CALL TO ORDER: Mayor Christopher Taylor called the council meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on February 8, 2016.

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

Also present: City Clerk Tawnia Kakacek, City Engineer Tim Cutsforth, City Attorney Mark Parmenter, Library Director Laura Hoover, Public Works Supervisor Craig Vondracek, Johnson County Deputies, Norm Neal, Sonja LaGrange, Kathryn Birky, Gary Palas and Robin Kolosik.

Consent Agenda: After review and discussion, Svec moved, seconded by Neuendorf, to approve the Consent Agenda consisting of: Agenda, January 11 and 26, 2016 Minutes, updated List of Claims, January 2016 Clerk/Treasurer Report and Utility Audit Report, Change of Ownership and Class C Liquor License, Outdoor Service and Sunday Sales for Club 671, Inc. Roll call vote was taken. All ayes. Motion carried.

Citizens' Comments: Norm Neal said the city did a terrible job of snow removal when the city had their first big snowstorm. He noted the plowed streets weren’t close to the curb and recommended they use the tractor to remove the ice. Vondracek noted he told the new employee to remove conservatively as was his first time to use city vehicles. Mayor noted the city does have a snow removal policy. Katheryn Birky noted her alley is water logged and backed half way up to her garage and would like council to address at their next regularly scheduled council meeting. Mayor noted council is working to add alleys in the Swisher Pavement Plan. Birky commented that it is nice to have Farmer’s Market every week this year.

Reports:
Library Report: Library Director Laura Hoover is still looking for a Kirkwood Student to work at the library. She noted patrons can get online at the library to print the tax return forms with no charge except the instructional booklet. She shared a few new books the library received. Council reviewed 11-30-15 Library Board Minutes.

Engineer’s Report: City Engineer Cutsforth reported the following: completed the bid letting for Orchard Street Storm Sewer Project; met with adjoining property owners to go over the project and have temporary easements signed; reviewed sidewalk release; worked on displays of Chalupsky lot.

Mayor Report: Mayor Taylor inquired if the council wanted him to attend the Iowa League Legislative Day to address any concerns. Council had no concerns to be addressed at this time. He congratulated Swisher student Constance Schlitter who was recognized at the Martin Luther King “Service Above Self” luncheon. Mayor reported that he requested traffic counts on intersections of Division Street with Swisher View and Summit. He inquired if the council would like traffic counts on any other streets in Swisher. Council had no other recommendations.

Council Report: None.

Employees’ Reports: Vondracek noted the following: city now has a backup plan for snow removal. Rob Brown in Shueyville has volunteered usage of his vehicle when the city’s equipment is broke for snow removal; the snow fence was not installed this winter for when it was time to install the ground was so saturated they would have torn up the landowner’s ground if installed; he is doing maintenance work at the waste water treatment plant; noted the sander equipment had some repairs done. Mayor noted that in the future extra help could be called in to install the snow fence. Kakacek noted the following: met with city insurance to review coverages of city property and contents; Farmers Market will be every Thursday this year starting June 9th thru October 6th; there will be a baseball coaches meeting on February 11th to reserve ball diamond; had set up snow emergencies notice for KWWL, KCRG, KGAN where the Mayor, Vondracek and City Clerk can contact. She submitted history of penalties paid and billed for the last year as requested.

BUSINESS:
Attorney Address Mayor/Council: City Attorney Parmenter gave overview of closed sessions, open records. He noted open records also include emails and recommended councilmembers not to “reply all” to email sent from the clerk. He noted a single council person can’t make decision on behalf of city, has to be part of council vote. If a councilmember voted against an issue but was the minority vote, the majority vote is considered as the decision of City of Swisher and should be supported even the councilmember that voted against the motion. Per Mayor request Parmenter explained that the City of Swisher is a municipal corporation and not a combination of residents of Swisher.

