

(Subject to Approval)  
**CITY OF SWISHER, IOWA**  
**CITY COUNCIL MEETING MINUTES**  
**MAY 9, 2022**

This meeting was also held electronically. 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 6:30 p.m. at Swisher Library, Swisher, Iowa on May 9, 2022.

**Council Present:** Mary Gudenkauf, Kris Heims, Rebekah Neuendorf, Michael Stagg. Absent Kody Pudil.

**Also Present:** City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Librarian Laura Hoover, Chad McCleary-ION Environmental, Johnson County Sheriff Deputy, Nick Neuendorf. Via Zoom were City Engineer Jonathon Kline, Brad Dahlstrom.

**Consent Agenda:** Heims moved, seconded by Gudenkauf to approve the Consent Agenda consisting of: Agenda, April 11, 2022 Council Minutes; updated List of Claims; April 2022 Clerk/Treasurer Report and Utility Balance Report; Resolution No. 2022-25 transferring funds to Debt Service from TIF and LOST Funds for Division Street bond principal and interest payment; street closure and open alcohol containers on closed 2<sup>nd</sup> Street for Prairie Football Bags Tournament on July 10, 2022; notice of Board of Adjustments vacancy. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Stagg. Nays: None. Motion carried.

**Citizen Comments:** Nick Neuendorf of DanceMor noted they had successful event this weekend and asked the City to look into ways to support businesses for parking. He talked to other businesses they have the same need for parking. It was suggested to contact CRANDIC about their property for parking.

**Reports:**

**Sheriff:** Johnson County Deputy Sheriff noted it was crazy with kids on Wednesday, but they are doing their best. Mayor and Council thanked the Sheriff's department for what they are doing.

**Librarian:** Librarian Hoover reported the following: Easter Egg Hunt had 125-150 children attending; Library Board is continuing work on a 5-year plan and met with a consultant; starting to form a partnership with Johnson County Health Department for senior services; preparing plans for summer reading program. Council reviewed Library Board April 6 and May 4, 2022 Minutes.

**Engineer:** Kline reported the following: had pre-con meeting for Castek Trail Project that will start August 1<sup>st</sup>; still need information asked a few weeks ago for Sludge Management Plan. McCleary noted he needs to send some information to Kline for the sludge plan and will do shortly. Kline written report is on file at city hall. Stagg asked if Division Street Project is done. Kline not sure of the seeding/weeding in the right-of-way and will report back to the City on the this.

**Council:** Stagg noted City of Cedar Rapids has not sent the final annexation agreement and cannot have any action done from Swisher Council until they get the final agreement. Gudenkauf noted Water Exploration Committee received Water Report and will forward executive summary to Council with more information to come. Heims would like the continue the Water Exploration Committee to encourage well testing and water safety.

**Employees:** Chad McCleary with ION reported he received quote to repair blower; is waiting on the dryer system review as not immediate need; having Aeromod inspect the sewer plant. He left the meeting. Persons noted Swisher Face Book page is getting a lot of interactions and have up to 730 followers, have 25 people

signed up for e-newsletter and had no complaints this last month. Kakacek noted she forwarded email to Mayor and Council to see if one of them wanted to attend strategic meetings for the county Inclusive Economic Development Plan. Her written report is on file at city hall. Fields reported the following: missing a shingle on city hall roof; siding on shop building is off; pavilion roof at Castek Park needs replacement; repairing potholes in street; fixed the mower; park shade cable has come in and will install this week at Downtown Park; plans to attend the next Parks & Recreation Meeting to discuss improvements/repairs to the parks; contractor should be removing the water/sewer line for the new shop building this week; asked Mayor and Council to consider hiring a 2<sup>nd</sup> full time public works and not having temporary summer help and permanent part-time employees to keep up with the new developments, storm drains cleaning, new shop building, routine maintenance, etc. Mayor and Council appreciated Fields forward thinking.

**Miscellaneous Reports:** Council reviewed Parks & Recreation 4-20-22 Minutes and Planning & Zoning 4-25-22 Minutes.

### **BUSINESS:**

**Fix Sewer Plant Blower:** Blower quote was reviewed but needed clarification from McCleary before approving quote. Kakacek called and left message with McCleary to call her to answer questions. He called later in the meeting. After clarification from McCleary that it's better to recondition blower than purchase new one, Neuendorf moved, seconded by Heims, to approve quote from Hupp Electric Motors of \$2,395.99 to recondition current blower. Roll call vote was taken. All ayes. Absent: Pudil. Motion carried.

**Public Hearing for 2021-22 Budget Amendment #2:** Motion by Stagg, seconded by Neuendorf to open public hearing for 2021-22 Budget Amendment #2. Call for vote. All ayes. Motion carried and hearing opened at 7:20 p.m. No verbal or written comments were received. Mayor closed public hearing at 7:21 p.m.

**Resolution No. 2022-26-Approve Budget Amendment #2:** After review, Stagg moved, seconded by Heims to approve Resolution No. 2022-26 entitled "RESOLUTION APPROVING THE CITY'S PROPOSED AMENDMENT #2 TO THE FISCAL YEAR 2021-22 BUDGET". Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Stagg. Nays: None. Absent: Pudil. Resolution No. 2022-26 passed.

**Public Hearing to Amend Chapter 77 to License Golf Carts:** Motion by Neuendorf, seconded by Heims to open public hearing to amend Chapter 77 to consider licensing golf carts. Call for vote. All ayes. Motion carried and hearing opened at 7:22 p.m. No written comments were received. Mayor closed public hearing at 7:27 p.m.

