffic stops when extra patrol was done. Pudil inquired when the extra police patrol ended which is October. Council directed to have on the next agenda extra police patrol.

Engineer: Council reviewed written report and is on file at city hall.

Mayor: Mayor noted he will be attending the Johnson County Joint Entities meeting next Monday and to let him know of Swisher projects to share.

Council: Pudil noted Prairie High School Government class will be attending local government meetings. Gudenkauf thanked the students for attending.

Employees: Hoover, McCleary, Persons and Kakacek written reports are on file at city hall.

BUSINESS:

Public Hearing To Consider Amending Chapter 7.05 and 7.08 Pertaining to Fiscal

Management: Motion by Stagg, seconded by Gudenkauf to open public hearing. Call for vote. All ayes. Motion carried. Public hearing opened at 6:38 p.m. Mayor explained the new changes the state passed regarding budget and notification. Cline asked how the citizens were to be notified. A letter will be sent out from the County. There were no written comments submitted. Mayor closed the public hearing at 6:42 p.m.

Public Hearing To Consider Amending Chapter 120.04 and 120.05 Pertaining to

Liquor Licenses: Mayor noted on 120.05 (12) states persons under 21 are not allowed in bars which is not in the state code, but Council can remove that item altogether. Sonya LaGrange noted

the current Class C excludes this. Mayor noted the State made changes on the alcohol classes which makes this Class B. Motion by Stagg, seconded by Gudenkauf to open public hearing. Call for vote. All ayes. Motion carried. Public hearing opened at 6:46 p.m. Mayor closed the public hearing at 6:48 p.m.

Present Certificate of Appreciation: Mayor presented Kris Heims a Certificate of Appreciation for serving on the council. Gudenkauf thanked Heims for accepting her write-in as Council and dealing with all topics discussed at meetings. Also thanked her and her husband for their volunteerism, financial expertise and was a pleasure to work with her.

Approve Payment to Ken-Way: After review of invoice that was over quote, Pudil moved, seconded by Stagg, to approve payment to Ken-Way for cleaning sewer plant influent structure of \$2,555.00. Roll call vote was taken. All ayes. Motion carried.

1st and Final Reading of Ordinance — Amend Chapter 7.05 and 7.08 Pertaining to Fiscal

Management: Stagg moved, seconded by Gudenkauf to introduce Ordinance #299 by title only entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA, BY AMENDING PROVISIONS PERTAINING TO FISCAL MANAGEMENT” and be given its first reading. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #299 was given its first reading. Motion by Pudil, seconded by Stagg that the laws and rules providing that an ordinance be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended and dispensed with for Ordinance #299. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Motion by Stagg, seconded by Neuendorf to place Ordinance #299 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #299 was adopted.

1st and Final Reading of Ordinance — Amend Chapter 120.04 and 120.05 Pertaining to Liquor

Licenses: Pudil moved, seconded by Stagg to introduce Ordinance #300 by title only entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA, BY AMENDING PROVISIONS PERTAINING TO LIQUOR LICENSES” and be given its first reading. Motion by Pudil, seconded by Stagg to amend proposed ordinance by removing Item 120.05 (12) as not in the state code. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Motion carried for removal of 120.05 (12) from proposed ordinance. Roll call vote for Ordinance #300 for first reading with removal of 120.05 (12). Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Ordinance #300 was given its first reading. Motion by Stagg, seconded by Pudil that the laws and rules providing that an ordinance be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended and dispensed with for Ordinance #300. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Motion by Stagg, seconded by Neuendorf to place Ordinance #300 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #300 was adopted. Mayor thanked community members bringing 120.05 (12) to their attention.

Process of Choosing Applications for Catalyst Grant Application: Council reviewed sample letter and pre-application scoring evaluation sheet from Sarah Thompson. Thompson noted she would help applicants if they would like. After review and discussion, Council directed application be sent to downtown business owners and have returned to City by November 10th and council will decide the winning applicant and what the City will contribute at the November 27th Council meeting. There will be a panel of 3-5 people to review the applications and make recommendation to Council and Thompson offered to help also. Kakacek will email Swisher Fire Department for a volunteer and ask Laura Hoover. Council is to send suggested names to Kakacek and Council will approve at next meeting the names for the panel.

Comment on Conditional Use Permit-2241 Clay Studio Ct NW, Swisher (within fringe area): Mayor noted our current fringe area agreement doesn't address conditional use permits. Stagg didn't want to comment on it since it is not in the agreement. He noted this should be included in our future fringe area agreements. After discussion, Council waived their right to comment.

Approve Payment to ER Assist: After review and discussion of invoice that was over quote, Stagg moved, seconded by Pudil to approve payment to ER Assist of \$7,243.75 for FEMA paperwork of Derecho. Roll call vote was taken. All ayes. Motion carried.

Set Public Hearing-Amend Chapter 121.05-Cigarette/Tobacco Permits: Pudil moved, seconded by Neuendorf to set public hearing date of October 23, 2023 at 6:30 p.m. in Swisher Library to consider amending Chapter 121.05. Call for vote. All ayes. Motion carried.

Purchase Xmas Decorations: After discussion Pudil moved, seconded by Stagg to purchase 13 wreaths for streetlights on Division Street at cost of \$8,917.87. Roll call vote was taken. All ayes. Motion carried. Fields noted he will have to do minor adjustments to the brackets but would only take few hours.

Set Trick/Treat Date and Time: Motion by Pudil, seconded by Neuendorf, to set Trick/Treat night for Tuesday, October 31, 2023 from 5:30 p.m. to 8 p.m. Call for vote. All ayes. Motion carried.

Correspondence: Council reviewed the following: Iowa IDOT letter regarding snow removal near railroad crossings; ISU Community Matters Now newsletter; building permits for 27 Division Street, 60 Division Street and 428 3rd Street.

Adjournment: Motion by Pudil, seconded by Neuendorf to adjourn. Call for vote. All ayes. Motion carried. The meeting was adjourned at 7:27 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor