

**CITY OF SWISHER, IOWA  
CITY COUNCIL MEETING MINUTES  
JULY 22, 2024**

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

Motion Cline, 2<sup>nd</sup> Roeder to approve the agenda – all aye.

Motion Roeder, 2<sup>nd</sup> Stagg to approve the consent agenda – all aye.

David Smith, 125 Division St requested to add concrete parking on the Howard St right-of-way between the sidewalk and his property line. HR Green Engineer Melissa Clow reported that Howard St will be expanded from twenty-two feet to thirty-one feet to allow for parking on the street. Smith withdrew his request.

HR Engineer Melissa Clow explained the Iowa Department of Natural Resources (IDNR) Community Forest Grant Program allows the city to apply for funds to replace trees lost in streets right-of-way and other city property. Motion Stagg, 2<sup>nd</sup> Roeder to approve applying to the IDNR Community Forest Grant Program with assistance from HR Green for trees lost in streets right-of-way and partnering with the Park and Recreation Board on trees lost in Castek Park – all aye.

Motion Pudil, 2<sup>nd</sup> Roeder to approve Resolution 48-2024 approving the Site Plan and Updated Final Plat of the Swisher 60 Subdivision in Johnson County, Iowa and in the two-mile fringe area of Swisher. Cline, Hynek, Pudil, Roeder, Stagg – aye.

Motion Roeder, 2<sup>nd</sup> Stagg to approve Resolution 49-2024 approving a proposal from EnviroNet, Davenport, IA for \$700.00 for asbestos inspections services and report on the two garages in the Downtown Park Improvement Project. Hynek, Pudil, Roeder, Stagg, Cline – aye.

Richard O'Rourke requested to remove the small garage located at the corner of Rose St and the alley in Downtown Park for use at his property located at 328 Jefferson Ave SW. Mayor Persons explained the O'Rourke property is currently grandfathered as non-conforming to the Code requirement that no accessory building shall be placed on a parcel without a primary structure, and the Code requirement that no accessory building shall be in the front yard. The Mayor further explained concerns to approve a permit for placement of the garage on O'Rourke's property and staying under the thirty percent occupancy of accessory buildings in the rear yard. Council member Hynek asked if this could go to the Board of Adjustment for consideration. O'Rourke will need to complete and submit both a building permit and variance form and pay the variance request fee prior to calling a meeting of the Zoning Board of Adjustment. O'Rourke's contractor Frank Hartin will get the paperwork from the City Clerk.

Motion Pudil, 2<sup>nd</sup> Hynek to approve Resolution 50-2024 approving a proposal from Midwest Demo Contractors, Inc., Walford, IA for \$16,400.00 for demolition of two garages, tree removal and construction of gravel parking in the Downtown Park Improvement Project but wait on demo of the small garage until after the Zoning Board of Adjustment meeting for Richard O'Rourke. Pudil, Stagg, Cline Hynek – aye; Roeder – abstain due to conflict.

Motion Stagg, 2<sup>nd</sup> Pudil to approve Resolution 51-2024 appointing Lindsey Sojka, 110 Central Ave NE, and Karen & Craig Vondracek, 711 Oak Ave SE to the Swisher Community Fund Board of Trustees. Roeder, Stagg, Cline, Hynek, Pudil – aye.

Motion Roeder, 2<sup>nd</sup> Stagg to approve Resolution 52-2024 approving a 28E Agreement between the City of Swisher, the Johnson County Emergency Management Agency, and the Jefferson-Monroe Fire Department for use of the city garage located behind city hall to store vehicles and equipment. Stagg, Cline, Hynek, Pudil, Roeder – aye.

Motion Pudil, 2<sup>nd</sup> Roeder to approve the FY2024 Debt Obligation Report and authorize the City Clerk to submit the Iowa Treasurer – all aye.

Mayor Persons reported that the Johnson County Board of Supervisors has agreed that the date that the joint 120<sup>th</sup> St/Division St Improvement Project was completed was October 1, 2020. The City Engineer has estimated \$118,560.00 would be required to reimburse Johnson County (per the Project Agreement) if the City chooses to annex the Degen and Sheely properties into Swisher city limits. The Mayor reported there are options for extending the payments over five years and if either property requests a TIF rebate the City could recoup the amount reimbursed. The City is waiting on a conversation with the Bonding Attorney for advice on if a portion of the Division St Bonds not spent could be used to reimburse the County.

Mayor Persons reported that due to safety concerns with two trees being damaged during the 7/15/24 storm and Fun Days beginning, the City obtained an estimate to have four trees removed from Castek Park beginning Tuesday, July 23<sup>rd</sup>. Motion Pudil, 2<sup>nd</sup> Roeder to approve an estimate for \$5,000.00 from L. Miller Landscaping, South Amana, IA for emergency removal of two trees damaged by the 7/15/24 storm and include removal of the two previously reported dead trees creating a safety hazard in Castek Park with payment from General Fund-Parks – all aye.

Motion Hynek, 2<sup>nd</sup> Cline to adjourn the meeting at 7:30 p.m. – all aye.

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Shelley Annis, City Clerk