

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
APRIL 11, 2022

This meeting was also held electronically. 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 7:00 p.m. at Swisher Library, Swisher, Iowa on April 11, 2022.

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

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Librarian Laura Hoover, Chad McCleary-ION Environmental, City Engineer Jonathon Kline, Johnson County Sheriff Deputy, Gene Beard, Larry Igou, Matt Shock, Zachary Gorman, Jim Wagner, Kaitlyn Thompson. Via Zoom were V. Fixmer-Oraiz, Fiona Johnson.

Consent Agenda: Heims moved, seconded by Neuendorf to approve the Consent Agenda consisting of: Agenda, March 14 and April 4, 2022 Council Minutes; updated List of Claims; March 2022 Clerk/Treasurer Report and Utility Balance Report; Resolution No. 2022-16 to assess delinquent utility bills to taxes; Class C Beer Permit renewal with Sunday Sales and Class B Native Wine permit for Shelton's Grocery; Resolution No. 2022-17 appointing Audra Nearad to Board of Adjustments; Fireworks Permit for July 30th with rain date of July 31st, 2022 for J & M Display, Inc.; street closure for Swisher Men's Club Car Show on September 10th with rain date of September 11th, 2022; City-Wide Cleanup Day for May 14th; notice of Board of Adjustments vacancy. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried.

Citizen Comments: Gene Beard thanked the Sheriff's Department for contacting him of people parking illegally on his property. He recommends the City have extra patrol in town and law enforcement should be informed of events in the city. Beard stated the City should get more parking and Gudenkauf asked for suggestions. No suggestions at this time. Neuendorf noted DanceMor does asks for police to come over when they have events but asks for people to let DanceMor know of any issues as they are trying to have this place for all ages. Persons noted there were 2 cars broken into early morning on Wednesday.

Reports:

Sheriff: Council reviewed February and March reports.

Librarian: Librarian Hoover reported the following: discussed with South Slope of the City/Library having first rights of refusal on their empty lot next to the library; adult program on seeds workshop done by Alice Linhart; in need of candy to put into easter eggs and high school students will be stuffing the eggs this Thursday; Easter Egg Breakfast at 9:30 a.m. and Easter Egg Hunt at 10 a.m. all at Castek Park; the Library Board is starting to work on a 5 year plan; getting large print books for all ages thru the XMAS Wish List. Council reviewed Library Board 3-2-22 Minutes.

Engineer: Kline reported the following: worked on the annexations; sent out bids for Castek Trail Project; reviewed the proposed shop building/location; worked on 2023 Streets Project; agreement for sludge removal plan.

Mayor: Mayor Taylor noted he attended the Iowa League of Cities (ILOC) Board Meeting last Thursday. ILOC Education Committee is looking for suggestions for the Leadership Academy and annual conference and if have any to let him know or contact ILOC.

Employees: Chad McCleary with ION came later at the meeting and gave report. Council reviewed his written report for March and April. Fields reported the following: thanked Swisher Men's Club for helping install the poles for park shade on Saturday; both bathrooms at Castek Park are broken and he is in process of fixing; will be asphaltting a few holes in the streets this week; fixing few areas that were damaged from snow removal; plans to burn at the burn pile this week as it is full but requests residents to separate big logs from small logs with putting them by the signed areas. Kakacek's written report is on file at city hall. Persons noted there has been large amount of usage on Swisher Facebook page all related to ATV/UTV fees. She has received compliments on the electronic newsletter.

Miscellaneous Reports: Council reviewed March and April monthly Fire Department report and Parks & Recreation 3-16-22 Minutes.

BUSINESS:

Public Hearing for Annexation: Motion by Gudenkauf, seconded by Stagg to open public hearing for annexation of approximately 40 acres north of Division Street and East of Gabel Avenue owned by Forrest Ridge LLC. Call for vote. All ayes. Motion carried and hearing opened at 7:26 p.m. Larry Igou inquired what was to be on the property. Matt Shock, representative for Forrest Ridge LLC. noted they were looking at single family and multi-family homes that follow Swisher Future Land Use Plan and looking at 1/3 acre lots following Swisher rules. Igou expressed concern of drainage onto his property with construction and Gable Avenue maintenance. Both Shock and Kline noted they cannot allow drainage onto other properties for they are to follow statewide standards for storm water. Kline noted they will be reviewing the stormwater plan and may actually make the current drainage issue better. Zachary Gorman would like the City to be good neighbors and not dump subdivision traffic directly in front of their homes. Kline noted this will be reviewed when the preliminary plat is presented. No written comments were received. Mayor closed public hearing at 7:37 p.m.

Resolution No. 2022-18-Approve Annexation: After discussion, Pudil moved, seconded by Neuendorf to approve Resolution No. 2022-18 entitled "RESOLUTION APPROVING VOLUNTARY ANNEXATION APPLICATION OF FOREST RIDGE LLC". Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-18 passed.

Public Hearing to Amend Chapter 120.05-Alcohol Hours of Sale: Motion by Stagg, seconded by Heims to open public hearing to amend Chapter 120.05-Alcohol hours of sale. Call for vote. All ayes. Motion carried and hearing opened at 7:39 p.m. This was to change the hours of sale to be the same as the state starting at 6 a.m. on Sunday instead of 8 a.m. No verbal written comments were received. Mayor closed public hearing at 7:40 p.m.

1st/Final Reading of Ordinance #281-Amend Chapter 120.05-Alcohol Hours of Sale: Stagg moved, seconded by Heims, to introduce Ordinance #281 by title only entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA BY AMENDING CHAPTER 120-LIQUOR LICENSES AND WINE" changing starting hours of sale to 6 a.m. on Sunday and be given its first reading. Roll call vote. Ayes: Gudenkauf, Heims, Pudil, Stagg. Nays: None. Abstain: Neuendorf as conflict of interest. Motion carried. Ordinance #281 was given its first reading. Motion by Stagg, 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 #281. Roll call vote. Ayes: Gudenkauf, Heims, Pudil, Stagg. Nays: None. Abstain: Neuendorf as conflict of interest. Motion carried. Motion by Gudenkauf, seconded by Pudil to place Ordinance #281 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Heims, Pudil, Stagg. Nays: None. Abstain: Neuendorf as conflict of interest. Motion carried. Ordinance #281 adopted.

Resolution No. 2022-19-Approve Agreement for Sludge Management Plan: After review, Pudil moved, seconded by Stagg to approve Resolution No. 2022-19 entitled "A RESOLUTION APPROVING ENGINEERING AGREEMENT WITH HR GREEN TO DEVELOP A FIVE-YEAR SLUDGE

(BIOSOLIDS) MANAGEMENT PLAN FOR CITY OF SWISHER, IOWA". Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-19 passed.

Resolution No. 2022-20-Award Bid for Castel Park Trail: After review of 4 qualified bids received, Pudil moved, seconded by Heims to approve Resolution No. 2022-20 entitled "A RESOLUTION AWARDED BID FOR CASTEK PARK TRAIL RECONSTRUCTION FOR CITY OF SWISHER, IOWA" to Tschiggfrie Excavation for \$97,117.92. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-20 passed.

Approve Bid for 2023 Street Pavement Project: Kline presented list of streets to be done. After review and discussion, Gudenkauf moved, seconded by Pudil to approve the list of streets to be done. Further discussion if the alley should be included for bid. Motion by Pudil, seconded by Heims to obtain bid for the alley between Rose/Jefferson Avenues and 2nd/3rd Street and add the alley to 2023 streets project. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Stagg. Abstain: Pudil as conflict of interest. Motion carried. Roll call vote on Gudenkauf's motion to approve list of streets, including Pudil's amendment adding the alley. Ayes: Gudenkauf, Heims, Neuendorf, Stagg. Abstain: Pudil as conflict of interest. Motion carried.

Resolution No. 2022-21-Approve Agreement for City Garage Usage: After review and discussion, Pudil moved, seconded by Heims to approve Resolution No. 2022-21 entitled "A RESOLUTION AUTHORIZING THE CITY OF SWISHER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH JOHNSON COUNTY EMERGENCY MANAGEMENT AND JEFFERSON-MONROE FIRE DEPARTMENT INC. FOR USAGE OF CITY GARAGE IN SWISHER, IOWA". Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-21 passed.

Agreement for Fire Works: After review of agreement, Pudil moved, seconded by Neuendorf to approve 3-year agreement with J & M Displays for Swisher Fun Days. Roll call vote was taken. All ayes. Motion carried. Stagg recommended at end of this agreement to obtain bids from other companies. Pudil recommended in the future budgets to increase amount to spend for fireworks.

