

**CITY OF SWISHER, IOWA**  
**CITY COUNCIL MEETING MINUTES**  
**September 25, 2023**

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 Christopher Taylor called the Swisher Council Meeting to order at 6:30 p.m. at Swisher Library, Swisher, Iowa on September 25, 2023.

**Council Present:** Mary Gudenkauf, Kody Pudil, Michael Stagg. Rebekah Neuendorf joined in by Zoom.

**Also Present:** City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Justin Fields, Communication Coordinator Julie Persons, Tim Cutsforth-HR Green Representative, William Gorman from Johnson County Livable Community for Successful Aging Policy Board, Daryl Hynek, Curt Cline, Norm Neal, Nikki Hynek, Ron Eden, Matt Shock, Sonja LaGrange, Sarah Thompson-Director of Rural Development Greater Iowa City Inc., Matt Ironside. Attended via zoom was Heidi Hromidko.

**Agenda:** Motion by Gudenkauf, seconded by Stagg to approve the Agenda. Call for a vote. All ayes. Motion carried.

**Citizens' Comments:** Norm Neal expressed concern of ditch maintenance on corner of 4<sup>th</sup> Street and Rose Avenue. Cutsforth noted Fields is stabilizing the ditch due to amount of water that flows through the ditch and would be glad to meet with Neal to address his concerns. Director of Rural Development Sarah Thompson noted she met with the Swisher Action Committee (mostly downtown businesses) that want to apply for a Catalyst Grant but the City must file the pre-application. Nikki Hynek passed out information on the Community Catalyst Building Remediation Program. It was noted this could be for any business. Council directed this to be on the next council agenda on how to pick the applications. Daryl Hynek noted if the ADU ordinance passes, a shack 5 feet from the lot line could be converted to Accessory Dwelling Unit (ADU), which would not be consistent with other residential setbacks. He also doesn't want the owner-occupied requirement and thinks the landlord should be able to live somewhere else. He asked why change it now and put more requirements on it. Curt Cline asked why should the council make decisions now with an election in October. Mayor noted there have been 9 meetings regarding ADUs and Councilpersons Stagg, Gudenkauf and Neuendorf are to serve until January 2, 2024. William Gorman noted a number of residents expressed concern of ADUs if it wasn't owner occupied. Pudil noted the council was elected and it is their job to make decisions for the City. Gudenkauf noted to the future council to listen at public meetings, get lots of opinions and ideas, put away your personal opinion and do what is best for the City.

**Reading of Ordinance No. 297—Replace Chapter 165 and ADUs:** Pudil moved, seconded by Stagg to introduce Ordinance #297 by title only entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SWISHER, IOWA, 2015, BY REPEALING CHAPTER 165-ZONING REGULATIONS AND ADOPTING NEW CHAPTER 165-ZONING REGULATIONS" including ADUs and be given its third/final reading. Roll call vote. Ayes: None. Nays: Gudenkauf, Neuendorf, Pudil, Stagg. Motion failed. Ordinance #297 failed.

**Set Public Hearing Date-Review City's Application for State Revolving Fund Loan, Environmental Information Document and City's Project Plan:** Mayor noted this was federally required public hearing through IDNR to give residents environmental impact information about proposed sewer project. Stagg moved, seconded by Pudil to set public hearing date of October 30, 2023, at 6:30 p.m. at Swisher Library to review City's Application for SRF Loan, Environmental

Information Document and City's Sewer Project Plan. Call for vote was taken. All ayes. Motion carried. Information will be provided to city to share with residents roughly 2 weeks before hearing.

**Resolution No. 2023-43—Approve Construction Plans for Pleasant Hill First Addition:** Cutsforth recommended to accept construction plans. Stagg noted the City needs to think about Gable Avenue in the future once this development gets built. After discussion and review, Pudil moved, seconded by Gudenkauf to approve Resolution No. 2023-43 entitled 'A RESOLUTION ACCEPTING AND APPROVING THE CONSTRUCTION PLANS FOR PLEASANT HILL SUBDIVISION, 1<sup>ST</sup> ADDITION, SWISHER, JOHNSON COUNTY, IOWA'. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2023-43 passed.

**Developer Agreement with Forrest Ridge LLC:** Mayor noted the developer is waiting for guidance from the City. Stagg noted the City can't give TIF reimbursement for the fire water tanks as the City wouldn't own them. Gudenkauf noted every project will look different if asking for TIF. Pudil noted several residents are not in favor of TIF share. Gudenkauf noted the Fishers' development of the condos was good for the community. Mayor noted the Fishers TIF (along with county partnership and external funding) paid for 87% of Division Street Project. Also, TIF for new development would bring in \$2.3 million from those new residents. After discussion, Gudenkauf moved, seconded by Stagg to move forward to preparing TIF area, TIF Rebate of 15% with cap of \$342,000.00 to the developer. Roll call vote was taken. All ayes. Motion carried. Mayor noted there would be additional formal discussion and vote before any agreement is approved.

**Set Public Hearing Date-Amend Chapter 120.04 and 120.05 Pertaining to Liquor Licenses:** Gudenkauf moved, seconded by Stagg to set public hearing date of October 9, 2023 at 6:30 p.m. at Swisher Library to amend Chapter 120.04 and 120.05 Pertaining to Liquor Licenses. Call for vote was taken. All ayes. Motion carried.

**Set Public Hearing Date-Amend Chapter 7.05 and 7.08 Pertaining to Fiscal Managements:** Pudil moved, seconded by Gudenkauf to set public hearing date of October 9, 2023 at 6:30 p.m. at Swisher Library to amend Chapter 7.05 and 7.08 Pertaining to Fiscal Management. Call for vote was taken. All ayes. Motion carried.

**Resolution No. 2023-44—Approve City Clerk Job Description:** After review and discussion, Gudenkauf moved, seconded by Pudil to approve Resolution No. 2023-44 entitled 'A RESOLUTION AMENDING JOB DESCRIPTION FOR CITY CLERK FOR THE CITY OF SWISHER, IOWA'. Roll call vote. Ayes: Gudenkauf, Neuendorf, Pudil, Stagg. Nays: None. Resolution No. 2023-44 passed.

**Hiring Timeline and Advertise for City Clerk Position:** After review and discussion, Pudil moved, seconded by Gudenkauf to approve the hiring timeline. Call for vote. All ayes. Motion carried. Motion by Stagg, seconded by Pudil to approve advertising cost of \$908.87 with the Gazette including the Penny Saver. Call for vote. All ayes. Motion carried.

**Adjournment:** Motion by Pudil, seconded by Gudenkauf to adjourn. Call for a vote. All ayes. Motion carried. Meeting adjourned at 7:49 p.m.

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Tawnia Kakacek, City Clerk/ Finance Officer

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Christopher Taylor, Mayor