

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
JUNE 14, 2021

In order to help stop the spread of the COVID-19 virus, this meeting was also held electronically. Chapter 21.8 of the Iowa Code permits electronic meetings where members participate remotely when in-person meeting is impossible or impractical. Anyone could attend in person, dial in or connect electronically to hear the actual meeting per request of the city clerk.

REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Christopher Taylor called the Swisher Council Meeting to order at 7 p.m. at Swisher Library, Swisher, Iowa on June 14, 2021. Mayor noted the City won't respond to chats on the Zoom meeting as they will have to speak to address the council.

Council Present: Rebekah Neuendorf, James Rowe, Michael Stagg. Absent: Mary Gudenkauf.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Carl Spoerl, HR Green City Engineer Jonathon Kline, Kody Pudil, Chad McCleary (ION Environmental), Nick Neuendorf (DanceMor). Via conference call were Johnson County Sheriff Representative Lieutenant Chris Wisman, Kim Grier, Gene Beard, Benjamin Goetz, Elizabeth Grier, J. Scott Ritter (Hart-Frederick Consultants).

Consent Agenda: Mayor Taylor noted before the consent agenda is approved, council can approve the agenda only, then do appointment to council so that person can be involved in all the other consent agenda items. Motion by Rowe, seconded by Neuendorf to approve agenda only and postpone consideration of other general consent items until after appointment to council. Call for vote. All ayes. Absent: Gudenkauf. Motion carried.

Citizen Comments: No comments were presented either verbally or written.

Reports:

Sheriff: Johnson County Sheriff Representative Lieutenant Chris Wisman had no report. The Swisher May 2021 Activity Sheriff report was submitted.

Librarian: Kakacek read Library Director Hoover report as follows: Summer Reading has started with packets handed out at Farmer's Market and in-house, each packet has programs for kids, teens and adults; programming starts this Wednesday at 7 p.m. on the Legion Lawn with The Iowa Raptor Project and "Birds of Prey"; they are updating their computers and technology in the building with replacing computers that are over five years old; she worked with Parks and Recreation with Prairie FFA Club to plant trees on the library lawn and Castek Park, funded by Farm Bureau and Hughes Nursery supplied the trees, dug holes and worked with the youth to get nine trees planted (4 at the library and 5 at Castek Park), she thanked Mary Gudenkauf for putting the FFA Club in contact with her.

Engineer: City Engineer Kline noted the following: reviewed 2 plats; worked on quotes for 3 projects that are on the agenda; had tile fixed on Division Street Project-Phase 1 and did walk-thru on Phase 2 which reseeding will have to be done in the fall; Cutsforth met with Spoerl to review alley issues; getting estimated building costs for shop building plans.

Mayor: Mayor Taylor noted the following: he will be attending the IA Mayor Association meeting in July and attending the Iowa League of Cities executive board meeting on June 24th; if Council has any thoughts for the meeting, let him know.

Council: No reports.

Employees: Public Work Superintendent Spoerl reported the following: will be relocating the existing business signs west of Summit between unimproved alley; removing rock from alley west of Summit and seed in the fall taping off area now so no traffic can go on it; mowed ditches east and west of town; wastewater samplers have been repaired and running smoothly; sent email to sheriff's department regarding children driving mopeds or not marked property and side by side vehicles running illegally on the streets. Chad from Ion Environmental noted IDNR wants to meet for a compliance schedule for the wastewater treatment plant to prove the City is maintaining their levels of chloride. He noted the City will have to do extra monitoring in 2026 for a month. He said the City currently meets all the IDNR targets. Kakacek reported the following: sent refuse change notices to all residents by mail and recording requests to change cart sizes; advertised for public works position; advertised council position opening; drafted ordinance and several resolutions for the meeting; continuing with FEMA meetings; posted bid notices of city projects around town and website; yearend is June 30th so any bills that are to be included in this current fiscal year needs to be submitted to her by 6-29-21; Swisher Farmers Market had their first market and went well. It was requested to make note on City's Facebook page about when the refuse/recycling carts would be delivered. Kakacek noted she had contacted the refuse company to find out dates and waiting to hear back.

Miscellaneous Reports: Council reviewed Planning & Zoning May 24, 2021 Minutes and Parks & Recreation April 21 and May 19, 2021 Minutes.

Resolution No. 2021-16-Appoint New Council Member: Mayor noted City received only one application. Council had said applications were required, but Council could waive that rule if they wanted to consider other/more candidates. Council agreed not to waive the rule. Stagg noted there was pushback on the application/questionnaire the applicants were required to complete but when he was appointed to Council, he and other applicants were asked questions just like they do now. Applicant Kody Pudil noted he was excited to serve. After discussion, Stagg moved, seconded by Rowe to approve Resolution No. 2021-16 entitled "A RESOLUTION APPOINTING AN ELEGIBLE APPLICANT TO FILL THE COUNCIL VACANCY FOR THE CITY OF SWISHER, IOWA" appointing Kody Pudil to fill Jerry Hightshoe term that ends 12-31-21. Roll call vote. Ayes: Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-16 passed. City Clerk Kakacek swore in Kody Pudil. Mayor and Stagg gave brief rules of what council responsibilities are to Pudil. Kakacek will send him more information.

Consent Agenda: After review, Stagg moved, seconded by Rowe to approve the Consent Agenda consisting of: May 10th and 26th, 2021 Council Minutes; updated List of Claims; May 2021 Clerk/Treasurer's Report and Utility Balance Report; Parade Permit for "A Very Merry Christmas in Swisher" and street closure for December 11, 2021; streets closure for Swisher Men's Car Show on September 18, 2021; Cigarette Permit for Shelton Grocery; Resolution No. 2021-17 appointing Rebekah Neuendorf as Councilperson Liaison to Fire Department replacing Hightshoe; Resolution No. 2021-18 transferring funds from EMA to General; notice of vacancy for Board of Adjustments; Resolution 2021-19 transferring funds from TIF and LOST to Division Street Project Fund. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Absent: Gudenkauf. Nays: none. Motion carried.

Public Hearing to Amend Refuse Rates: Motion by Rowe, seconded by Neuendorf, to open public hearing for proposed refuse rate increase. This will be \$6.00 per month rate increase and paying the refuse company that amount as well. Call for vote. All ayes. Motion carried and hearing opened at 7:35 p.m. No written or verbal comments were received. Mayor closed hearing at 7:36 p.m.

Readings of Ordinance #278-Amend Chapter 106.08-Changing Refuse Rates: After discussion and review, Rowe moved, seconded by Stagg, to introduce Ordinance #278 by title only entitled "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF SWISHER, IOWA, SECTION 106.08 COLLECTION FEE FOR SOLID WASTE COLLECTION" changing the rate to \$18.50 per month for each dwelling unit and be given its first reading. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Motion by Neuendorf, seconded by Rowe, 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 #278. Roll call

vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Motion by Rowe, seconded by Neuendorf to place Ordinance #278 upon its third and final passage and be adopted. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Ordinance #278 adopted.

Pay Estimate for Division Street Project: After review and recommendation to pay from city engineer, Rowe moved, seconded by Pudil, to approve pay estimate of \$48,016.80 to Tschiggfrie Excavating Company. Roll call vote was taken. All ayes. Absent: Gudenkauf. Motion carried.

Resolution No. 2021-20-Award Bid for 2021-22 Pavement Rehabilitation: City Engineer Kline noted the only bid received was higher than their estimate and could rebid in the fall if council would like. Kakacek noted part of the bid included sewer manholes repair of \$12,306.00 and bid for the streets is over the budgeted amount but could take the additional amount either out of General or Road Use Funds. After review and discussion, Stagg moved, seconded by Neuendorf to approve Resolution No. 2021-20 entitled “A RESOLUTION AWARDBID FOR 2021-22 PAVEMENT REHABILITATION” to Tschiggfrie Excavating for \$51,175.00 which includes repairs to sewer manholes and the amount over budget for street repair cost be taken out of Road Use Fund. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-20 passed.

Resolution No. 2021-21-Award Bid for Pavement Rehabilitation-FEMA: City Engineer Kline noted the only bid received was higher than their estimate and could rebid in the fall if council would like. After review and discussion, Neuendorf moved, seconded by Rowe to approve Resolution No. 2021-21 entitled “A RESOLUTION AWARDBID FOR SWISHER PAVEMENT REHABILITATION-FEMA” to Shamrock Construction for \$21,599.60 for alley between Division and 1st Streets, east of Summit Avenue and repair library curb from Derecho Storm damage. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-21 passed.

Bid for 3rd Street Bridge Approach Replacements: City Engineer Kline noted the only bid received was considerably higher than their estimate and recommended not to approve bid and he will look for alternate options. Motion by Neuendorf, seconded by Stagg not to approve bid from Tschiggfrie Excavating for 3rd Street bridge approach replacements. Roll call vote was taken. All ayes. Absent: Gudenkauf. Motion carried.

Preliminary & Final Plat-Krug First Addition: City Engineer Kline recommended this not be approved and be referred back to Planning & Zoning as it is very different than what Swisher P & Z approved. J. Scott Ritter from Hart-Frederick Consultants noted the plat changes. Motion by Rowe, seconded by Pudil, to refer Preliminary & Final Plat of Krug First Addition to Swisher Planning & Zoning for review and recommendation. Call for vote. All ayes. Absent: Gudenkauf. Motion carried.

Resolution No. 2021-22-Approve Preliminary Plat 965 Corridor Commercial Subdivision: City Engineer Kline recommend approval and Swisher Planning & Zoning recommendation approval noting that it is fine to have private drive now, but in the future, put in a public road instead. After review and discussion, Rowe moved, seconded by Neuendorf to approve Resolution No. 2021-22 entitled “APPLICATION OF AV INVESTMENTS, LLC REQUESTING PRELIMINARY PLAT APPROVAL OF 965 CORRIDOR COMMERCIAL SUBDIVISION (within the 2-mile fringe area)”. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-22 passed.

Resolution No. 2021-23-Approve Agreement with ION Environmental: Kakacek noted the city attorney made a few recommended changes for the contract and Chad McCleary of ION Environmental agreed to those changes. After review and discussion, Stagg moved, seconded by Rowe to approve Resolution No. 2021-23 entitled “A RESOLUTION AUTHORIZING THE CITY OF SWISHER TO ENTER INTO AGREEMENT WITH ION ENVIRONMENTAL SOLUTIONS FOR OPERATION AND MAINTENANCE FOR SWISHER WASTEWATER TREATMENT PLANT”. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-23 passed.

Request to Add Business Name to Downtown Business Signs: DanceMor owner Nick Neuendorf requested DanceMor sign be added to the downtown business signs on Division Street. Rowe noted there should be signage on both sides of town but that is for later discussion. Motion by Rowe, seconded by Stagg, to approve adding DanceMor sign to the business signs on 120th Street. Call for vote. Ayes: Pudil, Rowe, Stagg. Abstain: Neuendorf. Absent: Gudenkauf. Motion carried.

Power went out briefly at 8:18 p.m. so whomever was on zoom was disconnected.

Communication Staff Job Description: Kakacek noted this position was budgeted starting in July. It was discussed the hours would be 10 hours a week and recommended to have an intern to do the job and help write the full scope of work policy. Neuendorf noted she will contact Kirkwood College to see if they have an intern and Mayor Taylor will contact Meghann Foster, a Coralville Councilperson who has taught communications courses at the University. This was directed to be on the next regular scheduled council meeting.

Resolution No. 2021-24-Transfer Funds to Reserve Accounts: After review and discussion, Neuendorf moved, seconded by Stagg to approve Resolution No. 2021-24 entitled “A RESOLUTION AUTHORIZING THE CITY CLERK TO TRANSFER FUNDS” from general, road use, and sewer funds to reserve funds as budgeted. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-24 passed.

Resolution No. 2021-25-Amending Job Description: After review and discussion, Neuendorf moved, seconded by Rowe to approve Resolution No. 2021-25 entitled “A RESOLUTION AMENDING JOB DESCRIPTION FOR SUPERINTENDENT OF PUBLIC WORKS FOR THE CITY OF SWISHER”. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-25 passed.

Resolution No. 2021-26-Set Salaries: After review and discussion, Rowe moved, seconded by Stagg to approve Resolution No. 2021-26 entitled “A RESOLUTION SETTING THE SALARIES FOR CITY OF SWISHER EMPLOYEES FOR FISCAL YEAR 2021-22”. Roll call vote. Ayes: Neuendorf, Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2021-26 passed.

Correspondence: Council reviewed the following correspondence: Swisher Parks & Recreation programs received \$700 each from Aureon and SouthSlope; email from Jeff Freilinger noting he is still interested in buying city property adjoining his; email from IDNR regarding tree grants. Rowe noted to remember that Freilinger is still interested on purchasing property. He also recommended Planning & Zoning review the city alleys and see what they want to do with them. Stagg noted we need a comprehensive alley plan like we do for our streets. On table for review were building permit issued for 348 Aaron Court SW, 217 2nd Street SE, 200 Maple Street SW and peddlers permit for Moo Moo’s Ice Cream mobile truck.

Adjournment: Motion by Neuendorf, seconded by Rowe to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:47 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor