REGULAR CITY COUNCIL MEETING

CALL TO ORDER: Mayor Christopher Taylor called the council meeting to order at 7:22 p.m. at Swisher City Hall, Swisher, Iowa on August 8, 2016.

Council Present: Angie Hinrichs, Mary Gudenkauf, Rebekah Neuendorf, Mike Stagg, Larry Svec.

Also present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Supervisor Craig Vondracek, City Engineer Tim Cutsforth, Assistant City Attorney Megan Dimmit, Library Director Laura Hoover, Johnson County Deputy Wisman, Robin Kolosik, Normi Neal, Dave and Terri Chalupsky, Shane Schrader- Schrader Excavating & Grading, Amanda Mize, Ginny Svec, Lisa Nearad, Lindsay Hinrichs, Doug Hickey, Josh Pfannebecker Andy Shiflett-True North Insurance.

Consent Agenda: Mayor inquired engineer if received paperwork from Bushman Excavating for payment. Cutsforth had not received anything to date. Motion by Gudenkauf, seconded by Stagg, to remove payment to Bushman Excavating from the agenda. Call for vote. All ayes. Motion carried. After review and discussion, Gudenkauf moved, seconded by Hinrichs, to approve the Consent Agenda consisting of: Amended Agenda; July 11 and 18, 2016 Minutes; updated List of Claims; June 2016 Clerk/Treasurer Report and Utility Billing Audit Report; salt order for winter; Class C Liquor License and Outdoor Service for Black Squirrel Investments, LLC; alcohol license refund for J & S Shooters Inc. Roll call vote was taken. All ayes. Motion carried.

Citizens’ Comments: None.

Reports:
Library: Library Director Hoover noted the following: summer reading program is coming to the end and drawing for prizes is this Saturday; finished book inventory and missing only 2 books; presented few new books.

Sheriff: Johnson County Deputy Sheriff Wisman had no report. Councilperson Svec noted there was a medical call during the Fun Days Parade with no traffic control so ambulance could not get to that person right away.

Engineer: City Engineer Cutsforth noted the following: helped with annexation information; reviewed drainage issue on Central Avenue/4th Street; reviewed Schrader sewer connection request; printed larger sewer map; noted the IDNR wants to do additional testing at the county shed property at their own expense and directed IDNR to proceed; and Division Street Steering Committee will meet next week at city hall.

Mayor: Mayor Taylor noted he and the city clerk will be attending the Iowa League of Cities Annual Conference in September and asked council to review the sessions and let him know if there are certain sessions they would like them to attend; he received emails from Johnson County Supervisors Rod Sullivan and Lisa Green-Douglass to meet. He will talk to them about Division Street, county shed, and asked council to let him know of any other topics to discuss.

Council: No reports.

Employees: Vondracek noted the following: attended two day wastewater conference; did a lot of preparation and tear down for Fun Days; will be installing flow meter parts; an eagle scout contacted him and wants to cleanup and paint the park picnic tables for his project. Neuendorf noted one table has middle section broken. Kakacek noted the following: Alliant did street light count and noted city has been billed for 86 street lights but actually have 92 street lights, due to this the bill will increase about $100 per month; she talked to the city attorney about enforcing illegal dumping at brush pile with security cameras as proof but city would need to adopt ordinance to be enforceable; starting with August the utility billing will increase $1.50 more per month for garbage; requested council to bring in their code books for updates and she will be out of the office on August 19th.

Miscellaneous: Council reviewed Library Board 6-27-16 Minutes.

BUSINESS:
Public Hearing Date to Rezone: Motion by Stagg, seconded by Gudenkauf, to open public hearing to consider rezoning Dave & Terri Chalupsky property east of Central and south of 3rd Street from 7RS-Residential to BC-Business Commercial. Call for vote. All ayes. Motion carried and public hearing opened at 7:38 p.m. Dave Chalupsky presented petition of 152 signatures in favor of rezoning and picture of proposed building he wants to build for that location. Terri Chalupsky noted people had problem with allowing 3 story building for business commercial zoning but residential zoning allows 2 ½ story buildings. Councilperson Svec noted the lot is smaller than the (current) required 7000 square feet for residential zoning and should have never been changed to residential zoning as it had a county shed there before. Mayor said the county shed is a public use and is permitted on residential lots. Lindsay Hinrichs noted he did not buy the house next door to have commercial building built next to him and if rezoning was approved, city would not have control of building size plus lot not big enough to build due to the required setbacks. Ginny Svec inquired what person is to do with the property zoned as residential. Dave Chalupsky noted he has railroad permission to build up to their right of way. Lisa Neerad noted the front of her house faces the property to be rezoned and not in favor of it, as Chalupsky sometimes operates machinery there. Motion by Gudenkauf, seconded by Neuendorf, to close public hearing. Call for vote. All ayes. Public hearing closed at 7:51 p.m.

Ordinance to Rezone: After discussion, Gudenkauf moved, seconded by Stagg, to introduce and approve 1st reading of Ordinance to rezone property owned by Dave & Terri Chalupsky of property east of Central and south of 3rd Street from 7RS-Residential to BC-Business Commercial. Councilperson Svec noted he was disheartened to put another business out of town as Chalupsky pays commercial tax on that property and feels Chalupsky will not put up a cobbled up building. He also noted that other communities think the City ran him out of town and Chalupsky gave away his assets as couldn’t keep it on that property. Councilperson Stagg noted the property is useless as currently zoned and the proposed building would look nice on that property. Councilperson Gudenkauf inquired why P & Z voted against this. P & Z felt this was spot zoning and it would take ⅔ of the council vote to override P & Z recommendation. Dave Chalupsky presented photos of another property in town he felt wasn’t in compliance as well. He also presented letter from previous Mayor Scott Grabe stating that during his tenure Chalupsky was just storing his vehicles on the property and had not received any formal complaints so considered it as a non-issue. Grabe recommended City rezone property to business commercial. After discussion, roll vote was taken. Ayes: Stagg, Svec. Nays: Gudenkauf, Neuendorf, Hinrichs. Ordinance failed.

Drainage Issues: Engineer Cutsforth presented 3 options for drainage problem of Central Avenue, Rose Avenue and 4th Street. After discussion, council directed Cutsforth to review east side of Central Avenue for drainage options.

Connect to City Sewer: Engineer Cutsforth presented costs estimates for Shane Shrader to hook up to city sewer with option going across farmland or on 140th Street right of way. After discussion, Svec moved, seconded by Gudenkauf to approve Shane Shrader request to connect to city sewer. Roll call vote was taken. All ayes. Motion carried. At next regular council meeting, council will decide best option of connecting to city sewer, legal agreements with Shrader for him to do excavation, and funding options.

Speed Bumps: Engineer Cutsforth presented 3 types of speed bumps and costs for Alan Avenue. Svec inquired of liability the city would have if install speed bumps. Kakacek will contact city attorney regarding this. Josh Pfannebecker inquired if these speed bumps are elsewhere in town and prefers not to drive over daily. Amanda Mize noted many residents on that street have children. It was recommended to have more patrolling on Alan Avenue. Mayor noted that instruction was given and acknowledged by deputies after last meeting, but need to see if action is being taken. After discussion, council requested to have special meeting with Johnson County Sheriff at 6:30 p.m. September 12, 2016 at city hall to discuss areas to focus patrolling on. Council will review the speed bump options and have this addressed at the next regular scheduled council meeting.

Sidewalks: Engineer Cutsforth presented costs estimates to install sidewalks on Alan Avenue. Council would like sidewalks added to special meeting of September 12, 2016 for to get input from residents along Alan Avenue.

True North Insurance: Andy Shifflett from True North Insurance presented information of their insurance and their risk defender solutions. He noted that he would like to meet with council if interested to review their risk liabilities. No action taken at this time.

Councilperson Hinrichs left at 9:30 p.m.

Message Center: Kakacek presented examples and cost of message centers that could be installed east of city hall. She noted the City has received a $500 grant from MidAmerican for the message center. Svec recommended other groups in town contribute as the message center will be used for all groups. Mayor noted Council will have to approve a usage policy. Council will review and decide at next regularly scheduled council meeting.


Correspondence: Svec noted he will drop off the annual fire department report. Council reviewed thank you letter sent to Swisher neighbors for coming to special meeting; email from Iowa City/Coralville Area Convention & Visitors Bureau regarding bike route going thru Swisher on September 5th; letter from Iowa Economic Development Authority stating Swisher annexation request will meet August 10th; email from Rough Riders Hockey team wanting to have Swisher community night at their game; letter from City of Cedar Rapids notifying Swisher of annexation; Swisher Community Endowment Fund report. Johnson County Sheriff June 2016 Report; Mediacom update; Site Monitoring Report for Downtown Park; Building Permits for 151 Alan Avenue and 109 3rd Street SW were on the council table for review.

Adjournment: Motion by Svec, seconded by Neuendorf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 10:05 p.m.

_______________________________  _________________________________
Tawnia Kakacek, City Clerk  Christopher Taylor, Mayor