

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
JUNE 13, 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 Pro-Tem Mike Stagg called the Swisher Council Meeting to order at 6:30 p.m. at Swisher Library, Swisher, Iowa on June 13, 2022.

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

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Librarian Laura Hoover, Chad McCleary-ION Environmental, Nick Neuendorf, Dawn Driscoll-Iowa State Senator. Via Zoom were Steve & Deb Wilson-The CarWash.

Consent Agenda: Neuendorf moved, seconded by Heims to approve the Consent Agenda consisting of: Agenda, May 9 & 23, 2022 Council Minutes; updated List of Claims; May 2022 Clerk/Treasurer Report and Utility Balance Report; Cigarette Permit Renewal for Shelton's Grocery; notice of Board of Adjustments vacancy. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried.

Citizen Comments: Nick Neuendorf of DanceMor thanked Kody, Kris, and Mike for communicating with him regarding street closure events and for their advice and service to the community. Iowa State Senator Dawn Driscoll introduced herself and would like to get to know the city and what she can help with.

Reports:

Sheriff: Council reviewed April and May 2022 Sheriff's reports.

Librarian: Librarian Hoover reported the following: summer reading program is in full swing; this Thursday will have a fire eater performer at the American Legion lot; acquired a piano from Grinnell Public Library; Kelsey Taylor is doing a great job leading the Tuesday crafts and Friday afternoon games.

Engineer: Kakacek read the engineer's report as follows: worked on 2022 Streets Project, coordinated with contractors of Division Street project to seed appropriate areas and apply herbicides; staked shop building pad for pavement. He also reviewed the following: legal descriptions as requested by the city clerk; parcel and subdivision plat within fringe area; gravel alley removal and design for Division Street Project; pavement damage at Rose Avenue and 4th Street.

Council: Pudil asked who is responsible to replace the stop sign exiting the post office. It is the post office sign so the Post Office would replace it. He also recommended for future street closures to inform all businesses that it would affect before council approves street closures.

Employees: Chad McCleary with ION reported the following: motor for Blower 3 has been repaired and will install in couple of weeks; decant pump for sludge tank is back into service; had to pull multiple plugged diffusers since last fall and very hard to do. Aeromod noted the only way diffusers to be plugged is if there is too much grit at bottom of the tanks and there is a lot of grit at the bottom. McCleary would like to take ½ of the plant out of service for cleaning and once this is cleaned do the other half of the plant. He is getting a quote for the city. The lab samples for were fine for May. Fields noted there may a trash pump in one of the sewer plant buildings and will check it out. Stagg inquired how often would the plant need to be cleaned and McCleary noted it was hard to gauge. McCleary asked if there are storm sewers in town.

Fields reported the following: had electrician look at the electrical to hook up the AED; concrete is to be poured on Wednesday for the new shop building; shop building should be installed next week; installed two basketball hoops/posts and have two more to do; will talk to Parks & Recreation Commission about installing additional posts instead of having the chain at trail entrance so motorized vehicles cannot go on trail. Heims noted there is no sign on the chains about no motorized vehicles and is okay what the Parks & Recreation Committee decides on the posts. Kakacek read her report and is on file at city hall. Persons noted Swisher Face Book page is up to 735 followers and up to 480 likes. Persons stated she will be attending a session on Welcoming Newcomers and Encourage them to Participate thru the Iowa League of Cities.

Miscellaneous Reports: Council reviewed Parks & Recreation 5-18-22 Minutes.

BUSINESS:

Public Hearing to Amend Chapter 155-Building Code: Motion by Neuendorf, seconded by Heims to open public hearing to amend Chapter 155-Building Code. Call for vote. All ayes. Motion carried and hearing opened at 7:03 p.m. Stagg read public hearing notice and stated the City will automatically adopt whatever Johnson County adopts so we don't have to amend our code every three years as they are Swisher's building inspector. No verbal or written comments were received. Motion by Heims, seconded by Pudil to close public hearing. Motion carried. Public hearing closed at 7:04 p.m.

1st/Final Reading of Ordinance #283-Amend Chapter 155-Building Code: Neuendorf moved, seconded by Gudenkauf, to introduce Ordinance #283 by title only entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 155 OF THE BUILDING CODE" and be given its first reading. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #283 was given its first reading. Motion by Heims, seconded by Neuendorf that the laws and rules providing that an ordinance 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 #283. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Motion by Neuendorf, seconded by Pudil to place Ordinance #283 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #283 adopted.

2nd/Final Reading of Ordinance #282-Amend Chapter 77 to License Golf Carts: Pudil moved, seconded by Heims 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 second reading. It was noted the Governor signed law for cities not to charge for ATV/UTV registration. After discussion, Neuendorf moved, seconded by Pudil to remove the \$10.00 registration fee but still require annual registration. Roll call vote. All ayes. Motion carried. Roll call vote for 2nd Reading with removing the \$10 registration fee. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #282 was given its 2nd reading. Motion by Heims, seconded by Pudil that the laws and rules providing that an ordinance 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 #282. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Motion by Heims, seconded by Neuendorf to place Ordinance #282 upon its third and final passage and be adopted. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #282 adopted. This ordinance will require annual registration for golf carts but no fee.

ATV/UTV/Golf Carts Registration Form: Kakacek presented list of code requirements between state and city for ATV, UTV, and golf cart. Pudil inquired if we needed turning signals for ATV and UTV. Neuendorf agreed with Pudil. Kakacek noted it was in the city code and attorney recommended it for safety purposes. After review and discussion, Pudil moved, seconded by Neuendorf to approve the registration form excluding the fee. Call for vote. All ayes. Motion carried.

Resolution No. 2022-30-Approve Sludge Management Plan: Pudil moved, seconded by Heims to approve Resolution No. 2022-30 entitled “RESOLUTION APPROVING SLUDGE MANAGEMENT PLAN FOR THE CITY OF SWISHER”. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-30 passed.

Sewer Line Repair-Oak Avenue: Fields gave update of sewer line break on Oak Avenue. He noted there was a sewer clay line that hooked up in the back yard of three houses on Oak Avenue and then sent to main sewer line. He asked the Council if they want this addressed as a private sewer line or consider this City main line. Council discussed hooking all lines separately to main or replace the clay pipe and make permanent city line, may need easement agreements depending which option council chooses. Stagg noted he had to replace his own line at his cost. After discussion, Gudenkauf moved, seconded by Heims, to approve the work that has been done so far and capping the line tomorrow which the City will pay with caveat of additional work by HR Green for next phase. Roll call vote. Ayes: Gudenkauf, Heims, Pudil, Stagg. Nays: None. Abstain: Neuendorf. Motion carried. This was directed to put on the June 27th agenda.

Road Repair: Fields presented picture of hole in road on corner of Rose and 4th Street. He noted the storm sewer line looked fine, but need to look at manhole as it is seal coated over. He recommended to put flowable mortar on it. It was noted by the city engineer, if there was a problem with the Rose Project done a few years ago, it would have showed up earlier. After discussion, Heims moved, seconded by Pudil, to put flowable mortar in the hole. Roll call vote was taken. All ayes. Motion carried.

Request to Pave Alley by The CarWash: Owners of The CarWash Steve and Deb Wilson noted they will paving the backend of the carwash and has concerns of elevation from the alley onto the carwash and noted they were the only business alley that is not paved. After discussion, Pudil moved, seconded by Neuendorf to get quotes for asphaltting and chip sealing the alley. Call for vote. All ayes. Motion carried.

Request to Pave Alley by Birky: Council reviewed letter from Birky requesting alley to be paved due to water in her driveway. Fields noted he and the engineer looked at this alley and could put a swale on north side of alley. Pudil expressed concern of drainage going into Perkins and Kringle properties if did swale. Stagg recommended the alley be shaved off. Pudil recommended no action at this time as part of Birky’s yard is raised up. Gudenkauf suggested vacating the alley. Council directed discussion of alleys be on the July 25th meeting. No other action was taken at this time.

Resolution No. 2022-31-Set Public Hearing Date for Annexation Agreement: Pudil moved, seconded by Neuendorf to approve Resolution No. 2022-31 entitled “RESOLUTION SETTING A PUBLIC HEARING DATE TO CONSIDER APPROVING ANNEXATION 28E AGREEMENT WITH CITY OF CEDAR RAPIDS, IOWA” for July 25, 2022 at 6:30 p.m. at Swisher Library. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-31 passed.

Resolution No. 2022-32-Award Annual Exam Services for the City: After review of quotes from Ted M. Wiegand, CPA and Rachelle E. Thompson, CPA, Gudenkauf moved, seconded by Pudil to approve Resolution No. 2022-32 entitled “A RESOLUTION AWARDDING ANNUAL EXAM SERVICES FOR THE CITY OF SWISHER, IOWA” to Rachelle K. Thompson, CPA for Fiscal Years ending 2022, 2023, and 2024. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-32 passed.

Approve Letter to State-Forrest Ridge LLC: Kakacek noted this is required when annexing property into the City. After review of letter, Pudil moved, seconded by Neuendorf, to approve letter to be sent to the State certifying the population in the Forrest Ridge annexation. Roll call vote. All ayes. Motion carried.

Obtain Bids for Ash Tree Removals: Kakacek noted the City budgeted in 2022-23 up to \$4,500 for ash tree removals and won’t be enough to remove all the city’s ash trees. After review of city ash trees to be

removed, Neuendorf moved, seconded by Heims to approve sending out bids for ash tree removal with Fields prioritizing the trees to be removed. Call for vote. All ayes. Motion carried.

Purchase Snowplow and Vibrator Kit: After review of quote, Gudenkauf moved, seconded by Neuendorf to approve purchase of snowplow and vibrator kit from Future Line at cost of \$10,173.06 including labor to replace plow on dump truck. Roll call vote was taken. All ayes. Motion carried.

Plaque on Park Shelter: Council reviewed samples of plaques. Neuendorf recommended not to have plaque low on the ground, so it is not tripped over. Gudenkauf volunteered to write up verbiage for plaque and council can decide on plaque at future meeting. Council agreed.

Juvenile Justice & Youth Development Policy Board: Kakacek noted Jerry Hightshoe was the City representative for this board. Pudil volunteered to be the City representative on the Juvenile Justice & Youth Development Policy Board.

Compatible Land Use Planning with Eastern Iowa Airport: Council reviewed email request from Eastern Iowa Airport for City Representative. Neuendorf volunteered to be the City Representative and told Council if they have questions, please send them to her.

Resolution No. 2022-33-Set Salaries for 2022-23: After review and discussion, Pudil moved, seconded by Heims to approve Resolution No. 2022-33 entitled "A RESOLUTION SETTING THE SALARIES FOR CITY OF SWISHER EMPLOYEES FOR FISCAL YEAR 2022-23" with all employees getting a 3% raise as follows: Fields of \$.75, Palas \$.49, Kakacek of \$.74, Hoover of \$.58, Persons of \$.51, and Riker of \$.37. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2022-33 passed.

Correspondence Council reviewed the following: City engineer email showing why the City did entrance to alley off Division Street; thank you note for park usage; building permit for 420 3rd Street SW.

Adjournment: Motion by Pudil, seconded by Gudenkauf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:38 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Mike Stagg, Mayor Pro-Tem