

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
JULY 10, 2023

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 Michael Stagg called the Swisher Council Meeting to order at 6:30 p.m. at Swisher Library, Swisher, Iowa on July 10, 2023.

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

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Communication Coordinator Julie Persons, Johnson County Board of Supervisors V Fixmer-Oraiz, Johnson County Sheriff Deputy, Daryl Hynek, Curt Cline, Ray Burke, Nick Neuendorf, Norm Neal, Virginia Svec, Kevin & Barb Krug. Attended via zoom was Public Works Superintendent Justin Fields and William Gorman from Johnson County Livable Community for Successful Aging Policy Board.

Consent Agenda: Heims moved, seconded by Neuendorf to approve the Consent Agenda consisting of Agenda, June 12th and 26th, 2023 Council Minutes; updated List of Claims; renewal of Class C Retail Alcohol License and Outdoor Service for Black Squirrel Investments LLC; notice of Board of Adjustments vacancies. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried.

Citizens' Comments: Johnson County Board of Supervisors V Fixmer-Oraiz introduced herself.

Reports:

Sheriff: Johnson County Deputy noted the extra patrol the City hired has prevented less vandalism and traffic issues. May and June 2023 Police Reports were submitted.

Engineer: Report is on file at city hall.

Council: No reports.

Employees: McCleary, Persons and Kakacek written reports are on file at city hall.

Miscellaneous Reports: Swisher Parks & Recreation 5-17-23 Minutes were reviewed.

BUSINESS:

Public Hearing-ADU: Motion by Gudenkauf, seconded by Heims to open public hearing on replacing Chapter 165 with current Chapter 165 including Accessory Dwelling Units. Call for vote. All ayes. Motion carried. Public hearing opened at 6:35 p.m. Daryl Hynek inquired why the City is doing this and he is opposed to having ADUs. Heims noted this is a friendly option to the older population to stay in their homes. Julie Persons noted it gives options for seniors. Curt Cline inquired how many lots in town would be able to have ADUs. Heims noted it may never be used but is a good option. Kakacek noted the setbacks are the same as residential zoning. William Gorman noted ADUs are not just detached homes but can be within the house with separate kitchen and bathroom, above a garage. ADUs goal is to have elderly people to stay in their homes longer. There was a question on required off street parking for house and ADU. Kakacek will get verification from the attorney. Motion by Gudenkauf, seconded by Pudil to close public hearing. Call for vote. All ayes. Motion carried. The public hearing closed at 7:16 p.m.

1st Reading of Ordinance--ADU: Pudil moved, seconded by Heims to introduce Ordinance #295 by title only entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA 2015, BY REPEALING CHAPTER 165-ZONING REGULATIONS AND ADOPTING NEW CHAPTER 165-ZONING REGULATIONS" and be given its first reading. Roll call vote. Ayes:

Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Motion carried. Ordinance #295 was given its first reading.

Set Public Hearing Date to Change Sewer Rates: Motion by Pudil, seconded by Neuendorf to set public hearing date for July 24, 2023 at 6:30 p.m. at Swisher Library to consider raising sewer rates for the next 4 years. Call for vote. All ayes. Motion carried. Virginia Svec inquired about the proposed rates. Pudil noted residential sewers would be increased \$11.25 each year and commercial \$18.25 each year.

Purchase Chain Link Fence for Castek Park: Fields noted the quote may be higher as he estimated the length for a 4' height. Kakacek noted this was not budgeted and would have to be paid out of the general fund. Kevin Krug noted people go into his driveway, golf carts cut across his property to go to the park. He noted ball players shot fireworks off his property. Kevin recommended a 6' fence instead of 4' so it can't be jumped over. Barb Krug noted they must use their entrance gate due to trespassers which they shouldn't have to do. Kevin also noted people play in the unfenced area of Tubbs property that adjoins the park. Neuendorf suggested having that area monitored and noted events at the park should be monitored as well. Heims suggested having the coaches in charge and communicating with parents and possibly fine violators. Pudil suggested buying the fence in a 2-year phase to help with the budget. Kevin noted he was good with that. After discussion, the council directed Fields to get more fence quotes with 6' high fence.

Purchase Trail Cams: Kakacek noted the city attorney recommended to have signs put up when cameras are installed. They would say something like "Video Cameras in Place". He also noted the cameras need to show good quality video for both day and night to be able to recognize the violator. Fields noted the quality is good and recommend putting 6 cameras at Castek Park and 2 at Downtown Park. He is checking with Alliant if a camera can be installed on their pole and there would be a monthly cost for internet. Also discussed was the process, storage of videos, and ability to record on motion activation. After discussion, Gudenkauf moved to approve the quote from Finish Line Technology of \$3,980.00 for 8 cameras and installation. Neuendorf seconded and added to purchase signs stating cameras in place. Roll call vote was taken. All ayes. Motion carried. Gudenkauf thanked Fields for his research.

Resolution No. 2023-35—Remove No Parking Signs: After review, Pudil moved, seconded by Gudenkauf to approve Resolution No. 2023-35 entitled 'A RESOLUTION REMOVING THE "NO PARKING" SIGNS ON 77 2ND STREET SE PROPERTY, SWISHER, IOWA'. Roll call vote. Ayes: Gudenkauf, Heims, Pudil, Stagg. Nays: None. Abstain: Neuendorf. Resolution No. 2023-35 passed.

Resolution No. 2023-36—Memorandum of Understanding for State Offset Program: After review, Pudil moved, seconded by Neuendorf to approve Resolution No. 2023-36 entitled 'A RESOLUTION REPLACING THE INCOME/OFFSET PROGRAM AND APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE IOWA DEPARTMENT OF REVENUE AND THE CITY OF SWISHER, IOWA, REGARDING STATE SETOFF PROGRAM'. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2023-36 passed.

Resolution No. 2023-37—Repeal Resolution No. 2023-33 Transfer of Funds: Kakacek noted transfer of funds from General to Debt Service-Shop Building was done in Resolutions No. 2023-26 and 2023-33 and only needed to be done once. After review, Gudenkauf moved, seconded by Neuendorf to approve Resolution No. 2023-37 entitled 'A RESOLUTION REPEALING RESOLUTION NO. 2023-33 TRANSFER OF FUNDS'. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2023-37 passed.

Resolution No. 2023-38—Transfer Funds: After review, Pudil moved, seconded by Heims to approve Resolution No. 2023-38 entitled 'A RESOLUTION AUTHORIZING THE CITY CLERK TO TRANSFER FUNDS' from General, Road Use, and Sewer Funds to Reserve Capital Equipment Funds for 2022-23 Budget. Roll call vote. Ayes: Gudenkauf, Heims, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2023-38 passed.

Correspondence: Council reviewed the following: letter from Iowa Secretary of State launching Iowa Businesses Against Trafficking (IBAT); email and photos of what people want in Swisher from the Food

Policy Council Happy Hour event; building permit for 315 Division Street SW; solicitors permit for Purelight Power. Pudil inquired if the solicitor doesn't have a license what is to be done. Kakacek noted the resident can ask to see the license and if they don't have one, solicitor should go to city hall and get one or call police or city hall and tell them the solicitor doesn't have a license.

Adjournment: Motion by Pudil, seconded by Neuendorf to adjourn. Call for vote. All ayes. Motion carried. The meeting was adjourned at 8:00 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor