

(Subject to Approval)
CITY OF SWISHER, IOWA
CITY COUNCIL MEETING MINUTES
SEPTEMBER 9, 2019

REGULAR CITY COUNCIL MEETING

Call To Order: Mayor Christopher Taylor called the Swisher Council Meeting to order at 7 p.m. at Swisher City Hall, Swisher, Iowa on September 9, 2019.

Council Present: Mary Gudenkauf, Jerry Hightshoe, Rebekah Neuendorf, Mike Stagg. Absent: James Rowe.

Also Present: City Clerk/Finance Officer Tawnia Kakacek, Public Works Superintendent Carl Spoerl, Library Director Laura Hoover, City Engineer Tim Cutsforth, Johnson County Sheriff Deputy, Johnson County Grant Assistant Donna Brooks, Ion Environmental Solutions Representative Chad McCleary, Gene Beard, Gerald Bennett, Norm Neal, and few other residents.

Consent Agenda: After review and discussion, Gudenkauf moved, seconded by Stagg to approve the Consent Agenda consisting of: Agenda; August 12, 2019 Meeting Minutes; updated List of Claims; August 2019 Clerk/Treasurer Report and Utility Billing Audit Report; Resolution No. 2019-41 approving 2018-19 Street Finance Report; Resolution 2019-42 assessing delinquent utility bills to property taxes; renew annual DanceMor Dance Hall Permit; and notice of open board positions of Board of Adjustments, Park & Recreation, Library Board, Planning & Zoning. Roll call vote was taken. Ayes: Gudenkauf, Hightshoe, Stagg. Abstain: Neuendorf. Absent: Rowe. Motion carried.

Citizen Comments: Laura Hoover asked if the road embargo signs could be posted better on the west side of town. Gene Beard noted they should have one at Iowa-Johnson Road. Mayor noted that is the county's jurisdiction and not the city's. Engineer Cutsforth will contact the county on this. Spoerl noted there are several Sully trucks going thru and has concern of Hummer trucks going thru Alan Avenue and taking over the whole road. Beard stated there needs to be No Parking signs on 3rd Street by Alan Avenue and Swisher View Drive. Cutsforth noted there will be No Parking Signs and temporary speed bumps on Alan Avenue when the detour starts. Letters will be sent to residents on this.

Reports:

Sheriff: No report.

Library: Library Director Hoover stated the following: the free food pantry built by Dean Teslik located at the front of the library building will be moved to side of the building, once a permanent stand is installed; this pantry has been stocked by Swisher American Legion Women's Auxiliary and other residents; she attended the national library conference and was very good.

Engineer: City Engineer Cutsforth reported the following: completed surveying Section 2 Division Street Project and will start on the design; still waiting for the railroad right-of-way agreement for the alley project; will have preconstruction meeting Thursday for alley project and will discuss the possibility of starting at the west end of alley while waiting for the railroad agreement; would like to get alley done before asphalt suppliers shut down for the winter in November otherwise would have to do project in spring; reviewed right-of-way permits; reviewed FEMA Flood Plain map and recommended couple changes and the updated map should come in November for comments; Division/120th Street Project has laid the first 7" on the south side and will be switching over to the north side and lay the first 7". After that the contractor will switch back and forth across the road with flaggers to complete the final lifts of asphalt. He noted the county wants all legs of intersections to be paved which would include Marak Road and total cost would be \$24,000 with city and county each paying \$12,000. This will be an amendment in the spring when the work starts. Hightshoe inquired if alley project doesn't get done this year, does the price change. Engineer will look into this.

Mayor: Mayor Taylor gave following updates: he and the city clerk will attend the Iowa Annual League of Conference in September and told the council to let him know if there are any sessions they want them to attend; received notice from the Johnson County Public Health from September 9 through September 27, they will travel door to door to randomly selected households in small communities including Swisher to ask about their health. Neighborhoods will receive a postcard reminder in the coming days to let them know if they were selected. Mayor recognized Carl Spoerl for Wastewater Worker Appreciation Week for August 18-24.

Council: Neuendorf stated she attended Small City Workshop sponsored by the Iowa League of Cities which discussed growing and developing housing in small communities by partnerships with businesses. She felt it was not applicable for Swisher but USDA does have funding to help with mortgages.

Employees: Superintendent of Public Works Spoerl reported the following: built the gill and works well; will put out barricades this Friday for the Men's Club Car Show; completed his wastewater classes; repaired the utility tractor, still looking for utility vehicle for the city; will start the burn pile again but the gate will be closed as someone had put more brush on top of burn pile when he was done burning causing the burn pile to start up again when he wasn't around; will be meeting with a landlord that their dumpster needs to be on their own property; completed more safety classes; training staff on mower; waiting to hear from Hartin when he can dig the ditches. He asked Council to consider registering golf carts and utility vehicles with a fee to raise income to have more hours for Johnson County Sheriff's Office to patrol and ticket illegal users. Spoerl noted there has been a youth running a utility vehicle along CRANDIC property and down the alley of the Legion. Kakacek reported the following: gas line and new meter for the generator is installed and will be requesting an amendment on grant for gas line installation, MidAmerican did not charge for the larger meter; will be on vacation next week, but have staff to fill in; attended ECICOG Clerk Workshop.

BUSINESS:

Resolution No. 2019-43-Approve Amended Engineer Agreement for Division Street Project-Sections 1 & 3: City Engineer Cutsforth reported that originally the county was going to do the asphalt sampling but now they do not have the time/resources to do this. They hired Terracon to do the sampling on their project and this needs to be done for the joint project as well at total cost of \$33,600.00, of which county would pay half. Neuendorf asked if there were any other alternatives and there isn't. Gudenkauf asked if the engineer could foresee any unanticipated county expectations on this project. He could not. After review and discussion, Hightshoe moved, seconded by Stagg, to approve Resolution No. 2019-43 entitled "A RESOLUTION AMENDING AGREEMENT WITH HR GREEN FOR ENGINEERING SERVICES FOR CONSTRUCTION PLANS AND IMPLEMENTATION OF DIVISION STREET/120TH STREET PROJECT-SECTIONS 1 & 3, SWISHER, IOWA" at increase of \$33,600.00. Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Stagg. Nays: None. Absent: Rowe. Resolution No. 2019-43 passed.

Annual Engineering Agreement: Kakacek noted the agreement was not ready for approval yet and will be on the next regular scheduled agenda.

Railroad Right-of-Way Agreement for Alley Project: Engineer Cutsforth noted the railroad lawyers are reviewing the agreement then will send to the city. Stagg asked if the city should have a special meeting once agreement is received so can get the alley project done before November. Council was okay with that. Once agreement is received, Kakacek will send first to the city attorney for review then council can meet.

Address Bridge on City Right-of-Way Between Howard and Jefferson Avenues: Engineer Cutsforth presented drawing of proposed bridge replacement with railroad ties as material as previously requested from the council. He noted it was not an official engineer document and nothing over 3000 pounds could go on the bridge. It was noted the current bridge is on private property and not city right-of-way. Gerald Bennet and few residents asked for the city to pay around \$600 for materials and they would rebuild the bridge so golf carts, mowers, and residents could cross. Council expressed concern of liability of volunteers building bridge; not being ADA Compliant; it should be on city property if paying for the materials; if on city property, it needs to meet all the required standards. Mayor noted if they rebuild it at the current location which is on private property they need to ask property owner if can rebuild the bridge. Hightshoe would like the city attorney's opinion before bridge is built to see if it should build on city right-of-way and if there are

any other issues. Stagg recommended the volunteers to ask the neighboring property owner about them rebuilding the bridge on his property. Mayor and Council appreciated their work on this project.

Johnson County Grant Asst. Addresses Community Revitalization: Johnson County Grant Assistant Donna Brooks introduced herself and gave information of various grants available. She noted she is here to help write grants for communities in Johnson County. Gudenkauf noted she invited Brooks to talk tonight and thanked her for coming. Brooks will send email links of various grants available to the city.

Contract for Wastewater Treatment Operations: Chad McCleary from Ion Environmental Solutions addressed the council of his rates and noted he hadn't submitted a contract yet as wanted to see what the council wanted to regarding operations of the wastewater treatment plant. It was noted the contract with Furler ends 9-30-19 as he will be closing his labs but could still sign off on IDNR reports. After discussion, council will consider contract with Ion Environmental Solutions at next council meeting but have them start work October 1, 2019 on ad hoc basis.

Annexation Request: Council reviewed Planning & Zoning recommendation denying Jefferson-Monroe Fire Department annexation request due to the \$100,000 cost city would incur for the current Division Street/120th Street Project to pay for half of road improvements. The county owns both sides of the road currently. Fire Department Representative Gene Beard withdrew the annexation request. No action needed.

Set Public Hearing Date-Amend Chapter 7.05-Operating Budget Preparation: After review of proposed ordinance, Gudenkauf moved, seconded by Neuendorf to set public hearing date to amend Chapter 7.05 Operating Budget Preparation to match with state's requirements for Monday, October 14th at 7 p.m. at Swisher City Hall. Call for vote. All ayes. Absent: Rowe. Motion carried.

Approve Bid for Salt and Sand: Spoerl presented bid of salt for the roads and has not heard back from other salt companies. He also presented bid for sand but it didn't include delivery charges. Gudenkauf inquired about being included in the state contract for sand/salt. Kakacek noted it was too late for this year but will try to get included for next year bid. After discussion, Gudenkauf moved, seconded by Hightshoe, to purchase salt at cost of \$4,562.50 from Central Salt and wait for sand bid to include delivery charge at next council meeting. Roll call vote. All ayes. Absent: Rowe. Motion carried.

Advertise for Temporary Part-Time Snow Removal Position: After review of notice, Stagg moved, seconded by Gudenkauf to advertise for temporary part-time snow position from November 2019 to March 2020. Call for vote. All ayes. Absent: Rowe. Motion carried.

Resolution No. 2019-44-Opposing Alliant Energy Rate Increase: Mayor noted this request is from James Martin, Director of Luther College's Center for Sustainable Communities for cities to adopt the proposed resolution opposing Alliant Energy Rate increase. After review and discussion, Hightshoe moved, seconded by Gudenkauf, to approve Resolution No. 2019-44 entitled "A RESOLUTION OPPOSING ALLIANT ENERGY RATE INCREASE CASE AND JOINING AS INTERVENER BY SUBMITTING TESTIMONY TO THE IOWA UTILITIES BOARD". Roll call vote. Ayes: Gudenkauf, Hightshoe, Neuendorf, Stagg. Nays: None. Absent: Rowe. Resolution No. 2019-44 passed.

Structure of Water Feasibility Committee: Gudenkauf requested guidelines for structuring the Water Feasibility Committee that she and Rowe will work on. After discussion, it was recommended to have a core committee of 7 people consisting of 2 council, 2 business owners, 2 city residents and 1 fire department representative with the city engineer and public works superintendent as advisory members as needed. Also when needed, have subcommittees with one representative from the core committee and get other residents to join the subcommittee(s). Beard recommended to get this information out and put on sewer bill message and consider to bring back the community newsletter. The purpose of the Water Feasibility Committee is to collect facts, data, research and timeline so residents can make educated decisions. Gudenkauf and Rowe will draft notice to solicit volunteers and send to city clerk to post.

Correspondence: Council reviewed the following: letter sent regarding to move dumpster; engineer email regarding FIRM database; FEMA grant programs notice; notice from Johnson County Public Health

Department (HEALTHYJoCo) randomly selecting houses from September 9th through the 27th in Swisher and other communities to survey the health needs of Johnson County which those homes selected will receive a postcard of notice; email of matching grant of the Future Ready Iowa Employer Innovation Fund from Iowa Works. August 2019 Sheriff's Report; Building Permits for 111 Orchard Street SW and 221 Jefferson Avenue SW; Right-of-Way Permits for 1018 Swisher View Drive SW and 131 Orchard Street SW were on the council table for review.

Adjournment: Motion by Neuendorf, seconded by Gudenkauf to adjourn. Call for vote. All ayes. Motion carried. Meeting adjourned at 9:32 p.m.

Tawnia Kakacek, City Clerk/ Finance Officer

Christopher Taylor, Mayor