

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
MARCH 13, 2023

Anyone could attend in person, dial-in or connect electronically to hear the actual meeting.

REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Christopher Taylor called the Swisher Council Meeting to order at 6:30 p.m. at Swisher Library, Swisher, Iowa on March 13, 2023.

Council Present: Kris Heims, Kody Pudil and Michael Stagg. Absent: Mary Gudenkauf and Rebekah Neuendorf.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Johnson County Deputy Sheriff, Chad McCleary-ION Environmental, Daryl Hynek, Curt Cline, Eric Helms, Keith & Audra Nearad, Greg & Edwina Brenneman, Nick Neuendorf, Mr. & Mrs. David Faltis, Rob Pudil, Mr. & Mrs. Patik, Milo Popp, Adam Roeder, Todd Phillip. Via zoom were Eugene Beard, Chad Velvick, Kimberly Grier.

Consent Agenda: Stagg requested to remove Agenda Item 1f. Mens Club Car Show Street Closure request as they need to talk to another business on this. No objections. Heims moved, seconded by Pudil to approve the Consent Agenda consisting of amended Agenda with removing agenda item 1f., February 13th and 27th, 2023 Council Minutes; updated List of Claims; February 2023 Clerk/Treasurer Report & Utility Balance Report; Street closure permit on June 8th for Library Safety Fair; notice of Board of Adjustments vacancies. Roll call vote. Ayes: Heims, Pudil, Stagg. Nays: None. Absent: Gudenkauf, Neuendorf. Motion carried.

Citizens' Comments: Mayor noted Agenda Item -Citizens' Comments will be added onto the 2nd Council Meeting Agenda of every month. Daryl Hynek inquired what was the total general obligation bond limit; shop loan expenses cost of project; why PFAS is talked about yet; K. Pudil and Fields explained the cost for shop bond and project. Rob Pudil asked when IDNR will be coming to talk about PFAS. Heims noted the Comprehensive Planning Committee will have another town hall meeting in June and will see if Johnson County Health Department can come at the town hall meeting. Mayor noted EPA set aside funds for PFAS. Heims noted Iowa received \$18 million for this. Chad McCleary explained the difference between "public water system" and "city/municipal water system".

Reports:

Sheriff: February 2023 report was submitted.

Engineer: Council reviewed engineer written report and is on file at city hall.

Mayor: Taylor noted Swisher is involved in many other groups that are doing their budgets now, including County Assessor Conference Board, Metro Planning Organization, EMA Commission, ILoC, and ECICOG.

Council: Heims reported that 15 out of 20 homes tested in Swisher have tested positive for PFAS and are over the health/safety level. She noted the wells tested are all over town. Heims also noted the railroad building has a lot of trash and people going in and out of it. Kakacek noted she sent a nuisance letter to the railroad and they will be fixing it in spring. Pudil noted people are complaining that they can't hear the zoom meetings. Persons noted she is testing a new video/microphone system now.

Employees: McCleary noted request to purchase sampler sled request further on the agenda and this equipment is required. He noted there is only one dealer in the state to purchase this from. McCleary, Hoover, and Kakacek written reports are on file at city hall.

Miscellaneous Reports: Swisher Planning & Zoning 2-20-23 Minutes and Library February and March minutes were reviewed.

BUSINESS:

Public Hearing on 2023-24 Budget: Mayor noted the State of Iowa made mistake on rollback last year and passed correction in February 2023 but won't increase expenses or individuals' city taxes. Motion by Stagg, seconded by Heims to open public hearing. Call for vote. All ayes. Absent: Gudenkauf, Neuendorf. Motion carried and hearing opened at 7:01 p.m. Hynek inquired about the budgeted engineer costs for sewer project. Kakacek noted the engineer costs were estimated for each year but can give him contract amount for sewer project when in the office. There were no other verbal or written comments presented. Mayor closed public hearing at 7:06 p.m.

Resolution No. 2023-16—Approve 2023-24 Budget: Motion by Heims, seconded by Pudil, to approve Resolution No. 2023-16 entitled "A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2024". Roll call vote. Ayes: Heims, Pudil, Stagg. Nays: None. Absent: Gudenkauf, Neuendorf. Resolution No. 2023-16 passed. Mayor thanked Council for their work they did on the budget.

Purchase Sampler Shed: After discussion, Stagg moved, seconded by Heims to purchase sampler sled for the wastewater treatment plant from GPM at cost of \$2,387.18. Roll call vote was taken. All ayes. Absent: Gudenkauf, Neuendorf. Motion carried.

Resolution No. 2023-17—Rescind Resolution 2023-09: Applicant Todd Philipp noted he made mistake on the number of acres for Commercial Highway on previous application and had to get survey done required by the county. Motion by Pudil, seconded by Stagg, to approve Resolution No. 2023-17 entitled "RESCINDING RESOLUTION NO. 2023-09—APPROVING REZONING 2612 120TH STREET NW, SWISHER IN JOHNSON COUNTY, IOWA (Within the 2-mile fringe area agreement)". Roll call vote. Ayes: Heims, Pudil, Stagg. Nays: None. Absent: Gudenkauf, Neuendorf. Resolution No. 2023-17 passed.

Resolution No. 2023-18—Approve Rezoning 2612 120th St., Swisher IA: After review and discussion, Heims moved, seconded by Pudil to approve Resolution No. 2023-18 entitled "RESOLUTION APPROVING APPLICATIN OF TODD PHILIPP FOR LOREN ZISKOVSKY PROPERTY, REQUESTING A REZONING OF 30.13 ACRES FROM A-AGRICULTURE TO LIGHT INDUSTRIAL AND 27.77 ACRES FROM A-AGRICULTURE TO COMMERCIAL OF PROPERTY OF 2612 120TH STREET NW, SWISHER IN JOHNSON COUNTY, IOWA (Within the 2-mile fringe area agreement)". Roll call vote. Ayes: Heims, Pudil, Stagg. Nays: None. Absent: Gudenkauf, Neuendorf. Resolution No. 2023-18 passed.

Sewer Hookup: Mayor noted the City wanted to know the history why certain residents weren't hooked up to sewer. Stagg noted he requested this on the agenda and invited residents without sewer hookup to get the history and see if they are interested in hooking up to sewer. Kakacek noted Craig Vondracek would like to hook up to sewer. David Faltis noted his father had pay \$1,962.25 in 1972 for sewer but wasn't hooked up. He presented copy of payment receipt and noted with interest compiled it would be around \$23,000. Faltis said the past council said it was too expensive and would need a lift station and drill under the creek. Hynek thought it was not financially feasible back then or now. Faltis doesn't want sewer hookup. Mrs. Patik suggested a planning committee to see how Swisher wants to grow and improve livelihood. Heims reminded them of the current Comprehensive Planning Committee. Milo Popp and Patiks don't want sewer hookup. City will research on minutes and details of Faltis receipt and present at future meeting of possible reimbursement to Faltis of \$1,962.25.

City Bids Location for Contractors: Adam Roeder inquired where city bid postings are and asked why not posted to the Iowa League of Cities website as it is free. Kakacek read the required postings

for bids per the engineer. She also noted when the engineer sends out for bids, it is on the League website, city website and posted around town. Fields noted for bids that don't require posting, he calls the contractors he knows or the city uses. After discussion, Council agreed to have Fields or city engineer post bids for amounts estimated to be over \$10,000 or more on the League website. This will also be posted around town and city website.

Water Vote and Implications: Mayor asked Council how they wanted to preserve for the future the information presented for the water vote. K. Pudil noted he requested this item agenda but don't want any action taken at this time. He suggested city could create a water fee charge of \$15 a month for 10-20 years for future water and if that didn't happen use for other capital improvement projects. Kakacek noted she will have to check in legalities on this but can't charge as utility as the water vote failed. Mayor noted the city engineers had proposed \$15-25 flat fee for water and asked how would this be any better. Residents didn't want to pay \$25 fee on the water vote. Mayor noted the City already puts money aside from property tax income for capital equipment. Heims noted the Water Committee had talked about PFAS and it gets worse closer to the airport. Heims noted PFAS contamination could triple in Swisher and noted the Reverse Osmosis systems sometimes don't work. She noted the County recommends residents to test annually at cost \$740 for PFAS which grant doesn't cover. Hynek asked why PFAS is coming up now. Mayor noted PFAS doesn't go away just because water vote failed. Heims noted she wanted residents aware for their health and safety. She will continue getting updates from the county and inform the city/residents.

Set Public Hearing Date—Underground Fire Protection Storage Tanks: K. Pudil requested this be done since the water vote didn't pass. After discussion, Pudil moved seconded by Heims to set public hearing date of April 10, 2023 at 6:30 p.m. at Swisher Library to consider requiring new developments to add fire protection storage tanks. Call for vote. All ayes. Motion carried.

Sealcoat Alley with Different Contractor: Council and Mayor reviewed letter from Shamrock Construction noting they no longer do asphalt paving or asphalt-chip sealing projects. They were scheduled to do the alley by Kava House and The CarWash last fall but didn't get done due to The CarWash to not getting a contractor for their driveway so they could connect the alley and driveway. Fields contacted LL Pelling and they would honor Shamrock quote to do the work. After discussion, Stagg moved seconded by Pudil to approve LL Pelling to sealcoat the alley by Kava House and The CarWash at cost of no more than \$9,030.20. Roll call vote was taken. All ayes. Absent: Gudenkauf, Neuendorf. Motion carried.

Increase Public Works Superintendent Purchase Limit for Shop Building Project: Fields requested to increase his current purchase limit of \$300 so he doesn't have to go the council for every item he purchases for the shop building project. Stagg suggested to increase purchase limit for everyday up to \$500 and put council agenda to approve. After discussion Stagg moved, seconded by Heims, to increase purchase limit to \$1,000 for Public Works Superintendent for Shop Building Project only. Roll call vote was taken. All ayes. Absent: Gudenkauf, Neuendorf. Motion carried.

Update on Sewer Project Financials: Kakacek presented what the city debt limit was and what may have to be borrowed for the sewer project between SRF and General Obligation Bond.

City-Wide Cleanup Day: Kakacek verified with Johnson County Refuse/LRS that May 13th was available. Motion by Pudil, seconded by Heims to set city-wide cleanup day for Saturday, May 13th. Call for vote. All ayes. Motion carried.

Correspondence Council reviewed the following: IPERS changed rules; Iowa State University Community Matters February issue; Iowa Rural Water Association membership certificate; building permit for 121 3rd Street and right-of-way permit for South Slope.

Adjournment: Motion by Stagg, seconded by Pudil to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:26 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor