

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
NOVEMBER 13, 2023

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

REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Pro-tem Michael Stagg called the Swisher Council Meeting to order at 6:30 p.m. at Swisher Library, Swisher, Iowa on November 13, 2023.

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

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, City Engineer Representative Tim Cutsforth, Johnson County Sheriff Brad Kunkel and Deputy B. Richmond, Curt Cline, Jim & Judy Nicholls, Chad McCleary-Ion Environmental, Adam Roeder, Matt Shock. Attended via zoom was Johnson County Board of Supervisor V Fixmer-Oraiz.

Consent Agenda: Kakacek noted Tim Cutsforth requested the October 23, 2023 Minutes be amended under Citizen Speaks to say ““If the City wanted to increase the size of the line, developer could pay difference in size of line which wouldn’t be a sizable amount”, to read, “If the City wanted to increase the size of proposed lines within the new development, the City would pay the difference. As part of the City’s project, increasing the size of the line to accommodate the development is not a sizeable cost as compared to the digging, services connections, etc.” After review, Pudil moved, seconded by Stagg to approve the Consent Agenda consisting of Agenda, October 9th, 23rd with amendment above and October 30th, 2023 Council Minutes; updated List of Claims; October 2023 Clerk/Treasurer’s Report and Utility Balance Report; Resolution No. 2023-46 transfer of funds from TIF and LOST to debt service for bond interest payment; Resolution No. 2023-47 assessing delinquent sewer bill to taxes; notice of 2023 and 2024 vacancies. Roll call vote. Ayes: Gudenkauf, Pudil, Stagg. Nays: None. Absent: Neuendorf. Motion carried.

Citizens’ Comments: Daryl Hynek inquired who maintained the flags downtown. Fields noted they do which they just received new flags and is modifying the basket to be able to change the flags. Curt Cline asked why keep bringing up on the agenda of TIF for the developer as should hold off deciding until the new council starts. Pudil noted there is a pothole to fix on 3rd Street/Swisher View Drive.

Reports:

Sheriff: October 2023 Police Report was submitted.

Engineer: Cutsforth noted they worked on sewer project, development, flood plain ordinance and few questions on salt shed. Fields noted the concrete will be poured for salt shed on Wednesday or Thursday.

Council: Gudenkauf noted she worked with Library Director Hoover to get volunteers for library project. Pudil inquired about the process of Mayor opening. Persons and Kakacek gave information.

Employees: Hoover, McCleary and Kakacek written reports are on file at city hall. Planning & Zoning 10-16-23 Minutes, Parks & Recreation 9-20-23 Minutes, and Library Board 11-1-23 Minutes were submitted for review.

BUSINESS:

Public Hearing To Consider Rescinding and Replacing Chapter 160-Flood Plain Regulations: Motion by Gudenkauf, seconded by Pudil to open public hearing. Roll call for vote was taken. All ayes. Absent: Neuendorf. Motion carried. Public hearing opened at 6:45 p.m. Cutsforth explained changes and the IDNR recommended this ordinance. There were no written comments submitted.

Motion by Gudenkauf, seconded by Pudil to close the public hearing. Call for vote. All ayes. Absent: Neuendorf. Motion carried. Public hearing closed at 6:52 p.m.

1st Reading of Ordinance — Rescinding and Replacing Chapter 160-Flood Plain Regulations: Council, Kakacek and Cutsforth went over recommended changes to ordinance. After discussion, Pudil moved, seconded by Stagg to introduce Ordinance #302 by title only entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA, 2015, BY REPEALING CHAPTER 160-FLOOD PLAIN REGULATIONS AND ADOPTING NEW CHAPTER 160-FLOOD PLAIN MANAGEMENT” with the recommended changes and be given its first reading. Roll call vote. Ayes: Gudenkauf, Pudil, Stagg. Nays: None. Absent: Neuendorf. Motion carried. Ordinance #302 was given its first reading.

Johnson County Sheriff Kunkel Address Contract for 2024-25 Budget: Sheriff Kunkel presented to council proposed budget increases for next five years and asked for comments on proposal as it will go to Johnson County Board of Supervisors for approval. Kakacek noted the contract is not renewed until next year but will put in the new amount for budget.

Request to Adjust Sewer Rates for Multi-Unit Apartments: Judy and Jim Nicholls presented sewer rates from other towns and requested to have sewer rates lower for multi-unit apartments. Nicholls noted their renters are on fixed income and it is hard to pass the sewer rate increase onto their renters. Stagg noted the rates she submitted were cities that have water and is metered. Gudenkauf noted there is HACAP program for assistance of sewer bills that residents can apply for. Judy Nicholls noted she was willing to put a meter to have the water read to calculate amount used for sewer. Gudenkauf noted it is hard to measure sewer usage without water and is unaware of communities without water to bill gallons of sewer usage. Judy Nicholls noted it wasn't fair that businesses don't pay much more than residential. At this time, Council decided not to adjust sewer rates for multi-unit apartments.

Request from Forrest Ridge LLC to Reconsider TF Rebate Amount for Development: Forrest Ridge Engineer Matt Shock presented letter from Forrest Ridge requesting to increase TIF Rebate for \$684,000 paid out in 15% rebate toward cost of Phase 1 roadway paving and sanitary infrastructure. Shock noted past history Council approved a TIF rebate for developer of \$687,107. Gudenkauf noted when the developer purchased the land, the fire water tanks weren't required but are now. After discussion, Council directed this to be on the next council agenda as not having all council members present for this meeting to discuss and requested the developer be present to discuss.

Set Public Hearing for Proposed Swisher Comprehensive Plan: Pudil moved, seconded by Gudenkauf to set public hearing date of November 27, 2023 at 6:30 p.m. in Swisher Library to consider approving Swisher Comprehensive Plan for 2024-2034. Roll call vote was taken. All ayes. Absent: Neuendorf. Motion carried.

Approve Payment-Steve's Electric: Fields noted he will get clarification of invoice number 1 and recommend to only approve the 2nd invoice. After discussion Pudil moved, seconded by Gudenkauf to approve payment of \$7,680.35 for electrical work on shop addition to Steve's Electric. Roll call vote was taken. All ayes. Absent: Neuendorf. Motion carried.

Approve Rental Contract with City of Shueyville for Youth Program: Motion by Gudenkauf, seconded by Pudil, to approve rental contract with City of Shueyville for usage of gym for youth program. Roll call vote was taken. All ayes. Absent: Neuendorf. Motion carried.

Notice of City Treasurer Resignation: Kakacek noted Phyliss Collins declined to be reappointed as Treasurer for the City. She would stay until Kakacek's last day of March 31st. Collins has been Treasurer since January 1998. Kakacek will get job description and post notice of opening.

Change 2nd Council Meeting in December Date: Since the 2nd regular Council Meeting is December 25th, Pudil moved, seconded by Gudenkauf to change 2nd Council meeting date to December 28, 2023. Call for vote. All ayes. Absent: Neuendorf. Motion carried.

Correspondence: Council reviewed the following: email from Sarah Thompson on branding; Alliance notice of rate increase; notice of FEMA funding; IDOT bridge owner notice; building permits for 311 Swisher View Drive and 101 Alan Avenue Unit C. Pudil noted he has a friend that look into how much space it would take to install solar for the city.

Adjournment: Motion by Gudenkauf, seconded by Pudil to adjourn. Call for vote. All ayes. Motion carried. The meeting was adjourned at 8:10 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Michael Stagg, Mayor Pro-tem