

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
MAY 13, 2019

REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Christopher Taylor called the Swisher Council Meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on May 13, 2019.

Council Present: Jerry Hightshoe, Rebekah Neuendorf, Mike Stagg. Absent: James Rowe. Mary Gudenkauf present by Skype on city laptop. Mayor noted he will treat Gudenkauf as non-voting member as she may not hear all the discussions clearly.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Carl Spoerl, Librarian Laura Hoover, City Engineer Tim Cutsforth, Johnson County Sheriff Lieutenant Brian Adolph, Johnson County Board of Supervisor Pat Heiden, Norm Neal, Mat Ayers, Lexi Ewoldt, Linda Gear, Jen Jones, Dave Taylor, Kris & Kaitlyn Thompson, Wendy Shelton.

Consent Agenda: After review and discussion, Neuendorf moved, seconded by Stagg to approve the Consent Agenda consisting of: Agenda; April 8, 2019 Meeting Minutes; updated List of Claims; April 2019 Clerk/Treasurer Report and Utility Billing Audit Report; alcohol license transfer of ownership of Black Squirrel Tap LLC; street closures for Swisher Men's Club Car Show on September 14, 2019 with rain date of September 15th; Resolution 2019-16 Transfer of Funds from Sewer Fund to Debt Service of \$64,942.50 for bond principal and interest payment. Roll call vote was taken. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried.

Citizen Comments: Dave Taylor presented complaint form regarding water drainage in ditch by his property. He noted there is a sink hole where it is proposed to dig out ditches and concern of city digging ditch as will be hard to mow. Dave Taylor noted there is parking along that area and expressed concern of water flowing onto his property and over the road. Mayor Taylor stated what had been done on the Central/Rose Avenue Project to help with the drainage problems in that area, but not up to Dave Taylor's house. Engineer Cutsforth stated the city was going to start cleaning the ditches which is addressed later in the meeting agenda. Spoerl noted the work wouldn't be done until July or August per one bidder. Dave Taylor stated ditch does need to be cleaned out, just not so deep. Cutsforth doesn't think it will be that deep.

Reports:

Sheriff: No report.

Library: Librarian Hoover reported the following: June 6 is Summer Reading Kickoff; there will be 3 kids activities each week in the this summer; will be posting advertisement for temporary summer help at 10 hours a week for 9 weeks; Shueyville Methodist Church, Swisher Legion Auxiliary and the library will be creating a free food pantry. Gudenkauf asked when Kirkwood Student be working. Hoover noted they are done in June and start again in August.

Engineer: City Engineer Cutsforth reported the following: met with Spoerl regarding drainage swale by city shop, sink-hole on Orchard, and other drainage issues; made modifications on Division Street plans with property owners and the county engineers are reviewing the plans. He noted the 28E Agreement with the county for Division Street Project has not been returned to the city and easement agreements will be sent to be signed.

Mayor: Mayor Taylor stated he met with adjacent owners and engineer about the Division Street Project easements.

Council: Hightshoe stated he attended the Johnson County Juvenile Justice and Youth Development Policy Board Meeting.

Employees: Spoerl reported the following: replaced mailbox and post; relocated Dead End sign on 3rd Street; opened park restrooms and fixed water leak; working on flag poles and waiting to receive flags; serviced air dryer; obtained blower quotes; burned at brush pile; replace cut tires on Skag mower, serviced mowing equipment; reviewed safety videos and worked on monthly inspection forms for various areas; making list of signs that need to be replaced, and sewer line locates. Kakacek reported the following: Swisher Farmer's Market starts June 6th and will have live music every week; sent council and mayor the Johnson County Hazard Mitigation Plan 2019 to review before next meeting to approve; the IA League of Cities is hosting Small City Workshop on June 13th at Shueyville and if mayor and council are interested attending to let her know and will sign them up; need council code books to insert updates. Gudenkauf said she is interested in attending.

Reports: Council reviewed Library Board March 25, 2019 Minutes.

BUSINESS:

Public Hearing-Division Street Project Plans and Specs-Sections 1 & 3: Motion by Neuendorf, seconded by Hightshoe, to open public hearing for Division Street Project Plans and Specs-Sections 1 & 3. Call for vote. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried and public hearing opened at 7:27 p.m. Hoover inquired what type of traffic control was going to be done on east side of town. Cutsforth noted traffic control will be done in 3 sections and electronically. Ginny Svec asked about having the alternate route go thru Gable Avenue instead of Alan Avenue. Cutsforth noted the city and county will be doing road embargos so semis cannot drive thru Alan Avenue. Ginny Svec also inquired about the \$500,000 shortage the county would not pay. Cutsforth stated he changed design of plan to 25-year life span of road instead of 30-year life span to make the \$500,000 difference. He noted they had planned to send out for bids in early June but now it will be later June. City did not receive any written comments regarding the plans and specs. Mayor closed public hearing at 7:31 p.m.

Set Meeting Date to Approve Division Street Project Specs and Plans and to Set Bid Date: Engineer Cutsforth noted the county engineers have not responded to him on the plans yet and can't recommend a date as not sure when the county will get back to him. Johnson County Supervisor Pat Heiden stated she will talk to Greg Parker on this. Wendy Shelton inquired about grading on the east end of project as there was snow drifting there this year. Spoerl noted they will install more snow fence this year, as it froze early last year and city couldn't get all the fence installed. After discussion, council agreed to have special meeting on May 28th at 6 p.m. to approve the specs and plans and set bid date.

Public Hearing-Budget Amendment 2018-19: Motion by Hightshoe, seconded by Stagg, to open public hearing to consider amending 2018-19 Budget. Call for vote. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried and public hearing opened at 7:37 p.m. No public comments or concerns were heard. City did not receive any written comments regarding the budget. Mayor closed public hearing at 7:38 p.m.

Resolution No. 2019-17-Approve 2018-19 Budget Amendment: After review, Stagg moved, seconded by Neuendorf, to approve Resolution No. 2019-17 entitled "CITY BUDGET AMENDMENT AND CERTIFICATION RESOLUTION - -FY2019 – AMENDMENT #1". Roll call vote. Ayes: Hightshoe, Neuendorf, Stagg. Nays: None. Absent: Rowe. Nonvoting: Gudenkauf Resolution No. 2019-17 passed.

Resolution No. 2019-18-Award Bid for 2019-20 Street Rehab Project: Engineer Cutsforth went over project and presented quote tabulation as follows: Shamrock Construction - \$29,791.90, Kluesner Construction - \$33,575.00, LL Pelling - \$37,851.00 and recommended to approve lowest bid Shamrock Construction. Cutsforth stated it was over the budget of \$28,000, Kakacek said the city has funds to cover the difference. Ginny Svec asked why the county doesn't improve Oak Avenue. Mayor noted the city has agreement with county where city is responsible for maintenance on Oak Avenue. After discussion of streets and quotes, Neuendorf moved, seconded by Hightshoe, to approve Resolution No. 2019-18 entitled "A RESOLUTION AWARDED BID FOR 2019-20 PAVEMENT REHABILITATION" to Shamrock Construction and not to exceed \$29,791.90. Roll call vote. Ayes: Hightshoe, Neuendorf, Stagg. Nays: None. Absent: Rowe. Nonvoting: Gudenkauf. Resolution No. 2019-18 passed.

616 Hill Court Drainage Issue: Engineer Cutsforth presented third option to repair drainage issue at cost of \$25,000 that does not involve road maintenance. He gave two options at cost of \$41,000 and \$71,000 at previous meeting. Mayor noted that 2 councilmembers expressed concern to him of spending that much money on a personal issue and he encouraged council to speak up they have an opinion. Hightshoe noted it is a worthy project but the city doesn't have the funds but would like to temporarily ease the problem by having culvert installed under the driveway and swale at the south side. Cutsforth noted that is the least expensive way to fix it. Hightshoe suggested to consider it in 2020-21 Budget. Stagg noted there are a lot of water issues around town and need to prioritize them. Gudenkauf asked what are the responsibilities of the city and the homeowner. Cutsforth noted per city code the culvert under his driveway is the homeowner responsibility. Neuendorf noted the council is trying to be considerate but the role of a council member is to speak for all citizens and there are water infiltration problems throughout the town that need to be addressed, so the city can't do much for them now. Mat Ayers stated he understands that this drainage issue is affecting only one house but asked when Hill Court will be maintained. Mayor reviewed the Pavement Management Plan and would be addressed in 2025. Cutsforth noted the yard needs to be worked on to stop the drainage. Stagg recommended Ayers to work on his yard to stop water drainage and then come back to see what the council can do. No action was taken.

Drainage Issue on Orchard Street: Cutsforth and Spoerl noted there are 3 large holes and all intakes are lowering on Orchard Street. Cutsforth presented estimate of \$40,000 to repair these areas of concern. Hightshoe inquired what caused these holes. Cutsforth speculates the road was put on sand base but could do a temporary fix immediately by adding flowable mortar, then topsoil and grass seed and at lower cost. Stagg expressed how long this temporary fix will last. It was noted the bonding of Orchard Street construction is expired. Neuendorf would like to have these issues put on timeline so city keeps track of what needs to be done so it is city's responsibility. Hightshoe suggested to have an annual report of projects done at beginning of the year. After discussion, Hightshoe moved, seconded by Neuendorf, to have Spoerl do temporary fix of adding flowable mortar on areas identified on Orchard Street as soon as possible. Roll call vote was taken. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried.

Alley Improvement: Cutsforth presented estimate cost of \$92,000 to repair alley between 1st/2nd Streets and Rose/Central Avenues. He suggested the city consider doing just part of the alley. City budgeted \$60,000 for next year but with city staff doing part of the work. Mayor and Stagg suggested repairing alley in 2 sections and use \$60,000 first year and budget for rest of the alley in 2020-21. After discussion, council agreed to postpone until June meeting to review alley and recommend section of alley to repair first.

Resolution No. 2019-19-Install Children at Play Signs: After discussion, Hightshoe moved, seconded by Neuendorf, to approve Resolution No. 2019-19 entitled "A RESOLUTION TO APPROVE INSTALLATION OF "CHILDREN AT PLAY" SIGNS ON ORCHARD STREET, SWISHER, IOWA". Roll call vote. Ayes: Hightshoe, Neuendorf, Stagg. Nays: None. Absent: Rowe. Nonvoting: Gudenkauf. Resolution No. 2019-19 passed. Spoerl will work with the engineer of location of signs to be installed.

Set Special Meeting Date: Per city's financial advisor request, council set special meeting for Monday, June 24, 2019 at 6 p.m. to approve and sign bond purchase contract for Division Street Project.

Dig Out Ditches on Rose and Summit Avenues: Spoerl received quote to dig out ditches and waiting for quote from Hartin Construction. Council directed this to be on the June agenda.

Washout on Corner of Summit Avenue & 4th Street: Council reviewed written request from Millie Miller to repair culvert, fix ditch in south yard with rock or dirt and grass seed. Spoerl noted the culvert protrudes out at each end of the curb and would like to put riprap there like McNeal did at 3rd Street bridge. After discussion, motion by Stagg, seconded by Hightshoe, to approve installing riprap on Summit Avenue/4th Street corner. Roll call vote was taken. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried.

Purchase Blower for WWTP: Spoerl presented blower quotes to purchase as to repair the blower it would cost \$5,000 with city staff and Rick Furler installing it. He is checking the current blower every other day and will do until can purchase blower in July. After review and discussion of quotes from Delta Industries of

\$8,359.80 and Iowa Pump Works of \$9,138.00, Neuendorf moved, seconded by Stagg, to approve purchase of blower from Delta Industries of \$8,359.80 in July. Roll call vote was taken. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried.

Purchase Fire Proof Cabinets: Spoerl presented prices of various fire proof cabinets. Kakacek noted this would be reimbursed from the annual ICAP grant, so no cost to the city. After Spoerl recommendation, Stagg moved, seconded by Neuendorf to approve purchase of 120-gallon flammable cabinet from Welter Storage at \$745.00. Roll call vote was taken. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried.

Resolution No. 2019-20-Purchase Utility Vehicle: Spoerl noted in the 2019-20 Budget was to purchase a new truck for \$40,000. He recommended the city purchase a utility vehicle with enclosed cover for winter instead of pickup as doesn't need replaced at this time and will save money for the city. He presented various types of utility vehicles and prices. Mayor noted the city can have a utility vehicle per Iowa Code 321.34A allowing public agencies on city streets even though Swisher Code doesn't allow UTVs on city streets unless approved by resolution. After discussion, Hightshoe moved, seconded by Stagg to approve Resolution No. 2019-20 entitled "A RESOLUTION AUTHORIZING THE PURCHASE OF UTILITY VEHICLE FOR THE CITY OF SWISHER" for the 2019-20 Budget instead of a pickup truck not to exceed \$10,000. Roll call vote. Ayes: Hightshoe, Neuendorf, Stagg. Nays: None. Absent: Rowe. Nonvoting: Gudenkauf. Resolution No. 2019-20 passed.

Advertise for Mowing Position: Spoerl stated Patty Herman resigned as she wants to enjoy her retirement and not have any obligations. He and Palas don't think the city needs an additional mower at this time. After discussion, Hightshoe moved, seconded by Neuendorf to put this on the June agenda to see if they need one by then. Call for votes. All ayes. Absent: Rowe. Nonvoting: Gudenkauf. Motion carried.

Advertise for Part-Time Library/City Office Help: Hoover and Kakacek requested to hire part-time position up to 10 hours a week sharing between library and city hall to work when they are out of the office. They noted it is in next year's budget. Mayor brought up concern of whom that person would report to, the library board or council. Hoover will check with the state law librarian and report back at June meeting.

Correspondence: Council reviewed information from ITC Midwest; Iowa League of Cities Small City Workshop invitation; nuisance letters sent. April 2019 Sheriff's Report; Peddlers Permit for MooMoos Ice Cream; Building Permit for 72-2nd St SE, May CityScape, and information from IMFOA conference were on the council table for review.

Adjournment: Motion by Neuendorf, seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:23 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor