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 September 14, 2015.

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

Also present: City Clerk Tawnia Kakacek, Public Works Craig Vondracek, Library Director Laura Hoover, City Engineer Tim Cutsforth, Johnson County Deputy Sheriff Adolf, Rebekah Neuendorf, Dan Thayer, Gene Beard, Karen Vondracek, Katheryn Birky, Aaron Fisher, Alan Fisher, Susan Vileta-Johnson County Public Health Department, Aflac Representatives Diana Bramon and Sara Long, Deb Kress, Francis Waisath.

Consent Agenda: Kakacek presented two more bills from the library to be approved. After review and discussion, Stagg moved, seconded by Fults, to approve the Consent Agenda consisting of: Agenda, August 10, 2015 Minutes, List of Claims with addition of 2 bills submitted, July 2015 Clerk/Treasurer Report and Utility Audit Report. Roll call for vote was taken. All ayes. Motion carried.

Citizens’ Comments: Katheryn Birky requested alley on her gravel since city improved the alley downtown and inquired why the sewer bill increased. Mayor explained the alley downtown has much traffic and the sewer rates increased due to the sewer bond for the Wastewater Treatment Plant. Gene Beard said the alley done downtown was a mess and presented pictures of areas of concern. City Engineer Cutsforth noted a punch list of areas to be addressed with the contractor and they have not been paid yet. Beard said he would have appreciated a notice of commission members not being paid before the Swisher Code was adopted. He felt commission members should get paid for the time they put in.

Reports:
Library Director Report: Hoover reported the following: library has expanded their hours; Long Range Planning Process meeting was tomorrow night, working on catalog conversion, teen room furniture was built incorrectly so IA Prison Industry is rebuilding, at end of the month she will be attending conference at Little Rock, received new selection of large print books from Grinnell Library, added 60 new dvds which includes 45 donated.

Mayor Report: Mayor noted he is going to jail on October 14th for the Muscular Dystrophy Association and needs donations to release him. He will be attending the Iowa League of Cities Conference in September.

Employees’ Reports: Vondracek noted the following: city sign posts are fixed and will be painted by the Swisher Legion Junior Auxiliary; he will install the plantings by the city sign; barricades were made for the car show this weekend; rock on south side of Division Street will be put down and will be painting Division street lines. He thanked Patty Herman and Dorothy Teslik for the cleanup they did at the Castek Park entrance. Mayor noted the local boyscout troop are looking to do some type of volunteer service project. Kakacek reported the following: commissions’ positions expiring 12-31-15 have been posted; debit/credit card training is on Sept. 29th; ICAP for Lost Control Visit will be in October; she will be attending the Iowa League of Cities Conference next week; September 24 and October 8 are the last Swisher Farmer’s Market for this year.


BUSINESS:
Tobacco Free Parks: Susan Vileta from Johnson County Public Health gave presentation of tobacco free parks. She noted they offer free signage and help to implement this program. After discussion, council directed this to be on the next regular council meeting agenda.

Street Closure Request: After review and discussion, Stagg moved, seconded by Svec, to close streets on September 19, 2015 from 7 a.m. to 4 p.m. with rain date of September 20, 2015 for Swisher Men’s Club Car Show as follows: 2nd Street from Jefferson to Summit, 3rd Street from Rose to Central, Rose from 1st to 3rd Streets, Central from 2nd Street to halfway between 3rd and 4th Streets, alley between Legion and Beard’s residence. Roll call vote was taken. All ayes. Motion carried.
Aflac Benefit Proposal: Aflac Representatives Diana Bramow and Sara Long requested the city allow their employees to sign up for Aflac with payroll deduction. Council gave consensus to allow city employees to enroll in Aflac with payroll deduction.

Public Hearing to Add Dangerous/Vicious Animals Ordinance: Motion by Svec, seconded by Gudenkauf, to open public hearing to consider addition of dangerous/vicious animal ordinance. Call for vote. All ayes. Motion carried. Public hearing opened at 7:50 p.m. Gene Beard inquired if this is on specific breeds. Mayor noted this ordinance follows state code. No other verbal or written comments were received. Mayor closed public hearing at 7:52 p.m.

1st Reading of Ord.#250—Addition of Dangerous/Vicious Animals: Motion by Fults, seconded by Stagg, to introduce Ordinance #250 by title only entitled “AN ORDINANCE AMENDING THE SWISHER CODE OF ORDINANCES, ADD CHAPTER 57--DANGEROUS AND VICIOUS ANIMALS” and be given its first reading. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried.

Public Hearing to Amend Animal Protection/Control Ordinance: Motion by Fults, seconded by Stagg, to open public hearing to consider amending Chapter 55-Animal Protection and Control. Call for vote. All ayes. Motion carried. Public hearing opened at 7:54 p.m. Mayor noted this ordinance was to include cats for rabies vaccination and disposition of animals. Gene Beard inquired how this was to be enforced. No other verbal or written comments were received. Mayor closed public hearing at 7:55 p.m.

1st Reading and Final Reading of Ord.#251—Amending Chapter 55-Animal Protection and Control: Motion by Stagg, seconded by Hinrichs, to introduce Ordinance #2501 by title only entitled “AN ORDINANCE AMENDING CHAPTER 55.13 AND 55.14 OF ANIMAL PROTECTION AND CONTROL 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 Hinrichs, seconded by Stagg, 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 #251 be placed on its last reading. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried. Motion by Stagg, seconded by Fults, to place Ordinance #251 upon its final passage and be adopted. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Motion carried. Ordinance #251 adopted.

Request to Establish Johnson County Minimum Wage Rate: Mayor explained the options of either going with the county minimum wage rate effective 11-1-15 or adopt ordinance to opt out and go by the Iowa State Minimum Wage Law. After discussion, council directed this to be on the next agenda to consider adopting ordinance to opt out of Johnson County minimum wage rate and go with State of Iowa minimum wage rate.

Resolution No. 2015-33—Approve Engineering Agreement for Orchard Street Culvert: Engineer Cutsforth presented agreement to review and make recommendations for drainage problem at the end of Orchard Street and Jefferson Avenue. Kakacek noted a budget amendment would have to be done if council decides to do the repair. After review and discussion, Gudenkauf moved, seconded by Fults, to approve Resolution No. 2015-33 entitled “A RESOLUTION APPROVING AGREEMENT WITH HR GREEN FOR ORCHARD STREET CULVERT PROBLEM IN SWISHER, IOWA” in the amount not to exceed $14,944. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg. Nays: Svec. Resolution No. 2015-33 passed.

Culvert Improvements-Corner of Swisher View Drive and Maple Street: After review of bid from Chalupsky Construction, Fults moved, seconded by Hinrichs to award bid from Chalupsky Construction to replace culvert in the amount of $3,850.00. Alan and Aaron Fisher inquired why city is not requiring same type of culvert replacement as the adopted SUDAS requirements. After discussion, roll call vote was taken on motion. Vote was all ayes. Motion failed. After more discussion, Council directed Vondracek to get more bids with the requirements of SUDAS. The engineer will get details to Vondracek.

Repair Rip/Rap by Fisher’s 5th Addition: Alan Fisher requested the city address the rip rap that has washed down the creek from under Division Street that was protecting the bank between the creek and retention pond at Fisher’s 5th Addition. City Engineer Cutsforth presented pictures of the area. Council directed Vondracek to get estimates to repair. Svec stepped out at 8:45 p.m.


Resolution No. 2015-36—Approve Contract for Sewer Plant: Vondracek noted there are extra testing requirements since Swisher is Grade Level 3 Wastewater Plant. He presented list of the extra tests and costs of equipment if the city didn’t contract for the additional testing. He noted the IDNR had Swisher down as a Grade Level 2 plant but changed to Grade Level 3 plant. After discussion, Gudenkauf moved, seconded by Hinrichs, to approve Resolution No. 2015-36 entitled “A RESOLUTION AUTHORIZING THE CITY OF SWISHER TO ENTER INTO CONTRACT WITH FURLER UTILITY SERVICES LLC FOR OPERATION AND LAB WORK FOR SWISHER WASTWATER TREATMENT PLANT”. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-36 passed.

Resolution No. 2015-37—Move Street Light from End of 115-4th Street: Deb Kress requested council to remove or move the street light in front of her house as creates a hazard backing out of her driveway. City engineer noted there is not enough lights in the City. After discussion, Fults moved, seconded by Gudenkauf, to approve Resolution No. 2015-37 to move street light with location recommendation from Alliant. Roll call vote. Ayes: Fults, Gudenkauf, Hinrichs, Stagg, Svec. Nays: None. Resolution No. 2015-37 passed.

Approve Bids for Sale of City Equipment: Kakacek presented highest bids from GovDeals.com and Post Office for sale of various city equipment. After review, Svec moved, seconded by Fults, to approve all highest bids submitted for sale of wood chipper, welder, bachtoud mower, street sweeper, three printers, copier, and three council chairs. Roll call vote was taken. All ayes. Motion carried.


Discuss to Set Public Hearing for Disposal of City Alley: After discussion, Stagg moved, seconded by Svec, to obtain appraisal for proposed disposal of city alley. Roll call vote. Ayes: Gudenkauf, Stagg, Svec. Nays: Fults, Hinrichs. Motion carried. Dan Thayer recommended not have appraisal done as the cost would exceed or equal sale of alley.

Discuss to Proceed or Not to Vacate 1st Street: After discussion and review of Swisher Planning and Zoning recommendation not to vacate 1st Street between Howard and Jefferson Avenues, council agreed with Planning and Zoning recommendation not to vacate 1st Street.


TIF Urban Renewal Report: After review, Hinrichs moved, seconded by Fults to approve the TIF Urban Renewal Report for 2014-15. Call for vote. All ayes. Motion carried.

Halloween Trick/Treating: Council set Swisher’s Halloween Trick or Treating Night to be October 31, 2015 from 5:30 p.m. to 8 p.m.

Correspondence: Council reviewed the following correspondence: thank you note from Davis; letter from Scottish American Military Society looking for large site for activities; copy of letter sent to Swisher Commissions; 2015 Legislative Summary of Bills that passed; Alliant grain bin safety memo. Johnson County Sheriff's August Report, Building Permits issued for 323 Central Avenue SE and 140 Alan Avenue were on the council table for review.

Adjournment: Motion by Fults seconded by Stagg to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:38 p.m.

Tawnia Kakacek, City Clerk  Christopher Taylor, Mayor