Request to Waive Fee for Park Concession Stand: Kaitlyn Thompson of WILOS requested indefinite fee waiver for usage of the concession stand as sometimes they don't sell enough to cover the fee to rent the stand for youth sports program. Discussed groups like WILOS and Swisher Men's Club support the community and don't want to charge them or limit the number of times they can use it without a fee. Stagg recommended Parks & Recreation Commission look at a policy for this. After discussion, Pudil moved, seconded by Gudenkauf to give WILOS exemption to pay fee for the year 2022. Roll call vote was taken. All ayes. Motion carried. Gudenkauf thanked WILOS for their support in the community.

Presentation on Inclusive Economic Development Plan: V. Fixmer-Oraiz of Johnson County Diversity and Inclusion Committee presented short PowerPoint of Inclusive Economic Development Plan. This is a group to be able to get connected with underrepresented business owners and send them survey. Mayor noted the City had a revolving loan fund for businesses and had not takers. Pudil recommended to put the survey in the electronic newsletter and social media. This survey needs to be done by April 22nd. Fixmer-Oraiz will send Persons the survey to send out to businesses. They noted all cities will receive copy of the plan and thanked Mayor and Council for listening to them.

AED: Fiona Johnson of Johnson County Ambulance Service noted they would like to donate an automated external defibrillator (AED) to the City and the City pay to hook up 220 volt. This would be located where it's easily accessible and centrally located. A phone app would notify trained users of CPR within quarter of mile of emergency, and they could access the AED to help with the emergency. After discussion, Pudil moved, seconded by Stagg to accept donation of AED and put at city hall. Call for vote. All ayes. Motion carried.

Resolution No. 2022-22-Designation of American Rescue Money: After review and discussion, Pudil moved, seconded by Gudenkauf to approve Resolution No. 2022-22 entitled "RESOLUTION APPROVING THE DESIGNATION OF SLFRF FUNDS FOR THE CITY OF SWISHER". Roll call vote. Ayes:

Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-22 passed. To date these funds are going for water study, storm water mapping, sewer study of annexations and sanitary sewer model but plan can be modified.

Set Public Hearing Date to Amend Chapter 77-Licensing Golf Carts: Pudil moved, seconded by Gudenkauf, to set public hearing date for May 9, 2022 at Swisher Library to amend Chapter 77 to require golf carts to be registered and licensed thru the City at an annual cost of \$10. Call for vote. All ayes. Motion carried.

Resolution No. 2022-23-Hire Temporary Mowing Position: After review of applications and Fields recommendation, Stagg moved, seconded by Pudil to approve Resolution No. 2022-23 entitled “A RESOLUTION AWARDED POSITION AND SETTING THE SALARY FOR SEASONAL MOWING POSITION FOR THE CITY OF SWISHER” to Dylan Osborn at hourly rate of \$15.00 per hour and work up to 20 hours a week. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-23 passed.

Set Public Hearing Date for 2021-22 Budget Amendment #2: Kakacek presented list of budget items that needed to be amended. After review, Pudil moved, seconded by Gudenkauf, to set public hearing date for May 9, 2022, at Swisher Library. Call for vote. All ayes. Motion carried.

Audit Review Request for Proposal: Motion by Neuendorf, seconded by Pudil, to send out Audit Review Request for Proposal for 3-year audit review. Call for vote. All Ayes.

Resolution No. 2022-24-Council Meeting Times/Days: Gudenkauf noted last year Council had 24 meetings and asked to consider 2 meetings a month. Pudil noted there wouldn't be any reason to have special meetings if have 2 meetings a month. It was noted the second meeting of the month could be more of a work session and address items didn't have time at first meeting. Pudil moved, seconded by Gudenkauf to approve Resolution No. 2022-24 entitled “CITY OF SWISHER CHANGING REGULAR COUNCIL MEETINGS TIME AND ADD ADDITIONAL MEETING EACH MONTH” with adding meeting 4th Monday of each month and both meetings start at 6:30 a.m. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-24 passed.

Set Date for Work Session: Council decided to use the council meeting held on the 4th Monday of each month to do work session and decide at the May 23rd meeting topics for the work session.

Correspondence Council reviewed the following: Mediacom update and building permit for 117 2nd Street SE.

Adjournment: Motion by Gudenkauf, seconded by Neuendorf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:36 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor