

(Subject to Approval)  
**CITY OF SWISHER, IOWA**  
**CITY COUNCIL MEETING MINUTES**  
**JULY 9, 2018**

**REGULAR CITY COUNCIL MEETING**

**Call To Order:** Mayor Christopher Taylor called the Swisher Council Meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on July 9, 2018.

**Council Present:** Jerry Hightshoe, Rebekah Neuendorf, James Rowe, Mike Stagg. Absent: Mary Gudenkauf.

**Also Present:** City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Rodney McNeal, Library Director Laura Hoover, City Engineer Tim Cutsforth-HR Green, Jefferson-Monroe Fire Department-Gene Beard and Glen Heims, Johnson County Sheriff Lieutenant Brian Adolph, Sandy Fults, Jason & Teresa Pitts, Norm Neal, Linda Richards, Swisher Business Alliance Group--Sonya LaGrange, Dawn Terrell, Nikki Hynek, Courtney Melchert, Nick Neuendorf, Craig & Karen Vondracek.

**Consent Agenda:** Mayor Taylor would like to move item 4l-Volunteer Work and Purchase Plants for West Side of Swisher Welcome Sign after item 4c-Ordinance Reading of Storm Water Utility Fund. After review and discussion, Stagg moved, seconded by Rowe, to approve the Consent Agenda consisting of: Agenda with moving item 4l-Volunteer Work and Purchase Plants after item 4c; June 11, 2018 Meeting Minutes; updated List of Claims; Black Squirrel Tap Class C Liquor License, Class B Native Wine Permit, Outdoor Service and Sunday Sales pending dram shop; Kava House & Cafe Class B Beer, Class C Native Wine permit and Outdoor Service; DanceMor Ballroom 5 day Special Class C Liquor License (Beer/Wine) and Outdoor Service pending dram shop; Resolution No. 2018-25-Transfer of Funds from Local Option Sales Tax to Division Street Capital Project Roll call vote was taken. Ayes: Hightshoe, Rowe, Stagg. Absent: Gudenkauf. Abstain: Neuendorf (part owner of Black Squirrel Tap and DanceMor). Motion carried.

**Citizen Comments:** Sandy Fults stated she is having trouble with vermin on west side of her house digging into her yard and stripping the bark off the trees and asked if the city could do anything about this. Mayor said city could send letter to CRANDIC or see what is attracting them to her area. Nick Neuendorf offered her to use his trap. Gene Beard noted parking lines need to be painted in front of Shelton's apartments. Sonya LaGrange asked council if they would be okay to have another Vault Street Fair Fall Edition and street closure, council saw no problem and will be on the next agenda for formal approval. Linda Richards thanked the Mayor and Council for letter sent to Schneider Trucking regarding the noise, speeding, etc. She noted their trucks have not been going thru Swisher.

**Reports:**

**Library:** Library Director Hoover gave the following update: circulation has gone up 133% and door count up 135%; is under budget for 2017-18; Summer Program has 45 persons a day at the library; Senior Program speakers will be Julie Eden Reed sharing stories of 1<sup>st</sup> year as elementary principal on July 10<sup>th</sup> and Linda Hartley Hey telling the story of North West Johnson County History including Swisher, Shueyville and Western on July 24<sup>th</sup>; thanked Kava House for donating ice cream for prizes on the rock scavenger hunt. Swisher Library Board May 29, 2018 Minutes were presented as well.

**Engineer:** Engineer Cutsforth reported the following: reviewed rezoning request in the fringe area and reviewed city code regarding sump pumps requested by the city clerk. Stagg inquired about funding for Division Street Project. Cutsforth noted a block grant may be available in year 2022 and was at a loss of what to do with the county regarding project. Mayor will contact Johnson County Board of Supervisor Rod Sullivan to discuss project. Cutsforth noted the county goes out for bid early spring or late winter for their road project that adjoins to Division Street. If they city does the project at the same time as the county, it may be included in their bid specs and save costs. He will contact the county engineer.

**Mayor:** Mayor Taylor reported the following: quarterly Joint Entities Meeting is next week and if council has any topics to be addressed, let him know; if any of the council plan on attending the Iowa League of Cities annual conference have the city clerk sign them up; Johnson County Emergency Management Plan Phase 2 is completed, Mayor thanked city staff for participating in survey.

**Employees:** McNeal reported the following: received the new skid loader and tractor; been painting parking lines; next week he will install new message board with larger concrete pad; Craig Vondracek gave him drawing of 15 new off-street parking spaces at Kava House. Kakacek reported the following: Planning & Zoning Commission meet July 23<sup>rd</sup>, received insurance money for damaged message board; received ICAP grant money for cabinet and will be ordering street cones to use up the balance of the grant; made the additional \$298,0000 principal payment for the sewer bond that in turn saved \$94,232 in interest, and \$7,877.50 in bond fees with bond being paid off 3 years earlier than scheduled; work comp audit will be coming up; will be attending Clerk Academy July 25-27; will be working on several annual reports for the next few months; asked council to bring in their code books for updates. She also presented list of city items sold in the past few years per Stagg request.

**Miscellaneous:** Council reviewed Planning & Zoning June 25, 2018 Minutes.

## **BUSINESS:**

**Proclamation:** Mayor Taylor read and signed Proclamation of the 50<sup>th</sup> Anniversary of Home Rule in Iowa.

**Rose Avenue Drainage Project:** Engineer Cutsforth reported the following: the contractor will seed in August; due to the heavy rains, it tore up in front of the apron and property owner Teresa Burgess not comfortable mowing that area. He recommends it will take \$5,000 to \$8,000 to improve the north end with McNeal cleaning north to the ditch. The specs for this were in the original plan but was removed due to costs. Norm Neal stated Dunlap and Greiner are not happy with the deep swails in their property. Cutsforth noted the swails are mowable and not deep. He stated that he talked with Mrs. Dunlap and she was fine with the project. After discussion, Stagg moved, seconded by Hightshoe, to authorize city engineer to finish the north end of Rose Avenue Drainage Project up to \$8,000.00. Roll call was done. All ayes unless otherwise noted. Absent: Gudenkauf. Motion carried.

**2<sup>nd</sup> and Final Reading of Ord.#270—Create Storm Water Utility Fund:** After discussion, Stagg moved, seconded by Neuendorf, to introduce Ordinance #270 by title only entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA BY ADDING PROVISIONS PERTAINING TO STORM WATER DRAINAGE UTILITY” with residential rate of \$5.00 per month per residential unit and \$8.00 per month per commercial unit and be given its second reading. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Motion by Stagg, seconded by Neuendorf, 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 #270. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Motion by Rowe, seconded by Stagg to place Ordinance #270 upon its third and final passage and be adopted. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Ordinance #270 adopted.

**Request to Volunteer Work and Purchase Plants at Swisher Welcome Sign:** Sandy Fults noted she volunteered last year and put in plants in the east side Swisher Welcome Sign and Downtown Park and would like to do it this year for the west side Swisher Welcome Sign. McNeal inquired if the sign was to be moved further out. Council discussed and decided to leave sign where it is. Motion by Rowe, seconded by Neuendorf to approve Sandy Fults volunteering to purchase plants on city account and plant at west side Swisher Welcome Sign at cost up to \$400.00. Call for vote. All ayes. Absent: Gudenkauf. Motion carried.

**Swisher Business Alliance “SBA”:** Councilperson Neuendorf recused herself from council to as she is part of the Swisher Business Alliance group. SBA introduced themselves and their businesses and gave presentation of their goal as a group which is to serve, support, and inspire downtown business growth and revitalization, while enhancing the community. Nikki Hynek asked for city support and financial support to

continue to proceed with this group and their goal for the downtown businesses and community. Mayor noted they would need to become an LLC group and an agreement between the city and the LLC would need to be done before the city could grant any public money. If they wanted zoning changes for downtown area they can go to Planning & Zoning for change without being an LLC group. Engineer noted the next step is to become an LLC and present budget to the City. Mayor and Council thanked SBA Group for their work and commitment. After discussion, Neuendorf resumed her council position.

**Alley Improvement:** Engineer Cutsforth presented revised opinion of alley reconstruction of \$60,000 for the alley north of 2<sup>nd</sup> Street between 1<sup>st</sup> & 2<sup>nd</sup> Streets and Rose & Central Avenues. After discussion, Council agreed for this to be considered for the 2019-2020 Budget and discuss in the fall.

**Streets Project 2018-19:** Engineer Cutsforth reported LL Pelling bid last month was high due to it was too small of a project to be cost effective and the other company missed the due date. He presented new recommendation of streets for improvement at estimated cost of \$28,000.00. Mayor inquired how the engineer advertises for this project. Cutsforth stated he sends to the same two bidders as in the past but can also put on the Iowa League of Cities Bidding Site and can be put on City's website and facebook page. Kakacek asked if there would be much cost as sending out for bids again. Cutsforth says it should be minimal as most of the cost was for the first bidding outlet. After discussion, Stagg moved, seconded by Rowe, to have city engineer send out for quotes for the updated street improvements project. Roll call vote was taken. All ayes unless otherwise noted. Absent: Gudenkauf.

**Request for Funds-Fire Prevention Project:** Glen Heims and Gene Beard from Jefferson-Monroe Fire Department requested \$4,000.00 from the City of Swisher and City of Shueyville for purchasing an automatic filling system on the tank at the fire station using their existing well. Currently they have to refill the tanks for fires manually which takes hours to refill. It was recommended to them to purchase automatic filling system that would alleviate this problem. After discussion, Neuendorf moved, seconded by Rowe, to approve payment of \$4,000.00 to help purchase the automatic filling system for Jefferson-Monroe Fire Department. Roll call vote was taken. All ayes unless otherwise noted. Absent: Gudenkauf.

**Resolution No. 2018-26-Approve Rezone Outlot A on Clay Studio:** Rowe asked if there were any concerns of rezoning request and there were not. After review and recommendation of approval from Swisher Planning & Zoning, Rowe moved, seconded by Stagg, to approve Resolution No. 2018-26 entitled "APPLICATION OF JACQUELINE HOOTMAN, REQUESTING TO REZONE 8.4 ACRES OF PROPERTY FROM A-AGRICULTURE TO R-RESIDENTIAL OF CERTAIN PROPERTY DESCRIBED AS BEING IN DANNELS SECOND SUBDIVISION, OUTLOT A LOCATED AT CLAY STUDIO COURT NW, SWISHER IOWA. (Within the 2-mile fringe area agreement policy with Johnson County and the City of Swisher)". Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2018-26 passed.

**Resolution No. 2018-27-Hire Seasonal Mowing Position:** Norm Neal stated he believes there are certain areas being mowed in town that shouldn't be done by the city and the city should consider hiring a mowing company instead of using city staff. R. Neuendorf recommended to review this option in the winter at budget time. Hightshoe suggested gathering data on how much time is done for mowing. McNeal will start tracking mowing hours. Council asked McNeal if he felt veteran candidate would qualify for the job and he okayed it. Kakacek noted this was not budgeted. Kakacek noted council has to give preference of hiring to a veteran if qualified for position per Iowa Law. After review of applications and discussion, Rowe moved, seconded by Stagg to approve Resolution No. 2018-27 entitled "A RESOLUTION AWARDED POSITION AND SETTING THE SALARY FOR SEASONAL MOWING POSITION FOR THE CITY OF SWISHER" to Gary Palas at \$14.70 per hour up to 20 hours maximum per week. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2018-27 passed.

**Approve Removal of Sludge:** McNeal presented quote from Nutri-Ject Systems for sludge removal at sewer plant. Kakacek noted this was not budgeted. After discussion, Neuendorf moved, seconded by Stagg, to approve removal of sludge in the fall by Nutri-Ject Systems at cost up to \$11,523.00 for the first 100,000 gallons. Roll call vote was taken. All ayes unless otherwise noted. Absent: Gudenkauf. Motion carried.

**Purchase of Sand/Salt:** McNeal stated the City is out of salt. He presented bids from Black Strap Inc. of \$90 per ton and Central Salt of \$87.20 per ton. After discussion, Neuendorf moved, seconded by Stagg, to approve purchase of salt/sand of \$87.20 per ton from Central Salt. Roll call vote was taken. All ayes unless otherwise noted. Absent: Gudenkauf. Motion carried.

**Resolution No. 2018-28-Approve 2018 Goal Setting Report:** After review, Stagg moved, seconded by Hightshoe to approve Resolution No. 2018-28 entitled “RESOLUTION ADOPTING GOAL SETTING REPORT FOR THE CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2018-28 passed.

**Resolution No. 2018-29-Amend Policy & Procedure Handbook-Computer Based Systems & Disaster Recovery Plan:** Mayor noted city insurance audit required this. After review, Neuendorf moved, seconded by Stagg to approve Resolution No. 2018-29 entitled “RESOLUTION AMENDING COMPUTER BASED SYSTEMS POLICY AND DISASTER RECOVERY PLAN TO THE CITY OF SWISHER POLICY AND PROCEDURES MANUAL FOR CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2018-29 passed.

**Resolution No. 2018-30-Amend Policy & Procedure Handbook-Acceptable Use of Internet Usage:** Mayor noted city insurance audit required this. After review, Stagg moved, seconded by Hightshoe to approve Resolution No. 2018-30 entitled “RESOLUTION ADD ACCEPTABLE USE POLICY FOR INTERNET USAGE TO THE CITY OF SWISHER POLICY AND PROCEDURES MANUAL FOR CITY OF SWISHER, IOWA”. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2018-30 passed.

**Resolution No. 2018-31-Set Salaries:** After discussion and review, Rowe moved, seconded by Hightshoe to approve Resolution No. 2018-31 entitled “A RESOLUTION SETTING THE SALARIES FOR CITY OF SWISHER EMPLOYEES FOR THE FISCAL YEAR 2018-19” and recommending rate of increase to Library Board for librarian. Roll call vote. Ayes: Hightshoe, Neuendorf, Rowe, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2018-31 passed.

**Correspondence:** Council reviewed the following: letters sent for speeding trucks, mowing, trimming trees; invitation to Mayor and Council to attend the Iowa League of Cities September Conference; New Laws of Interest to Cities from the League of Cities; 2018-19 City of Swisher Budget. Building Permit for 100 Orchard Street and ISU Community Matters Newsletter were on the council table for review.

**Adjournment:** Motion by Neuendorf, seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 10:13 p.m.

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Tawnia Kakacek, City Clerk/ Finance Officer

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Christopher Taylor, Mayor