REGULAR CITY COUNCIL MEETING

CALL TO ORDER: Mayor Christopher Taylor called the council meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on November 9, 2015.

Council Present: Sandra Fults, Mary Gudenkauf, Angie Hinrichs, Mike Stagg, Larry Svec.

Also present: City Clerk Tawnia Kakacek, Public Works Craig Vondracek, Library Director Laura Hoover, City Attorney Mark Parmenter, City Engineer Tim Cutsforth, Johnson County Sheriff Lonny Pulkrabek, David Smith, Doug Hickey, Susan Vilenta-Johnson County Public Health.

Consent Agenda: After review and discussion, Stagg moved, seconded by Fults, to approve the Consent Agenda consisting of: Agenda, October 12 and 26, 2015 Minutes, updated List of Claims, September 2015 Clerk/Treasurer Report and Utility Audit Report. Roll call for vote was taken. All ayes. Motion carried.

Citizens’ Comments: None.

Reports:

Library Director Report: Library Director Hoover presented the 2015 Library Annual Survey Report and few new books. She noted a new Kirkwood student is working at the library.

Engineer Report: City Engineer Cutsforth noted quote for bids on Orchard Street drainage should be sent out in January.

Mayor Report: Mayor noted reported the following: thanked all the candidates for running for Swisher Council; asked residents to hang their flags by Veteran’s Day; ECICOI will be hosting Legislative Open House on November 24th and council let him know of any items to bring up; Municipal Leadership Academy Part 1 is in December.

Council Report: Councilperson Svec inquired when lines to be painted on Division Street. Stagg noted county gave counteroffer for sale of county shed and feels council needs to discuss at future meeting; Hinrichs will be attending next Thursday at College Community School District and Kirkwood for “Educator for a Day” event as city representative.

Employees’ Reports: Vondracek noted the following: received final wastewater permit with no changes; Hygienic Lab inspection went well; Dean and him fixed the electric motor on the blower for the wastewater treatment plant and saved the city money by fixing it themselves; Dean did the last of mowing for the season; LED XMAS lights are being replaced downtown; closed the park bathrooms and concession stand for the year; the culvert replaced on Swisher View looks good. Kakacek requested council to drop off their code books to insert updates; inquired Hinrichs and Gudenkauf about starting the personnel handbook; Farmers Market will start every Thursday from June 9th to October 6th, 2016; requested council to inform her if they want to sign up for the Municipal Leadership Academy.


BUSINESS:

Johnson County Sheriff: Lonny Pulkrabek presented police protection total of hours and fees for Swisher. He noted there is no fee increase for next year. Gudenkauf noted that it was appreciated with all the protection on Swisher Fun Days from several residents.


Water Run Off Issue: Doug Hickey presented letter and pictures of water drainage that comes across from Chalupsky lot onto his yard. He noted the trailers that are on city property, loads of black dirt and recycled asphalt are part of water problem. City Engineer Custforth noted it is illegal to change the natural drainage. City Attorney Parmenter recommended city send a letter to remedy the issues within a certain time, and if not complied have the city attorney send a letter. Svec thought this property was zoned commercial in the past. Council agreed to have a letter sent to owner and Chalupsky to move the trailers off city right-of-way, ditch to be cleared, usage of property not in compliance with zoning regulations. Vondracek will stake the city right-of-way borders.


Public Hearing-Disposal of Vacated Alley: Motion by Fults, seconded by Stagg, to open public hearing to consider disposal of vacated alley and accept bids for the purchase of alley between Howard and Jefferson Avenues, north of 1st Street. Call for vote. All ayes. Motion carried. Public hearing opened at 7:57 p.m. City Attorney Parmenter explained process to sale alley. David Smith said all the adjacent owners want to purchase their quarter of the alley. No other verbal or written comments were received. Mayor closed the public hearing at 7:58 p.m.

Review Bids for Sale of Alley: Council reviewed bids to purchase quarter of alley between Howard and Jefferson Avenues north of 1st Street from Dan and Jennifer Thayer of $150.00, David Smith of $150.00, Ross Emken of $150.00, and James Rowe of $150.00. City Attorney Parmeter noted the buyer should pay for the recording fees and they must record resolution and deed.


Resolution No. 2015-54—Approve Sale of ¼ Alley: Stagg moved, seconded by Fults, to approve Resolution No. 2015-54 entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWISHER, IOWA, APPROVING THE SALE OF VACATED ALLEY BETWEEN HOWARD AVENUE AND JEFFERSON AVENUE, NORTH OF 1st STREET” of the northerly one-half of the westerly one-half of the alley located in Block 19, Swisher’s First Addition to David Smith of $150.00 with buyer pay recording fees and authorize Mayor to execute Quit Claim Deed and other closing documents. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-54 passed.

Resolution No. 2015-55—Approve Sale of ¼ Alley: Hinrichs moved, seconded by Gudenkauf, to approve Resolution No. 2015-55 entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SWISHER, IOWA, APPROVING THE SALE OF VACATED ALLEY BETWEEN HOWARD AVENUE AND JEFFERSON AVENUE, NORTH OF 1st STREET” of the northerly one-half of the easterly one-half of the alley located in Block 19, Swisher’s First Addition to James Rowe of $150.00 with buyer pay recording fees and authorize Mayor to execute Quit Claim Deed and other closing documents. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-55 passed.


Public Hearing—Adopt 2015 International Building Code: Motion by Hinrichs, seconded by Stagg, to open public hearing to adopting 2015 International Building Code and amendments and reference the Iowa State Code for electrical, mechanical, and plumbing. Call for vote. All ayes. Motion carried. Public hearing opened at 8:09 p.m. No verbal or written comments were received. Mayor closed the public hearing at 8:09 p.m.

1st Reading of Ord. No. 254—Adopt 2015 International Building Code, etc.: Motion by Svec, seconded by Fults, to introduce Ordinance #254 by title only entitled “AN ORDINANCE ADOPTING BY REFERENCE AND PROVIDING AMENDMENTS TO THE 2015 INTERNATIONAL BUILDING CODE, INCLUDING APPENDIX K – ADMINISTRATIVE PROVISIONS, THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING APPENDIX E – RADON CONTROL METHODS, AND APPENDIX J – EXISTING BUILDINGS AND STRUCTURES, THE IOWA STATE ELECTRICAL CODE, THE IOWA STATE MECHANICAL CODE AND THE IOWA STATE PLUMBING CODE” and it be given its first reading. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried. Motion by Fults, seconded by Stagg, that the laws and rules providing that ordinances 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 and that Ordinance #254 be placed on its last reading. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried. Motion by Fults, seconded by Fults, to place Ordinance #254 upon its final passage and be adopted. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Svec. Nays: None. Motion carried. Ordinance #254 adopted.


TIF Certification for 2016-17: Kakacek presented TIF Certification report to be submitted to the county for budget year 2016-17 of TIF taxes for general obligation debt payment. Motion by Gudenkauf, seconded by Fults, to approve 2016-17 TIF Certification. Roll call vote was taken. All ayes. Motion carried.

Resolution No. 2015-60—Transfer of Funds: Kakacek noted this transfer monies from TIF and Sewer Funds to Debt Service for interest bond payments. Stagg moved, seconded by Svec, to approve Resolution No. 2015-60 entitled "A RESOLUTION AUTHORIZING THE CITY CLERK TO TRANSFER FUNDS. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-60 passed.

ICAP Review: Kakacek and Vondracek went over ICAP Loss Control Review and made recommendations. After discussion, Svec moved, seconded by Fults, to approve the recommendations. Call for vote. All ayes. Motion carried.

Council set special council meeting for Thursday, November 19, 2015 at 6 p.m. to discuss purchase of county shed and will go into closed session.

Correspondence: Council reviewed the following correspondence: Municipal Leadership Academy brochure and MidAmerican email regarding gas adjustment clause. Johnson County Sheriff’s September Report, Mediacom update, MidAmerican proposed increase, IOWADOT Guide to Transportation Funding Programs were on the council table for review.

Adjournment: Motion by Svec seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:36 p.m.

Tawnia Kakacek, City Clerk

Christopher Taylor, Mayor