

**Regular City Council Meeting
City Hall, Cherokee, Iowa
May 13, 2014 – 7:00 P.M.**

A regular meeting was called to order on this date by Mayor Murphy. Present: Council member Johnson, Brown, Miller, Pingel, Peck, City Attorney Miller, Administrator Eikmeier, Clerk-Treasurer Taylor.

Lon Jensen is camping at Spring Lake Park and asked the council to consider installing concrete pads. He camps for a month at a time and has to continually level his camper. The pad would allow him to pull in, level his camper once, and be done. This will be discussed by council as a future project.

Rebel Borrink, 241 E. Main, is buying the property on contract. Floods keep taking parts of the retaining wall along the creek and he was told that he owns this. Administrator Eikmeier indicated that the middle of the creek is the property line and that the existing retaining wall was installed by a private property owner, not the City. He has talked to the deed owner and made him aware of the problem, however, there is no guarantee he'll do anything. Mr. Borrink also mentioned his grandmother who lives on Birch St. and has had her retaining wall collapse. She is being forced to move and the community won't help her. The Administrator is aware of her retaining wall problem that occurred following the 2010 flood event. She had some repairs made to the wall at that time. No one is forcing her to move.

At 7:08 p.m., Mayor Murphy opened a public hearing on an amendment to the natural gas franchise. The amendment removes the option for Alliant Energy to charge .06% for administrative and related expenses. They have not been charging this fee to customers and don't plan to in the future. As there were no oral or written comments, the Mayor closed the hearing at 7:09 p.m.

A motion by Johnson, seconded by Pingel, approved the first presentation of an ordinance amending the natural gas franchise eliminating the .06% administrative fee. Roll call was: AYES: All. NAYS: None.

On a motion by Pingel, seconded by Peck, the council waived the second and third presentations of Ordinance No. 593, amending the natural gas franchise eliminating the .06% administrative fee, and ordered its publication. Roll call was: AYES: All. NAYS: None.

A motion by Miller, seconded by Brown, adopted Resolution No. 14-7, committing the local match of 15% of the total Hazard Mitigation Grant for a flood buyout program, which is approximately \$225,000. Roll call was: AYES: All. NAYS: None.

On a motion by Brown, seconded by Johnson, the council unanimously approved the following under "Consent Business".

City council minutes of April 22nd.

Approve bills totaling \$282,812.50.

Bills totaling \$282,812.50.

ACCO	STARTUP POOL CHEMICALS	2,669.60
AL'S CORNER OIL CO.	DIESEL	47.60
ALLIANT ENERGY	NATURAL GAS	2,902.42
ARAMARK UNIFORM SERVICES	SHOP RAGS; RUGS; MOPS	96.68
ATIRA CREDIT MASTERCARD	MEALS; MOTEL-WKS. 7-8 @ ILEA	637.07
	CPO COURSE FEE	250.00
	CPR CERTIFICATIONS	70.00
AUTOMATIC SYSTEMS CO.	JUNCTION BOX KIT-BEECH LIFT	421.33
BAKER & TAYLOR, INC.	BOOKS & AUDIOS	1,141.25
BARCO MUNICIPAL PRODUCTS	NOZZLES FOR SEWER MACHINE	376.41
BARKLEY ASPHALT, INC.	WESCOTT TRAIL & CN RAILROAD TRAIL	56,969.00
BERT GURNEY & ASSOCIATES, INC.	PARTS FOR #1 PUMP @ BEECH LIFT	6,430.45
BICYCLING	SUBSCRIPTION	19.94
BLAINE'S WATER CONDITIONING	SOFTENER REPAIR & SALT	129.20
	WATER FOR LAB	69.90
BOB JACOBS	REFUND - D. CARVER, 209 UNION	51.00
BOLTON & MENK, INC.	PREPARE DISTRIBUTION MODEL	810.00

BOMGAARS	GREENSPACE SEWER RELOCATION	3,061.00
BUGH WELDING	OPERATING SUPPLIES	1,434.05
	MAKE SIGN BRACKET FOR RANGE	28.00
	WRINGER STAND; HOSE END TOOL	70.75
	CUT HOLE IN GRATING FOR KEY	85.00
	MAKE SUPPORT FOR NEW GRATE	321.00
BUILDERS SHARP. & SERVICE	EQUIPMENT SUPPLIES	195.98
CALHOUN-BURNS & ASSOC., INC.	ENG. - RIVER ROAD BRIDGE	5,888.70
CARROLL DISTRIBUTING	ANCHORS-SPRING LAKE TRAIL	279.00
CHAMPION ELECTRIC, INC.	FOUNTAIN REPAIRS	12.36
	RESET CLOCKS-TRAFFIC LIGHTS	387.19
	LOCATE TRAFFIC LIGHT WIRES	243.00
CHEROKEE AUTO PARTS	VEHICLE MAINTENANCE SUPPLIES	121.29
CHEROKEE AVIATION AUTHORITY	APR. TAX DRAW	6,605.36
CHEROKEE AHTLETIC BOOSTERS	SNACKS FOR HERSHEY VOLUNTEERS	28.00
CHEROKEE COUNTRY STORE	BALANCE OF DEPOSIT	97.04
CHEROKEE CO. SOLID WASTE	MAY LANDFILL FEE; DEBRIS	29,688.51
CHEROKEE CO. WORK SERVICE	CLEAN SHOP RAGS	8.06
CHEROKEE COMMUNITY SCHOOL	1/2 COST TENNIS COURT REPAIRS	678.72
CHEROKEE COUNTRY STORE	MOWER GAS & DIESEL	130.45
CHEROKEE COUNTY RECORDER	RECORD LOT SALES	34.00
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCES	1,505.00
CHEROKEE LUMBER, INC.	SCREWS; SILICONE; GARBAGE CAN HOOK	18.33
	LUMBER TO REPLACE MAIL BOXES	47.92
	POST CAPS-SPRING LAKE TRAIL	89.57
	LIME FOR FORCE MAIN LEAK-BEECH ST.	374.75
CHEROKEE REG. MED. CENTER	HEARING TESTS (2)	44.00
CHEROKEE STATE BANK	NSF CHECKS	265.00
CHESTERMAN COMPANY	POP	51.50
CHICAGO CENTRAL & PACIFIC	R-O-W FEE - W. CEDAR ALLEY	75.00
CIRCLE K	INTERIOR AUTO CLEANER	128.40
CLAYTON & SONS, INC.	SEED/FERTILIZER-ROCK ISL. PAVING PROJ.	680.00
CONTROL SYSTEM SPECIALISTS	MECHANICAL SYSTEM REPAIR	17.97
COUNTRY TIRE & SERVICE	NEW TIRES; TIRE REPAIRS	425.73
COVERT TRACK GROUP, INC.	INVESTIGATION TOOLS	600.00
DANIELLE LEWIS	BALANCE OF DEPOSIT	21.58
DEMCO, INC.	SUPPLIES	443.65
DENNY'S SERVICE	TOILET SEAT; FAUCET REPAIRS; CAP HEAT RUN	91.84
DOUBLEDAY LARGE PRINT	BOOKS	125.32
DPC INDUSTRIES, INC.	CHLORINE; POTASSIUM PERMANG.	1,640.76
ECHO GROUP, INC.	FUSES FOR VFD'S ON RAS PUMP	282.55
EMERGENCY APPARATUS MAINT.	OIL LEAK ON AERIAL BOOM	1,218.78
FAREWAY STORES, INC.	SUPPLIES	107.58
FELD FIRE	FIRE EXTINGUISHERS; BRACKETS; SEALS	467.50
FIRE SERVICE TRAINING BUREAU	FIREFIGHTER/HAZMAT FEES	100.00
FIRST ABSTRACT & LOAN	5 ABSTRACTS – ABANDONED PROPERTIES	1,375.00
FIRST FIN. MERCHANT SERVICES	MAR./APR. CHARGE CARD	258.96
FOUNDATION ANALYTICAL LAB	SAMPLE TESTING	1,745.00
FOX ENGINEERING	ENG. - CHLORIDES INVESTIGATION	262.00
FREMONT TIRE, INC.	TIRE/RIM; SERVICE CALL-PATCHER	300.05
GCC ALLIANCE CONCRETE, INC.	CONCRETE-RIVER RD. & BIRCH WATER LINES	499.00
GECRB/AMAZON	BOOK & DVDS	405.38
GREGG COMPUTER SERVICE	SERVICE CALL; WIRELESS BOOSTER INSTALLED	147.50
GUARANTEE GUTTER CO.	GUTTERS – NEW OPEN SHELTER	369.60
HACH CO.	LAB SUPPLIES	575.89
HALLETT MATERIALS	SAND FOR VOLLEYBALL COURTS	83.40
	PARKING LOTS-FLOOD DAMAGE	8,196.28
	BALLAST-WESCOTT TRAIL	776.84
	FILL SAND - WATER LEAKS	149.39
	29.23 T. ROAD GRAVEL-FORCE MAIN	242.61
HD SUPPLY WATERWORKS, LTD.	VALVES; VALVE BOXES; PIPE	6,033.23
HOLZHAUER MOTORS, LTD.	SERVICE; BATTERY; HEADLIGHT	224.15
HWY. 3 ARMS & AMMO	AMMO	1,688.60
HY-VEE, INC.	SUPPLIES-FATHER/DAUGHTER DANCE	187.83
IAWEA	REGISTRATION-ANNUAL CONF.	230.00
ICON	OIL/HYD./TRANNNY FILTERS	123.26
INGRAM BOOK COMPANY	BOOKS	290.61
IOWA D.N.R.	CONST. PERMIT-INDUSTRIAL. DR. WATER MAIN	100.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY	46.57

IOWA ONE CALL	MAR. LOCATES	37.80
J & M DISPLAYS	2014 FIREWORKS	4,500.00
JERRY'S TREE SERVICE	REMOVE TREE-KOHN PROPERTY	450.00
	CUT DOWN 4 PINE TREES-CEMETERY	550.00
JIM GANO	U.S. FLAG	15.00
JIM PECK	MILEAGE-SIMPCO MEETING-3/27/14	67.20
K-MART #9222	CLEANING SUPPLIES	32.95
KELSEY PHELPS	BALANCE OF DEPOSIT	7.22
L-TRON CORPORATION	SCANNER FOR PATROL VEHICLE	339.00
L. G. EVERIST, INC.	EROSION STONE-ROCK ISL. PAVING PROJ.	183.61
LE MARS DAILY SENTINEL	MINUTES	329.13
LETSCHKE BIKE/RADIO SHACK	WIRELESS BOOSTER; T.V.	849.98
LUNDELL CONSTRUCTION CO.	GRAVE DIGGING	517.50
	SNOW REMOVAL-4/5/14	1,215.00
	VALVE INSTALL-RIVER RD./BIRCH	1,743.50
	TEMPORARY WATER TO LAKE ST.	306.00
	WATER LEAK - HILLSIDE	1,484.00
	FORCE MAIN LEAK-BEECH LIFT	3,230.50
	CLEAN SEWER ON DAKOTA	225.00
	3 SEWER REPAIRS ON W. BLUFF	11,400.00
	NEW MANHOLE-W. BLUFF	7,000.00
	WORK BOOTS	75.00
MARK NAPIER	MILEAGE	50.40
MARY JO RUPPERT	UTILITY BILL FORMS	872.16
M. PARROTT/STOREY KENWORTHY	2 - 30" ASPHALT RAKES	151.68
MICHAEL TODD & CO., INC.	REFUND-O. LIZARRAGA, 111 KING	91.55
MICHELLE LAW	ELECTRICITY (2 MONTHS)	43,286.77
MID AMERICAN ENERGY	REPAIR METROTECH 9800	449.00
MIDAMERICAN TECHNOLOGY	LICENSING FEE	115.00
MOTION PICTURE LIC. CORP.	VEHICLE MAINTENANCE SUPPLIES	161.18
MOTOR PARTS SALES	LICENSE FEE	558.00
MOVIE LICENSING USA	WATER METERS; MARKING PAINT & FLAGS	1,254.22
MUNICIPAL SUPPLY, INC.	SMART POINT RADIO READS	4,234.99
	REPAIR CLAMP FOR FORCE MAIN	492.00
MURPHY TRACTOR & EQUIPMENT	STREET PADS FOR OUTRIGGERS	399.92
NATHAN RENKEN	REFUND - 114 DAKOTA	117.53
NELSON ELECTRIC	HOOK UP A/C; SEPARATE BREAKER	1,003.97
NOHAVA CONSTRUCTION, INC.	REPLACE ROOF - SPRUCE ST. WATER PLANT	12,995.00
	NEW DURO-LAST ROOF - LIBRARY	13,884.00
NORTH CENTRAL LABORATORIES	LAB CHEMICALS	331.09
NORTHWEST COMMUNICATIONS	APR. INTERNET SERVICE	79.90
O'HALLORAN INTERNATIONAL	VEHICLES REPAIRS & SUPPLIES	422.88
OFFICE ELEMENTS	COPIER LEASES	512.99
OFFICE OF VEHICLE SERVICES	22 SALVAGE AUTO CERTIFICATES	200.00
OKOBOJI MAGAZINE	SUBSCRIPTION	25.00
ON CELL	TOURSPHERE LITE APP	2,149.20
OTIS ELEVATOR COMPANY	ELEVATOR SERVICE CONTRACT	158.67
OVIVO USA, LLC	GEAR MOTOR FOR #2 CLARIFIER	1,903.41
MARGARET WURTH	MILEAGE	41.44
PERKINS OFFICE SOLUTIONS	OFFICE SUPPLIES	484.02
PETTY CASH - LIBRARY	POSTAGE; BOOK; DVD; DES MOINES REGISTERS	162.26
PIONEER PRODUCTS, INC.	DISINFECTANT WIPES	324.88
PITNEY BOWES GLOBAL FIN.	APR. POSTAGE METER RENT	35.00
PITNEY BOWES	POSTAGE FOR METER	500.00
R.J. THOMAS MFG. CO., INC.	SIGNS; GARB. CAN LIDS & LINERS; BENCH	1,343.66
REHAB SYSTEMS, INC.	CLEAN OUT UNITED LIFT STATION	375.00
REINERT MACHINE SHOP	REPAIR TARGET HOLDERS @ RANGE	50.00
	STEEL FOR WELL PIT COVERS	230.68
	BRACKETS FOR TARPS; STEEL FOR BENCH LEGS	41.65
	POST POUNDER; REPAIR SWEEPER SCREEN	125.00
ROYER'S JEWELRY	ENGRAVE EMPLOYEE PLAQUE	9.75
SANITARY SERVICES	APR. GARBAGE PICKUP	25,485.15
SCHOON CONSTRUCTION CO.	SNOW REMOVAL-4/5/14	945.00
	EXCAVATOR-REMOVE TREE FROM CREEK	777.50
	WATER LEAK-4TH & LOCUST	2,095.00
SENSUS USA	FLEXNET M2 SOFTWARE SUPPORT	1,732.50
SIoux SALES COMPANY	AMMO; MAGS; UNIFORMS; TARGETS	1,787.20
SIouxLAND DIST. HEALTH DEPT.	FOOD LICENSE FOR POOL; SAMPLE TESTING	80.50
STAN HOUSTON EQUIP. CO., INC.	2 ROLLS LANDSCAPE FABRIC; STAPLES	843.90

STATE SAVINGS BANK	SAFETY DEPOSIT BOX RENT	12.00
STEVE'S WINDOW SERVICE	WINDOW CLEANING	206.00
TAMMY'S	CHAMBER COFFEE SUPPLIES	45.71
TEST AMERICA LABORATORIES	ANNUAL SLUDGE TESTING	412.96
THE BOOK VINE	BOOK	12.76
THE COURT FOCUS	MAY SUBSCRIPTION	13.00
THREE RIVERS BENEFIT	CLAIMS THRU 5/2/14; MAY ADMIN. FEE	2,180.58
TOM MUMMERT & SON CONST.	HAUL LIMESTONE-PARK PARKING LOTS	950.00
TRANS-IOWA EQUIPMENT, INC.	DRIVE BUSHING FOR SWEEPER	54.06
TREASURER, STATE OF IOWA	APR. SALES TAX	4,830.61
UNITED PARCEL SERVICE	SHIPPING CHARGE	20.12
UNITED ROTARY BRUSH CORP.	6 MAIN & 6 GUTTER BROOMS FOR SWEEPER	1,452.55
UNITED STATE TREASURY	UNDERPAID JAN. FED. TAX	689.30
UNITED STATES CELLULAR	CELL PHONES	348.55
UPSTART	SUMMER READING SUPPLIES	314.72
USPS	POSTAGE FOR UTILITY BILLS	761.00
VALLEY VETERINARY CENTER	ALLERGY MEDS FOR DOG	75.00
VERIZON WIRELESS	CELL PHONES/CARD	146.52
WALLY MILLER, JR.	APR. LEGAL SERVICES	3,100.00
WIESE OIL & SUPPLY CO., LTD	GAS & DIESEL	8,732.73
WINDSTREAM	PHONE/INTERNET SERVICE	1,162.95
WOODALL ELECTRIC	WATERPROOF CONDUIT/BOXES	767.00
	TROUBLE SHOOT-MAIN CPU	450.00
ZIEGLER INC.	2 OIL FILTERS FOR CAT BLADE	40.76

Reviewed Library Board minutes of April 2nd.

Accepted affirmative defense of tobacco violation – Hy-Vee Gas.

Renewal of Class “B” native wine permit – Natural Health Solutions.

Renewal of Class “C” beer/wine permit – K-Mart.

Renewal of Class “C” liquor license – Hy-Vee for Western Iowa Tech Conference Center.

Progress payment No. 1 to Christensen Bros. for \$41,743.95 for the River Road bridge project.

A motion by Peck, seconded by Miller, unanimously approved the Mayor’s appointment of Patty Brown to the Revolving Loan Fund Committee.

The council reviewed the following bids for the Industrial Drive Water Main Replacement Project: Schoon Construction-\$25,386; Lundell Construction-\$46,237.50. On the recommendation of the project engineer, a motion by Pingel, seconded by Brown, awarded the bid to Schoon Construction for \$25,386. Motion carried.

A motion by Brown, seconded by Miller, authorized the purchase of a stump grinder for the Park, Street and Cemetery departments from Builder’s Sharpening & Service for \$6,260.88. This item is included in the 2014-15 budget. Motion carried.

On a motion by Brown, seconded by Miller, the council authorized the purchase of a new mower for the Park Dept. from Builder’s Sharpening & Service for \$6,616. This item is included in the 2014-15 budget. Motion carried.

A motion by Pingel, seconded by Brown, set May 27, 2014 at 7:00 p.m. for the date and time of a public hearing to amend the 2013-14 budget. A large share of the amendment is related to damages caused by the 2013 flood event and equipment purchases. Motion carried.

The Billing Clerk is requesting the write-off of utility billing charges of \$2,100.40 at 305 E. Cedar. These charges stem from a frozen meter and the resulting water use. The charges were turned over to the County Treasurer for collection with property taxes. This debt was included in a bankruptcy filing, so the City is unable to pursue any further collection efforts. A motion by Brown, seconded by Peck, authorized the write-off of the charges and the release of the lien on the property. Motion carried.

Steve Schuck, Police Chief, gave his quarterly report to the council. Steve reported that so far this year they have issued 130 criminal citations, 136 traffic citations, and 208 warnings; Officers Tim Smith and Brian Heidesch recently graduated from the academy; new Officer Hunter Clayton started mid-April and

has a 2-yr. criminal justice degree, which will allow him to attend the shorter, 8-week academy; Tim Smith has taken over the K-9 Program and recently attending training in Minneapolis; his department has started issuing nuisance abatement notices.

The council reviewed the following reports:

1. April Clerk-Treasurer's report and receipts as follows: General-\$478,563.66; Police Forfeiture-\$708.95; County Library-\$1.10; Road Use-\$46,053.68; Employee Benefits-\$200,461.87; Emergency-\$11,890.05; LOST-\$37,916.60; Hotel/Motel Tax-\$22.18; Tax Increment Financing-\$11,891.97; Revolving Loan-\$19.89; Library Memorial-\$117.26; Park & Rec. Cap. Impr.-\$5,174.80; Debt Service-\$144,857.66; Road Use Equipment-\$9,330.64; Emergency Set-Aside-\$10.08; Oak Hill Perpetual Care-\$166.17; Water Utility-City-\$54,292.53; Water Utility-Industrial-\$12,224.94; Water System Maint.-\$8,962.85; Sewer Utility-City-\$85,264.03; Sewer Utility-Industrial-\$21,400.86; Sewer Bd./Int.-\$27,105.93; Sewer System Maint.-\$3,333.34; Sewer Impr.-\$1,666.67; Aviation Authority-\$10,844.49; Solid Waste-\$22,953.23; Landfill-\$31,173.27; Storm Sewer Utility-\$6,743.09; Self Insurance-\$19.38.
2. April General Fund revenue/expense report.
3. April Police reports.

The meeting was adjourned at 7:50 p.m.

News media – Paul Struck, *Chronicle Times*; Nikki Thunder, KCHE.

Mark Murphy – Mayor

ATTEST:

Debra Taylor
City Clerk-Treasurer