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 14, 2018.

Council Present: Jerry Hightshoe, Mary Gudenkauf, Rebekah Neuendorf, James Rowe, Mike Stagg.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Rodney McNeal, Library Director Laura Hoover, City Engineer Tim Cutsforth-HR Green, Johnson County Sheriff Sgt. Wisman, Jason & Teresa Pitts, Jen Jones, Dennis & Rachael Hromidko, Darrell & Linda Gear, Ed Kringle, Nick Neuendorf, Sonya LaGrange-Black Squirrel Tap, Jeremy Rieck-Leaf Hopper Tree Care LLC.

Consent Agenda: After review and discussion, Neuendorf moved, seconded by Gudenkauf, to approve the Consent Agenda consisting of: Agenda with moving item 4q-Approve Repairing Aaron Avenue under item 4b-approve 2018-19 Street Project; April 9, 2018 Meeting Minutes; updated List of Claims; April Clerk/Treasurer and Utility Billing Audit Reports; Resolution No. 2018-15-Transfer of Funds; street closure for September 15th with rain date of September 16th of partial street as follows 2nd Street, 3rd Street, Rose and Central Avenue from 6 a.m. to 4 p.m. for Men’s Club Car Show. Roll call vote was taken. All ayes. Motion carried.

Public Meeting—Storm Water Utility Fund: Stagg explained the purpose of creating a storm water utility fund and costs. Mayor Taylor read notice as follows: to provide a means of funding the construction, operation and maintenance of storm water systems, including but not limited to, detention and retention basins, storm water sewers, inlets, ditches and drains and cleaning of streets that may connect or discharge directly, or indirectly, into the storm and surface water drainage system and looking at low monthly fee. Darrell Gear noted he has been trying to get 2 ditches cleaned out for the last 2 years that has caused his retainage wall to collapse twice. He noted A Avenue culvert is clogged. Stagg noted with having this fund and fees they would be designated only for storm drainage issues which would pay items like Gear’s drainage issue. Gudenkauf noted city has a Pavement Management Plan but don’t have data to prioritize storm utility. Stagg noted at charging a low monthly rate it will take awhile to build up the fund to take care of drainage issues. Mayor noted the city has done a lot of drainage projects that was taken from other funds to pay for cost. He also noted that according to city code it is the responsibility of the property owner to maintain driveway culverts. Engineer Cutsforth noted it would take 40 years to fix all the storm drainage issues at charging a rate of $2 a month per residential unit and $5 per month for commercial unit with total annual income of $9,528. Resident asked how much city would have to raise rates to get these projects done sooner. Cutsforth stated if the charge was $5 per month per unit, it could cut the time frame by 1/3 to 1/2. Kakacek will update proposed income with rates higher than $2 per month. McNeal noted he will be cleaning and seeding the ditches throughout the city. Stagg asked the citizens if they were all in favor of storm water utility fund and all were. Jason Pitts had concern if the money would be used for other areas instead of storm drainage issues. Mayor noted the proposed ordinance regulates the use of the fund and it would be used only for storm drainage. Gudenkauf restated that Swisher is an aging town with stagnant population and that means current residents have to pay for infrastructure needs. She noted the community should strike a balance with more growth that would help finance these needs.

Citizen Comments: Resident noted there are dogs running around town loose and not on leashes. It was noted there is a leash law and if residents know who the owners of the at-large dogs contact the city and they will send a letter to keep dogs on leash.

Reports:

Sheriff: No report. McNeal asked sheriff department to direct traffic when the city staff puts gravel on sides of Division Street. Mayor noted McNeal can contact the sheriff department and arrange a time to do this.
Library: Library Director Hoover gave the following update: Summer Reading Program starts June 7th at the Farmer’s Market with face painting, crafts, etc.; Summer Reading Support Program will also be starting and the library needs adult volunteers to read one on one from 6-7 on any of the days Monday thru Wednesday for this program; Swisher Community Night at the Kernels Baseball Game is Friday, June 22nd. She noted the tickets can be ordered online and mention City of Swisher and request Section 112. Hoover stated the library received 30,000-50,000 free Legos which the library will be hiring a dedicated employee to help sorting, etc and on Friday afternoons there will be a Lego Club and competition. She noted the Coffee and Conversation Group is going well.

Engineer: Engineer Cutsforth reported the following: answered pavement inventory question to IDOT for Swisher and working with the Rose Ave./4th St. Drainage Project. He noted due to the rain, it created an erosion problem at the end of street on the drainage project, he would recommend a long-term fix of $10,000 or could do $2,000 short term fix. Mayor said he preferred long-term fix but not enough time to have Council approve the cost. McNeal recommended they pour concrete instead of the long-term suggestion. Council had no objection to Mayor authorizing the $2,000 short term fix.

Mayor: Mayor noted he did not attend the last Joint Entities meeting as there was no report from Swisher.

Council: Hightshoe expressed concern of aerial pesticide spraying on farmland next to residential homes in Swisher. He wondered what steps can be taken to make sure it is safe. The Mayor suggested testing the ground after the spraying, but noted farmers usually try not to waste pesticide by overspraying.

Employees: McNeal reported that he is mowing a lot and cleaning out the ditches. Kakacek reported the following: Park & Recreation Commission meet this Thursday; Swisher Farmer’s Market starts June 7th from 4:30 to 6:30 and will be giving out free bags that were sponsored by Swisher Trust and Savings; the City has received $1,500 from Income/Offset Program for past due accounts.

Miscellaneous: Council reviewed Parks & Recreation Board April 26, 2018 Minutes.

BUSINESS:
Resolution No. 2018-16-Approve Agreement with Johnson County Regarding Division Street: Engineer Cutsforth recommended to have the Division Street Project done same time as the county does 120th Street in 2019. He stated the council needs to present to the Johnson County Board of Supervisors as soon as they can so it can coincide with the county’s project. Cutsforth went over the agreement with the City Attorney. After discussion and review of agreement, Hightshoe moved, seconded by Stagg, to approve Resolution No. 2018-16 entitled “RESOLUTION TO APPROVE PROJECT AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF SWISHER WITH REGARD TO THE DIVISION/120TH STREET PROJECT”. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-16 passed. It was noted the Mayor and City Attorney will present this to the Johnson County Board of Supervisors for approval.

2018-19 Street Project and Send Out for Bids: Engineer Custforth presented 2 options for the 2018-19 Street Project and noted the City is 1.5 years ahead of schedule on the Pavement Management Plan. Kakacek gave financial update for project. After discussion, Stagg moved, seconded by Rowe, to approve Option 1 for 2018-19 Street Project at estimated cost of $28,000. Roll call vote was taken. All ayes. Motion carried.

Repair Aaron Court: Engineer noted Aaron Court needs immediate repair and could be done by the contractor Pirc Tobin Construction as they are already in town for another project at a cost of $12,200.00. McNeal presented bid from Ken-Way Trucking at $8,482.63. After discussion, Stagg moved, seconded Rowe, to award bid to Ken-Way Construction at cost of $8,482.63 to repair Aaron Court. Roll call vote was taken. All ayes. Motion carried.

Purchase Roof Over UV Effluent at Sewer Plant: McNeal noted algae is growing where the UV effluent is, due to not having a roof over that area per AeroMod Company recommendation. He noted it would cost approximately $900 to purchase and install portable roof by 5 Star. After discussion, Gudenkauf moved, seconded by Neuendorf, to purchase roof to go over the UV effluent at a cost not to exceed $1,000.00. Roll call vote was taken. All ayes. Motion carried.
2nd and Final Reading of Ord.#269—Replace Right-of-Way Inspection -Chapter 169.10: After discussion, Stagg moved, seconded by Neuendorf, to introduce Ordinance #269 by title only entitled “AN ORDINANCE REPLACING THE MUNICIPAL CODE OF SWISHER, IOWA, SECTION 169.10—INSPECTION OF WORK WITHIN RIGHT-OF-WAY AND EASEMENTS” and be given its second reading. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Motion carried. Motion by Stagg, seconded by Hightshoe, that the laws and rules providing that ordinances 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 #269. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Motion carried. Motion by Stagg, seconded by Gudenkauf to place Ordinance #269 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Motion carried. Ordinance #269 adopted.

Set Public Hearing to Create Storm Water Utility Fund: After discussion, Stagg moved, seconded by Rowe, to set public hearing to consider creating Storm Water Utility Fund for June 11, 2018 at 7 p.m. at Swisher City Hall at proposed rate of $5 per residential unit and $8 per commercial unit per month. Call for vote. All ayes. Motion carried.

Electronic Speed Sign: Council reviewed quotes for electronic speed sign. Hightshoe recommended taking the electronic speed sign from Swisher View Drive and moving it to the west end of town on Division Street instead of purchasing a new sign. He noted the sign on Swisher View Drive is in the middle of 25 mph zone. Rowe agreed and suggested to budget next year for a new sign including data collection option for Swisher View Drive if needed rather than amending the current budget. Stagg inquired the reason there was an electronic speed sign on Swisher View Drive. After discussion, Hightshoe moved, seconded by Gudenkauf to move the post by Stagg’s property and sign from Swisher View Drive to west of the post office. Call for vote. All ayes. Motion carried. Council directed discussion of electronic speed sign on Swisher View Drive to be at the next regularly scheduled council meeting.

Mayor Taylor left for few minutes. Mayor Pro-Tem Neuendorf took over the meeting.

Amber Lights at Intersection of Summit and Division Streets: Mayor Pro-tem Neuendorf stated amber lights for crossing on Division and Summit were to be brought up in the spring per the 10-9-17 Council Minutes. Hightshoe stated the following: he would like to wait to purchase amber lights until Division Street Project is underway as that may be addressed then; he observed the pedestrian crossing of Summit and Division Street intersection and has not seen any crossings at that intersection. Stagg agreed the City should wait until the Division Street Project is underway to see what is needed then. Motion by Hightshoe, seconded by Stagg, to take no action in purchasing amber lights for the intersection of Summit and Division Streets. Call for vote. All ayes. Motion carried.

Mayor Taylor resumed the meeting.

Downtown Parking Issues: Engineer Cutsforth recommends the City to figure how much parking currently available for downtown including the side streets and consider angle parking in some areas. He will send angle and parallel parking measurements to McNeal. LaGrange suggested the City leasing green space from CRANDIC. Mayor directed Kakacek to inquire on clerknet what other smaller towns do for shortage of downtown parking.

Trailblazer Sign: Council reviewed trailblazer sign request and would prefer to have small sign but not sure of IDOT requirements. After more discussion of trailblazer sign and size, Hightshoe moved, seconded by Rowe, to approve installation of trailblazer sign as presented on Summit for Black Squirrel Tap. Roll call vote: Ayes: Gudenkauf, Hightshoe, Rowe, Stagg. Abstain: Neuendorf as she is part owner of Black Squirrel Tap. Motion carried.

Close 2nd Street/Approve Open Alcohol Containers: After review, Gudenkauf moved, seconded by Stagg, to approve closing 2nd Street and open alcoholic containers on 2nd Street from west side of alley by railroad tracks to west side of Black Squirrel Tap on August 3, 2018 from 2 p.m. to midnight for Prairie Football Bags Tournament. Roll call vote. Ayes: Gudenkauf, Hightshoe, Rowe, Stagg. Abstain: Neuendorf as she is part owner of Black Squirrel Tap. Motion carried.
**Purchase Camera to Install at City Brush Pile:** Council reviewed and discussed various cameras to install at City Brush Pile due to nonresidents and businesses illegally dumping into the City Brush Pile. After discussion, Stagg moved seconded by Gudenkauf, to approve purchase of surveillance camera for City Brush Pile at a cost no to exceed $150.00. Call for vote. All ayes. Motion carried. Rowe will work with McNeal to pick camera.

**Approve Tree Removals Quote:** Council reviewed bids from Leaf Hopper Tree Care LLC of $2,300.00 and JC’s Tree Service of $1,700.00 for removal and stump grind of dead tree at 104 Summit Avenue and in city right-of-way, plus bid of $200 form JC’s Tree Service to stump grind stumps at Castek Park. After discussion, Gudenkauf moved, seconded by Rowe, to approve quote from JC’s Tree Removal Service of $1,900.00 for tree removal and all stump grinding for 104 Summit Avenue and Castek Park. Roll vote was taken. All ayes. Motion carried.

**Street Painting Payment:** Kakacek presented amended bill from LL Pelling for street painting on Division Street. She noted the bill was 60% more than the quote and linear footage. After discussion, Council directed City Clerk to get more details of bill variance.

**Resolution No. 2018-17-Purchase City Cell Phone and Plan:** After review and discussion, Neuendorf moved, seconded by Hightshoe, to approve Resolution No. 2018-17 entitled “A RESOLUTION APPROVING TO PURCHASE A CELL PHONE AND PLAN FOR THE MAYOR OF SWISHER, IOWA FOR THE CITY OF SWISHER, IOWA” with Verizon at $50.05 per month plus taxes. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Resolution No. 2018-17 passed.

**Council/Mayor Pay-Set Public Meeting Date:** After discussion, council agreed and directed this to be put on the October 2018 Agenda as “set the public meeting date for council/mayor pay”.

**Goal Setting Report:** Due to the length of the meeting, council directed this to be on the next regularly scheduled council meeting agenda.

**Set Special Council Meeting and Public Hearing to Amend 2017-18 Budget:** Kakacek stated the current budget needed to be amended due to variety of items. After discussion, council agreed and set special council meeting and public hearing to amend the 2017-18 Budget for Tuesday, May 29, 2018 at 6 p.m. at Swisher City Hall.

**Correspondence:** Council reviewed the following: complaint letter of semis going excessive speed thru Swisher, Kakacek noted she had contacted one of the semi companies regarding this and Rodney noted he will be installing the jake brake signs; petition to open discussion for updates and improvements for alley behind Vault Boutique, Black Squirrel Tap, Plum Creek Boutique, Affordable Soft Water, etc.; ICAP Statement of Action for City’s Risk Management Audit on technology; Small City Workshops by IA League of Cities; literature on Iowa Freedom of Information Council. Johnson County Sheriff’s April 2018 Report, Right-of-Way Permit for 57 1st Street, Chicken Permits for 999 Swisher View Drive and 224 Jefferson Avenue were on the council table for review.

**Adjournment:** Motion by Gudenkauf, seconded by Neuendorf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 10:29 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor