REGULAR CITY COUNCIL MEETING

CALL TO ORDER: Mayor Christopher Taylor called the council meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on August 10, 2015.

Council Present: Sandra Fults, Mary Gudenkauf, Angie Hinrichs, Mike Stagg, and Larry Svec.

Also present: City Clerk Tawnia Kakacek, Library Director Laura Hoover, Johnson County Deputy Sheriff Adolf, Sonja LaGrange, Rebekah Neuendorf, Dan Thayer, Craig Davis, Millard Berry.

Consent Agenda: After review and discussion, Gudenkauf moved, seconded by Hinrichs, to approve the Consent Agenda consisting of: Agenda, July 13 and August 3, 2015 Minutes, List of Claims, June 2015 Clerk/Treasurer Report and Utility Audit Report, Jefferson-Monroe Fire Department Annual Report. Roll call for vote was taken. All ayes. Motion carried.

Citizens’ Comments: Sonja LaGrange and Rebekah Neuendorf thanked the City for their support of Swisher Fun Days. They also thanked the Johnson County Sheriff’s Department for their work. Hinrichs noted they did an excellent job and were very well organized.

Reports:
Library Director Report: Hoover reported the following: teens will be helping throughout the school year, book fair will continue to next Thursday, teen room furniture should be delivered next Friday, library board has started long range planning sessions with state paid consultant, library will be upgrading the computer system the first week of school, and Hoover won Association of Rural and Small Libraries Scholarship to National Library Conference. She also presented new library books.

Sheriff Report: Fults noted firecrackers have been set off and on since July 4th and has concern of safety for residents.

Mayor Report: Mayor noted the following: Fun Days went well and the committee will have a debriefing meeting; he attended Joint Entities Meeting and volunteered City of Swisher as part of the sustainable energy group.

Council Reports: Svec gave overview of the fire department annual report. Fults noted the following: nonresidents of City of Swisher are dumping brush at city’s brush dump site; she inquired if the plantings for the east city sign were done and if the tree was removed at park. Vondracek noted the plantings have to wait until he replaces the deteriorated posts on city sign and will remove the tree. Fults inquired about the trail improvements. Kakacek will contact Park Commission to set a meeting and discuss trail. Hinrichs noted there is no stop sign going east from 3rd Street to Central and concern of safety. She inquired of email sent regarding visibility on corner of Green Castle and 120th Street. Kakacek noted the Mayor; Vondracek and complainant are going to meet to review this area and a letter had been sent out to owner before complaint was received. Gudenkauf reported that she and Stagg have not met with Johnson County Board of Supervisors representatives regarding purchase of county shed as waiting for response on who the contact people are.

Employees’ Reports: Vondracek noted the following: he passed lab certification test; working on the air dryer at sewer plant; sewer backed up at Kasperaks and may camera that line; Fun Days went great working with LaGrange and Neuendorf; he attended wastewater treatment continuing education; the engineer and he reviewed culvert issue on Orchard Street. Fults noted there is a hole on south side of Maple Street and Swisher View Drive. Mayor noted that we are a Grade 3 wastewater treatment plant. Vondracek gave details of this from the previous engineer and noted Furler is contacting DNR of what needs to be done. Kakacek noted a lot of electronic utility payments have been turned in and monthly utility billing has started.


BUSINESS:
Public Hearing to Change Library Board Commencement Date: Motion by Svec, seconded by Fults, to open public hearing to change library board commencement date to January 1st from July 1st. Call for vote. All ayes. Motion carried. Public hearing opened at 7:47 p.m. No verbal or written comments were received. Motion by
Stagg, seconded by Hinrichs, to close public hearing. Call for vote. All ayes. Motion carried. Public hearing closed at 7:48 p.m.

**1st and Final Reading of Ord.#249—Amending Library Board Commencement Date:** Motion by Stagg, seconded by Gudenkauf, to introduce Ordinance #249 by title only entitled “AN ORDINANCE AMENDING LIBRARY BOARD OF TRUSTEES, CHAPTER 23.05(1), ORGANIZATION OF THE BOARD OF THE SWISHER CODE OF ORDINANCES 2015 OF SWISHER IOWA” and be given its first reading. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried. Motion by Gudenkauf, 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 #249 be placed on its last reading. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried. Motion by Fults, seconded by Stagg, to place Ordinance #249 upon its final passage and be adopted. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried. Ordinance #249 adopted.

**Approve Treatment/Removal of City Ash Trees:** After review of JLS Green Solutions recommendations of city’s ash trees, Gudenkauf moved, seconded by Stagg, to approve recommended treatment and/or removal of city ash trees in the amount of 3,346.50. Roll call vote was taken. All ayes. Motion carried. Kakacek will post notices for residents to contact JLS Green Solutions if want treatment/removal of their ash trees.

