

(Subject to Approval)  
**CITY OF SWISHER, IOWA**  
**CITY COUNCIL MEETING MINUTES**  
**FEBRUARY 12, 2018**

**REGULAR CITY COUNCIL MEETING**

**Call To Order:** Mayor Christopher Taylor called the Swisher Council Meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on February 12, 2018.

**Council Present:** Mary Gudenkauf, Jerry Hightshoe, Rebekah Neuendorf, Mike Stagg. Absent: James Rowe. James Rowe arrived at 7:27 p.m.

**Also Present:** City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Rodney McNeal, Library Director Laura Hoover, City Engineer Tim Cutsforth, Johnson County Sheriff Lieutenant Brian Adolph, Vision Committee Members--Sonya LaGrange, Dawn Terrell, Nikki Hynek, and Lisa Burch, and Susan Vileta from Johnson County Public Health.

**Consent Agenda:** After review and discussion, Stagg moved, seconded by Neuendorf, to approve the Consent Agenda consisting of: Amended Agenda; January 8, 15, and 22, 2018 Meeting Minutes; updated List of Claims; January Clerk/Treasurer and Utility Billing Audit Reports; Class B Native Wine Permit, Outdoor Service, and Sunday Sales for Vault Boutique; Resolution No. 2018-04 renewing contract with Johnson County Sheriff Department; Resolution No. 2018-05 appointing Angie Hinrichs to Planning & Zoning Commission. Roll call vote was taken. All ayes unless otherwise noted. Absent: Rowe. Motion carried.

**Citizen Comments:** None.

**Reports:**

**Sheriff:** No report.

**Library:** Library Director Hoover reported the following: received donation of shelves from St. Luke's; revamping youth nonfiction area and matching number order as the schools; appreciate the new library board members wanting to be active in the community; and presented November 27, 2017 Library Board Minutes.

**Engineer:** Engineer Cutsforth reported the following: updated the right-of-way ordinance regarding inspections; gave sewer cost estimate to hook up to Cedar Ridge Winery; gave cost estimate for repairing headwall on 3<sup>rd</sup> Street/Howard Avenue; worked on miscellaneous items for city clerk; and Johnson County still plans on working on 120<sup>th</sup> Street in 2019 as scheduled.

**Mayor:** Mayor reported the following: he attended the following meetings--Joint Entities, EMA, Assessor Conference Board, and MPJOC Rural Policy Board where he was re-elected for the 3<sup>rd</sup> year as vice-chairperson. He stated last week was Legislative Day in Des Moines and 50<sup>th</sup> Anniversary of Home Rule.

**Council:** Stagg stated that he received invitation to IDOT meeting for February 20<sup>th</sup> and unable to make the meeting. He asked if any of the council members would attend. Hightshoe and Mayor will try to attend. Mayor noted IDOT is looking at mass transit options from Iowa City to North Liberty.

**Employees:** McNeal stated he has been plowing a lot of snow a lot and maintenance. Gudenkauf stated she has received several good comments on snow removal. Kakacek reported the following: if any council member want to attend the Municipal Leadership Academy Part 3 let her know and she will enroll them; met with USDA and they offer low interest loans; Farmer's Market group is getting ready for this summer; received training on e-billing; MPJOC is asking if Swisher wants a traffic count on any streets in

town, just let mayor or her know what streets they want done; Planning & Zoning will meet February 19<sup>th</sup>.

**BUSINESS:**

**Rose Avenue/ 4<sup>th</sup> Street:** McNeal presented estimate to repair drainage issue of Rose Avenue and 4<sup>th</sup> Street. He noted he can dig the ditches further up where drainage starts and direct the flow of water into the alley/right-of-way. Gudenkauf inquired what led to current poor state of drainage. Engineer noted the pipes in the alley are undersized and will need to maintain ditches/culverts to help with the drainage issue. The long-term solution would be curb and gutter. Rowe arrived at 7:27 p.m. Gudenkauf wants the project to align with future projects and strategic plans. Stagg inquired if digging up the ditches would make drainage worse. Engineer noted this project is required to bid out with specs, etc. Stagg moved, seconded by Gudenkauf to direct city engineer to draft set of plans to bid out for Rose Avenue/4<sup>th</sup> Street Drainage issue at next council meeting. Roll call vote was taken. All ayes. Motion carried.

**Refer to P & Z-Right-of-Way Inspection:** Engineer Cutsforth noted the current code regarding inspections for work done within the city right-of-way and easements does not address details for inspections. He presented amendment to Swisher Code 169.10 regarding this. Motion by Gudenkauf, seconded by Hightshoe to refer proposed amendment to Planning and Zoning for review and recommendation. Call for votes. All ayes. Motion carried.

**Public Hearing to Adopt Jake Brake Ordinance:** Motion by Gudenkauf, seconded by Stagg to open public hearing to consider adopting prohibited noises of engine brakes and compression brakes in Chapter 62 General Traffic Regulation. Call for vote. All ayes. Motion carried. Public hearing opened at 7:38 p.m. No written or verbal comments were received. Mayor closed public hearing at 7:39 p.m.

**1<sup>st</sup> and Final Reading of Ord.#268—Adopt Jake Brake Ordinance-Chapter 62.07:** After discussion, Gudenkauf moved, seconded by Hightshoe, to introduce Ordinance #268 by title only entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA, BY AMENDING CHAPTER 62 GENERAL TRAFFIC REGULATIONS” and be given its first reading. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Motion carried. Motion by Gudenkauf, seconded by Neuendorf, 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 for Ordinance #268. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Motion carried. Motion by Hightshoe, seconded by Stagg to place Ordinance #268 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Motion carried. Ordinance #268 adopted.

**Public Hearing on Proposed 2018-19 Budget:** Motion by Gudenkauf, seconded by Neuendorf to open public hearing to adopt 2018-19 proposed budget. Call for vote. All ayes. Motion carried. Public hearing opened at 7:43 p.m. No written or verbal comments were received. Mayor closed public hearing at 7:44 p.m.

**Resolution No. 2018-06-Approve 2018-19 Budget:** After review and discussion, Stagg moved, seconded by Neuendorf, to approve Resolution No. 2018-06 entitled “ADOPTION OF BUDGET AND CERTIFICATION OF CITY TAXES” for 2018-19 Budget. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-06 passed.

**Public Hearing on Proposed 2017-18 Budget Amendment:** Motion by Stagg, seconded by Gudenkauf to open public hearing to amend the 2017-18 budget. Call for vote. All ayes. Motion carried. Public hearing opened at 7:46 p.m. Kakacek explained reasons for amendment. No other written or verbal comments were received. Mayor closed public hearing at 7:47 p.m.

**Resolution No. 2018-07-Approve 2017-18 Budget Amendment:** After review and discussion, Stagg moved, seconded by Neuendorf, to approve Resolution No. 2018-07 entitled “CITY BUDGET AMENDMENT AND CERTIFICATION RESOLUTION – FY2018 – AMENDMENT #1”. Roll call

vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-07 passed.

**Vision Committee:** Nikki Hynek introduced part of the Vision Committee and their goal for the community and businesses. LaGrange asked the city if they would like to be involved. Hightshoe was interested but would like to see residents besides businesses involved as part of a subgroup to discuss different ideas, etc. He applauded their initiative and saw government as a supportive role but not active initially. Gudenkauf agreed and noted there are funds available for possible projects in the Swisher Community Fund thru Johnson County Community Foundation and would be glad to give them information on this. Hynek noted the committee is not an incorporated organization at this time. Neuendorf thought this as a guidance for an Economic Development Committee. Stagg feels it should be bridged out to clubs and groups that already exist in Swisher that could process some ideas. Stagg thought the downtown plan should be done like the Division Street Steering Committee did, having months of planning and input from residents, groups, businesses before formally approving plan. Mayor noted the library did a stake holders meeting which had goals for city, community, visioning, etc. that may be helpful. He also noted the City Council and Planning and Zoning had conducted a comprehensive plan that addresses the downtown and Vision Committee should review this. He noted the plans for downtown would need to follow SUDAS and other city guidelines/restrictions. Gudenkauf appreciated the enthusiasm for starting this group and thanked them. Rowe asked if this should be a city committee. Mayor noted a city committee would have to be appointed by Council. Neuendorf stated about possibly using funds from the revolving loan fund for this group. Mayor noted that fund has certain administrative rules on how it can be used. Hynek noted the plans are done for proposed downtown by an engineer volunteering their service. She feels that won't last long and will need to start paying for these services. Council request to see the plans at the next regularly scheduled council meeting and stated they were very appreciative and supportive of the work they have done. With this on the next agenda, council wants to extend invitation to residents to see ideas Vision Committee has come up with.

**Vault Street Market Requests:** After review and discussion, Gudenkauf moved, seconded by Rowe, to approve street closure of 2<sup>nd</sup> Street between Jefferson and Central Avenues from 6 a.m. to 3 p.m. on Saturday, June 9, 2018; waive vendor permit requirements; use city barricades for street closure; and allow open alcohol containers on closed 2<sup>nd</sup> Street during the Vault Street Market. Roll call vote. All ayes. Motion carried.

**Fun Days Committee Requests:** After review and discussion, Gudenkauf moved, seconded by Stagg, to approve street closures of 2<sup>nd</sup> Street between Jefferson and Central Avenues from noon, Friday July 27 to 2 a.m., Sunday, July 29, 2018 and Rose Avenue between 2<sup>nd</sup> and 3<sup>rd</sup> Streets from 2 p.m., Friday, July 27 to 8 p.m., Saturday, July 28, 2018; waive vendor permit requirements; approve parade permit; city pay for port-a-potties, garbage/recycling bins, and provide a dumpster for the weekend; use city barricades, and approve open alcohol containers on closed streets; city pay and organize fireworks; city put up "no parking" signs throughout town for the weekend; and if approved by the library to use library's empty lot for petting zoo on Saturday, July 28<sup>th</sup>. Roll call vote. All ayes. Motion carried. Gudenkauf thanked Fun Days Committee for all their work. Sonya LaGrange will check with the library on the lot.

**Swisher's A Very Merry Christmas Requests:** After review and discussion, Hightshoe moved, seconded by Gudenkauf, to approve street closure of 2<sup>nd</sup> Street between Summit and Jefferson Avenues from 2 p.m. to 8 p.m. on Saturday, December 8, 2018; use city barricades; city put up "no parking" signs throughout town for the weekend; and city add more lights and Christmas decorations to the large tree and small City Park trees. Roll call vote. All ayes. Motion carried. Gudenkauf thanked them for work on this.

Sonya LaGrange stated that a running marathon was going thru Highway 965 and 120<sup>th</sup> Street on April 29<sup>th</sup>. She was asked to organize entertainment for that section and noted it would be great way to promote Swisher. She thought there would be about 1,000 people doing this marathon. She would like the information on city face book page.

**Ban E-Cigarettes:** Susan Vileta from Johnson County Public Health asked if the city would be in support of a county ordinance banning use of e-cigarettes in all public places the Smoke Free Air Act covers or adopt city ordinance to ban use of e-cigarettes in all public places. Stagg noted he would like to do city ordinance. The City had passed a resolution for no e-cigarettes at city parks. After discussion, Hightshoe moved, seconded by Rowe to have the city support the county wide use of e-cigarette ban in all public places. Call for vote. All ayes. Motion carried.

**Solarize Johnson County Solar Power Group Buy:** Mayor noted the deadline for the city to be an active partner had passed but wanted residents to know they can use this program that should be available in late April 2018.

**Purchase Sweeper Attachment:** McNeal presented quotes from City Tractor of \$3,191.90 and Sinclair of \$3,100.00 for sweeper attachment and noted he preferred one from City Tractor. After discussion, Gudenkauf moved, seconded by Neuendorf, to approve purchasing sweeper attachment from City Tractor of \$3,191.90. Roll call vote. All ayes. Motion carried.

**Council and Mayor Pay:** After council and mayor reviewed various cities council/mayor pay, they directed Kakacek to organize report by city size and number of meetings rather than alphabetically. Council will review at next regularly scheduled council meeting.

**Correspondence:** Council reviewed letter of concern regarding parking; letter from MPOJC regarding traffic count; FEMA surveying information; South Slope fiber seminar; information on Trees for Kids grant and free seedlings; updated list of 2018 elected officials and commissioners. Chicken Permit Renewals for 124 Division Street NE, 75 Division Street SE, 410 3<sup>rd</sup> Street SW, 61 4<sup>th</sup> Street SW, 75 3<sup>rd</sup> Street SW, and 303 Rose Avenue; Johnson County Sheriff's January 2018 Report; MPOJC Budget; MidAmerican notice; GovPayNet acquisition by Securus Technologies; and Mediacom update were on the council table for review.

**Adjournment:** Motion by Rowe, seconded by Neuendorf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:23 p.m.

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Tawnia Kakacek, City Clerk, Finance Officer

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Christopher Taylor, Mayor