

**CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
NOVEMBER 11, 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, and Michael Stagg answered roll call. Council member Adam Roeder was absent. Also present was City Clerk Shelley Annis.

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

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

The Council received written reports from the Johnson County Sheriff's Office and Ion Environmental. Tim Cutsforth with HR Green gave a verbal report.

Motion Pudil, 2nd Cline to accept the resignation of Mayor Julie Persons effective 11:59 p.m. on Tuesday, November 12, 2024 – all aye.

There being no applications received for consideration of appointment to the upcoming vacancy of the Mayor position, Mayor Pro-Tem Michael Stagg will assume the duties of Mayor until either an appointment is made, or the next election.

Brad Degen, owner of property having requested to be annexed into the City, requested an update on the timeline of completing the process. Mayor Persons reported that since the Johnson County Secondary Road Engineers are disputing Engineering fees on the joint 120th/Division St Project, the City is waiting for final submission to the County Board of Supervisors for approval. HR Green Engineer Cutsforth explained that some paperwork will be submitted to the County tomorrow with the hopes of moving this along.

Based on the Complaint item tabled from the October 28, 2024 meeting, Council reviewed several cities' noise ordinances and determined that they will not amend the City Code nor adopt a noise ordinance to the City Code. Mayor Persons reminded the Council of the City Attorney's advice to send the owner of 131 Orchard St a letter informing the owner of the noise complaint and zoning regulations of the property. Motion Stagg, 2nd Pudil to send a letter to the owner of 131 Orchard St – all aye.

Motion Pudil, 2nd Cline to approve Resolution 71-2024 approving Pay App #7 from Dave Schmitt Construction Co., Inc., Cedar Rapids, IA for \$132,695.50 for work through October 31, 2024 on the Sanitary Sewer Project. Cline, Hynek, Pudil, Stagg – aye.

Council reviewed the CRANDIC parking lot plan as prepared by the City Engineer showing fifty-five (55) parking spaces, three (3) being handicapped spaces, green space and lighting with access from 2nd St and 1st St. Council reviewed the opinion of probable cost as prepared by the City Engineer for excavating, asphaltting the three handicapped spots, seal coating the remaining lot, adding lighting, street accesses and sidewalk of \$90,740 and maintenance costs every five years of \$17,290. Council directed the City Engineer to present a 2-phase plan for the project that the Council can consider during their upcoming budget workshops.

Council reviewed the responses from CRANDIC on the property lease with the City Attorney's advice being communicated by the City Clerk. Council directed Sonya LaGrange and Nikki Hynek to request a longer lease from CRANDIC, and ask if seal coating would need to be removed at the end of the lease.

Council reviewed the written comments from HR Green Structural Engineer that inspected the three areas as noted in the property inspection report. Based on the Engineer's comments on the bracing and structural concerns of the roof on the front portion of the building, motion Hynek, 2nd Cline to withdraw/terminate the Purchase Contract on 122 Rose Ave SW – all aye.

Council discussed using a portion of the remaining Division St Bonds for the downtown parking lot improvements as previously discussed. Clerk Annis advised that the City should discuss this with the City Bonding Attorney to determine if the remaining Bonds can just be used for this project, or if the Bonds will need to be repurposed, and if the Bonds must be repurposed what changes are required on the legal proceedings and resolution. Motion Pudil, 2nd Cline to table action on Resolution 72-2024 pending advise from the Bonding Attorney – all aye.

Motion Pudil, 2nd Stagg to approve Resolution 73-2024 accepting the 2024 Swisher Pavement Rehabilitation Project as completed by Kluesner Construction, Inc., Farley, IA. Pudil, Stagg, Cline, Hynek – aye.

Council reviewed correspondence received from the City of Cedar Rapids on a proposal to annex property on Walford Rd.

Motion Pudil, 2nd Stagg to approve Resolution 74-2024 authorizing the City Clerk to write off a utility account as uncollectible. Stagg, Cline, Hynek, Pudil – aye.

Swisher Communications Coordinator Mallorie Krob requested direction from the Council on what can be/should be shared on the City's Facebook page for local businesses. Council directed Krob to notify businesses requesting contact information if they would like to be listed on the City's Facebook page.

Motion Pudil, 2nd Cline to approve switching from postcard bills to paper bills with a monthly newsletter printed on the back – all aye.

Council reviewed a list of permit fees and other fees as presented by the City Clerk and directed the Clerk to prepare either an Ordinance or Resolution to amend fees as suggested.

Motion Pudil, 2nd Cline to adjourn the meeting at 8:38 p.m. – all aye.

Shelley Annis, City Clerk