**Approve Payment to Prairie Road Builders:** Council and Mayor discussed overage of bill of $1600. Vondracek explained the cracks on Divison Street had widened since spring and the engineer approved the increase. Svec expressed desire not to use engineer for obtaining bids on crack seal in the future. After discussion, Hinrichs moved, seconded by Fults, to approve payment to Prairie Road Builders of $28,615.11. Roll call was taken. All ayes. Motion carried.

**Request to Waive Monthly Sewer Fee:** Craig Davis of Dance Mor requested the council to waive the monthly sewer fee as it is vacant and no longer being used since last year. He noted that his water, gas, electricity is disconnected. After discussion, Fults moved, seconded Gudenkauf, to reduce his sewer utility bill to zero amount until new ownership of Dance Mor takes possession. Roll call vote. Ayes: Fults, Gudenkauf, Stagg, Svec. Nays: Hinrichs. Motion carried.

**City Property to be Sold:** Mayor and council reviewed list of items to be sold and information to sell equipment on GovDeals. Com. After discussion, Svec moved, seconded by Hinrichs, to sign up with Gov.Deals with option B4(buyer pays premium fee) to sell city equipment and bids to be turned in and opened at September 14, 2015 Council Meeting.

**Approve Curb Replacement on Aaron Court:** Vondracek noted Chalupsky is the only local contractor to fix this. After discussion, Gudenkauf moved, seconded by Stagg, to approve Chalupsky Construction to repair curb on Aaron Court for $1,250 and be completed within 30 days of this meeting. Roll call vote was taken. All ayes. Motion carried.

**Set Public Hearing Date-Add Dangerous/Vicious Animals Ordinance and Amend Animal Protection Ordinance:** Mayor presented Iowa Code Chapter 717F-Definition of Dangerous Wild Animal and recommended changes to proposed Chapter 57 for Dangerous/Vicious Animals. After discussion Stagg moved, seconded by Fults, to set public hearing date to September 14, 2015 at 7 p.m. at Swisher City Hall for amended version of proposed Chapter 57-Dangerous/Vicious Animals and changes to Chapter 55.13 and 55.17, Roll call vote was taken. All ayes. Motion carried.

**Resolution No. 2015-29—Approve Credit/Debit Card Payment Program:** Kakacek presented quotes from IA Internet, PSN, I-Cash, and GOVPAYNET and recommended GovPay.net. After review and discussion, Stagg moved, seconded by Svec, to approve Resolution No. 2015-29 entitled “A RESOLUTION APPROVING DEBIT/CREDIT CARD PROGRAM FOR THE CITY OF SWISHER, IOWA” with GOVPAYNET. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-29 passed.

**City Signs and Plantings:** After discussion, council gave consensus to table plantings for west city sign to Spring 2016.

**Refer to P & Z—Vacate and Sell City Street:** Council reviewed request from Dan Thayer to purchase unimproved street abutting south of his property at 76 Howard Avenue SW. Millard Berry expressed desire to purchase part of the street. After discussion, Svec moved, seconded by Fults, to refer request to vacate and sell unimproved city street from Howard Avenue to Jefferson Avenue to Swisher Planning and Zoning Commission to

**BarkerLemar Agreement:** After review of approval of state funding and agreement, Gudenkauf moved, seconded by Stagg, to approve BarkerLemar Agreement of $6,690.00 for site monitoring and groundwater sampling of D & G Lot. Roll call vote was taken. All ayes. Motion carried.

**Resolution No. 2015-30—Establish Funds:** Kakacek recommended to setup separate reserve funds for Sewer and Road Use. After discussion, Stagg moved, seconded by Fults, to approve Resolution No. 2015-30 entitled “A RESOLUTION ESTABLISHING SEPARATE RESERVE FUNDS”. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-30 passed.

**Resolution No. 2015-31—Transfer Funds:** Kakacek noted this would be the set aside monies transferring to new reserve funds. After discussion, Stagg moved, seconded by Svec, to approve Resolution No. 2015-31 entitled “A RESOLUTION AUTHORIZING THE CITY CLERK TO TRANSFER FUNDS”. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-31 passed.

**Board of Adjustment Appeals Fee:** After discussion, Gudenkauf moved, seconded by Hinrichs, to post pone changing Board of Adjustment Appeals Fee to next regularly scheduled council meeting and include discussion of rezoning fees. Call for vote. All ayes. Motion carried.


**Correspondence:** Mayor went over the following correspondence with the Council: letter from Johnson County Board of Supervisors regarding proposed hourly rate increase throughout the county; letter from Sue Snyder regarding the park; copy of letter sent to Gazette of recommendations for transporting people from Iowa City to Cedar Rapids and vise-versa. Johnson County Sheriff’s July Report, FEMA Invitation to Flood Risk Review Meeting, solicitors permit issued for home automation, building permits issued for 123 Central Avenue and 244 Alan Avenue 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

Christopher Taylor, Mayor