

CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
May 13, 2024

Mayor Julie Persons called the Swisher City Council meeting to order at 6:30 p.m. Council members Curt Cline, Daryl Hynek, Adam Roeder, Kody Pudil, and Michael Stagg were present. Also present was City Clerk Shelley Annis.

Motion Stagg, 2nd Pudil to approve the agenda – all aye.

Russ Hard, 75 Jefferson St SW addressed the Council about run-off from the new development getting worse. HR Green Engineer Melissa Clow responded that detention basins have been installed to hold run off during rain events and release the water slowly into the creek.

Motion Pudil, 2nd Roeder to approve the consent agenda – all aye.

Written reports were received by the Johnson County Sheriff's Office and Ion Environmental Solutions. The City Engineer, Mayor and Council member Stagg, and City Clerk gave reports. Council member Roeder will replace Council member Pudil on the Sanitary Sewer Project Committee and begin attending Progress meetings.

There was no update on a resolution to the final payment to the County on the Division Street Project. Mayor Persons requested that this be ready by the May 28th meeting, or she will reach out to the Johnson County Board of Supervisors for assistance and direction.

Motion Pudil, 2nd Stagg to open a public hearing at 7:17 p.m. on Designation of the 2024 Swisher Housing Urban Renewal Area and on Urban Renewal Plan and Project – all aye. City Clerk Annis reported that notice had been published and posted and no comment had been received prior to tonight's hearing. Annis reported that the Plan, Signed Ag Agreement, April 15th Planning & Zoning meeting minutes were provided to the Council in the packet. Annis noted that the Planning & Zoning Commission reviewed the Plan and found it to conform with the City's Comprehensive Plan. Annis reported that the College Community School District and Johnson County were notified of a consultation meeting held on April 29th, but neither party attended, which is typical. With no one in attendance commenting, motion Roeder, 2nd Pudil to close the public hearing at 7:18 p.m. – all aye.

Motion Pudil, 2nd Roeder to approve Resolution 30-2024 to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Project for the 2024 Swisher Housing Urban Renewal Area. Cline, Hynek, Pudil, Roeder, Stagg – aye.

Motion Pudil, 2nd Stagg to approve the 1st Reading of Ordinance 05-2024 Providing for the Division of Taxes Levied on Taxable Property in the 2024 Swisher Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa. Hynek, Pudil, Roeder, Stagg, Cline – aye.

Motion Stagg, 2nd Roeder to waive the requirement of separate readings of Ordinance 05-2024. Pudil, Roeder, Stagg, Cline, Hynek – aye.

Motion Pudil, 2nd Cline to approve the 2nd & 3rd Readings of Ordinance 05-2024 Providing for the Division of Taxes Levied on Taxable Property in the 2024 Swisher Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa. Roeder, Stagg, Cline, Hynek, Pudil – aye.

Motion Pudil, 2nd Stagg to approve Resolution 31-2024 setting a date of meeting at which it is Proposed to Approve a Development Agreement with Forrest Ridge, LLC, Including Annual Appropriation Tax Increment Payments. Stagg, Cline, Hynek, Pudil, Roeder – aye.

Clerk Annis provided a copy of the Agreement between the City of Swisher and Johnson County on the Division Street Improvement Project, the April 15th Planning & Zoning Commission meeting minutes at which the Commission recommends the Council not approve the Degen and Sheely annexations until the Division Street Project is resolved, and the comments on the annexations received from Johnson County. Mayor Persons reported that the agreement with Johnson County restricts the City from annexing any property north of 120th/Division Street for ten (10) years unless the City reimburses the County for their share of the cost. The City Engineer estimated the reimbursement between \$400,000 and \$260,000 depending on when the ten years would begin. Johnson County Supervisor V Fixmer-Oraiz (electronically participating) commented that she will follow up with the Engineer on this.

Motion Pudil, 2nd Cline to open a public hearing at 7:32 p.m. on a request for voluntary annexation of property owned by Brad & Sandie Degen – all aye. Clerk Annis reported that notice had been published and posted and no comment was received prior to the hearing. No comment was given by public in attendance. Council consensus was that the Division Street Project needed to be resolved and a request of the property owners to present a proposed development plan to the City prior to consideration of annexation of the property. Motion Pudil, 2nd Cline to close the public hearing at 7:45 p.m. – all aye.

Motion Stagg, 2nd Roeder to table Resolution 32-2024 approving annexing property owned by Brad & Sandie Degen until the Division Street Project is resolved and the owners bring forth a proposal for developing the property – all aye.

Motion Pudil, 2nd Roeder to open a public hearing at 7:48 p.m. on a request for voluntary annexation of property owned by David D. Sheely – all aye. Clerk Annis reported that notice had been published and posted and no comment was received prior to the hearing. No comment was given by public in attendance. Motion Pudil, 2nd Stagg to close the public hearing at 7:49 p.m. – all aye.

Motion Pudil 2nd Cline to table Resolution 33-2024 approving annexing property owned by David D. Sheely until the Division Street Project is resolved and the owner brings forth a proposal for developing the property – all aye.

Motion Hynek, 2nd Roeder to approve Resolution 34-2024 approving Pay App No. 1 from Dave Schmitt Construction Co., Inc., Cedar Rapids, IA for \$221,089.84 for work through April 30, 2024 on the Sanitary Sewer Improvement Project. Pudil, Roeder, Stagg, Cline, Hynek – aye.

Motion Pudil, 2nd Cline to approve Resolution 35-2024 approving ACE Lawn Care, Swisher, IA for Chemical Lawn Application services at city-owned properties for the 2024 season. Pudil, Roeder, Stagg, Cline, Hynek – aye.

Council took no action on placing guardrails on 4th Ave SE.

Motion Pudil, 2nd Stagg to direct HR Green to contact the DNR about re-evaluating ash trees in the City, and determine if trees along Swisher View Dr as communicated by Council member Hynek are in the right-of-way – all aye.

Clerk Annis presented FY2024 Budget Amendment worksheets identifying each account to be amended and the reason.

Motion Pudil, 2nd Stagg to set a public hearing for 6:30 p.m. on Tuesday, May 28, 2024 on amending the City of Swisher FY2024 Budget – all aye.

Motion Roeder, 2nd Pudil to adjourn the meeting at 8:15 p.m. – all aye.

Shelley Annis, City Clerk