

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
FEBRUARY 11, 2019

REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Christopher Taylor called the Swisher Council Meeting to order at 7:07 p.m. at Swisher City Hall, Swisher, Iowa on February 11, 2019.

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

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Librarian Laura Hoover, Johnson County Sheriff Lieutenant Brian Adolph, Norm Neal, Ginny Svec, Pam Lenz, Tracy & Dave Guenther, Rob Pudil, Daryl Hynek, Jean Hynek, Davey Richardson, Tom Perkins, Wendy Shelton, Sandra Gandara.

Consent Agenda: Mayor noted the appointment for county representative for library board recommended by Johnson County was Benjamin Winborn and item 4h. Paving Castek Park Trail and Approve Quote needs to be removed from agenda as not ready for approval. After review and discussion, Gudenkauf moved, seconded by Stagg to approve the Consent Agenda consisting of: Agenda with removing item 4h; January 14 & 23, 2019 and February 6, 2019 Meeting Minutes; updated List of Claims; January 2019 Clerk/Treasurer Report and Utility Billing Audit Report; Resolution 2019-05 appointing Benjamin Winborn as County Representative for Swisher Library Board Commission. Roll call vote was taken. All ayes. Absent: Neuendorf and Rowe. Motion carried.

Citizen Comments: Tom Perkins asked if the snow plowed in the city alley by his house could be moved elsewhere or towards the creek so the electrical company has access in the alley if power goes out. Pam Lenz inquired why the park trail was removed from the agenda. Mayor stated the city has not received quotes yet. Rob Pudil asked about the Water Feasibility Committee on the agenda. Mayor explained this was to appoint 2 council members that will make recommendations of how many and who should be on the committee. Stagg noted this committee will be getting more information of various options for water and will be presented long time in the future.

Reports:

Sheriff: None.

Library: Librarian Hoover reported the following: they are doing their best to keep the library open due the weather but when they are open, it is very busy; Senior Programming is cancelled for tomorrow; she recommended patrons check the library website to make sure the library and programs are open if there is bad weather; she and other library patrons stated McNeal did great job removing snow on the library parking lot.

Engineer: Council reviewed city engineer's report.

Mayor: Mayor Taylor reported the following: approved McNeal ordering 13 tons of salt, the annual Legislative Day is February 19th which he cannot attend but if any councilmember would like to attend they are welcome to.

Council: No report.

Employees: Kakacek reported the following: reviewed city liability insurance coverage with agent; received ICAP Grant of \$118.99 for computer sit to stand table; sent out reminders of chicken permit renewal; need council code books to insert updates.

Reports: Council reviewed Planning & Zoning January 28, 2019 Minutes.

BUSINESS:

Public Hearing to Enter Loan Agreement for Division Street Project: Motion by Gudenkauf, seconded by Stagg, to open public hearing to consider entering future loan agreement and borrow money thereunder in a principal amount not to exceed \$3,500,000 for Division Street Project. Call for vote. All ayes. Absent: Neuendorf and Rowe. Motion carried and public hearing opened at 7:19 p.m. Jean Hynek stated she would like to hear about the plans for Division Street/120th Street. Mayor gave overview of project. Kakacek read city engineer's report of Division Street Improvements noting that there will not be sidewalks or trails on this project; the road is rated very poor condition and could have structural failure; some box culverts need to be repaired on Division Street for safety reasons; and road plan is to have 30-year design life. It was noted the Division Street concept plan drawings on are the city's website; they're not the final plans. Gudenkauf noted this project would not be a band-aid but an investment. Daryl Hynek inquired if the road would be concrete or asphalt as concern that concrete slabs shifts. Mayor said he thought the rural areas would be asphalt but not sure for the urban area. Residents complained of the speeding along Division Street. Mayor noted this was discussed in the past about installing traffic signals, etc. but city council wanted to make part of Division Street Project so they wouldn't have tear everything down. Stagg noted it has been a challenge to address the crossing on Summit and Division Streets and encouraged residents to come to future meetings as Mayor and Council appreciate input and ideas. Jean Hynek stated she will be installing new driveway but needs information to connect onto Division Street Project. Rob Pudil inquired if bids have been sent out yet. Mayor noted the bids are to tentatively to be turned in by June 4th and awarded June 10th per engineer's report. The preliminary bid specs may be ready by March meeting for council to review. Tom Perkins inquired about what streets are to be done in the future. Mayor noted the City adopted the Pavement Management Plan in 2014 which lays out which streets to improve by year and Division Street was included for 2019. Resident expressed concern of drainage north of post office. Mayor noted the box culverts that will be fixed/replaced were postponed earlier until the Division Street Project was to start and should help with the drainage issues. Pam Lenz asked if there can be a road embargo on Division Street now. Mayor said we would need to check into that but would be having an embargo on Division Street when working on the project. Gudenkauf mentioned city considered embargo years ago but that resolution failed. Ginny Svec asked about what would happen if the city would not do the project and had already started taxing the citizens for project. Mayor thought resolution meant the money could only be spent on Division project but would need to verify that. He also noted tax rates get approved every year, so future rates can be lowered if city doesn't need them that high. He did note when the City had the public hearing in 2006 for sewer plant funding, they didn't actually get bonds until 2009. Mayor and Kakacek stated the spec's and cost plans won't be fully completed until after the city certifies the budget to collect taxes for bond payment. If the City bonded and didn't certify for taxes for bond payment by March 15th, the City would not have funds to pay the interest and principal payments due that year. Pam Lenz asked if there were going to be sidewalks. Hightshoe stated he had concern of sidewalks as well. The Mayor noted the plans left room for possible sidewalks sometime in future, but currently do not include cost for sidewalks/trails. Engineer's report said no sidewalks were being proposed for current project. Some residents didn't want sidewalks along there as concern of safety for children walking by the road. Rob Pudil asked if the road standards going west to Highway 965 would be county or city standards. Hightshoe believes it will match the city standards. City did not receive any written comments regarding this public hearing notice. Motion by Gudenkauf, seconded by Stagg to close public hearing. Call for vote. All ayes. Absent: Neuendorf and Rowe. Motion carried. Public hearing closed at 8:21 p.m.

Resolution No. 2019-06—Authorize a Loan Agreement Approving Future Issuance of General Obligation Corporate Purpose Bonds and Levy of Taxes to Pay the Same: After discussion, Stagg moved, seconded by Hightshoe to approve Resolution No. 2019-06 entitled "RESOLUTION TAKING ADDITIONAL ACTION ON PROPOSAL TO ENTER INTO A GENERAL OBLIGATION CORPORATE PURPOSE LOAN AGREEMENT AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME" not to exceed \$3,500,000 and collect net annual sum of \$124,684 beginning July 1, 2019 for principal and interest loan payments. Roll call vote. Ayes: Gudenkauf, Hightshoe, Stagg. Nays: None. Absent: Neuendorf, Rowe. Resolution No. 2019-06 passed.

Public Hearing to Adopt 2018 IBC: Motion by Gudenkauf, seconded by Stagg, to open public hearing to consider adopting the International Building Code 2018 and International Residential Code 2018 with local amendments. Call for vote. All ayes. Absent: Neuendorf and Rowe. Motion carried and public hearing

opened at 8:23 p.m. Johnson County Building has adopted these codes and the city uses the county for building inspections. City did not hear or receive any written comments regarding this public hearing notice. Mayor closed public hearing at 8:25 p.m.

1st Reading of Ord.#272—Adopt 2018 IBC: After discussion, Gudenkauf moved, seconded by Stagg, to introduce Ordinance #272 by title only entitled “AN ORDINANCE ADOPTING BY REFERENCE AND PROVIDING AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE, INCLUDING APPENDIX K - ADMINISTRATIVE PROVISIONS, THE 2018 INTERNATIONAL RESIDENTIAL CODE, INCLUDING APPENDIX F - 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 be given its first reading. Roll call vote. Ayes: Gudenkauf, Hightshoe, Stagg. Nays: None. Absent: Neuendorf, Rowe. Motion carried. Ordinance #272 was given its first reading.

Review of Schulte Subdivision Preliminary & Final Plat: Per 28E Fringe Area Agreement with Johnson County this requires the city to review but no action as it is within the 2-mile fringe area and in the Rural Area 3. Swisher Planning & Zoning, city engineer and Council reviewed plat.

Resolution No. 2019-07-Approve Rezone Schulte Subdivision: After review and recommendation of approval from Swisher Planning & Zoning and engineer review, Stagg moved, seconded by Hightshoe, to approve Resolution No. 2019-07 entitled “RESOLUTION APPROVING APPLICATION OF RICH LINDEMANN, REQUESTING A REZONING OF 1.9 ACRES FROM A-AGRICULTURE TO R-RESIDENTIAL OF SCHULTE SUBDIVISION IN JOHNSON COUNTY, IOWA.” (Within the 2-mile fringe area agreement policy with Johnson County and the City of Swisher)”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Stagg. Nays: None. Absent: Neuendorf, Rowe. Resolution No. 2019-07 passed.

Create Water Feasibility Committee: This was to appoint 2 council members that will make recommendations of how many and who should be on the committee. Council postponed consideration until April 2019 due to missing councilmembers.

Designate Ex-Officio Representative: Mayor noted the letter attached from Johnson County Social Services request a representative from the City to serve in an ex-officio role on the Juvenile Justice and Youth Development Policy Board. After discussion, Hightshoe volunteered to be the representative. Council agreed.

Set Public Hearing Date for 2019-2020 Budget: After review, Gudenkauf moved, seconded by Stagg to set public hearing date for 2019-2020 Budget for March 11, 2019 at 7 p.m. at Swisher City Hall. Roll call vote was taken. All ayes. Absent: Neuendorf and Rowe. Motion carried.

Set Special Council Meeting Date to Interview Public Works Applicants: Council discussed how to have meeting with applicants and decided they would meet each applicant for 20 minutes and 10 minutes to discuss each applicant. Motion by Stagg, seconded by Hightshoe, to set special council meeting to interview public works applicants for February 19, 2019 at 6 p.m. at Swisher Library pending availability at Library and if not have meeting at Swisher City Hall. Roll call vote was taken. All ayes. Absent: Neuendorf and Rowe. Motion carried.

Advertise for Temporary Mowing Position: Per note, McNeal recommended the city to start advertising for mowing positing. After discussion, Stagg moved, seconded by Gudenkauf, to advertise for temporary mowing position now thru March 22, 2019 at 4:30 p.m. and approve hiring at April 8, 2019 Meeting. Call for vote was taken. All ayes. Absent: Neuendorf and Rowe. Motion carried.

Approve Payment to Ken-Way: Per McNeal’s note the increase of invoice was due to broken main on Oak Avenue from the approved televising quote of \$15,000. After discussion, Gudenkauf moved, seconded by

Stagg, to approve payment to Ken-Way for \$19,533.25 for televising sewer lines and repair main. Roll call vote was taken. All ayes. Absent: Neuendorf and Rowe. Motion carried

Correspondence: Council reviewed information of free tax preparation from Johnson County Social Services and directed Kakacek to post around town and website. January 2019 Sheriff's Report; Chicken Permit renewals for 303 Rose Ave., 224 Jefferson Ave., 410 3rd St. SW, 75 3rd St. SW; ICAP Newsletter were on the council table for review.

Adjournment: Motion by Gudenkauf, seconded by Hightshoe to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:11 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor