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 July 11, 2016.

Council Present: Mary Gudenkauf, Rebekah Neuendorf, Mike Stagg, Larry Svec. Absent: Angie Hinrichs. Hinrichs arrived at 7:02 p.m.

Also present: City Clerk Tawnia Kakacek, Public Works Supervisor Craig Vondracek, City Engineer Tim Cutsforth, Library Director Laura Hoover, Johnson County Deputy Brian Adolph, Robin Kolosik, Kathryn Birky, Norm Neal, Clint and Katie Haight, Dave and Terri Chalupsky, Shane Schrader- Schrader Excavating & Grading, J. Scott Ritter-Hart Frederick Consultant, Levi Powell-Littler, Amanda Mize, Lori, Colin, Zach and Thomas Winborn, several other children and parents.

Consent Agenda: After review and discussion, Stagg moved, seconded by Svec, to approve the Consent Agenda consisting of: Agenda; June 13, 2016 Minutes; updated List of Claims; Class B Beer, Class C Native Wine and Outdoor Service for Kava House; Five Day Class B Beer and Outdoor Service for Club 671; Street Closures for Men’s Club Car Show on September 17th with rain date of September 18th. Roll call vote was taken. All ayes. Absent: Hinrichs. Motion carried.

Citizens’ Comments: Colin Winborn requested Mayor and Council to consider adding a skate park to Swisher. He presented petitions, drawings, and reasons for skate park. Lori Winborn noted the existing cement at Castek Park could be an option or other available areas in town. Mayor noted grants are available for this type of project. Councilman Svec noted the salt/sand storage shed has door open where some children have been trespassing and getting into the building and asked Vondracek to fix door to keep shut for safety reasons.

Reports:
Library: Library Director Hoover noted the following: summer reading programs have 89 children and 35 adults so far; working on inventory that is required; presented few new books.
Sheriff: Johnson County Deputy Sheriff Adolph noted they have been watching traffic on Alan Avenue and stopped a few people.
Engineer: City Engineer Cutsforth noted the following: finished alley inventory; helped with annexation information; reviewed drainage issue on Central Avenue/4th Street; finishing up on Orchard Street Storm Sewer Project; updated map for P & Z regarding Chalupsky rezoning, reviewed Schrader sewer connection request; finished sewer map; met with Norm Neal regarding drainage issue; and noted Rose Amundson is continuing dialog with IDNR on county shed. He inquired how extensive Council wants for drainage problems on Rose Avenue and 4th Street. Svec noted there is still water issue on Central and needs to be fixed. Cutsforth will present cost estimate for Rose Avenue and 4th Street at future meeting.

Mayor: Mayor Taylor noted that Svec, Stagg, Vondracek and him are meeting this Wednesday to review Vondracek’s job duties and possibility of expanding Public Works department.

Council: No reports.

Employees: Vondracek noted the following: at the last heavy rain 3 pumps at wastewater treatment plant were clogged and were repaired; flow meters went out due to the rain and were repaired; there was a lot of water at the south side of wastewater plant and almost took out the fence. He noted the burn pile is completely full due to residents outside Swisher city limits putting items in the burn pile. It was suggested to install security camera by burn pile to charge persons who are illegally dumping there. Kakacek noted city has received reimbursements from county for testing at county shed; work comp audit was done today; the last time radar speed sign was purchased it cost $4410 per council inquiry; will be gone tomorrow for funeral and clerk academy July 27-29; True North Insurance would like to give short presentation to council for city liability insurance and asked council if interested. Council agreed to listen to the presentation at future meeting.
**Miscellaneous:** Council reviewed Library Board 4-25-16 Minutes and Planning & Zoning 6-27-16 Minutes.

**BUSINESS:**

**Resolution No. 2016-29—Pay Librarian Position:** Mayor noted the Library Board reviewed 2 applications for library position and hired Laura Hoover. Motion by Stagg, seconded by Gudenkauf, to approve Resolution No. 2016-29 entitled “A RESOLUTION AUTHORIZING WAGE PAYMENT FOR CITY OF SWISHER LIBRARIAN FOR FISCAL YEAR 2016-2017” to Laura Hoover as Library Director. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-29 passed. Gudenkauf thanked Hoover for countless volunteer hours she has put into the library. Rest of council concurred.

**Set Public Hearing Date to Rezone Chalupsky Property by Central and 3rd Street:** Motion by Svec, seconded by Stagg, to set public hearing date to rezone Chalupsky property by Central and 3rd Street for August 8, 2016 at 7 p.m. at Swisher Council Chambers. Call for vote. All ayes. Motion carried.

**Resolution No. 2016-30—Approve Engineer Agreement for Division Street Project:** City Engineer Cutsforth noted this contract will cover public and steering committee meetings, engineer opinion of cost, concept study, etc. and should finish by early December. Motion by Stagg, seconded by Neuendorf, to approve Resolution No. 2016-30 entitled “A RESOLUTION APPROVING AGREEMENT WITH HR GREEN FOR ENGINEERING SERVICES FOR DIVISION STREET PROJECT IN SWISHER, IOWA”. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-30 passed.

**Installation of Back Flow:** After discussion, Svec moved, seconded by Gudenkauf, to approve installation of back flow preventer for Orchard Heights Storm Drainage Project at cost of $538.00. Roll call vote was taken. All ayes. Motion carried.

**Alley Inventory:** Engineer Cutsforth presented alley inventory study map of all alleys in City of Swisher.

**Payment for Storm Drainage Project:** Engineer Cutsforth noted Bushman Excavating hasn’t submitted a revised pay request so no action needed at this time. No action was taken.

**Request to Connect to City Sewer:** Shane Schrader of Schrader Excavating & Grading addressed mayor and council to allow him to connect to city sewer across north of Cedar Ridge Winery as building a new event center there. It was noted that Cedar Ridge may want to connect to city sewer as well. Mayor and council invited him to the July 18th Special Council Meeting as meeting with outside area residents regarding growth. Council will review request and discuss at next regularly scheduled council meeting and after special meeting on July 18th.

**Resolution No. 2016-31—Approve Preliminary/Final Plat of Deer Crossing Subdivision:** After review and recommendation of approval from Swisher Planning and Zoning, Svec moved, seconded by Stagg, to approve Resolution No. 2016-31 entitled “APPLICATION OF TERRANCE SCHROPP, REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF DEER CROSSING SUBDIVISION (Within the 2 mile fringe area agreement)”. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-31 passed.

**Public Hearing—Annexation:** Motion by Stagg, seconded by Gudenkauf, to open public hearing to consider annexation of 711 Swisher View Drive. Call for vote. All ayes. Motion carried and public hearing opened at 8:08 p.m. Katie Haight noted it would be good extension of Swisher and will be subdivided into three big lots. No other verbal or written comments were presented. Mayor closed public hearing at 8:10 p.m.

**Resolution No. 2016-32—Approve Annexation of 711 Swisher View Drive:** After discussion, Svec moved, seconded by Stagg, to approve Resolution No. 2016-32 entitled “A RESOLUTION ACCEPTING AN APPLICATION FOR VOLUNTARY ANNEXATION OF CERTAIN REAL ESTATE OWNED BY CLINT AND KATIE HAIGHT FOR CERTAIN PROPERTY LYING SOUTHWEST BORDER OF THE CITY OF SWISHER”. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-32 passed. This application will be sent to state for approval.

**Request to Install Speed Bumps:** Amanda Mize addressed Mayor and Council about installing removable speed bumps on Alan Avenue for safety of children and slow the traffic on that street. She presented a few speed bump examples. After discussion, Svec moved, seconded by Stagg, to purchase and install two “Children at Play” signs one at each end of Alan Avenue. Roll call vote. All ayes. Motion carried. Council directed the Johnson County Sheriff Department to have extra patrol on Alan Avenue during the peak times, mornings and evenings on Alan.
Avenue. They also directed city engineer to look at the best options for removable or semi-permanent speed bumps/speed tables and to provide cost estimate of sidewalk installation on Alan Avenue.

**Public Hearing-Adopt Revenue Purpose Statement:** Motion by Gudenkauf, seconded by Stagg, to open public hearing to consider adopting a Revenue Purpose Statement regarding use of revenues from proposed gas franchise fees. Call for vote. All ayes. Motion carried and public hearing opened at 8:42 p.m. No verbal or written comments were presented. Mayor closed public hearing at 8:42 p.m.

**Resolution No. 2016-33—Adopt Revenue Purpose Statement:** After discussion, Stagg moved, seconded by Hinrichs, to approve Resolution No. 2016-33 entitled “A RESOLUTION APPROVING AND ADOPTING A REVENUE PURPOSE STATEMENT FOR THE USE OR EXPENDITURE OF FEE REVENUES FROM PROPOSED FRANCHISE FEES” with no fees to be charged at this time. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-33 passed. The council can change the franchise fee every two years up to 5%.

**Public Hearing-Increase Refuse/Recycle Rate:** Motion by Svec, seconded by Gudenkauf, to open public hearing to consider increasing refuse/recycle monthly rate to $12.50 per month per dwelling unit. Call for vote. All ayes. Motion carried and public hearing opened at 8:43 p.m. No verbal or written comments were presented. Mayor closed public hearing at 8:44 p.m.

**1st Reading and Final Reading of Ord.#257—Increase Refuse/Recycle Rate:** After discussion, Svec moved, seconded by Stagg, to introduce Ordinance #257 by title only entitled “AN ORDINANCE AMENDING THE MUNICIPAL CODE OF SWISHER, IOWA, SECTION 106.08 COLLECTION FEE FOR SOLID WASTE COLLECTION” increasing to $12.50 per month for each dwelling unit and be given its first reading. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Motion carried. Motion by Svec, seconded by Hinrichs, 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 #257 be placed on its last reading. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Motion carried. Ordinance #257 adopted. New rate will start August 1st.

**Public Hearing—Increase Number of Park/Recreation Board Members:** Motion by Neuendorf, seconded by Stagg, to open public hearing to consider increasing number of Park and Recreation Board Members from three to five. Call for vote. All ayes. Motion carried and public hearing opened at 8:48 p.m. No verbal or written comments were presented. Mayor closed public hearing at 8:50 p.m.

**1st Reading and Final Reading of Ord.#258—Increase Number of Park/Recreation Board Members:** After discussion, Gudenkauf moved, seconded by Hinrichs, to introduce Ordinance #258 by title only entitled “AN ORDINANCE AMENDING THE MUNICIPAL CODE OF SWISHER, IOWA, SECTION 22.02 BOARD ORGANIZATION FOR PARKS AND RECREATION BOARD” increasing from 3 members to 5 members and be given its first reading. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. 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 #258 be placed on its last reading. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Motion carried. Ordinance #258 adopted. Mayor and Council would like the board to meet at the minimum quarterly.

**Barker-LeMar Agreement:** After review, Neuendorf moved, seconded by Hinrichs, to approve Barker-LeMar Agreement for testing and report on old D & G lot (Downtown City Park). Roll call vote was taken. All ayes. Motion carried.

**Resolution No. 2016-34—Mayor Spending Authority:** After discussion, Svec moved, seconded by Gudenkauf, to approve Resolution No. 2016-34 entitled “A RESOLUTION AUTHORIZING AMOUNT MAYOR MAY SPEND WITHOUT COUNCIL APPROVAL FOR EMERGENCY REPAIRS OR PROJECT CHANGE ORDERS/AMENDMENTS” up to $2,000.00. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-34 passed.

**Resolution No. 2016-35—HR Manual:** After review and discussion, Stagg moved, seconded by Neuendorf, to approve Resolution No. 2016-35 entitled “A RESOLUTION REPLACING THE PERSONNEL POLICY

Resolution No. 2016-37—Transfer of Funds from General to LOST: Kakacek inquired Council if they wanted the appraisal and engineering fees associated with trying to purchase the county shed to be paid out of General Fund or LOST Fund as budgeted to transfer from the LOST Fund to General Fund. After discussion, Stagg moved, seconded by Neuendorf, to approve Resolution No. 2016-37 entitled “A RESOLUTION AUTHORIZING THE CITY CLERK TO TRANSFER FUNDS” from LOST Fund to General Fund. Roll call vote. Ayes: Gudenkauf, Hinrichs, Neuendorf, Stagg, Svec. Nays: None. Resolution No. 2016-37 passed.

Correspondence: Council reviewed email from resident wanting to have Cedar Bayou Aquatic Center and Waterpark in area of Swisher and Shueyville instead of Cedar Rapids; Iowa League of Cities New Laws of Interest; Mediacom update; Building Permits for 108 Rose Avenue and 420 3rd Street SW; R.O.W. Permit for 520 Jefferson Avenue SW were on the council table for review.

Adjournment: Motion by Svec, seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:20 p.m.

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Tawnia Kakacek, City Clerk

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Christopher Taylor, Mayor