

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
SEPTEMBER 12, 2022

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

REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Christopher Taylor called the Swisher Council Meeting to order at 6:30 p.m. at Swisher Library, Swisher, Iowa on September 12, 2022.

Council Present: Kris Heims, Rebekah Neuendorf, Kody Pudil and Michael Stagg. Absent: Mary Gudenkauf.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Library Director Laura Hoover, Chad McCleary-ION Environmental, HR Green Engineer Matt Wildman, Fire Department Representatives Gene Beard and Glen Heims, Johnson County Sheriff Deputy D. Williams, Karen Kurt-ECICOG, Rick & Mary Shramek, Audra, Keith & Joe Nearad, Jeremy Stolba, Cody Smith, Phil Hynek, Chad Elder, Jared Freese. Via Zoom were Felix Leiter and Neil Johnson.

Consent Agenda: Stagg moved, seconded by Heims to approve the Consent Agenda consisting of: Agenda, August 8 & 22, 2022 Council Minutes; updated List of Claims; Resolution No. 2022-44-Establish Sanitary Sewer Project Fund; July & August 2022 Clerk/Treasurer Reports & Utility Balance Reports; Resolution No. 2022-45 Approve 2021-22 Street Finance Report; renew Dance Hall Permit for DanceMor; notice of Board of Adjustments and Planning & Zoning vacancies. Roll call vote. Ayes: Heims, Pudil, Stagg. Nays: None. Abstain: Neuendorf. Absent: Gudenkauf. Motion carried. Pudil noted the dedication to Swisher Men's Club will be September 19th at 6 p.m.

Citizen Comments: Jared Freese requested the City to have a compost pile or the refuse company offer one. Mayor noted this could be looked into. Gene Beard noted he will not stay on the Board of Adjustments after his term ends this year.

Reports:

Sheriff: Council reviewed July and August Sheriff reports.

Engineer: Council reviewed engineer's report and is on file at city hall.

Mayor: Mayor noted he and the city clerk will be attending the Iowa League of Cities Conference and if council members want them to attend a certain session, let him know.

Council: Pudil noted the dedication to Swisher Men's Club will be September 19th at 6 p.m.

Employees: McCleary submitted report and is on file at city hall. He noted he is obtaining bids to spread solids from the wastewater plant. Kakacek noted this Thursday is Swisher Farmers Market Appreciation Night where committee cooks and give out free hotdogs. Hoover, Persons and Kakacek written reports are on file at city hall.

Miscellaneous Report: Council reviewed Parks & Recreation 7-20-22 Minutes.

BUSINESS:

Public Hearing on Amending Chapter 75-ATVs and Chapter 78-UTVs: Motion by Neuendorf, seconded by Heims to open public hearing. Call for vote. All ayes. Motion carried and hearing opened at 6:37 p.m. This amendment will add to follow state code and remove city registrations on ATVs and UTVs, remove

requirement for UTVs to have turn signals. Audra Nearad asked the city to follow the state code of operating UTVs 24 hours instead of city's code between sunrise and sunset. A resident asked why they can't drive on Division Street. Gene Beard asked who will enforce these rules as saw 3 underaged youth driving them this last weekend. No written comments were presented since last meeting. Mayor closed public hearing at 6:45 p.m.

1st/Final Reading of Ordinance #292-Amend Chapter 75-ATVs: Neuendorf moved, seconded by Pudil, to introduce Ordinance #292 by title only entitled "AN ORDINANCE AMENDING CHAPTER 75—ATVS TO THE SWISHER CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA" and be given its first reading. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Ordinance #292 was given its first reading. Motion by Stagg, seconded by Heims that the laws and rules providing that an ordinance 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 #292. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Motion by Stagg, seconded by Neuendorf to place Ordinance #292 upon its third and final passage and be adopted. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Ordinance 292 was adopted. This removes city registration and adds to follow state code.

1st/Final Reading of Ordinance #293-Amend Chapter 78-UTVs: Pudil moved, seconded by Stagg, to introduce Ordinance #293 by title only entitled "AN ORDINANCE AMENDING CHAPTER 78—UTVS TO THE SWISHER CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA" and be given its first reading. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Ordinance #293 was given its first reading. Motion by Neuendorf, seconded by Pudil that the laws and rules providing that an ordinance 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 #293. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Motion by Neuendorf, seconded by Heims to place Ordinance #293 upon its third and final passage and be adopted. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Motion carried. Ordinance 293 was adopted. This removes city registration and required turn signals and adds to follow state code.

Updated Water Study: City Engineer Wildman presented an updated water study to make it more financially doable to get city water. He noted the city could use Silurian wells which would cost less and could do the water system in stages. Heims requested in the future Council gets these reports minimum of 2 business days before the meeting as they just received it this morning. They haven't had time to review report and formulate questions to ask. Wildman noted Johnson County has no plans staged for water but has offered to use them for bond capacity. He also checked with the state if any funding available for this project and none at this time. He recommended city contact state and talk to them about this. Council directed this water study be discussed at the September 26th Council Meeting, so they have time to review study.

Approve Engagement Letter-Northland Securities-Shop Building Financing: After review of letter, Pudil moved, seconded by Neuendorf, to approve engagement of Northland Securities as placement agent to obtain loan for shop building on 3rd Street SW and authorize the Mayor to sign letter. Roll call vote was taken. All ayes. Absent: Gudenkauf. Motion carried.

Resolution No. 2022-46—Set Public Hearing Date on Proposal to Enter into a General Obligation Public Works Facility Loan Agreement and Borrow Money: Motion by Heims, seconded by Pudil, to approve Resolution No. 2022-46 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING ON PROPOSAL TO ENTER INTO A GENERAL OBLIGATION PUBLIC WORKS FACILITY LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$400,000" for October 10, 2022 at 6:30 p.m. at Swisher Library, 72 2nd Street SW, Swisher IA. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2022-46 passed.

Comprehensive Plan Steering Committee: Karen Kurt of East Central Iowa Council of Governments (ECICOG) recommended the council create a steering committee for the Comprehensive Plan which would consist of board members and other interested people in the community. It was recommended to have 2 representatives from the council, Planning & Zoning Board, Parks & Recreation Board and Swisher business owners. Two council members could start planning process right away and other steering members added later. Jared Freese will email Parks & Recreation Board who would like to volunteer. This will be revisited at next council meeting. Kurt asked the Mayor and Council what success would be to them and what are the 3 biggest issues in Swisher. Mayor and Council gave her their thoughts.

Resolution No. 2022-47—Hire Temporary Part-Time Library Clerk: Motion by Pudil, seconded by Heims, to approve Resolution No. 2022-47 entitled “A RESOLUTION AWARDDING POSITION AND SETTING THE SALARY FOR TEMPORARY LIBRARY CLERK, PART-TIME POSITION FOR THE CITY OF SWISHER” to Nessa Audrey Ihirwe Munyemana at \$10.00 per hour. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2022-47 passed.

Approve Agreement for Low-Income Household Sewer Assistance Program: Kakacek noted this is updating the current agreement. After review of agreement, Pudil moved, seconded by Neuendorf to approve updated agreement with HACAP for Low-Income Household Water-Sewer Assistance Program. Roll call vote was taken. All ayes. Absent: Gudenkauf. Motion carried.

Resolution No. 2022-48—Amend Policy & Procedures Handbook-No Park Rental Fee for Swisher Nonprofit Groups: Heims inquired if they should limit street closings to only nonprofit groups as well. Pudil noted if there is a street closure for an event, the businesses on that street should know about it. Neuendorf suggested monitoring the nonprofit groups using it. She noted businesses that close the street pay taxes and don’t have a lot of benefits but do a lot for the community. Mayor asked to confine discussion to park rental on agenda. After review of Parks & Recreation recommendation, Pudil moved, seconded by Heims, to approve Resolution No. 2022-48 entitled “RESOLUTION AMENDING POLICY & PROCEDURES MANUAL FOR CITY OF SWISHER, IOWA TO NOT CHARGE FOR PAVILION RENTAL TO SWISHER NONPROFIT ORGANIZATIONS”. Roll call vote. Ayes: Heims, Neuendorf, Pudil, Stagg. Nays: None. Absent: Gudenkauf. Resolution No. 2022-48 passed.

Consider Another Full-Time Public Works Position: Fields presented a written request for another full-time public works position with removing the positions of permanent part-time public works and temporary summer and snow removal. He presented list of reasons needing this position. Kakacek presented financial costs for this request. Stagg noted it was good time to add 2nd person with the town growing. Neuendorf agrees and noted this has been discussed several times and things aren’t slowing down. Motion by Neuendorf, seconded by Stagg to move forward with Fields creating a full-time public works job description, updating his job description and present to next council meeting for review, then will advertise new position. Council agreed.

Advertise for Temporary Snow Removal Position: After discussion, Stagg moved, seconded by Neuendorf, to advertise for backup temporary snow removal position at \$15 per hour with guaranteed \$50 a week. Call for vote. All ayes. Motion carried.

XMAS Decorations: Kakacek inquired if a couple of councilpersons would like to pick out XMAS decorations to put on Division Street light poles or have staff make recommendation. Council directed staff to make recommendation to them at future meeting. Neuendorf recommended to light up the Downtown Park more.

TIF Urban Renewal Report: After review, Pudil moved, seconded by Neuendorf, to approve the 2021-22 Urban Renewal Report. Roll call was done. All ayes. Absent: Gudenkauf. Motion carried.

Planning & Design Loan Application-Sewer Upgrade Project: After review of application, Stagg moved, seconded by Pudil, to approve Planning & Design Loan application with Iowa State Revolving Fund (SRF) for sewer upgrade project for engineer fees. Roll call vote was done. All ayes. Absent: Gudenkauf. Motion carried.

Correspondence Council reviewed the following: letter from Jean Sippy regarding dissatisfaction with taking tree down at Hilltop; notice of dedication date for Swisher Men's Club; traffic count done by MPOJC; building permits issued to 60 Division Street, 420 Swisher View Drive and 104 Hilltop Road.

Adjournment: Motion by Neuendorf, seconded by Heims to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 8:36 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor