REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Christopher Taylor called the council meeting to order at 7:00 p.m. at Swisher City Hall, Swisher, Iowa on May 8, 2017.

Council Present: Mary Gudenkauf, Angie Hinrichs, Rebekah Neuendorf, Mike Stagg. Absent: Larry Svec.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Craig Vondracek, Library Director Laura Hoover, City Attorney Mark Parmenter, City Engineer Tim Cutsforth, Johnson County Deputy Sheriff, Planning & Zoning Member Dean Sturtz, Park & Recreation Member Rodney McNeal, Nikki Hynek, Rob Pudil, Dan Thayer, Liam Wilkins, Fire Dept. Representative Brian Kiekhefer, Gene Beard arrived later.

Consent Agenda: After review and discussion, Gudenkauf moved, seconded by Neuendorf, to approve the Consent Agenda consisting of: Agenda; April 10, 2017 Minutes; List of Claims; April 2017 Clerk/Treasurer Report and Utility Billing Audit Report; Resolution No. 2017-18 assessing delinquent utility bills to property taxes; Resolution No. 2017-19 transferring funds for bond payments. Roll call vote was taken. All ayes. Absent: Svec. Motion carried.

Citizen Comments: Dean Sturtz would like to treat his ash trees when the city treats their trees and use their company. Council noted they will make residents aware of this and hopefully they get a lower rate. Laura Hoover requested the city to have the engineer review the crossing of intersection of Summit and Division Streets and recommend options for making crossing safer. Council agreed. Dan Thayer presented letter of request to purchase unpaved portion of 1st Street between Howard and Jefferson Avenues and noted this was his 2nd request to purchase street. Kakacek gave update on previous request. Council referred to P & Z for recommendation. Mayor noted if Council have any concerns to tell him or city clerk so they can collect information.

Reports:
Sheriff: No report.

Librarian: Library Director Hoover reported the following: Open House on May 23 from 6-8 p.m. for the new gathering space, Sprinkles the Clown will be there and sign up for Summer Reading Programs; library is initiating Reading Support Program; has a new website format; library received Tier III Accreditation from the state effective 7-1-17.

Engineer: City Engineer Cutsforth noted he reviewed right-of-way permit application and completed the 2017 Streets Project plans and will give to Vondracek to send out for quotes.

Mayor: Mayor Taylor noted he will have a preliminary meeting on Division Street funding on May 23rd with HR Green, bonding attorney and city clerk; will be meeting with several Johnson County Mayors on May 23rd; City-Wide Cleanup is Saturday, May 13th from 7 – 11 a.m.

Council: No reports.

Employees: Vondracek noted the following: met with Parks & Recreation Commission last Monday; mowing twice a week. Hinrichs inquired of big hole on Maple Street. Vondracek has attempted to get cold patch for street, but not available yet. Engineer Cutsforth will review it and possibly add to the 2017 Street Project. Kakacek noted the following: attended HR and IMFOA Conferences; completed the city-wide garage sales map and published in the CR Gazette, IC Press Citizen, Craigslist, website, and Facebook; Swisher Farmer’s Market will be on Thursdays from June 8 thru October 26 from 4:30 to 6:30 p.m. with live music and raffles; need all council code books to insert updates. Neuendorf noted the big garage sale signs at the outskirts of town were not up. Vondracek said they were in bad shape. Kakacek noted they will try to do new signs for next year.

Miscellaneous: Council reviewed Library 3-27-17 Minutes; Planning & Zoning 4-24-17 Minutes, Park & Recreation 3-30-17 and 5-1-17 Minutes.

BUSINESS:
Central Avenue Drainage Project: Engineer Cutsforth reported there were no bids received for the Central Avenue Drainage Project. He had to send an amendment to plans requiring more insurance per CRANDIC. He will send the bid plans to more contractors.

Public Hearing Date-Create BC-1 and BC-2 Districts and Rezone: Motion by Stagg, seconded by Hinrichs to open public hearing to consider creating Business Commercial BC-1 and BC-2 Districts and rezoning all properties with frontage on 2nd Street from Rose to Summit Avenues to BC-2 from BC, AC, and 12RS and all other BC Districts to BC-1. Call for vote. All ayes. Absent: Svec. Motion carried. Public hearing opened at 7:22 p.m. Mayor asked public if there were input in favor or not for this proposal. No written or verbal comments were received. Mayor closed public hearing at 7:23 p.m.

1st Reading and Final Reading of Ord.#263—Creating BC-1 and BC-2 Districts and Rezonings: City Attorney Parmenter noted the last P & Z meeting they discussed concern of the current height of 45 feet of BC Districts and proposed height of 45 feet for BC-2 and the fire equipment doesn’t reach that height. P & Z Member Sturtz noted P & Z was open to 35 feet height for BC-2. Mayor read proposed ordinance by title. After discussion, Gudenkauf moved, seconded by Stagg, to introduce Ordinance #263 by title only entitled “AN ORDINANCE AMENDING THE SWISHER CODE OF ORDINANCES CHAPTER 165.25 (5) CREATING BC-1 AND BC-2 ZONING DISTRICT AND REPLACING BC-CENTRAL BUSINESS COMMERCIAL DISTRICT; REZONING ALL PROPERTIES WITH FRONTAGE ON 2ND STREET FROM ROSE AVENUE TO SUMMIT AVENUE TO BC-2-CENTRAL BUSINESS COMMERCIAL AND FROM BC, AC-ARTERIAL COMMERCIAL, AND 12RS-RESIDENTAL SINGLE AND ALL OTHER BC DISTRICT REZONED TO BC-1-CENTRAL BUSINESS COMMERCIAL AND AMEND THE OFFICIAL ZONING MAP OF THE MUNICIPAL CODE OF SWISHER, IOWA” and be given its first reading. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg. Nays: None. Absent: Svec. Motion carried. Motion by Neuendorf, seconded by Stagg, 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 and that Ordinance #263 be placed on its last reading. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg. Nays: None. Absent: Svec. Motion carried. Motion by Gudenkauf, seconded by Neuendorf, to place Ordinance #263 upon its final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg. Nays: None. Absent: Svec. Motion carried. Ordinance #263 adopted.

Public Hearing Date-2016-17 Budget Amendment: Motion by Gudenakuf, seconded by Hinrichs to open public hearing to consider amending 2016-17 Budget. Call for vote. All ayes. Absent: Svec. Motion carried. Public hearing opened at 7:39 p.m. Mayor read proposed amendment. No written or verbal comments were received. Mayor closed public hearing at 7:40 p.m.


Set Public Hearing for Proposed Fire Protection Water Tank Requirements: Kakacek noted Shueyville P & Z is reviewing the proposed ordinance tonight that their council reviewed earlier. Hinrichs requested in writing from the Jefferson-Monroe Fire Department the costs of water tanks, maintenance and costs of maintenance, liability issues, list of towns in Iowa that have underground fire protection water tanks, and have P & Z Members present for next meeting. Mayor requested council to review any written information prior to next meeting. After review of Swisher P & Z recommendation of approval and city attorney’s draft of ordinance, Hinrichs moved, seconded by Neuendorf, to set public hearing for proposed fire protection water tank requirements ordinance on June 12th at 7 p.m. at Swisher Council Chambers. Roll call vote was taken. All ayes. Absent: Svec. Motion carried.

Set Public Hearing for Changing Chapter 165.02 Height Definition: P & Z Member Sturtz noted the recommend definition is from the International Building Code. City Attorney Parmenter researched definition and noted that less verbiage is easier to understand as the old definition is lengthy and confusing. Mayor inquired if this would conflict if there was a steeple or bell tower which it will not. It was noted this doesn’t set a new maximum height at this time; it just simplifies how the height is measured. Motion by Stagg, seconded by Hinrichs, to set public hearing for proposed height definition change on June 12th at 7 p.m. at Swisher Council Chambers. Roll call vote was taken. All ayes. Absent: Svec. Motion carried.

Approve Concrete Quote for Benches, Message Board, Port-O-Potties: P & R Member McNeal noted there would be an additional $200 for taking the concrete across Castek Park ground. Kakacek also noted costs for
Concrete pad at Castek Park and message board. After discussion, Gudenkauf moved, seconded by Stagg, to approve quote to install concrete for benches, message board, port-a-potties from H.F. Hartin Construction at cost not to exceed $1,750.00. Roll call vote was taken. All ayes. Absent: Svec. Motion carried.

**Castek Park Improvements:** P & R Member McNeal noted they would like to have waterline installed behind home plate with drinking fountain and external water hookup. The water could be turned off from the concession stand to prevent unauthorized use. After discussion, Gudenkauf moved, seconded by Neuendorf, to approve installing waterline, drinking fountain, and external water hookup at Castek Park at cost not to exceed $2,145.00 from Brown Concrete & Backhoe Inc. Roll call vote was taken. All ayes. Absent: Svec. Motion carried.

**Resolution No. 2017-21—Approve Quote for Ash Tree Treatments:** After discussion and review, Stagg moved, seconded by Gudenkauf, to approve Resolution No. 2017-21 entitled “RESOLUTION APPROVE QUOTE FOR TREATMENT OF CITY ASH TREES FOR THE CITY OF SWISHER, IOWA” from JLS Green Solutions at cost not to exceed $3,387.00. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg. Nays: None. Absent: Svec. Resolution No. 2017-21 passed. Stagg noted a notice will be published so residents can get their ash trees treated at same time.

**Correspondence:** Council reviewed the following: thank you letter from Kava House for street light installation; letters sent to residents for fence installation and hole in ground; letter from Linn County REC regarding LED lights; letter from JZP LLC offering his services as Community & Economic Development consultant; Johnson County Sheriff April 2017 Report; Chicken Permit for 410 3rd St SW; Building Permits for 151 Alan Avenue-Unit A, 101 Alan Avenue; Right of Way Permit for 711 Swisher View Drive; Sewer Permits for 321 Amy Street Units A-D were on the council table for review.

**Adjournment:** Motion by Stagg, seconded by Gudenkauf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:01 p.m.

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Tawnia Kakacek, City Clerk                  Christopher Taylor, Mayor