

(Subject to Approval)  
**CITY OF SWISHER, IOWA**  
**CITY COUNCIL MEETING MINUTES**  
**APRIL 10, 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 April 10, 2023.

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

**Also Present:** City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Tim Cutsforth-HR Green Representative, Johnson County Deputy Sheriff, Chad McCleary-ION Environmental, Daryl Hynek, Curt Cline, Jeremy Coleson, Glen Heims and Gene Beard. Via zoom were Chad Velvick and Nikki Hynek.

**Consent Agenda:** Neuendorf moved, seconded by Stagg to approve the Consent Agenda consisting of Agenda, March 13<sup>th</sup> and 27<sup>th</sup>, 2023 Council Minutes; updated List of Claims; March 2023 Clerk/Treasurer Report & Utility Balance Report; Fireworks Permit for J & M Displays for Swisher Fun Days; Street Closure Permit July 9<sup>th</sup> for Prairie Football Bags Tournament; notice of Board of Adjustments vacancies. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried.

**Citizens' Comments:** Daryl Hynek inquired if the shop plan was moving forward and had concern if city was to bond for it. Cutsforth noted this is a concept plan to get idea of costs and it is done in 3 phases. Mayor noted the other phases wouldn't be done until other funds become available. The council was not approving any construction plans or expenditures at this meeting.

**Reports:**

**Sheriff:** Deputy Sheriff was present, and there were no questions for him. March 2023 report was submitted.

**Engineer:** Cutsforth reported the following: worked on sewer project, streets for rehabilitation, shop site concept plans, groundwater issue at burn pile, met with developer and his engineers, mayor, and city clerk to discuss subdivision regulations, etc. Pudil asked the number of lots developer was proposing. Neuendorf asked if there are water challenges for the developer. Cutsforth noted developer inquired if needed to put in required water lines for future city water since the water voted didn't pass. The developer is looking at options for the fire protection tanks.

**Mayor:** Taylor reported the following: per County EMA Solon siren test will be this Friday instead of Wednesday due to last week's storm; met with developer and city engineer; will be meeting with Iowa League of Cities (ILOC) Education Committee for September conference and if council has suggestions for topics, let him know. Taylor also noted the ILOC will have their conference in Cedar Rapids this year and a good opportunity for the council to attend.

**Council:** Neuendorf noted she, Kakacek, few business owners attended the Downtown Walk Around for couple of hours with visiting businesses. She noted one of the committee members asked why the City was incorporated as the citizens apparently didn't want city water and don't want to grow.

**Employees:** Fields reported the following: the burn pile is in process of being leveled out and installing block sections; will try to mulch at burn pile next week; will be tiling at burn pile for groundwater issue. Neuendorf asked for update of sewer project off Oak Avenue. Fields noted they are done with seeding and fertilizing. McCleary, Hoover, and Kakacek written reports are on file at city hall.

**Miscellaneous Reports:** Swisher Planning & Zoning 3-20-23 Minutes were reviewed.

**BUSINESS:**

**Public Hearing on Proposed Fire Protection Tanks Ordinance:** Motion by Neuendorf, seconded by Pudil to open public hearing. Call for vote. All ayes. Motion carried and hearing opened at 6:49 p.m. A resident inquired if there were any other options. Mayor pointed out city water would have been the best option. Glen Heims noted this was the next best option for fire protection as currently the fire department gets water from their tank and Cedar Rapids. Neuendorf asked for clarification of 1000 feet requirement for tanks. G. Heims noted the fire departments has 1000 feet hose to hook up to water source. Beard noted this ordinance would be consistent with Shueyville and try to be consistent throughout the district. Pudil inquired how many reserves were required for proposed new development. Cutsforth noted the developer is looking at an alternate option with getting coverage needed for fire department. G. Heims noted if he finds the developer alternate option plausible the ordinance could be updated but he needs to research it first. Pudil asked if 2 tanks would work for the new development and Heims said yes. Nikki Hynek inquired if the developer was willing to do this. Mayor noted the developer is trying to find a happy medium on this. A resident asked if it was worth tabling this until other options are reviewed. G. Heims noted he would like it passed now and can amend ordinance later if needed. There were no other verbal or written comments presented. Mayor closed the public hearing at 7:04 p.m.

**1<sup>st</sup>/Final Reading of Ordinance #294-Add Chapter 166.11(6) Subdivision Regulations-Fire Protection Water Tank Requirements:** Gudenkauf noted appreciation to the Jefferson Monroe Fire Department for their patience and thanked them for the plan. She values what they do and their roles and sorry the City couldn't provide the first option of city water. She inquired how many cities in Iowa with Swisher size are in this predicament. Beard noted there were 5 cities in Iowa. Pudil noted he didn't want to table this. Stagg moved, seconded by Neuendorf, to introduce Ordinance #294 by title only entitled "AN ORDINANCE ADDING TO THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA, 2015, BY ADDING CHAPTER 166.11(6) SUBDIVISION REGULATIONS-MINIMUM REQUIREMENTS" and be given its first reading. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #294 was given its first reading. Motion by Neuendorf, seconded by Gudenkauf that the laws and rules providing that an ordinance be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended and dispensed with for Ordinance #294. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Motion by Stagg, seconded by Gudenkauf to place Ordinance #294 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance 294 was adopted.

**Final Pay Request for Division Street Project-Phase 2:** Motion by Pudil, seconded by Neuendorf to approve final pay estimate of \$11,218.18 to Tschiggfrie Excavating Co. for Division Street Project Phase 2. Roll call vote was taken. All ayes. Motion carried. Gudenkauf thanked Stagg for his time on this project. Cutsforth noted to hopefully have final bill for Phase 1 within a month.

**2023-24 Pavement Rehabilitation:** Cutsforth presented a list of streets for improvement and noted if the bids come in lower would like to do work on Central Avenue with council approval. After review and discussion, Pudil moved, seconded by Gudenkauf to approve streets for improvements and have engineer send out for bids. Roll call vote was taken. All ayes. Motion carried.

**3<sup>rd</sup> Street City Shop Plan:** Pudil clarified this is a very long-term concept plan with dream scenario and city is not installing all these buildings in next 2 or 3 years. Gudenkauf noted this is strategic planning. After review and discussion of concept plan for city property on 3<sup>rd</sup> Street, Neuendorf moved, seconded by Pudil, to approve Option 1 Concept Plan. Call for vote. All ayes. Motion carried.

**Direction to Proceed with Shop Project:** Fields requested to temporarily move the hoop shed to a different location so construction can be done on shop building addition. Cutsforth noted it would be about 4 months to start on addition if not temporarily moved as need to have retaining wall done first. After discussion, the council directed Fields to get quotes to move the hoop shed.

**Concrete for Baseball Dugout:** Pudil gave update of dugout. Fields noted he could put posts up if the council wants. The council reviewed quotes from Christner Concrete of \$5,620.00 to install

concrete dugouts and adding posts, removing benches; Christner Concrete of \$3,820.00 not adding posts; H.F. Hartin of \$2,119.00 for concrete only. After discussion, Neuendorf moved, seconded by Stagg, to approve quote from H.F. Hartin of \$2,119.00 to pour concrete dugouts and Fields to install posts. Roll call vote was taken. All ayes. Motion carried. Pudil noted Men's Club will be installing the roof and walls.

**City Welcome Signs:** Kakacek presented a quote to remove, repaint, fix, and install City Welcome Signs of cost \$4,060 if done in April or early May otherwise the price would go up. She inquired if the council wants to repaint or get new signs and what kind of signs. Neuendorf noted she would like to include the other signs along with Division Street that was discussed previously. Mayor noted the new developer has green space the City could put welcome sign. Gudenkauf noted green space should be for recreation. Pudil recommended Kakacek research types of signs. After discussion, Council set work session to discuss signs on Monday, May 22, 6 p.m. at Swisher Library.

**Resolution No. 2023-21—Increase Staff Spending Limit:** After review and discussion, Pudil moved, seconded by Gudenkauf to approve Resolution No. 2023-21 entitled 'A RESOLUTION AUTHORIZING THE CITY CLERK AND PUBLIC WORKS SUPERINTENDENT TO MAKE MINOR PURCHASES FOR DAY-TO-DAY OPERATIONS NOT IN EXCESS OF \$500.00 PER ITEM'. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Resolution No. 2023-21 passed.

**Resolution No. 2023-22—Adding Designations of SLFRF Funds:** Mayor noted designations that were already approved and the proposed designations to be added to use SLFRF Funds. After review and discussion, Gudenkauf moved, seconded by Stagg to approve Resolution No. 2023-22 entitled 'RESOLUTION ADDING DESIGNATIONS OF STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF) FOR THE CITY OF SWISHER' with adding Castek Park Trail, alley rehabilitation and new shop building project. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Resolution No. 2023-22 passed.

**Set Public Hearing Date for 2022-23 Budget Amendment:** Kakacek presented list of expenditures and revenues for the amendment. Motion by Gudenkauf, seconded by Heims to set public hearing date of May 8, 2023 at 6:30 p.m. at Swisher Library for 2022-23 Budget Amendment. Call for vote. All ayes. Motion carried.

**Correspondence** Council reviewed the following: contractors signup form to work for the city; notice to renew golf cart registration, information on Downtown Walk that was done in Swisher; information on direct loan programs for home buyers; building permit for 82 4th Street. Neuendorf recommended city letterhead on the contractor's signup form.

**Adjournment:** Motion by Gudenkauf, seconded by Neuendorf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:05 p.m.

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Tawnia Kakacek, City Clerk/ Finance Officer

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Christopher Taylor, Mayor