

**Regular City Council Meeting  
City Hall, Cherokee, Iowa  
June 10, 2014 – 7:00 P.M.**

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

Beatrice Beals, 800 Spring Lake Dr., and Denny and Sherry Rupp, 6223 Willow Rd., were present during the public forum with comments regarding the City's decision to reduce the goose population at Spring Lake Park. Mrs. Beals said in her 10 years living near the park, this is the least amount of geese she has seen. The lake should be able to support the number of geese that are currently there. She has counted 14 adults and 10 goslings. As far as the incident at the airport – that is the only one she is aware of in the past 50 years. Mr. Rupp said the park is becoming too commercialized. It used to be a family park where kids could look at the animals and geese. Now there is nothing for the kids to do. The small numbers of geese are not a problem. Mrs. Rupp said she is an animal lover. She asked who started this, the airport, city, DNR? The paper mentioned 8 mishaps involving the airport. She suggested that maybe it was pilot error. Her son is a pilot and when he encounters birds or geese, he simply veers out of the way. To kill the geese is a crime. If the adults are slaughtered and the babies relocated to the wild, they won't survive. Administrator Eikmeier explained the decision to pursue the reduction of the goose population. This action was instigated by the City because of safety issues at the airport as well as numerous complaints about goose feces near the lake and around playground equipment where children play. The City has been working with the DNR to determine the best way to manage the population. The DNR said the goslings are at an age where they will survive and won't return to this area. Collection of the geese is one way to control the population. Another way is to treat the eggs before they hatch. This is a management plan, not a total elimination plan. The Mayor thanked those in attendance and said the City would take their comments under consideration.

At 7:20 p.m., Mayor Murphy opened a public hearing on revisions to yard regulations in M-1, Light Industrial, and M-2, Heavy Industrial zoning districts. The revisions would make these districts more closely resemble each other in setback requirements. As there were no oral or written comments, the Mayor closed the hearing at 7:21 p.m. On a motion by Brown, seconded by Pingel, the council approved the second presentation and waived the third presentation of Ordinance No. 595 and ordered its publication. The ordinance amends yard requirements for M-1 and M-2 zoning districts to show that minimum front yards and rear yards have no regulation unless contiguous to a residential zoned lot then the minimum would be 30 feet; the minimum side yard has no regulation unless contiguous to a residential zoned lot then the minimum would be 20 feet; and the minimum side yard at street corner would be 30 feet. Roll call was: AYES: All. NAYS: None.

On a motion by Peck, seconded by Johnson, the council adopted Resolution No. 14-10, adopting the Multi-Jurisdictional Local Hazard Mitigation Plan as required by FEMA. Roll call was: AYES: All. NAYS: None.

A motion by Miller, seconded by Brown, adopted Resolution No. 14-11, committing the local match of \$284,941 for the flood buy-out program. (This replaces Resolution No. 14-7). Roll call was: AYES: All. NAYS: None.

The Administrator reported that the Iowa Economic Development Agency has informed the City that they will fund nearly all the local match.

A motion by Brown, seconded by Miller, unanimously approved the following under "Consent Business". City council minutes of May 27th.

Bills totaling \$380,289.21.

ACCO	POOL CHEMICALS; FLOW SWITCH	679.88
AL'S CORNER OIL CO.	DIESEL	32.85
ALLIANT ENERGY	NATURAL GAS	812.84
ARAMARK UNIFORM SERVICES	SHOP RAGS; RUGS; MOPS	50.28

ATIRA CREDIT MASTERCARD	MOTEL; MEALS; GAS-K9 TRAINING	1,198.01
	U.S. CANINE ASSOC. MEMBERS	50.00
	GLOW BRACELETS - JULY GLOW	187.25
	POOL SUPPLIES	3.36
AUTOMATIC SYSTEMS CO.	FACTORY REPAIR CONTROLLER	1,793.06
	REPLACE #2 VFD SLUDGE PUMP	14,935.00
BARCO MUNICIPAL PRODUCTS	STOP SIGNS FOR WESCOTT TRAIL	261.45
BENSON CONSTRUCTION	MINI X RENT;TRENCH ELEC.-NEW SHELTER	200.00
	MINI X RENT-V.B. COURT	400.00
BLAINE'S WATER CONDITIONING	WATER FOR LAB	158.12
BOB JACOBS	OVERPAID 209 UNION	116.00
BOLTON & MENK, INC.	ENG.-DOT WATER LINE PROJECT	1,911.00
BOMGAARS	OPERATING SUPPLIES & EQUIPMENT	2,391.51
BROWN SUPPLY CO.	GASKETS; T BOLTS; ADAPTORS	1,428.60
BRYAN ROCK PRODUCTS	BALLFIELD AGGREGATE MATERIAL	1,353.75
BUILDERS SHARP. & SERVICE	BELT; FILTERS; WEEDEATER HEADS; SWITCH	197.62
CALHOUN-BURNS & ASSOCIATES, INC.	ENG. - RIVER ROAD BRIDGE PROJECT	7,563.50
	DESIGN WATER MAIN-RIVER RD.	5,000.00
CARUS CORPORATION	CALCIQUEST; CARUS 8500	3,298.90
CERTIFIED TESTING SERVICES, INC.	SOIL TESTING - DOHERTY ADDITION	1,637.50
CHAMPION ELECTRIC, INC.	LIGHT FIXTURE REPAIR	96.00
	CAMPING OUTLET REPAIRS	37.96
	REPAIR STREET LIGHTS ON MAIN ST.	2,151.44
	6 - 400 WATT BULBS FOR SHOP	242.98
CHASER'S PIZZA	PIZZA FOR PARK WORK NIGHT	38.00
CHEROKEE AREA ECON. DEVELOP.	QUARTERLY CONTRIBUTION	2,733.75
CHEROKEE AUTO PARTS	STOBE LIGHTS; SWITCH; BELTS; OIL	259.41
CHEROKEE CO. CLERK/COURT	CITY CASES; FILE PETITION - 5 ABANDON PROPERTIES	1,045.00
CHEROKEE CO. SOLID WASTE	JUNE LANDFILL FEE; TIRES FROM CLEANUP DAY	29,718.51
CHEROKEE CO. WORK SERVICE	CLEAN OIL RAGS	8.06
CHEROKEE COUNTRY STORE	GAS & DIESEL	493.33
CHEROKEE COUNTY EXTENSION	MANUALS FOR WEED/PEST SPRAY COURSE	40.00
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCE	1,170.00
CHEROKEE LUMBER, INC.	REBAR FOR WESCOTT TRAIL	287.52
	LUMBER FOR COUNTER-NEW SHELTER	63.30
CHEROKEE STATE BANK	NSF CHECKS	284.81
CHESTERMAN COMPANY	POOL CONCESSIONS	363.30
CHRONICLE TIMES	MINUTES; BUDGET AMEND.; ORD. NEWSLETTER	2,708.39
COMES INVESTMENTS (PIZZA HUT)	PIZZA FOR POOL STAFF MEETING	92.50
CONTINENTAL RESEARCH CORP.	CASE OF CREEPER LUBE	219.88
COUNTRY TIRE & SERVICE	SERPENTINE BELT & TENSIONER	131.64
CRA PAYMENT CENTER	REPAIR SHIFTER-TRACTOR MOWER	93.96
DEMCO, INC.	SUPPLIES	70.44
DINN BROS., INC.	RIBBONS FOR HERSHEY TRACK MEET	47.25
DOUBLEDAY LARGE PRINT	BOOKS	147.03
DPC INDUSTRIES, INC.	CHLORINE	853.38
ENVIRON. RESOURCE ASSOC.	QUARTERLY QC SAMPLES	264.55
FAREWAY STORES, INC.	WATER & POP - CLEANUP NIGHT; PAPER TOWELS	70.05
FARNER-BOCKEN COMPANY	POOL CONCESSIONS	1,263.02
FELD FIRE	FIRE EXTINGUISHERS; VALVE; GUAGE; SEALS; TAGS	769.35
FIRST FINANCIAL MERCHANT SERV.	MAY CHARGE CARD FEES	88.12
FOX ENGINEERING	ENG. - CHLORIDES INVESTIGATION	1,645.25
GCC ALLIANCE CONCRETE, INC.	CONCRETE-HILLSIDE WATER LEAK	465.00
GECRB/AMAZON	BOOKS; DVDS; AUDIO; LEGOS	329.80
GEORGE CONSTRUCTION, LLC	NEW ROOF-BEECH ST. STORAGE BUILDING	2,367.59
	WESCOTT R.R. & SHELTER IMPROVEMENTS	19,341.69
HACH CO.	LAB CHEMICALS	285.28
HALLETT MATERIALS	LIMESTONE FOR WESCOTT PARK	94.70
HD SUPPLY WATERWORKS, LTD.	MACRO COUPLINGS; DEEP SOCKETS	1,331.90
HOLZHAUER MOTORS, LTD.	SERVICE VEHICLES; SENSOR	213.51
I.M.W.C.A.	2014-15 WORKER'S COMP. PREMIUM	95,537.00
IOWA CITY/COUNTY MGMT. ASSOC.	ANNUAL MEMBERSHIP	150.00
IOWA DEPT. OF NATURAL RESOURCES	NPDES APPLICATION FOR 2014	85.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY (2 MONTHS)	94.85
IOWA ONE CALL	APR. LOCATES	110.70
JANITOR'S CLOSET, LTD.	TISSUE; TOWELS	541.12
JESSICA CEDAR	RECERTIFY 6 LIFEGUARDS	100.00
JIM GANO	2 U.S. FLAGS	20.00
JIM PECK	MILEAGE-SIMPCO MTG.-5/22/14	67.20

JOHN MEIS	TAC MTG.; MILEAGE; INSPECT RETAINING WALLS	223.00
JR'S SALES AND SERVICE	GARAGE DOOR-WESCOTT BLDG.	475.00
JUDY GRIENKE-MILLER	MILEAGE	63.28
KNIFE RIVER MIDWEST, LLC	7.18 T. HOT MIX PATCH	482.20
LAKE ELECTRIC SUPPLY, INC.	POWER OUTLETS-CAMPING (FLOODING)	287.60
LAURA NISSEN	BALANCE OF DEPOSIT	7.89
LETSCHE BIKE/RADIO SHACK	HDMI CABLE; SUPPLIES	41.98
	COMPUTER FOR POOL ADMISSIONS	429.99
LUKE KLASCHEN	WORK BOOTS	75.00
LUNDELL CONSTRUCTION CO.	PUMP LIFT STATION	264.00
	GRAVE DIGGING	345.00
	TEST FOR POOL LEAK	1,479.00
	TV STORM SEWER-400 BLK W. CEDAR	160.00
	REPIPE WATER PIT AT PARK	1,395.77
	CONCRETE PATCH-CHIEF WATER LEAK	1,241.80
	CURB STOP REPAIR-460 GILLEASE	2,503.19
	TV SEWER ON SPRUCE	160.00
	REPAIR SEWER MAIN-N. 9TH	4,400.00
MARINE RESCUE PRODUCTS, INC.	SUITS & WHISTLES FOR LIFEGUARDS	769.85
MELONY STORM	OVERPAID 519 SUMNER	41.48
MID AMERICAN ENERGY	ELECTRICITY	21,352.20
MODERN HEATING & COOLING	ADA FAUCET IN WOMEN'S R.R.	336.94
MOTOR PARTS SALES	40 AMP FUSE	4.42
MUNICIPAL SUPPLY, INC.	5/8, 3/4 METERS & ADAPTORS; COUPLINGS	3,341.84
NELSON'S LOCKSMITH SHOP	REPAIR DOOR LATCH	123.00
NORTHERN SAFETY CO., INC.	WORK BOOTS-CASEY	75.00
NORTHWEST COMMUNICATIONS	MAY INTERNET SERVICE	79.90
O'HALLORAN INTERNATIONAL, INC.	HYDRAULIC HOSE; STARTER FOR DUMP TRUCK	338.15
O'REILLY AUTOMOTIVE STORES INC.	CASE OF TISSUE; CASE OF HAND TOWELS	149.64
OFFICE ELEMENTS	COPIER LEASES	406.43
OFFICE OF VEHICLE SERVICES	10 SALVAGE AUTO CERTIFICATES	100.00
OUR IOWA MAGAZINE	SUBSCRIPTION	32.98
OVERHEAD DOOR CO.	REPAIR SOUTH DOOR OF SPRUCE PLANT	519.50
PAM DANIELS	USED SNOWBLOWER	200.00
PERFORMANCE KENNELS, INC.	2 WEEK K-9 HANDLER	1,000.00
PERKINS OFFICE SOLUTIONS	OFFICE SUPPLIES	500.86
PETERSEN MFG. CO., INC.	MEMORIAL BENCH	374.25
PETTY CASH	OPENING CASH - POOL & CONCESSIONS	200.00
PETTY CASH - LIBRARY	POSTAGE; SUPPLIES; DES MOINES SUNDAY REGISTER	152.35
PIONEER PRODUCTS, INC.	DISINFECTANT CLEANING SUPPLIES	324.81
PITNEY BOWES FINANCIAL	MAY POSTAGE METER RENT	35.00
POWERPLAN	CHECK SWEEPER REAR ENGINE	269.58
R.J. THOMAS MFG. CO., INC.	T-SHIRTS FOR POOL STAFF	446.80
RECREONICS, INC.	POOL EQUIPMENT	290.36
REHAB SYSTEMS, INC.	ROOT CUT & TV LINE ON E.SPRUCE	1,750.00
REINERT MACHINE SHOP	REPAIR CANOPY AT POOL	160.00
	STEEL FOR COUNTER-NEW SHELTER	127.18
	STEEL FOR ELEC. PANEL AT PARK	238.39
RHOADSIDE BLOOMING HOUSE	2014 MEMORIAL DAY FLOWERS	6,948.50
SALVADOR ZAVALA LEDESMA	BALANCE OF DEPOSIT	25.87
SANITARY SERVICES	MAY GARBAGE PICKUP	25,565.25
SCHOON CONSTRUCTION CO.	SOIL VAC SINK HOLE-9TH & CHERRY	330.00
	WATER LEAK-S. 2ND FRONTAGE ROAD	907.50
SCHUMACHER ELEVATOR CO.	REPAIR ELEVATOR - BEECH ST. LIFT	3,415.52
SERVICE CONSTRUCTION CO.	GRIND CURB LINE FOR TRAIL	450.00
SHARE CORPORATION	CLEANING SUPPLIES	127.32
STEVE'S WINDOW SERVICE	WINDOW CLEANING	90.00
THE BOOK FARM	BOOKS	261.96
THE BOOK VINE	BOOKS	26.38
THE COURT FOCUS	JUNE SUBSCRIPTION	13.00
THREE RIVERS BENEFIT	CLAIMS THRU 5/30/14; JUNE ADMIN. FEE	1,298.30
TIRE SERVICE CENTER	SERVICE CALL & REPAIR REAR TRACTOR TIRE	268.89
	4 TIRES & ALIGNMENT FOR GMC PICKUP	549.91
TOM MUMMERT & SON CONSTR.	CONCRETE-WESCOTT TRAIL	15,852.00
TRADITIONAL HOME	SUBSCRIPTION	24.00
UNITED STATES CELLULAR	CELL PHONES	383.17
USPS	POSTAGE FOR UTILITY BILLS	671.03
UTILITY SERVICE CO., INC.	ANNUAL TANK SERVICE - 2 WATER TOWERS	41,823.94
VALLEY VETERINARY CENTER	BOARD STRAYS	257.55

VERIZON WIRELESS	CELL PHONES & CARD	147.22
WALLY MILLER, JR.	MAY LEGAL SERVICES	2,475.00
WATCHGUARD VIDEO	IN-CAR CAMERA (STEP GRANT)	4,620.00
WIESE OIL & SUPPLY CO., LTD	GAS & DIESEL	9,344.19
WINDSTREAM	PHONE & INTERNET	1,150.10
WOODALL ELECTRIC	REPLACE BALAST; SECURE GRATING	221.50
	REPAIR CONDUIT TO FLOW METER	791.50
	UNHOOK MOTOR; REWIRE NEW METER	180.00

Progress payment #1 to Steve Harris Construction for \$83,999.57 for the 2013 Doherty Addition Project.  
 Renewal of Class “B” beer permit – Pizza Hut.  
 Renewal of Class “C” liquor license – V.F.W.  
 Renewal of Class “C” liquor license – Gasthaus Bar & Grille.

The council reviewed the job description for the Fire Driver/Equipment Operator/Building Inspector. A wording change was made from “inspections of rental dwelling units” to “inspections of residential and commercial structures”. A motion by Peck, seconded by Brown, approved the job description for the Fire Driver/Equipment Operator/Building Inspector with the above noted change. Motion carried.

Administrator Eikmeier reported that Chris Horton has been hired for the above position. Chris moves from the Street Dept. and will begin his duties at the fire station in a couple weeks.

Administrator Eikmeier reminded the council that the N. Roosevelt reconstruction project is a federal-aid project (80% federal and 20% state) that is funded in fiscal year 2014-15. John Meis was present with a proposal for engineering services to include preliminary design, final design, and preparation of plans and specs. The proposal includes survey work to be provided by Dave Wilberding, PSS, Inc. Mr. Meis said that because this is a federal-aid project it would be bid through the State. In order to meet the January 21, 2015 bid date, this design work must be completed by July 15. Mr. Meis would like to see the project start as soon as school is out next spring and be completed before school begins in the fall. Council member Pingel asked whether the reconstruction would include the drainage problem at the intersection with Sioux Valley Dr. The Administrator said part of the project would include lowering the railroad right-of-way, which would help with drainage issues. This will be reviewed further with the Street Supt. A motion by Peck, seconded by Miller, approved an engineering contract with John Meis for \$66,000 for the N. Roosevelt reconstruction project to include preliminary design, final design, and preparation of plans and specs. Motion carried.

On a motion by Brown, seconded by Johnson, the council unanimously approved the purchase of hydrants and valves for the Water Dept. from HD Waterworks for \$9,635.

On the recommendation of the Revolving Loan Committee, a motion by Brown, seconded by Johnson unanimously approved an application from Halder Properties for \$30,000 in revolving loan funds at 5% for 10 years. The loan will be used to continue rehabilitation of the former Lubeck gas station and car wash property on S. 2nd St.

Jim Agnitsch, Street Supt., presented his quarterly report to the council. After making it through winter with few equipment problems, they started this spring with sweeper problems. The sweeper is now back in operation and he hopes to complete the entire city by the end of June. They have been patching streets; the seasonal employee is rebedding the downtown nodes and replacing some plantings; Lundell’s have completed 4 sewer main patches in the northwest area of town; the relining of sewer mains in N. 9th St. and the Hillside alley was completed June 4th; they have addressed everything that was found during the televising inspection and will resume household sewer inspections this fall; the DOT will raise 10 manholes along Hwy. 59 through town, at city cost, as part of the reconstruction project and will start the reconstruction of the Linden St. intersection on Wed.; the River Road bridge project is progressing satisfactorily; the 5” rainfall on June 1st didn’t cause any problems, although they were prepared; Jim feels the City needs to purchase a 6” pump at some point as this helps tremendously in flooding events; and they have been regrading alleys washed out by recent rains.

In his report to the council, the Administrator noted that political signs must be removed 5 days after the election; Aster St. south was paved today and the loop to Amber St. will be completed on Wed.; Aster St. north and Sequoia will follow with the paver wanting to be done by mid-week next week; the council was asked for feedback on whether fences should be required around temporary type, private swimming pools and he will inform the public of the ordinance regarding fences.

The council reviewed the following reports.

1. May Clerk-Treasurer's report and receipts as follows: General-\$87,711.18; Police Forfeiture-\$675; Road Use-\$32,776.92; Employee Benefits-\$27,047.26; Emergency-\$1,481.41; LOST-\$37,636.63; Tax Increment Financing-\$2,690.32; Library Memorial-\$734.93; Debt Service-\$24,398.33; Water Utility-City-\$54,442.35; Water Utility-Indus.-\$13,095.54; Water System Maint.-\$8,499.66; Sewer Utility-City-\$87,659.06; Sewer Utility-Indus.-\$21,400; Sewer Bd./Int.-\$27,105.93; Sewer System Maint.-\$3,333.34; Sewer Improvement-\$1,666.67; Aviation Authority-\$999.28; Solid Waste-\$39,243.67; Landfill-\$30,082.06; Storm Sewer Utility-\$6,492.82.
2. May General Fund revenue/expense report.
3. May Police reports.

The meeting was adjourned at 8:10 p.m.

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

Mark Murphy – Mayor

ATTEST:

Debra Taylor  
City Clerk-Treasurer