

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
APRIL 12, 2021

In order to help stop the spread of the COVID-19 virus, this meeting was held electronically. Chapter 21.8 of the Iowa Code permits electronic meetings where all members participate remotely when in-person meeting is impossible or impractical, which is true during this crisis. Anyone could 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 p.m. in Swisher, Iowa on April 12, 2021 via conference call.

Council Present: Via conference call were Mary Gudenkauf, Jerry Hightshoe, Michael Stagg. James Rowe arrived at 7:02 p.m. Absent: Rebekah Neuendorf.

Also Present: Via conference call were City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Carl Spoerl, Library Director Laura Hoover, HR Green Representatives Tim Cutsforth, Jonathon Kline, and Matt Wildman, Johnson County Sheriff Representative Lieutenant Chris Wisman, Glen Heims, Kim Grier, Cera Wilkins, Maureen Shanahan, Rod Eden, Sandy Steil—MMS Consultants, Matt Pivot—Republic Services, Dick Schaab—Waste Management, Steve Smith—Johnson County Refuse, Sara Luke—ABC Disposal.

Consent Agenda: Mayor noted Agenda Items 4b. Pay Estimate for Division Street Project and 4d. Approve Change Order for Summit Ave NW Corner need to be removed from the agenda as not ready. Kakacek also noted DanceMor application paperwork hasn't been submitted and up to council if want to approve pending paperwork. Mayor suggested postponing Item 1h. DanceMor alcohol renewal to next month. After review, Gudenkauf moved, seconded by Stagg to approve the Consent Agenda consisting of: Agenda with removing agenda items 1h, 4b, and 4d; February 8th and March 8th, 2021 Council Minutes; updated List of Claims; March 2021 Clerk/Treasurer's Report and Utility Balance Report; Resolution No. 2021-08 assessing delinquent bills to taxes; Resolution 2021-09 approving 2021-22 Sheriff Contract; Alcohol Permit renewal for Shelton's Grocery; Fireworks Permit for J & M Displays, Inc. Roll call vote was taken. All ayes. Absent: Neuendorf. Motion carried.

Citizen Comments: None.

Reports:

Sheriff: Johnson County Sheriff Representative Lieutenant Chris Wisman noted speed sign trailer was setup last week on Division Street and extra patrol posted by the Post Office as requested. Spoerl asked if they can switch the speed sign trailer to the other side next week. The Swisher March 2021 Activity Sheriff report was submitted.

Librarian: Library Director Hoover noted the following: the Easter Egg Treasure Hunt went well and had around 50 children; thanked Allison and Kelsey Taylor for all the work they did for the treasure hunt. Hightshoe noted there were positive comments on Swisher Strong regarding the Treasure Hunt and congratulated Hoover for implementing it. Library Board Minutes of 2-21-21 were submitted.

Engineer: Cutsforth noted the following: work has started on Division Street Project again; working on layout plans for city shop to store all equipment; reviewed 2 plats; and introduced Jonathon Kline, HR Green Staff Engineer whom will also be working with Swisher; thanked Hightshoe for working with HR Green and wished him the best.

Mayor: Mayor Taylor noted the following: state legislation has gone thru 2nd funnel and council can expect updated list of bills of interest; the Iowa League of Cities was working on who is an essential worker for cities until the governor made everyone eligible for COVID vaccine; next Thursday is another League board meeting; next Monday is the Johnson County Cities and Schools Joint Entities meeting. If Council has any thoughts on either meeting, let him know.

Council: Hightshoe noted he has attempted to notify Johnson County Youth Commission of his resignation and couldn't get ahold of them; city will need to appoint a new fire department representative; he stands firm that the council should go out for bids on the city engineering contract as owe it to citizens to do due diligence. Mayor noted Neuendorf expressed interest as fire department representative. Stagg noted last week was meeting with contractors/engineer to go over punch list for Division Street Project and the city is working with Cedar Rapids on annexation boundaries with Swisher. Gudenkauf noted there should be a joint meeting with Swisher Planning & Zoning, Council and residents to go over the proposed Cedar Rapids and Swisher annexation boundaries. Hightshoe stated it is urgently important for council to keep citizens informed of ramifications of Cedar Rapids growing and annexing immediately north of Swisher.

Employees: Public Work Superintendent Spoerl reported the following: mowed and striped the ball diamond for soccer; replacing 2 damaged street signs; Rob Brown will be removing the ash pile; park restrooms were opened last week; city truck got repaired; will be removing rock on Maple Street and Hill Court; thanked Wisman for installing the speed sign trailer; city's part-time public works person will be off for several weeks. Kakacek reported the following: received first FEMA reimbursement; received notice to call in for federal jury duty from May 3rd to May 28th; gave update on insurance reimbursement for shop building torn down; should be getting funds from the American Cares Act and COVID19 relief funding for road use tax; will be attending IMFOA conference next week; staff including council and mayor have the opportunity to get shot for COVID19 thru the county health department, just let her know if interested; received photo box from ISU-IA Small Business Development Center to have businesses check out photo box to promote their businesses online; need council code books to insert updates.

Miscellaneous Reports: Council reviewed Parks & Recreation March 17, 2021 Minutes and Planning & Zoning March 22, 2021 Minutes.

BUSINESS:

Comments on Proposed I-380 Corridor Preservation: Cutsforth noted IDOT is implementing corridor preservation to review development that may come before widening I-380. Swisher P & Z reviewed this and was fine with preservation plan. Stagg would like to expand it to Highway 965. Mayor was interested if Shueyville had any comments on this and if council has any comments/concerns to let him or Kakacek know.

Change Order for Summit Ave. NE Corner: Cutsforth noted this corner will be changed to match the NW Corner of Summit Avenue due to their error, HR Green will reimburse the city the full amount. After discussion, Stagg moved, seconded by Rowe, to approve change order of \$4,800.00 for Division Street Project-Phase 2. Roll call vote. All ayes. Absent Neuendorf. Motion carried.

Change Order for Swisher View and Gable Ave. Corner: Cutsforth noted they found a driveway culvert there that they were unaware of and HR Green will reimburse the city \$3,750.00. The rest of the change order amount would be part of city costs as would have had to do work there anyway. After discussion, Gudenkauf moved, seconded by Rowe, to approve change order of \$7,994.00 for Division Street Project-Phase 2. Roll call vote. All ayes. Absent Neuendorf. Motion carried.

Resolution No. 2021-10-Approve Engineer Agreement-Water Study: Matt Wildman presented draft contract as directed from council at last meeting. Discussion was concern of costs but noted that this work needs to be done to get information of city water to present to council and citizens for now and/or future water. Hightshoe and Rowe inquired if should get other engineers bids. It was noted that Wildman has been working with the Water Exploratory Committee from the beginning and knows all the concerns, questions, etc. and Council had directed Wildman to draft agreement from last meeting. After review and discussion,

Gudenkauf moved, seconded by Stagg to approve Resolution No. 2021-10 entitled “A RESOLUTION APPROVING AGREEMENT WITH HR GREEN FOR WATER SYSTEM STUDY FOR CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Gudenkauf, Rowe, Stagg. Nays: None. Abstain: Hightshoe as feels he has only 1 month left on council and shouldn’t make this decision for the residents. Absent: Neuendorf. Resolution No. 2021-10 passed. Mayor and Hightshoe thanked everyone that worked on this.

Resolution No. 2021-11-Approve Engineer Agreement-Castek Park Trail Project: Cutsforth noted this contract will be for designing the specs and construction administration of trail. He recommended it not go out for bid until August as it would probably cost more now when contractors are busy. Hoover noted the cost for this was included in the grant application costs. After review and discussion, Gudenkauf moved, seconded by Rowe to approve Resolution No. 2021-11 entitled “A RESOLUTION APPROVING AGREEMENT WITH HR GREEN FOR CASTEK PARK TRAIL PROJECT FOR CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Rowe, Stagg. Nays: None. Absent: Neuendorf. Resolution No. 2021-11 passed. Mayor and Council thanked Laura Hoover for writing the grant and Parks & Recreation Commission for working on this.

2021-22 Street Rehabilitation Project: Jonathon Kline presented proposed streets for rehabilitation. Cutsforth noted the streets listed are from damage done on detour route for Division Street Project and he may include a bid to fix approach on 3rd Street bridge. He also noted 3rd Street west of Swisher View Drive should be addressed in the future. After discussion, Rowe moved, seconded by Gudenkauf to approve 2021-22 list of streets for rehabilitation and send out for bids. Roll call vote was taken. All ayes. Absent: Neuendorf. Motion carried.

Alley Improvement and Library Curb: It was noted this was from damage of Derecho and FEMA will be reimbursing the city. After discussion, Rowe moved, seconded by Stagg to direct city engineer to send out for bids for alley improvement east of Summit Avenue between Division and 1st Streets and library curb. Call for vote. All ayes. Motion carried.

Possible Developments: Sandy Steil of MMS Consultants noted Landon Degan wants to build a house on his property east of Swisher but feels county won’t approve land use amendment and county recommended them to annex into City of Swisher. It was noted if the city approved annexation that city utilities would have to be provided to them which at this time is not financially viable. Cutsforth noted the City would have to pay back the county part of the 120th Street improvement costs if annexed in. Questions were asked if property could be planned for future city development. Council were informally okay with the house being built.

Alley Improvements Requests: Stagg inquired if the City has Alley Improvement Plan. City has only an alley inventory. Ron Eden requested the adjoining alley to his property be seal coated as the edge is lower than the center of alley which causes the snow not to be all removed when plowed. He noted there is a lot of traffic from the businesses and homes on this alley and requested council to review alley and do as street project for next year. Maureen Shanahan noted 4 to 5 residents use the alley adjoining hers and their properties and there are huge potholes in the alley. She is asking for a more permanent fix than just filing the holes. Spoerl noted there were couple of sump pumps at south end of alley causing soft spots. Rowe noted city doesn’t have money to do proper rehab of alley but should focus on alley by Eden’s as gets more traffic. Council directed Spoerl to address tire grooves on alley by Eden’s and take pictures of other city alleys to address at next month’s meeting.

Request to Purchase 338 3rd Street: City received request from realtor asking for his client (a construction company) to purchase this property. After discussion, Gudenkauf moved, seconded by Rowe, to deny request at this time. Call for vote. All ayes. Absent: Neuendorf. Motion carried.

Clean Storm Drain Culverts: Spoerl noted he hadn’t received quotes and will have for next meeting.

Request to Sod Library Lot: Librarian Hoover requested council to sod the library lot instead of seeding as outdoor library programs starting June 15th and feels it wouldn't have enough room at the Downtown Park. Council reviewed quote of \$7,200.00 to sod lot. Spoerl noted Chalupsky Enterprises can start seeding May 1st but can see if they can seed earlier. Mayor noted the City previously approved grading/seeding at \$2,800.00. City Clerk pointed out difference in cost would not be reimbursed by FEMA. Council discussed options for seeding and reseeding in fall. Council noted they were not in favor of sodding due to the cost.

Close Jefferson Street-Library Summer Reading Program: Librarian Hoover requested street closure for summer programming. After review, motion by Hightshoe, seconded by Rowe to approve street closures of 2nd Street from west edge library parking lot to Jefferson Avenue and Jefferson Avenue from 2nd Street north to alley on Wednesdays, from June 16th to July 28th from 5:30 p.m. to 7:30 p.m. Call for vote. All ayes. Absent: Neuendorf. Motion carried.

3rd and Final Reading of Ordinance #277-Amend Chapter 155.05(2)(1)-Building Code: After review, Rowe moved, seconded by Stagg, to introduce Ordinance #277 by title only entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA, BY AMENDING CHAPTER 155 BUILDING CODE AND DELETING SECTION PERTAINING TO STRUCTURES EXEMPT FROM REQUIRING A PERMIT" and be given its third and final reading. Roll call vote. Ayes: Gudenkauf, Hightshoe, Rowe, Stagg. Nays: None. Absent: Neuendorf. Motion carried. Ordinance #277 was given its third and final reading and was adopted.

Award Bid for Refuse/Recycling: Council received bids and options from ABC Disposal, Johnson County Refuse, Republic Services, and Waste Management for city refuse/recycling pickup. After review and discussion of bids with bidders, Rowe moved, seconded by Gudenkauf to award refuse/recycling bid to Johnson County Refuse with Option 1. Roll call vote was taken. All ayes. Absent: Neuendorf. Motion carried. Contract will be approved at the May 10th Council Meeting.

Award Bid for Weed Control: City received bids for weed control of city grounds from Ace Lawn Care of \$2,175.00, CRL Lawn Care of \$4,230.00 and Chalupsky Landscaping of \$4,650.00. After review and discussion, Gudenkauf moved, seconded by Rowe, to award weed control bid to Ace Lawn Care of \$2,175.00. Call for vote. All ayes. Absent: Neuendorf. Motion carried.

Award Bid for Ash Tree Treatment: City received bids for treating city's ash trees from Leaf Hopper of \$650.00 for moderate dose and \$470.00 for low dose and JLS Green Solutions of \$1,022.00. After review and discussion, Rowe moved, seconded by Stagg to award bid for ash borer treatment to Leaf Hopper of \$650.00. Call for vote. All ayes. Absent: Neuendorf. Motion carried.

Resolution No. 2021-12-Hire Temporary Mowing Position: After reviewing only application received, Gudenkauf moved, seconded by Rowe, to approve Resolution No. 2021-12 entitled "A RESOLUTION AWARING POSITION AND SETTING THE SALARY FOR BACKUP SEASONAL MOWING POSITION FOR THE CITY OF SWISHER" to Loras Felton. Roll call vote. Ayes: Gudenkauf, Hightshoe, Rowe, Stagg. Nays: None. Absent: Neuendorf. Resolution No. 2021-12 passed.

Location of Prairie School Signs: After discussion, Council would like Councilperson Neuendorf to make recommendation of where to put Prairie School signs due to her experience in marketing.

Set Public Hearing Date-Budget Amendment: Kakacek presented proposed budget amendment. After review, Gudenkauf moved, seconded by Hightshoe, to set public hearing of Swisher Budget Amendment for May 10, 2021 at 7 p.m. at Swisher Library. Call for vote. All ayes. Absent: Neuendorf. Motion carried.

Accept Resignation: Council received written letter of resignation from Councilperson Hightshoe and accepted resignation with Hightshoe last day of May 10, 2021. Mayor explained the process of replacing Hightshoe. In May meeting, council will decide to either appoint or hold special election. Hightshoe term ends 12-31-21 and was going to be up for election in November.

Correspondence: Council reviewed the following: thank you email from Central State Bank for waiving utility bill for a month for commercially billed businesses; email from ICAP stating they won't cover Jefferson-Monroe Friends of the Library movies nights under city insurance; approved annexation notice from State of Iowa City Development Board; Solarize Johnson County information; building permit issued for 639 Swisher View Drive and right-of-way permit for 83 4th Street SE, letter of resignation from Darrel Gear of Board of Adjustments.

Adjournment: Motion by Rowe, seconded by Gudenkauf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 10:17 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor