

**CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
DECEMBER 28, 2023**

This meeting was also held electronically. Anyone could attend in person, dial-in or connect electronically to hear the actual 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 December 28, 2023. He noted this was last meeting of the 45th City Council and the last meeting for him and Gudenkauf and Neuendorf.

Council Present: Mary Gudenkauf, Rebekah Neuendorf, Kody Pudil, Adam Roeder, Michael Stagg.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Communication Coordinator Julie Persons, Melissa Clow-HR Green City Engineer, Curt Cline, Mollie Woltz, Shelly Annis, Jefferson-Monroe Fire Department Representatives-Darin Cass, Ben Campbell, Bruce Sexton, and Gene Beard.

Agenda: Motion by Neuendorf, seconded by Gudenkauf to approve the Agenda. Call for a vote. All ayes. Motion carried.

Citizens' Comments: Mayor noted the Johnson County MPO by-laws states he is to serve on ECICOG committees until late January. Curt Cline noted he heard a lot of nice comments on WILOS dinner and appreciated the nonprofit groups in town. Jefferson-Monroe Fire Chief Bruce Sexton introduced Cass and Campbell to the Council. He expressed concern of Swisher considering repealing the fire water tank ordinance and noted this ordinance helps to get the extra water they need to put out fires. They would be glad to continue discussion of 100' extension for the fire water tank requirement the developer needed but asked not to repeal the ordinance. Gene Beard noted that he appreciated the support council has given. He noted that 1/3 of the fire department members live outside the city limits in the county, and he encouraged developments in Swisher for affordable housing. He also noted the city should make amenities for business parking and reminded city clerk to contact businesses of the key lock box ordinance.

Kakacek presented Mayor Taylor with a plaque from Johnson County EMA for his 10 years of service.

Set Public Hearing Date for Ash Tree Removal and Sanitary Sewer Tree Removal: Kakacek requested to add removal of ash tree at 639 Swisher View Drive that is dead and in city right-of-way. Motion by Pudil, seconded by Roeder to set public hearing date for January 8, 2024, at 6:30 p.m. at Swisher Library and include in the bid of ash tree removal at 639 Swisher View Drive. Call for vote. All ayes. Motion carried.

Consideration of Bids for the Swisher Sanitary Sewer Project: Engineer Clow noted 7 bids were received and the lowest bid came in 13.3% below the engineer opinion of cost. She recommended lowest bid Dave Schmitt Construction at \$3,537,659.30. After discussion, Pudil moved, seconded by Neuendorf, that this meeting adjourn to take no more bids. Roll call vote was taken. All ayes. Motion carried and closed bids at 6:43 p.m.

Resolution No. 2023-57—Award Contract for Sanitary Sewer Project: Pudil moved, seconded by Roeder, to approve Resolution No. 2023-57 entitled “RESOLUTION AWARDING CONTRACT FOR THE SWISHER SANITARY SEWER PROJECT” to Dave Schmitt Construction at \$3,537,659.30. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Roeder, Stagg. Nays: None. Resolution No. 2023-57 passed.

Set Public Hearing Date for Proposed Fringe Area Agreement with City of Cedar Rapids, Johnson County and City of Swisher: Motion by Pudil, seconded by Stagg to set public hearing date for January 22, 2024, at 6:30 p.m. at Swisher Library to consider adopting proposed fringe area

agreement with City of Cedar Rapids, Johnson County, and City of Swisher. Call for vote. All ayes. Motion carried.

DanceMor Alcohol License Renewal: Motion by Pudil, seconded by Roeder to approve Class C Alcohol License and Outdoor Service renewal. Roll call vote. Ayes: Gudenkauf, Pudil, Roeder, Stagg. Nays: None. Abstain: Neuendorf. Motion carried.

Payment to Corum Construction to Reinstall Hoop Shed Building: Kakacek noted Corum Construction called about getting his payment. After discussion, Council directed to have contractor submit itemized bill of the \$16,000.00 before they would approve to pay.

Resolution No. 2023-58—Appoint Treasurer: Mayor noted Phyllis Collins has been the City Treasurer for years and didn't want to be reappointed. Kakacek introduced Woltz to Council. Pudil moved seconded by Roeder to approve Resolution No. 2023-58 entitled "A RESOLUTION APPOINTING TREASURER FOR THE CITY OF SWISHER" to Molly Woltz with term ending 12-31-25. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Roeder, Stagg. Nays: None. Resolution No. 2023-58 passed. Mayor and Council thanked Collins for her service and Woltz for volunteering to serve.

Audit Review: Mayor noted the auditor had talked to him as required about the audit and noted there were 2 findings from the 2022-23 Audit Review. One was segregation of duties and 2 funds had deficit balance. It was noted the city will always be dinged for segregation of duties as they recommend 7 different people for the work done financially. Kakacek noted the deficit balance in the sewer project fund would be reimbursed through SRF but hadn't received the funds at that time. She noted the deficit of employee benefit fund would have to be transferred from general fund to cover the deficit of \$759 that was not received in property taxes. After discussion, Stagg moved, seconded by Neuendorf, to approve the 2022-23 Audit Review. Call for vote. All ayes. Motion carried. Kakacek will publish the required notice of audit review.

Advertise for Communication Coordinator: Persons presented updated job description and recommended to pay \$15 per hour for this position. Kakacek noted Council will need to approve updated job description by resolution at next meeting. Persons noted when she is mayor, she can volunteer to help unpaid on the website and Facebook page until someone is hired. After discussion, Neuendorf moved, seconded by Pudil, to advertise for Communications Coordinator position at \$15 per hour. Roll call vote was taken. All ayes. Motion carried.

Present Certificates of Appreciation: Mayor presented certificates of appreciation to Neuendorf for her 8 years of service as councilperson and Mary Gudenkauf for her 16 years of service as councilperson.

New City Clerk Request: Shelly Annis noted that at last council meeting it wasn't a full council and thought it was better to have full council present for her request. She noted she gave her resignation to her current employer, and they offered more money. She noted she is worth more than was offered by the City and has just as much experience as Kakacek. She requested to be paid \$27.00 per hour and have additional week of vacation plus be able to use one of the vacation weeks during the probationary period. Pudil noted he was impressed with her knowledge and would be good to have her with new council and mayor starting in January.

Resolution No. 2023-59—Rescind Resolution #2023-55 and Approve Hiring of City Clerk: Pudil moved seconded by Roeder to approve Resolution No. 2023-59 entitled "A RESOLUTION APPROVING THE HIRING OF CITY CLERK FOR CITY OF SWISHER, IOWA AND REPLACING RESOLUTION NO. 2023-55" and to hire Shelly Annis at \$27.00 per hour at 40 hours per week with 2 weeks of vacation (one week can be used within the probationary period and other week can be used July 1, 2024 or later). Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Roeder, Stagg. Nays: None. Resolution No. 2023-59 passed.

Comments from the Mayor: Mayor Taylor noted he was overwhelmed with gratitude for the last 10 years as Mayor with so many joyous moments. He thanked each councilperson and staff person for their work and accomplishments. He read and presented Proclamation of Special Commendation for Extraordinary Service

to City Clerk/Finance Officer Tawnia Kakacek and proclaimed Tuesday, January 2nd, 2024 to be Tawnia Kakacek Day throughout the City of Swisher.

Adjournment: Motion by Neuendorf, seconded by Gudenkauf to adjourn. Call for a vote. All ayes. Motion carried. Meeting adjourned at 7:19 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor