

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
MAY 10, 2021

In order to help stop the spread of the COVID-19 virus, this meeting was also held electronically. Chapter 21.8 of the Iowa Code permits electronic meetings where members participate remotely when in-person meeting is impossible or impractical, which is true during this crisis. 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 p.m. at Swisher Library, Swisher, Iowa on May 10, 2021.

Council Present: Mary Gudenkauf, Jerry Hightshoe, Rebekah Neuendorf, Michael Stagg. Via conference call was James Rowe.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Carl Spoerl, HR Green Representatives Tim Cutsforth, Curt Cline, Liam Wilkins. Via conference call were Johnson County Sheriff Representative Lieutenant Chris Wisman, Glen Heims, Kim Grier, Cera Wilkins, Steve Smith—Johnson County Refuse, Sonja LaGrange, Mitch Dellamuth, Kody Pudil, Seth Gunnerson—Cedar Rapids Community Development & Planning Department, Gene Beard, Benjamin Goetz, Elizabeth Grier.

Consent Agenda: After review, Stagg moved, seconded by Gudenkauf to approve the Consent Agenda consisting of: Agenda; April 12th and 26th, 2021 Council Minutes; updated List of Claims; April 2021 Clerk/Treasurer's Report; JMFD 5K Run/Walk Permit with street closures for July 31, 2021 from 6:30 a.m. to 10 a.m.; open alcohol containers on closed streets for Swisher Fun Days (closed streets were approved in January 2021); Resolution No. 2021-13 transferring funds from TIF and LOST to Debt Service for bond payments; notice of vacancy for Board of Adjustments. Roll call vote. Ayes: Gudenkauf, Hightshoe, Rowe, Stagg. Abstain: Neuendorf (due to her name is still on the state site as President of Swisher Fun Days). Nays: none. Motion carried.

Citizen Comments: Mayor noted the Council would take comments on the election item now and not later. Kody Pudil, Curt Cline, and Liam Wilkins all stated they were interested in the open council vacancy and will run in November election.

Reports:

Sheriff: Johnson County Sheriff Representative Lieutenant Chris Wisman noted speed sign trailer they had was broke so had to use the one in Swisher but will try to get it back on Division Street soon. It was asked if data was retrieved from these signs. He said he would try to get the data also. The Swisher April 2021 Activity Sheriff report was submitted.

Librarian: Kakacek read Library Director Hoover report as follows: they still have trees available outside library's front door; summer reading starts July 10 with packets being handed out at Farmer's Market on June 10th; they are planting trees on the library lawn which South Slope has agreed, library received donation for this and are working with FFA at Prairie School to get involved in project; Story Time is now meeting in the Downtown Park with masks required and families are social distanced. Library Board Minutes of March 21st and April 25th were submitted.

Engineer: Cutsforth noted the following: reviewed 3 plats; will be including 3rd Street bridge approach and 2 manholes on Alan Avenue for Street Project and will send out for bids by end of week; worked on FEMA plans; configuring building size for city shop equipment; doing punch list on both phases of Division Street Project and Phase 2 should be done by end of month. He asked council permission to get quotes to repair manholes on Alan Avenue and council approved.

Fire Department: Jefferson-Monroe Fire Chief Glen Heims thanked Council for the past support and they now have the upgraded defibrillator with EKG from donation from the City. Mayor and Council thanked JMFD for their continued hard work.

Due to technical issues, Mayor reopened Citizens Comments: Kim Grier, President of Jefferson-Monroe Friends of the Library noted the banners/signs for the garage sale didn't come in until later and tried to have the electronic app for garage sale maps like the schools but was premature on this. She noted they did the best they could and apologized for all that happened. She was very offended by negative comments a councilperson posted regarding garage sales on Swisher Strong Facebook page along with a disrespectful, inappropriate visual on the councilperson's personal page. Grier noted they will be refunding the registration fees to participants and they will no longer host the Swisher Garage Sales. Mayor and Council thanked them for all the work they have done on this for the last 4 years.

Mayor: Mayor Taylor noted the following: he will be attending the IA Mayor Association call on Thursday night and if Council has any thoughts for the meeting, let him know. He noted there will be special election on June 8th for vacant position on Johnson County Board of Supervisors.

Council: Gudenkauf stated that she and Stagg met with Cedar Rapids on annexation boundaries with Swisher.

Employees: Public Work Superintendent Spoerl reported the following: brush pile is now open; dragged alley by carwash; will gravel drainage area of alley by Svec; installed No Parking signs on alley by carwash; watering the library lot as needed; will mow ditches west of Alan Avenue once it is dryer. Spoerl presented his resignation to City of Swisher with last day of June 30, 2021. Mayor and Council thanked Spoerl for his service. Kakacek reported the following: received insurance reimbursement for shop building torn down and rental of snow equipment the city couldn't use as was in collapsed building; did online training with Alcohol Beverage Division; Swisher Farmers Market starts on Thursdays, June 10th from 4:30 to 6:30 p.m.; need council code books to insert updates.

Miscellaneous Reports: Council reviewed Planning & Zoning April 26, 2021 Minutes.

BUSINESS:

Public Hearing for Budget Amendment: Motion by Gudenkauf, seconded by Neuendorf, to open public hearing for proposed budget amendment. Call for vote. All ayes. Motion carried and hearing opened at 7:43 p.m. No written or verbal comments were received. Mayor closed hearing at 7:44 p.m.

Resolution No. 2021-14-Approve Budget Amendment: Kakacek presented proposed budget amendment. After review and discussion, Stagg moved, seconded by Gudenkauf to approve Resolution No. 2021-14 entitled "A RESOLUTION APPROVING THE CITY'S PROPOSED AMENDMENT #2 TO THE FISCAL YEAR 2020-2021 BUDGET". Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2021-14 passed.

Resignation from Board of Adjustments: Mayor and Council read letter from Darrel Gear resigning from the Swisher Board of Adjustments after 38 years. They were grateful for all the work he has done and his many years of service.

Pay Estimate for Division Street Project: After review and recommendation to pay from city engineer, Gudenkauf moved, seconded by Neuendorf, to approve pay estimate of \$31,125.80 to Tschiggfrie Excavating Company. Roll call vote was taken. All ayes. Motion carried.

Change Order for Summit Avenue NW and Division Street Corner: Cutsforth noted the proposed change order is a reduction in cost for retaining wall of \$680.50. After discussion, Gudenkauf moved,

seconded by Stagg, to approve change order for Division Street Project-Phase 2. Roll call vote. All ayes. Motion carried.

Presentation on Proposed Annexation Agreement with Cedar Rapids: Councilpersons Gudenkauf and Stagg and Seth Gunnerson of Cedar Rapids Community Development & Planning Department discussed proposed annexation line boundaries and agreement. Hightshoe noted rest of the council and residents should be in gratitude to Gudenkauf and Stagg for their work and this has exceeded his expectations. It was noted the city should look at their zoning agreement with airport regarding what they can build, etc. Gene Beard noted he was on the Airport Commission 25 years ago which they met 4 times and then it stopped. Gunnerson will come up with timeline for annexation boundary agreement.

Resolution No. 2021-15-Approve Refuse/Recycling Contract: Kakacek noted city could do a 5 year renewal per her discussion with attorney and Johnson County Refuse. She also noted that none of the bidders put in quote of refuse/recycle pickup for commercial businesses. This may be discussed at later date if businesses are interested. After review and discussion, Stagg moved, seconded by Rowe to approve Resolution No. 2021-15 entitled “A RESOLUTION APPROVING CONTRACT FOR CURBSIDE COLLECTION AND HAULING SERVICES OF SOLID GARBAGE/TRASH WASTES, YARD WASTE, RECYCLABLES, AND CERTAIN MISCELLANEOUS ITEMS FOR THE CITY OF SWISHER, IOWA” with a 5-year renewal with Johnson County Refuse. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2021-15 passed.

Set Public Hearing Date-Amend Ordinance 106.08-Collection Fee Refuse/Recycling: Kakacek asked Council if they want to change code to set refuse rates by resolution instead of ordinance and what rate to charge for refuse/recycling. Kakacek also noted city had collected extra to help costs for City Wide Cleanup. Rowe noted he doesn't want to charge extra to residents only the rate the company is charging the city. After discussion Stagg moved, seconded by Gudenkauf to set public hearing date of June 14, 2021 at 7 p.m. at Swisher Library to change refuse/recycling rate to \$18.50 per household unit by ordinance only. This is the rate the City is being charged by the refuse company. Call for vote was taken. All ayes. Motion carried.

Notices to Send Residents of Refuse/Recycling Changes: Kakacek asked Council how they want notices sent out residents of refuse/recycling changes with having roll out carts of 35 or 65 gallon for refuse and 65 or 95 gallon carts for recycling that starts July 1st. After discussion, council decided to do by all options of notice.

Request to Purchase Shade Cover: After review of request from Parks & Recreation Commission with Men's Club donating \$7,600.00 for materials, Gudenkauf moved, seconded by Neuendorf to purchase shade cover for Downtown Park of \$15,1567.15 from Superior Recreation Products. Roll call vote. All ayes. Motion carried. Mayor and Council thanked Men's Club and Parks & Recreation Commission for all their work.

Location of Prairie School Signs: Neuendorf recommended to put Prairie School signs under the “Welcome to Swisher” signs. After discussing, council agreed. Spoerl will make sure they fit there and let them know.

Decide to Appoint or Hold Election for Council Vacancy: Mayor explained options of appointing and having an election. It was noted this position was up for regular election in November so if appointed that position would end election day. No matter what city does, this seat will be on ballot in November. Hightshoe noted it was not good idea to appoint a person on a single issue. Council decided to have applicant complete City form that includes questions from council and include their biographical sketch. Each councilperson is to send one question to city clerk by Thursday. After discussion, Rowe moved, seconded by Stagg, to fill council vacancy by appointment on June 14th with applicants completing form. Roll call vote. Ayes: Gudenkauf, Neuendorf, Rowe, Stagg. Abstain: Hightshoe. Motion carried.

Mayor Taylor presented Certificate of Appreciation to Jerry Hightshoe for his service as Councilperson from January 1, 2018 to now. Hightshoe stated he hates to leave this position but noted the city has great council.

Correspondence: Rowe inquired about follow up on the alleys from last meeting. Spoerl noted he did dress up the alley between 3rd and 4th Street but needs the engineer to review alley by Edens as that is asphalted. Stagg noted their requests haven't been ignored but the city doesn't have an alley plan. Council reviewed the following: thank you email from Kava House for waiving utility bill for a month for commercially billed businesses; email from Maureen Shanahan regarding alley request; info on Main Street Studies webinar; letter from Kathryn Birky requesting the alley by her be blacktopped or improved; Mayor Proclamation of Professional Municipal Clerk week; list of 2021 Small City Workshops sponsored by Iowa League of Cities. On table for review were building permit issued for 109 3rd Street SW and peddlers permits for O's Grill and La Reynz food trucks.

Adjournment: Motion by Stagg, seconded by Gudenkauf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:32 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor