CALL TO ORDER: Mayor Christopher Taylor called the council meeting to order at 7:00 p.m. at Swisher City Hall, Swisher, Iowa on December 12, 2016.

Council Present: Mary Gudenkauf, Rebekah Neuendorf, Mike Stagg, Larry Svec. Absent: Angie Hinrichs.

Also present: City Clerk/Finance Officer Tawnia Kakacek, Library Director Laura Hoover, Johnson County Sheriff Deputy Brian Adolph, Nikki Hynek, Ken Barta, Derrick Parker-Iowa Snowdrifters, Robin Kolosik, Fred Shelton, Steve Pudil, Rob Pudil, Robyn Jacobson-ECICOOG, Business Professionals of America students.

Consent Agenda: After review and discussion, Gudenkauf moved, seconded by Neuendorf, to approve the Consent Agenda consisting of: Agenda; November 14, 2016 Minutes; updated List of Claims; November 2016 Clerk/Treasurer Report and Utility Billing Audit Report; Resolution No. 2016-50 appointing Ken Feldmann to Planning & Zoning Commission; Resolution No. 2016-51 appointing Jerry Wood to Board of Adjustment; Resolution No. 2016-52 transferring LOST Funds to General Fund for purchase of county shed; and Resolution No. 2016-53 releasing sidewalk lien of Lot 8, Fisher’s Fifth Addition. Roll call vote was taken. All ayes. Absent: Hinrichs. Motion carried.

Citizens’ Comments: None.

Reports:
Library: Library Director Hoover reported the following: finished the 2nd adult program series (design XMAS wreaths, make XMAS cards, festive foods) which all were a great success; met with the State Librarian and Mayor and the library will be accredited; Friends of the Library received donations from Robert Novotny Trust and South Slope to remodel the library garage into a permanent room but will be seeking donations of $1,500 to $2,000 from businesses for furniture, etc. in the new area and she presented new books. Mayor and Council thanked Hoover for all her work to get the library accredited.

Sheriff: No report.

Engineer: Mayor and Council read Engineer Cutsforth email report consisting of the following: conducted a Steering Committee Meeting and continue to work on finalizing the Concept Study for Division Street Project; reviewed IDOT Street Embargo Map; reviewed sidewalk release in Fisher’s 5th Addition.

Mayor: Mayor Taylor reported the following: met with the State Librarian and Hoover; attended the ECICOOG Legislative Open House and noted there may not be much funding in the future for cities and the city will be watching for other legislative issues. He noted the handlers of the reindeer at Swisher’s “A Very Merry Christmas” thought the event was outstanding and organized.

Council: Councilperson Gudenkauf welcomed the Business Professionals of America (BPA) students attending the Swisher Council Meeting as they prepare to compete in a Parliamentary Procedures Team Event at BPA State Competition in Des Moines in February. Gudenkauf is a Prairie High School BPA Advisor and is working with this team.

Employees: Kakacek reported the following: donations for the message board are due by December 15th; will meet with John Danos on amending TIF area. She inquired what projects TIF monies would be used for in the amended TIF area. Council would like it to go for streets in the Pavement Management Plan and if that will not be applicable then towards Division Street Project. She also reported HR Green is registering the well of the county shed; electricity is in the process of getting hooked up at the county shed; to pay less insurance on the county shed, city needs equipment stored in the building; will be meeting with True North on January 19th; received reimbursement monies from MidAmerican for franchise publications, Planning & Zoning Meeting is moved to December 19th due to the holiday; city offices will be closed December 23 and 26 and January 2nd due to holidays; and asked for council members code books to update.

Miscellaneous: Council reviewed Library Board 10-24-16 Minutes and Planning & Zoning 11-28-16 Minutes.
B.**BUSINESS:**

**ECICOG:** ECICOG Contract Manager Robyn Jacobson addressed Mayor and Council of the services they offer for Swisher Economic Development Program. She noted ECICOG can help set up the guidelines and administer the program once contract is signed. A work session will be scheduled in the future to work on the guidelines.

**Resolution No. 2016-54—Approve Snowmobile Route:** Derrick Parker of Iowa Snowdrifters Snowmobile Organization addressed proposed snowmobile route thru Swisher. After review and discussion, Svec moved, seconded by Neuendorf, to approve Resolution No. 2016-54 approving presented snowmobile route thru Swisher. Roll call vote. Ayes: Gudenkauf, Neuendorf, Stagg, Svec. Nays: None. Absent: Hinrichs. Resolution No. 2016-54 passed. This route will be east ditch of Gable Avenue to north ditch of Division Street then on Jefferson Avenue and onto alleys from Jefferson Avenue to Central Avenue.


**Public Hearing-Business Central Zoning Setbacks:** Motion by Stagg, seconded by Gudenkauf to open public hearing to consider changing business central zoning side yard setbacks to zero for areas abutting north and south side of 2nd Street from Rose Avenue to Summit Avenue that are zoned BC. Call for vote. All ayes. Absent: Hinrichs. Public hearing opened at 7:47 p.m. Kakacek gave updated map, noting some of the highlighted property before is not zoned BC so it won’t affect them. Mayor noted this was only to set hearing date, not debate the requirement. Steve Pudil and Rob Pudil questioned why only the BC areas highlighted are to be zero side yard setbacks and not all BC areas as they would like all BC zoning areas to have zero side yard setbacks. Nikki Hynek noted several towns have separate zoning district for the downtown area. Mayor noted there are residential houses on some lots zoned BC, as allowed by city code. Mayor closed public hearing at 8:17 p.m. After discussion, Stagg moved, seconded by Gudenkauf to refer this back to Planning and Zoning to review all BC zoning areas and make recommendation to Council. Call for vote. All ayes. Absent: Hinrichs. Motion carried.

**Public Hearing to Amend Sewer Service Verbiage:** Motion by Gudenkauf, seconded by Neuendorf, to open public hearing to amend sewer service verbiage from residents to be billed per connection instead of based on their zoning district and remove the 7-1-15 to 6-30-16 sewer rates as that has expired. Call for vote. All ayes. Absent: Hinrichs. Public hearing opened at 8:23 p.m. No verbal or written comments were received. Mayor closed public hearing at 8:24 p.m.

**1st Reading and Final Reading of Ord.#261—Change Sewer Verbiage of Chapter 99.01:** After discussion, Stagg moved, seconded by Neuendorf, to introduce Ordinance #261 by title only entitled “AN ORDINANCE AMENDING THE MUNICIPAL CODE OF SWISHER, IOWA, SECTION 99.01 VERBIAGE FOR SEWER SERVICE CHARGES REQUIRED AND REMOVING BILLING RATE FOR 2015-16” from each customer paying sewer charges based on their zoning and not their usage to each customer pay per connection and usage and be given its first reading. Roll call vote. Ayes: Gudenkauf, Neuendorf, Stagg, Svec. Nays: None. Absent: Hinrichs. Motion carried. Motion by Stagg, seconded by Gudenkauf, 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 #261 be placed on its last reading. Roll call vote. Ayes: Gudenkauf, Neuendorf, Stagg, Svec. Nays: None. Absent: Hinrichs. Motion carried. Motion by Gudenkauf, seconded by Stagg, to place Ordinance #261 upon its final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Neuendorf, Stagg, Svec. Nays: None. Absent: Hinrichs. Motion carried. Ordinance #261 adopted.

**Set Public Hearing Date to Consider Adding Water Tanks Requirement for Future Subdivisions:** Svec noted the following: there is high liability on the water tanks; inquired who would be liable; Mutual Aide will come and help with the fires; tanks grow bacteria and he doesn’t agree with recommendation from P & Z to have city pay for part of the water tank. Mayor noted this was only to set hearing date, not debate the requirement. Motion by Stagg, seconded by Svec, to set public hearing to consider adding water tank requirement for future subdivisions for January 9, 2017 at 7 p.m. at city hall. Call for vote. All ayes. Absent: Hinrichs. Motion carried.

**Set Public Hearing Date for 2016-17 Budget Amendment:** Kakacek noted the amendment was for purchasing the county shed, approved partial payment towards well tank at fire station, Orchard Heights Storm Sewer Project,
XMAS lights/port-o-potties for Swisher Merry Celebration, and Division Street Project engineer fees plus transfers from LOST to General and Division Street Project for the purchase of county shed and engineer fees for Division Street Project. She noted LOST revenue was understated and included LOST revenue increase on the amendment. Motion by Stagg, seconded by Neuendorf, to set public hearing date for 2016-17 Budget Amendment for January 9, 2017 at 7 p.m. at city hall. Call for vote. All ayes. Absent: Hinrichs. Motion carried.

**Set Budget Meeting Dates:** After review, Council gave consensus to have budget work session for January 16, 2017 at 6 p.m. and special meeting January 23, 2017 at 7 p.m. to review proposed budget and set public hearing date.

**Correspondence:** Council reviewed the following: Mediacom rate increase notice; city attorney letter of rate increase. Johnson County Sheriff November 2016 Reports; Building Permit for 1040 Swisher View Drive; Iowa Gaming Association information; 811 information 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 8:52 p.m.

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Tawnia Kakacek, City Clerk

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Christopher Taylor, Mayor