**1<sup>st</sup> Reading of Ordinance #282-Amend Chapter 77 to License Golf Carts:** Gudenkauf would like to see separate readings on this ordinance so residents can give more time for input. Stagg would like to see comparison between ATV, UTV, and golf cart requirements. Heims thought City could be liable if don't require golf carts to have insurance. Mayor read Iowa Code that golf carts are not to operate after sunset so the city can't allow neither, but the city can require blinkers if want. Also noted the application should follow the code regulations. After discussion, Neuendorf moved, seconded by Gudenkauf to introduce Ordinance #282 by title only entitled "AN ORDINANCE AMENDING CHAPTER 77- GOLF CARTS TO THE SWISHER CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA" requiring annual registration of golf carts of \$10.00 per year and given its first reading. Roll call vote. Ayes: Gudenkauf, Heims, Stagg. Nays: None. Absent: Pudil. Motion carried. Ordinance #282 was given its first reading.

**ATV/UTV/Golf Carts Registration Form:** Council agreed to wait on updating this form until golf cart amendment is passed.

**Shop Building Change:** Fields noted the door ordered for the new shop is 12' x 12' and request to replace with 16' x 16' door for easier access of city equipment/vehicles. Kakacek recommended the additional costs be paid with American Rescue Plan monies. After discussion and review of quote, Gudenkauf moved, seconded by Neuendorf to approve shop building change for garage door to be 16' x 16' door instead of 12'

x 12' door at increase of \$2,930.00 for door and \$1,693.00 material for header. Roll call vote was taken. All ayes. Absent: Pudil. Motion carried.

**Alley Improvement:** Fields noted the alley between Division/1<sup>st</sup> Street and Summit/Central Avenue is very muddy and grass is not growing though it was seeded and strawed last fall. He is waiting to hear from the contractor to see if they will guarantee the work and if not get another bid to fix. Fields noted one of the adjoining residents has been contacting the City on this several times and wanted it fixed by their child's graduation this May. Discussion was done about blocking the alley at both ends, re-seed and put out straw mats, or plant wildflowers instead of grass on alley. Stagg would like to wait to see if the contractor will guarantee their original work before putting more money into the alley. Neuendorf has concern this could be an ongoing issue and this doesn't fix the problem. After discussion, Council directed Fields to block off entrance to alley at both ends until this can get fixed. The alley maintenance will be discussed further at the May 23<sup>rd</sup> meeting after Fields hears from contractor. Council also directed Kakacek to send letter to adjoining residents of what the city is doing.

**Ditch Maintenance:** Fields requested to hire Brown Backhoe & Concrete to excavate ditch along 4<sup>th</sup> Street and Rose Avenue as there are utility lines buried there. After discussion and review of quote, Stagg moved, seconded by Heims to have Brown Concrete & Backhoe, Inc. maintain ditch along 4<sup>th</sup> Street and Rose Avenue in the amount of \$2,345.00. Roll call vote. All ayes. Absent: Pudil. Motion carried.

**Resolution No. 2022-27-Amend Resolution 2022-21-Agreement with JCEMA and JMFD:** Kakacek noted Johnson County EMA (JCEMA) wanted a few minor changes on the agreement and the attorney recommended to do a resolution amending the first resolution with updated agreement. After review, Neuendorf moved, seconded by Stagg to approve Resolution No. 2022-27 entitled "A RESOLUTION AMENDING RESOLUTION NUMBER 2022-21 REGARDING AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING AGREEMENT WITH JOHNSON COUNTY EMERGENCY MANAGEMENT AND JEFFERSON -MONROE FIRE DEPARTMENT INC. FOR USAGE OF CITY GARAGE IN SWISHER, IOWA". Roll call vote. Ayes: Gudenkauf. Heims, Neuendorf, Stagg. Nays: None. Absent: Pudil. Resolution No. 2022-27 passed.

**Set Public Hearing Date to Amend Chapter 155-Building Code:** Kakacek noted Johnson County have adopted the 2021 International Building (IBC) and Swisher is going by the 2018 IBC. Since Swisher uses Johnson County Building Department as Swisher's Building Inspector, Swisher should adopt International Building Code the County uses. Swisher can adopt by ordinance every 3 years what Johnson County is adopting for building code or change ordinance that the City adopts whatever Johnson County uses and not to have to update every 3 years. After discussion, Neuendorf moved, seconded by Heims, to set public hearing date for June 13, 2022 at 6:30 p.m. at Swisher Library to amend Chapter 155 to adopt what Johnson County is adopting at all times so not to amend ordinance every 3 years. Call for vote. All ayes. Motion carried.

**Resolution No. 2022-28-Establish New Fund:** Kakacek noted the City receives multiple sponsorships and registration fees for youth sports league and would be easier to track revenues and expenses for Swisher Recreation Youth Sports in a separate fund. After discussion, Gudenkauf moved, seconded by Neuendorf to approve Resolution No. 2022-28 entitled "A RESOLUTION ESTABLISHING RECREATION YOUTH SPORTS FUND FOR THE CITY OF SWISHER". Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Stagg. Nays: None. Absent: Pudil. Resolution No. 2022-28 passed.

**Work Session Topics:** Gudenkauf suggested joint meeting with Swisher Planning & Zoning Committee. Other suggestions were downtown parking, adding additional public works person, review the ATV/UTV/golf carts differences. Stagg recommended these be discussed at the 2<sup>nd</sup> council meeting of the month.

**Correspondence** Council reviewed the following: IMWCA audit and staff response; building permit for 409 3rd Street SW, information on apprenticeship; City Development Board meeting notice of Swisher annexations.

**Adjournment:** Motion by Neuendorf, seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:39 p.m.

---

Tawnia Kakacek, City Clerk/ Finance Officer

---

Christopher Taylor, Mayor