Resolution No. 2016-06—Award Bid for Orchard Street Storm Sewer Project: City Engineer Cutsforth presented bids from Bushman Excavating, Rathje Construction, Eastern Iowa Excavating & Concrete, and Dave Schmitt Construction. He recommended Bushman Excavating with the lowest bid. After discussion, Stagg moved, seconded by Gudenauf, to approve Resolution No. 2016-06 entitled “RESOLUTION AWARDING BID FOR ORCHARD STREET STORM SEWER PROJECT FOR THE CITY OF SWISHER, IOWA” to Bushman Excavating at bid of $29,849.00. Roll call vote. Ayes: Gudenauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-06 passed.

Request Street Closures: Sonja LaGrange presented map of streets to close for Swisher Fun Days. She noted the alleys will not be blocked and gave update of the Fun Days activities. After discussion, Hinrichs moved, seconded by Svec, to approve street closures of 2nd Street from Jefferson Avenue to Central Avenue from Friday, August 5, 2016 from 2 p.m. until Sunday, August 7, 2016 at 2 a.m. and Rose Avenue from 2nd Street to 3rd Street from Friday, August 5, 2016 from 2 p.m. until Saturday, August 6, 2016 at 7 p.m. Call for vote. All ayes. Motion carried.

Approve Payment: Kakacek noted the council previously approved the mobilization but not the total cost of additional loads that was not included in the work estimate for the rip/rap repair at Fisher’s 5th Addition. After discussion, Gudenauf moved, seconded by Svec, to approve payment to Ken-Way Excavating of $4,590.09. Roll call vote was taken. Ayes: Gudenauf, Neuendorf, Stagg, Svec. Nays: Hinrichs. Motion carried. It was noted that future estimates must include areas total costs and grand total.

Set Public Hearing Date to Rezone: After review of recommendation of approval from Swisher Planning and Zoning Commission, Hinrichs moved, seconded by Stagg, to set public hearing to rezone Lot 1, Myra Serbousek 2nd Subdivision from Agriculture to RS40-Residential on March 14, 2016 at 7 p.m. at Swisher City Hall. Call for vote. All ayes. Motion carried.


Set Public Hearing Date for Budget: Kakacek noted she made the changes requested from the budget meeting. After review of proposed budget, Gudenauf moved, seconded by Neuendorf, to set public hearing for 2016-17 Budget on March 14, 2016 at 7 p.m. at Swisher City Hall. Roll vote was taken. All ayes. Motion carried.

Set Work Session Date to Review 2015 Council Goals: Council set work session meeting for March 22, 2016 at 6 p.m. at Swisher City Hall to review 2015 Council Goals.

Request to Waive Sewer Charges: Brett Shelton requested not to be charged for sewer services on his two commercial offices on 2nd Street as they have been empty for several years. He also requested not to be charged for sewer as he is installing washer and dryer in one of commercial offices for his 3 residents upstairs. It was noted other apartments in town were not being charged for the separate washer/dryer areas. It was brought up that the sewer line should be disconnected if not being charged for sewer but the line is connected with the adjacent building so would not be feasible. Svec noted if the city does not charge Shelton for sewer services he would have to pay reconnect fee of $2,000.00 when he would want to start using sewer services again or changed ownership. After discussion, Svec moved, seconded by Gudenauf to waive charging for two commercial accounts at 46 & 48 2nd Street SW, and must pay reconnect fee if decide to open up as businesses again. Roll vote was taken. All ayes. Motion carried.

Correspondence: Council reviewed the following correspondence: IDNR Letter accepting the site monitoring report, copy of email sent from Mayor Taylor to the Johnson County Board of Supervisors regarding library donation, and list of elected officials and contact information. Johnson County Sheriff’s December 2015 and
January 2016 Reports, Chicken Permit Renewal, and D & G Site Monitoring Report were on the council table for review.

Adjournment: Motion by Svec, seconded by Gudenkauf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:57 p.m.

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Tawnia Kakacek, City Clerk       Christopher Taylor, Mayor