

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
SEPTEMBER 13, 2021

This meeting was also held electronically. Chapter 21.8 of the Iowa Code permits electronic meetings where members participate remotely when in-person meeting is impossible or impractical. 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 7 p.m. at Swisher Library, Swisher, Iowa on September 13, 2021. Mayor noted the City won't respond to chats on the Zoom meeting for they need to speak out to address the council.

Council Present: Mary Gudenkauf, Rebekah Neuendorf, Kody Pudil, Michael Stagg. Absent: James Rowe.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Superintendent of Public Works Al Fear, Chad McCleary of ION Environmental, HR Green Representative Tim Cutsforth, Johnson County Sheriff Representative, Judy & Jerry Nicholls, Peter and Jennifer McCarthy, Andy Nigg, Mike Dostal. Via conference call were Gene Beard, Sonya LaGrange, Kimberly Grier.

Consent Agenda: It was requested to move Item M-American Cares Acts after Item I, move Items K-Gym on Library Lot and L-Snowmobile Trails to the top of the agenda under business and remove Item G-Payment to Johnson County. Pudil moved, seconded by Gudenkauf to approve the amendments to the agenda. Call for vote. All ayes. Absent: Rowe. Motion carried. After review, Gudenkauf moved, seconded by Stagg to approve the Consent Agenda consisting of: Amended Agenda; August 9th, 11th, 16th and 30th, 2021 Council Minutes; updated List of Claims; August 2021 Clerk/Treasurer's Report and Utility Balance Report; Dance Hall permit renewal for DanceMor; notice of vacancies for Board of Adjustments, Planning & Zoning, Parks & Recreation, Library Board. Roll call vote. Ayes: Gudenkauf, Pudil, Stagg. Nays: None. Abstain: Neuendorf due to conflict of interest. Absent: Rowe. Motion carried.

Citizen Comments: Mike Dostal inquired about snowmobiles and utvs in Swisher and stated Snow Drifters could work with the city. It was noted this is on the agenda to be discussed later.

Reports:

Sheriff: July and August 2021 reports were presented. Pudil inquired if extra patrol was done on the Division Street crosswalk. Sheriff Representative noted this was being done.

Librarian: Council reviewed library report and on file at city hall.

Engineer: Cutsforth noted the following: received quotes for the street and bridge projects but none for the alley project; trying to get signs moved on Division Street but company is not responding; reviewed right-of-way applications, working on Division Street Project punch lists; reseeding should be done this week on Division Street.

Mayor: Mayor Taylor noted he will be attending the Iowa League of Cities Annual Conference this week and wrote letter on FLUM application and copy of letter was in their packets.

Council: Stagg reviewed Division Street project and gave Cutsforth a list of things that need to be done. Stagg also noticed the signs weren't moved yet but as stated Cutsforth is working with the company. Mayor noted the deadline to turn in papers for council positions was this Thursday.

Employees: Kakacek noted McCleary will be attending later to discuss agenda items he requested. Council reviewed McCleary written report and on file at city hall. Fear reported he is removing the debris from the

Derecho Storm at 3rd Street Shop property; working on maintenance of equipment, very busy. Gudenkauf inquired about the installation of Prairie Signs. He noted he installed them today. Kakacek presented written report and on file at city hall.

Miscellaneous Reports: Council reviewed Swisher Planning & Zoning 8-23-21 Minutes and Parks & Recreation 7-21-21 and 8-18-21 Minutes.

Request to Build Gym on Empty Library Lot: Jenn McCarthy noted they wanted to make the city council aware they are pursuing to build a gym on the empty library lot. They have contacted South Slope who owns the property, and they are interested in selling. She noted 5 years ago they wanted to do this, but the librarian and library board was against this as they were planning to expand the library building so it was denied by South Slope. Gudenkauf asked if there would be enough required parking and they said there would be parking on the side and rear of proposed 45' by 80' building. Neuendorf appreciated the thought process and looks forward to hearing more about it. Jenn asked what the next step is if South Slope approves. Mayor noted the library gets 30 days' notice of breaking lease. She asked about the sewer and water hookups. Sewer line map is at city hall for review but the well information, South Slope may have.

Snowmobile Trails in Swisher and UTVs: Mike Dostal noted they would like to have a snowmobile trail in Swisher and noted Linn County passed ordinance to allow UTVs on certain streets. He noted it would help support local businesses and seen UTVs driving in Ely, Fairfax, and Walford. It was noted they were under the impression the City was not going to have a snowmobile trail which is incorrect. City of Swisher has a snowmobile trail, but the route may need to be changed. Dostal will go to the Snow Drifters Club and get their recommendations on routes to go thru Swisher and present options at next regularly council meeting. Neuendorf recommended UTVs as a work session topic. Mayor noted that the code could allow UTVs by eliminating one sentence.

Decanting Pump at WWTP: McCleary noted the pump at the wastewater treatment plant does not work and requested Mississippi Valley Pump to service this pump at cost of no more than \$5,000.00 and he would take the pump there at cost of \$200.00. Council agreed to this.

Rent Trash Pump: McCleary asked if he can rent from time to time a trash pump for the sewer plant. Council felt this is a regular maintenance cost so doesn't have to go to council for approval.

Sludge Removal: McCleary noted this would be a yearly expense, he would test the samples to make sure it is suitable to spread over farmland. He noted Nutri-Jet quoted \$11,523.00 for 100,000 gallons of sludge and \$9.86 per gallon after the 100,000 gallons. Kakacek noted a budget amendment would have to be done. Motion by Neuendorf, seconded by Stagg to approve Nutri-Jet quote of \$11,523.00 and additional cost per gallon for sludge removal. Roll call vote was taken. All ayes. Absent: Rowe. Motion carried.

Payment for UV Lights at WWTP: Kakacek noted she couldn't find where council had formally approved to replace UV lights fixed and requested this payment be approved as work is done. Motion by Pudil, seconded by Neuendorf to approve payment to Engineered Operations & Service for \$10,352.60 to replace and install UV lights at wastewater treatment plant. Roll call vote. All ayes. Absent: Rowe. Motion carried.

Annexation Request: Cutsforth noted the application for annexation from Fisher Brothers LLC meets all requirements per the City's Extraterritorial Plan but not creating an island which it creates an island. The application will need more information before approval and doesn't create an island. Council took no action at this time. Council directed Extraterritorial Plan be brought back to the applicant noting it creates an island and ask them to contact the property owner that is the island property to see if they want to be annexed in so this application can move forward.

Approve Change Order—Division Street Project-Phase 2: Cutsforth noted they had to regrade, increase driveway apron width and new sign. HR Green will pay \$1,738.00 and \$420.00 for part of it was their error. Kakacek noted Rowe sent email that his property does not appear to support a safe grade for mowing which

he would like the engineer to review. After discussion, Stagg moved, seconded by Pudil to approve change order for Division Street Project Phase 2 of \$3,448.00 with HR Green reducing their engineer bill by \$1,738.00 and \$420.00 for this change order. Roll call vote. All ayes. Absent: Rowe. Motion carried.

Payment to Shamrock Construction and Release of FEMA Project: After review and city engineer recommendation to pay, Pudil moved, seconded by Neuendorf, to approve payment to Shamrock Construction of \$19,692.50 and release of FEMA Project for this area. Roll call vote. All ayes. Absent: Rowe. Motion carried.

Bid Out for Castek Park Trail: City received notice from IDNR acknowledging extension of trail grant. It is too late in the season to get bids for trail improvements. Neuendorf moved, seconded by Stagg to bid out for Castek Park Trail improvements in Spring 2022. Call for vote. All ayes. Absent: Rowe. Motion carried.

Use of American Cares Acts Funds: Kakacek noted part of the funds received to date will be going for Water Study and GIS stormwater mapping. She requested mayor, council, staff to think about what rest of the funds could be used for under sewer/water infrastructure, broadband, and other qualified areas per Department of the Treasury. City has until 2026 to spend funds but must be obligated by 2024. No action taken at this time.

Alley Between 1st and Division St. West of Summit: Kakacek noted gravel was put in the alley due to the Division Street Project so the adjoining residents on Division Street could drive their cars out. She also wanted to confirm with Council what they wanted to do with the alley. Judy Nicholls requested the gravel be removed due to traffic comes thru her apartment windows get hit with the loose gravel and the gravel is close to their electrical boxes and gas meters. After discussion, Pudil moved, seconded by Neuendorf to have Public Works department remove the gravel and plant grass seed in the alley. Call for vote. All ayes. Absent: Rowe. Motion carried.

Approve Quote to Remove Asbestos: After review of quote, Neuendorf moved, seconded by Pudil, to approve quote from Abatement Specialties of \$10,640.00 to remove asbestos from shop building on 3rd Street. Roll call vote. All ayes. Absent: Rowe. Motion carried. Kakacek noted this will be paid from the insurance money they received from part of the building collapsing.

Approve Quote to Tear Down Shop Building: After review of quotes from Schrader Excavating of \$9,455.00 and Jacob Fisher of \$10,250.00, Neuendorf moved, seconded by Stagg, to approve quote from Schrader Excavating of \$9,455.00.00 to tear down shop building on 3rd Street. Roll call vote. All ayes. Absent: Rowe. Motion carried. Kakacek noted this will be paid from the insurance money they received from part of the building collapsing.

Approve Quote to Fix Left Ball Diamond Light: Kakacek noted there are very few companies that have lifts tall enough to replace these lights. Pudil recommended Parks & Recreation Commission review poles that can be raised and lowered to change the lights. Gudenkauf noted the costs of retractable lights range from \$12,000 to \$30,000 and city may have to save for this project. After review of quote, Neuendorf moved, seconded by Pudil, to approve quote from Van Maanen Electric of \$1,877.00 to repair left ball diamond light. Roll call vote. All ayes. Absent: Rowe. Motion carried.

Approve Quote to Trim Tree: Kakacek noted the big tree by city hall has dead branches that are loose and expressed concern of safety if fall. After review of quote, Pudil moved, seconded by Stagg, to approve quote from Leaf Hopper of \$650.00 to trim tree by city hall. Roll call vote. All ayes. Absent: Rowe. Motion carried.

Advertise for Snow Removal Position: After review and discussion, Stagg moved, seconded by Pudil to advertise for temporary snow removal position from November thru March with guaranteed \$50 weekly pay. Call for vote. All ayes. Absent: Rowe. Motion carried.

Resolution No. 2021-38-Approve Credit Card: After discussion, Gudenkauf moved, seconded by Neuendorf to approve Resolution No. 2021-38 entitled “A RESOLUTION APPROVING CREDIT CARD FOR SUPERINTENDENT OF PUBLIC WORKS AL FEAR FOR THE CITY OF SWISHER”. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Absent: Rowe. Resolution No. 2021-38 passed.

Communications Coordinator Position: Kakacek inquired what process to be done for interviewing. Council decided to interview several applicants in one night and let the only application received the city will begin reviewing the applications September 27th.

Community Visioning Program: After review of email from Molly Walkner of Trees Forever asking City to participate in Community Visioning, council requested to have Walkner come to discuss this in Spring 2022.

Review HR Manual: This was recommended to add to future work session. No action taken.

Set Quarterly Work Session Date and Topic: After discussion, council set work session date for October 18, 2021, from 6 p.m. to 8 p.m. with the first 30 minutes to address UTVs and registering them and 1.5 hours on HR Manual. Council will review Chapter 4-Employee Benefits and Services, other parts of HR Manual and send Kakacek list of areas they want to discuss. Council also wants staff input.

Correspondence Council reviewed the following correspondence: letter requesting building permit for shed; attorney letter sent on camper/boat parked in right-of-way; email regarding parking to be allowed by the railroad lot. Kakacek noted she has contacted the railroad company to see if they would lease the parking area and waiting to hear back. On council table for review was right-of-way permit for 322 3rd Street SW.

Adjournment: Motion by Gudenkauf, seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:23 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor