

(Subject to Approval)  
**CITY OF SWISHER, IOWA**  
**CITY COUNCIL MEETING MINUTES**  
**NOVEMBER 12, 2018**

**REGULAR CITY COUNCIL MEETING**

**Call To Order:** Mayor Christopher Taylor called the Swisher Council Meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on November 12, 2018.

**Council Present:** Mary Gudenkauf, Jerry Hightshoe, Rebekah Neuendorf, James Rowe, Mike Stagg.

**Also Present:** City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Rodney McNeal, City Engineer Tim Cutsforth, Johnson County Sheriff Lonny Pulkrabek, Greg Brenneman.

**Consent Agenda:** Kakacek presented 2 additional bills to be added to List of Claims. After review and discussion, Gudenkauf moved, seconded by Neuendorf to approve the Consent Agenda consisting of: Agenda; 10-8-18 and 11-5-18 Meeting Minutes; updated List of Claims; October 2018 Clerk/Treasurer Report and Utility Billing Audit Report; Resolution No. 2018-43-Approve Transfer of Funds for Bond Interest Payment; notice of opening for county representative for Swisher Library Commission. Roll call vote was taken. All ayes. Motion carried.

**Citizen Comments:** Greg Brenneman presented pictures of Swisher View Road where it was broken and pushed up onto his yard from the construction being done across the street. He asked when this will be fixed as it has been difficult to keep the ditch bank mowed and concern with snow plows pushing the broken seal coat into the ditches. McNeal noted the owner of the new construction is aware of the problem and they will be fixing it in the next few weeks. Rowe asked McNeal to have owner clarify what they will be doing to fix problem as has concern that patch repair may not last. McNeal will confirm tomorrow with owner of date and how they are repairing the street.

**Reports:**

**Engineer:** Engineer Cutsforth reported the following: had Prairie Road Builders adjust their bill for part of the traffic control; working with the county engineer on Division Street Project; he noticed past city minutes discussion was done on water and noted that HR Green did the water distribution for City of Palo and would be glad to talk to the council and how it was done, etc.

**Employees:** McNeal reported the following: put up the Christmas lights and winterizing the city equipment. Kakacek reported the following: Planning & Zoning Commission meet November 26<sup>th</sup>; will be attending budget workshop this Thursday; taking this Friday off; city received refund on work comp insurance; city offices will be closed November 22<sup>nd</sup> & 23<sup>rd</sup> for holiday; sewer bond rate will do down in another year.

**Reports:** Council reviewed Library Board September 24, 2018 Minutes.

**BUSINESS:**

**Johnson County Sheriff:** Johnson County Sheriff Pulkrabek presented actual work time done for police protection in Swisher over the last several years showing that they work more than the contracted hours. Rowe asked Pulkrabek how many hours would he like the City to contract for police protection instead of the current 25 hours a week. Pulkrabek recommended 28-30 hours a week would be good for Swisher. He presented proposed rate increase for next year contract of 25 hours a week.

**Public Hearing to Add Protection of Drainage Swales to Chapter 135:** Motion by Neuendorf, seconded by Rowe, to open public hearing to consider adopting protection of drainage swales (ditches) to Swisher Code Chapter 135. Call for vote. All ayes. Motion carried and public hearing opened at 7:39 p.m. Greg Brenneman inquired if there was any protection of drainage swales at this time and if this ordinance would be retroactive. There is no protection of drainage swales now and the ordinance would not be retroactive. City did not receive any written comments regarding this notice. Mayor closed public hearing at 7:42 p.m.

**1<sup>st</sup> Reading of Ord.#271—Add Protection of Drainage Swales to Chapter 135:** After discussion, Stagg moved, seconded by Rowe, to introduce Ordinance #271 by title only entitled “AN ORDINANCE ADDING TO THE MUNICIPAL CODE OF SWISHER, IOWA, SECTION 135.12—PROTECTION OF DRAINAGE SWALES (DITCHES) WITHIN THE RIGHT-OF-WAY AND EASEMENTS” and be given its first reading. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Motion carried. Ordinance #271 was given its first reading.

**Public Hearing to Add Protection of Drainage Swales to SUDAS:** Motion by Gudenkauf, seconded by Rowe, to open public hearing to consider adopting protection of drainage swales (ditches) to SUDAS. Call for vote. All ayes. Motion carried and public hearing opened at 7:46 p.m. No verbal or written comments were received. Mayor closed public hearing at 7:47 p.m.

Motion by Gudenkauf to approve resolution to add protection of drainage swales to SUDAS, seconded by Hightshoe. Council discussed the adoption to SUDAS should be at same time the ordinance is passed. Gudenkauf retracted her motion, council agreed.

**Approve Payment to Prairie Road Builders:** Engineer Cutsforth noted the amended invoice is lower due to traffic control cost reduction. Motion by Hightshoe, seconded by Rowe, to approve payment to Prairie Road Builders \$32,786.10 for 2018-19 Street Project. Roll call vote was taken. All ayes. Motion carried.

**Division Street Discussion and Resolution No. 2018-44-Approve Engineer Contract:** Engineer Cutsforth noted proposed Division Street Project schedule would be as follows: March 2019 council approves specs for bid, plans go to county to be included for bids, May & June 2019 construction would start and tentatively be done in November 2019. Hightshoe expressed concern of committing to have detail plans done for Division Street if the county decides not to do the improvements the city proposed. Engineer Cutsforth noted they can stop working on the plans if council directs them and stated the specs would be good for several years. After discussion and review of contract, Stagg moved, seconded by Rowe, to approve Resolution No. 2018-44 entitled “A RESOLUTION APPROVING AGREEMENT WITH HR GREEN FOR ENGINEERING SERVICES FOR CONSTRUCTION PLANS OF DIVISION STREET/120<sup>TH</sup> STREET PROJECT, SWISHER, IOWA” for the Segment 1-Swisher View to Greencastle and Segment 3-Summit to Marak Road. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-44 passed.

**Approve Payment to Ken-Way Excavating:** McNeal reported the sewer line broke on Essex and made huge sink hole. After discussion, Stagg moved, seconded by Rowe, to approve payment to Ken-Way Excavating in the amount of \$9,492.41. Roll call vote was taken. All ayes. Motion carried. Council thanked McNeal for his work.

**Resolution No. 2018-45-Adopt and Approve Tax Compliance Procedures:** Kakacek noted this would need to be adopted if the City would want to issue tax exempt bonds in the future. After review, Gudenkauf moved, seconded by Neuendorf to approve Resolution No. 2018-45 entitled “RESOLUTION ADOPTING AND APPROVING TAX COMPLIANCE PROCEDURES RELATING TO TAX-EXEMPT BONDS”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-45 passed.

**Resolution No. 2018-46-Adopt Policies/Procedures Regarding Municipal Securities Disclosure:** Kakacek noted this would need to be adopted for future bonds. After review, Neuendorf moved, seconded by Rowe to approve Resolution No. 2018-46 entitled “RESOLUTION AUTHORIZING ADOPTION OF POLICIES AND PROCEDURES REGARDING MUNICIPAL SECURITIES DISCLOSURE”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-46 passed.

**Purchase Snowplow Bucket for Skidloader:** McNeal requested to purchase larger bucket as it would shorten time for snow removal. After discussion, Gudenkauf moved, seconded by Stagg, to approve purchase of 84” snowplow bucket not to exceed cost of \$1,100.00. Roll call vote was taken. All ayes. Motion carried.

**Televise Sewer Lines:** McNeal noted there is a lot of infiltration in the sewer lines, causing the sewer plant to work harder than necessary. Council discussed whether to televise all the sewer lines in town at once, then do a plan for repair, or televise a few lines and repair as they televise line. After discussion, council directed McNeal to get 2 quotes to televise all the city sewer lines for next regularly scheduled council meeting.

**Resolution No. 2018-47-Approve Segregation of Duties for Financial:** Kakacek noted this would need to be adopted for the generator federal grant application. After review, Neuendorf moved, seconded by Rowe to approve Resolution No. 2018-47 entitled “RESOLUTION ADOPTING ACCOUNTING OVERVIEW FOR THE CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-47 passed.

**Resolution No. 2018-48-Approve Procurement Policy:** Kakacek noted this would need to be adopted for the generator federal grant application. After review, Neuendorf moved, seconded by Stagg to approve Resolution No. 2018-48 entitled “RESOLUTION ADOPTING PROCUREMENT POLICY FOR FEDERAL GRANT(S) FOR CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-48 passed.

**Resolution No. 2018-49-Approve Fraud Policy:** Kakacek noted this would need to be adopted for the generator federal grant application. After review, Neuendorf moved, seconded by Stagg to approve Resolution No. 2018-49 entitled “RESOLUTION ADOPTING FRAUD POLICY FOR FEDERAL GRANT(S) FOR CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-49 passed.

**Advertise for Public Works Position:** Council received resignation letter from city worker Dean Teslik. Council directed Certification of Appreciation be given to Teslik for his work at the city. Council reviewed previous advertisement for this position and draft of similar job description. Motion by Stagg, seconded by Rowe, to advertise for permanent part-time maintenance person. It was recommended to draft better job description and approve at next meeting, then advertise. Stagg retracted his motion. Council agreed. McNeal will write up some duties of this position and Gudenkauf, Mayor and Kakacek will work on written job description together.

**Resolution No. 2018-50-Approve Extending Temporary City Position:** After discussion, Stagg moved, seconded by Neuendorf to approve Resolution No. 2018-50 entitled “A RESOLUTION EXTENDING SEASONAL POSITION FOR THE CITY OF SWISHER” of Gary Palas until city permanent position is posted and filled. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-50 passed.

**Correspondence:** Council reviewed the following: MidAmerican letter offering Iowa grants for tree planting projects; Johnson County SEATS information; NLC Service Line Warranty Program; email from Greg Brenneman concerning damaged street of Swisher View Drive. October 2018 Sheriff’s Report; Building Permits for 426 3<sup>rd</sup> Avenue SW and 66 2<sup>nd</sup> Street SW; Bridge Condition Reports were on the council table for review.

**Adjournment:** Motion by Neuendorf, seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:05 p.m.

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Tawnia Kakacek, City Clerk/ Finance Officer

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Christopher Taylor, Mayor