

(Subject to Approval)
CITY OF SWISHER, IOWA
SPECIAL COUNCIL MEETING MINUTES
AUGUST 30, 2021

This meeting was also held electronically. Anyone could attend in person, dial-in or connect electronically to hear the actual meeting.

Call to Order: Mayor Taylor called Special Council Meeting to order at 6:04 p.m. on August 30, 2021 at Swisher Library, Swisher IA.

Council Present: James Rowe, Michael Stagg. Attending electronically was Mary Gudenkauf. Absent: Rebekah Neuendorf and Kody Pudil. Kody Pudil arrived at 6:06 p.m.

Also present: City Clerk Tawnia Kakacek, Public Works Superintendent Al Fear, Jonathon Kline-City Engineer-HR Green, Bruce & Tammy Wright, Gina Landau and Scott Pottorff-MMS Consultants, Kathleen Fear, Clark Derhammer, Keith Eck, Nancy David, Marshall Barker, Jennifer Goldsmith. Attended by zoom were Dena Smith, Dave Brown, Floyd Richardson, Tim Hogan, Nancy Brown, Bernard Brown, Clayton Land, Carolyn Barker, Sue Fisher.

Agenda: Motion by Rowe, seconded by Stagg to approve the agenda. Call for vote. All yes. Motion carried. Absent: Neuendorf, Pudil.

Proposed FLUM Amendment and Rezone 1605 Seneca Road NW: Mayor Taylor noted the fringe area agreement with Johnson County doesn't address Future Land Use Map (FLUM) amendments so there are no guidelines and rezoning is only for review by the City, not approval. Pudil arrived at 6:06 p.m. Applicant Dave Brown gave background of request to make 8 lots of this property. He had a road study done on Seneca Road which complies with county and IDOT standards. Dave Brown noted Johnson County engineer guided him on what needs to be done to have development with total of 8 lots and to rezone simultaneously. Gudenkauf lost connection at 6:14 p.m. and reconnected at 6:16 p.m. Mayor noted this area based on fringe area agreement complies to county zoning and subdivision guidelines and is unlikely to be annexed into Swisher limits. Tammy Wright presented petition against Future Land Use Map Amendment application with list of concerns. Tammy Wright noted there is concern of water table, mature trees on property, land is habitat for owls and bats, there is active hunting in that area and would make it dangerous for houses built there, would increase traffic on Division Street making it an issue for the crosswalk and no increase in revenue for the City. Several people expressed concerns of increased/speeding traffic, poor condition of Seneca Road and hard for fire trucks to drive on, quality of life, unforeseen factors environmentally, water strata and they all opposed the applications. Gina Landau of MMS Consultants noted this would only affect crop land and conditional zoning agreements would be signed when rezoning was approved and be a binding agreement for whomever develops the land. Rowe asked if there was a pending lawsuit based on last year's denied application for this property. Tim Hogan said yes but would be automatically resolved when this FLUM amendment was approved. Rowe noted this property is not in Swisher growth area at this time but could be later. Gudenkauf lost connection at 6:59 p.m. Pudil inquired who maintains Seneca Road. Landau noted the county maintains the road. Gudenkauf connected back in at 7:07 p.m. Pudil noted they should comment on these applications to support residents and Swisher Planning & Zoning had recommended to approve with reservations of citizens concerns. Rowe noted he is not comfortable with the Johnson County Comprehensive Plan and it doesn't have Swisher involved with this plan. Gudenkauf noted she heard a lot of comments and asked what happens when another person in that area wants to develop their property. She lost connection at 7:14 p.m. Rowe noted if this gets approved, there could be other areas developed. After discussion, Rowe moved seconded by Pudil to have letter sent noting City of Swisher comments to oppose FLUM and

rezoning applications based on reservations from Swisher Planning & Zoning and not prudent to approve any new building until the fringe area agreement addresses FLUM. Roll call vote taken. Ayes: Pudil, Rowe, Stagg. Absent: Gudenkauf, Neuendorf. Motion carried.

Resolution No. 2021-35-Award Quote-3rd Street Bridge Project: Kakacek recommended this to be paid out of the bridge and general funds. After reviewing and discussing the only quote received, Stagg moved, seconded by Pudil to approve Resolution No. 2021-35 entitled “A RESOLUTION AWARDED QUOTE FOR 3RD STREET BRIDGE APPROACH PAVEMENT REHABILITATION” to Tschiggfrie Excavating for cost not to exceed \$25,390.00. Roll call vote. Ayes: Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf, Neuendorf. Resolution No. 2021-35 passed.

Resolution No. 2021-36-Award Quote-2021-22 Street Project: Kakacek recommended this to be paid out of the road use fund for street portion and sewer fund for manholes portion. After reviewing and discussing the only one quote received, Pudil moved, seconded by Rowe to approve Resolution No. 2021-36 entitled “A RESOLUTION AWARDED QUOTE FOR 2021-22 PAVEMENT REHABILITATION” to Tschiggfrie Excavating for cost not to exceed \$53,710.00. Roll call vote. Ayes: Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf, Neuendorf. Resolution No. 2021-36 passed.

Repair/Replace Garage Door: Public Works Superintendent Fear presented quotes for broken garage door from Dan’s Overhead Doors & More of \$2,850.00 and Raynor Door of Cedar Rapids of \$1,760.00 for insulated door and \$1,345.00 for un-insulated door. After review and discussion, Stagg moved, seconded by Pudil to award quote to Raynor Door of Cedar Rapids for insulated garage door at cost of \$1,760.00 for building east of shop behind city hall. Roll call vote. All ayes. Absent: Gudenkauf, Neuendorf. Motion carried. Fear will build header to make door fit.

Resolution No. 2021-37-Approve Communication’s Coordinator Job Description: Kakacek presented Councilperson Neuendorf written recommendation of changes on proposed job description. After discussion and review, Pudil moved, seconded by Stagg to approve Resolution No. 2021-37 entitled “A RESOLUTION APPROVING JOB DESCRIPTION FOR COMMUNICATION COORDINATOR FOR THE CITY OF SWISHER” with the recommended changes Neuendorf sent. Roll call vote. Ayes: Pudil, Rowe, Stagg. Nays: None. Absent: Gudenkauf, Neuendorf. Resolution No. 2021-37 passed.

Advertise Communication Coordinator Position: After review of advertisement, Pudil moved, seconded by Stagg to advertise for Communication Coordinator position. Call for vote. All ayes. Absent: Gudenkauf, Neuendorf. Motion carried.
Gudenkauf connected back in at 7:53 p.m.

Adjournment: Motion to adjourn by Pudil, seconded by Rowe. Call for vote. All ayes. Meeting adjourned at 7:57 p.m.

Tawnia Kakacek, City Clerk/Finance Officer

Christopher Taylor, Mayor