

**Regular City Council Meeting
City Hall, Cherokee, Iowa
September 9, 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.

A motion by Pingel, seconded by Brown, approved the third presentation of Ordinance No. 600, amending provisions pertaining to definitions by adding the definition of “Substantial Damage” described as damages that will cost more than 50% of the value of the structure to repair, and ordered its publication. Roll call was: AYES: All. NAYS: None.

The council reviewed a proposed ordinance that would provide for limited bow hunting in the city limits. Over the years, the Mayor and Administrator have received requests from residents asking the City to consider such an ordinance. The ordinance is modeled after other communities located along rivers and wooded areas. The ordinance would allow bow hunting (excluding cross-bows) by permit issued by the Police Chief as long as the following conditions are met: the hunter is 16 years of age or older and a resident of the City of Cherokee; the hunter has a State of Iowa issued hunting permit; hunting shall only be allowed during the hunting season established by the State of Iowa for bow hunters; the hunter has written permission from the property owner; all hunting shall be done from an elevated stand that is a minimum of six (6) feet off the ground to insure a downward thrust of the arrow released by the bow hunter; the hunter cannot carry an uncased bow or locate a hunting stand within 500 feet of an existing residence; the hunter shall not shoot into or across street, alley, highway, sidewalk, public way, public ground or public building; and a fee of \$20.00 shall be paid to the City of Cherokee for a bow hunting permit. Council member Brown feels that not many hunters would apply for the permit and doesn't think it will do much to control the deer population in the city limits. A motion by Pingel, seconded by Miller, approved the first presentation of an ordinance providing limited bow hunting in the City limits. Roll call was: AYES: Pingel, Peck, Johnson, Miller. NAYS: Brown.

A motion by Peck, seconded by Brown, unanimously approved the following under “Consent Business”. City council minutes of August 26th and September 2nd.
Bills totaling \$159,896.73.

ACCO	PUMP RENTAL; CHLORINE	529.68
ACEOPS	ANNUAL MEMBERSHIP	35.00
AHLERS & COONEY, P.C.	LABOR RELATIONS	21.50
ALLIANT ENERGY	NATURAL GAS	535.72
ARAMARK UNIFORM SERVICES	SHOP RAGS; RUGS; MOPS	60.34
ATIRA CREDIT MASTERCARD	GAS TO PICK UP EQUIPMENT	77.51
	SALES TAX CREDIT-NEW COMPUTER	-63.00
BAKER & TAYLOR, INC.	BOOKS & DVDS	826.50
BARKLEY ASPHALT, INC.	HOT MIX	1,929.17
BIERSCHBACH EQUIP. & SUPPLY	SAND SHOVELS; PC BIT; MARKING FLAGS	254.48
BLAINE'S WATER CONDITIONING	COOLER WATER; LAB WATER; SOFTENER RENT	190.31
BOMGAARS	OPERATING SUPPLIES	1,252.44
BONFIRE WEB CO., LLC	TRANSFER WEBSITE FROM QUANTUM	465.00
BSN SPORTS, INC.	SOCCER GOAL & NEW NETS	294.77
BUGH WELDING	PARTS FOR CHECK VALVE-BEECH LIFT	38.00
BUILDERS SHARP. & SERVICE	AIR CLEANER; BLADE; SEEDER RENT; STRINGLINE	248.12
C-M-L TELEPHONE	REFURBISHED PHONE SYSTEM	500.00
CALHOUN-BURNS & ASSOC., INC.	ENG. - RIVER RD. BRIDGE PROJECT	10,558.42
CARROLL DISTRIBUTING	40 CONCRETE STAKES	111.12
CHAMPION ELECTRIC, INC.	REPAIR TRAFFIC LIGHTS ON MAIN	1,227.03
	REPLACE U/G WIRE @ 2ND/INDIAN	875.82
	LOCATE TRAFFIC LIGHT WIRES	176.00
	REPAIR WALK SIGN-2ND/MAIN	216.00
CHEROKEE AUTO PARTS	VEHICLE MAINT. SUPPLIES	559.96
CHEROKEE CO. CLERK/COURT	COURT FILINGS-ABANDON PROP.;CITY CASES	370.00

CHEROKEE CO. SOLID WASTE	SEPT. LANDFILL FEE	29,688.51
CHEROKEE CO. WORK SERVICE	CLEAN SHOP RAGS	4.81
CHEROKEE COUNTRY STORE	FUEL	275.33
CHEROKEE COUNTY RECORDER	RECORD TIF DOCUMENTS	174.00
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCE	490.00
CHEROKEE LIBRARY FOUND.	TRANSFER OF FUNDS	520.00
CHEROKEE REG. MED. CENTER	PHYSICAL FOR ACADEMY-CLAYTON	114.00
CHEROKEE STATE BANK	NSF CHECK - J. LILLEFLOREN	105.00
CHESTERMAN COMPANY	CONCESSIONS	19.20
CHRIS HORTON	MILEAGE-CHECK SWIMMING POOL	14.56
CHRONICLE TIMES	AD FOR SOCCER OFFICIALS; MINUTES; ORD.	808.54
CLASS OF 1974	OVERPAID YACHT CLUB RENT	65.00
COMES INVESTMENTS (PIZZA HUT)	MEALS - LIFEGUARD TRAINING SESSION	110.50
CONSUMER REPORTS	SUBSCRIPTION	26.00
COUNTRY TIRE & SERVICE	REPAIR TIRES; NEW TUBE	135.66
CREATIVE SERVICES	20 T-SHIRTS W/LETTERING	262.16
DON EIKMEIER	MILEAGE; MEALS-MEETINGS	127.59
DONNA BREMER	WSI - T. HIRSCHMAN	25.00
DPC INDUSTRIES, INC.	CHLORINE; POTASSIUM PERMANG.	1,008.13
FELD FIRE	EXTINGUISHERS; RECHARGES; HYDROTESTS	830.00
FIRST FINANCIAL MERCHANT	CHARGE CARD FEES	113.81
FOLLETT SOFTWARE COMPANY	SUPPORT FOR CIRCULATION SYSTEM	1,168.00
FOUNDATION ANALY. LAB	SAMPLE TESTING	1,850.00
FREDERICK WELDING & SALES	PULLEYS; BLADES	117.83
GCC ALLIANCE CONCRETE, INC.	CONCRETE-DUMP STATION; PATH	1,275.00
	CONCRETE-WATER LEAK; VALVE REPLACEMENT	906.25
	MEAL - END OF YEAR WSI INSTRUCTION	36.97
GODFATHER'S PIZZA	LAB SUPPLIES	466.22
HACH CO.	ROAD GRAVEL; FILL SAND	239.94
HALLETT MATERIALS	SERVICE-'13 TAHOE	38.95
HOLZHAUER MOTORS, LTD.	FIRST AID SUPPLIES; CONCESSIONS	122.27
HY-VEE, INC.	GRADER & PLOW BLADES	4,641.76
IOWA D.O.T.	ELECTRICITY	55.76
IOWA LAKES ELECTRIC COOP	CONFERENCE REGISTRATIONS	412.00
IOWA LIBRARY ASSOCIATION	EBSCO SUBSCRIPTION	1,946.35
IOWA LIBRARY SERVICES	JULY LOCATES	68.40
IOWA ONE CALL	TISSUE; SOAP	390.70
JANITOR'S CLOSET, LTD.	TRIM TREES	1,100.00
JERRY'S TREE SERVICE	ENG. - N. ROOSEVELT PROJECT	5,640.00
JOHN MEIS	BATTERIES	15.98
K-MART #9222	SUPPLIES; BATTERIES	49.94
LETSCHE BIKE/RADIO SHACK	TRACKED SKIDLOADER-V.B. COURT	246.00
LUNDELL CONSTRUCTION CO.	GRAVE DIGGING	172.50
	REDO STORM BASINS/STREET-S. 8TH	3,122.25
	CITY SHARE-FILL HOLE @ DOHERTY ADDN.	6,125.00
	WATER LEAK ON PARK AVE.	2,022.00
	REPLACE VALVE @ INDIAN/CHIEF	1,525.50
	WATER LINE WORK IN TUNNELS	163.85
	LIQUOR LICENSE REFUND	154.38
MAIN STREET CATERING	ELECTRICITY	1,808.60
MID AMERICAN ENERGY	BALANCE OF WATER DEPOSIT	49.27
MOTA, PRISCILLA	REPAIR TOILET	172.94
MODERN HEATING & COOLING	VEHICLE MAINT. SUPPLIES	58.54
MOTOR PARTS SALES	5/8" WATER METERS	1,890.44
MUNICIPAL SUPPLY, INC.	SUBSCRIPTION	39.00
NATIONAL GEOGRAPHIC SOCIETY	CASE OF LIGHT BULBS	105.90
NELSON ELECTRIC	AUG. INTERNET SERVICE	79.90
NORTHWEST COMMUNICATIONS	REPAIR REAR ENGINE OF SWEEPER	589.41
O'HALLORAN INTERNATIONAL	COPIER LEASES; SUPPLIES; TYPEWRITER	844.36
OFFICE ELEMENTS	11 SALVAGE AUTO CERTIFICATES	110.00
OFFICE OF VEHICLE SERVICES	LEGOS FOR CHILDREN'S DEPT.	101.55
MARGARET WURTH	OFFICE SUPPLIES	243.49
PERKINS OFFICE SOLUTIONS		

PETTY CASH - LIBRARY	SUPPLIES; POSTAGE; DES MOINES SUNDAY REG.	154.30
PITNEY BOWES GLOBAL FIN.	AUG. POSTAGE METER RENT	35.00
PITNEY BOWES	POSTAGE FOR METER	500.00
R.J. THOMAS MFG. CO., INC.	SOCCER BANNER; FIELD NUMBER BANNERS	513.00
RADAR ROAD TEC	RADAR RECERTIFICATIONS	210.00
RASMUSSEN'S CORP.	OIL CHANGE-'14 FORD TRUCK	20.84
REHAB SYSTEMS, INC.	TV & ROOT CUT SEWERS	4,675.35
REINERT MACHINE SHOP	BLADE FOR JD3520; WHEEL BRG.-SWEEPER	179.44
RHOADSIDE BLOOMING HOUSE	PERENNIALS; ROSE BUSHES; PLANTS FOR NODES	484.98
ROYER'S JEWELRY	ENGRAVE EMPLOYEE PLAQUES	48.00
SANITARY SERVICES	AUG. GARBAGE PICKUP	25,498.50
SIOUX SALES COMPANY	K-9 DECALS; WINDOW TINT METER	150.52
SPAN PUBLISHING, INC.	LAW ENF. AGENCY DIRECTORY	144.00
STANDARD READY MIX	CONCRETE - DEAD END OF S. 8TH	1,083.63
STATE LIBRARY OF IOWA	WORKSHOP REGISTRATIONS	30.00
STEVE'S WINDOW SERVICE	WINDOW CLEANING	90.00
SYNCHRONY BANK/AMAZON	BOOKS & DVDS	274.69
THE COURT FOCUS	SEPT. SUBSCRIPTION	13.00
THE DES MOINES REGISTER	SUBSCRIPTION	15.64
THREE RIVERS BENEFIT	CLAIMS THRU 8/22/14; SEPT. ADMIN. FEE	1,322.92
TITAN ACCESS ACCOUNT	REPAIR FRONTWHEEL ASSIST-MOWER	639.53
TREASURER, STATE OF IOWA	AUG. SALES TAX	6,327.14
UNITED STATES CELLULAR	CELL PHONES	290.74
UPSTART	SUPPLIES	335.96
USA BLUE BOOK	LAB CHEMICALS; PADS FOR LAB	239.69
USA TODAY	SUBSCRIPTION	293.64
USPS	POSTAGE FOR UTILITY BILLS	672.35
VALLEY VETERINARY CENTER	BOARD STRAYS	89.90
VERIZON WIRELESS	CELL PHONES & CARD	146.39
VOGEL PAINT & WAX	LINE PAINT FOR SOCCER SEASON	270.00
WALDNER'S LAWN SERVICE	AUG. LAWN CARE	120.00
WALLY MILLER, JR.	AUG. LEGAL SERVICES	4,997.50
WATCHGUARD VIDEO	USB THUMB DRIVE FOR CAR CAMERA	50.00
WESTERN IOWA TECH..	ACADEMY SHORT COURSE-H. CLAYTON	2,885.00
WIESE OIL & SUPPLY CO., LTD	GAS & DIESEL	8,402.75
WINDSTREAM	PHONE/INTERNET	1,177.60
WOODALL ELECTRIC	INPUT CARDS FOR ELEC. PANEL	1,095.00
ZEE MEDICAL SERVICE CO.	FIRST AID SUPPLIES	44.94

Reviewed Board of Adjustment minutes of August 26th.

Approved pay estimate #4 to Christensen Bros. for \$139,781.80 for the River Rd. Bridge project.

Reviewed Library Board minutes of August 6th.

The council reviewed the following bids for storm sewer improvements south of Victory Dr. and east of Greta St. Option A consists of 18" and 24" perforated dual wall storm sewer and intakes: Lundell Const.-\$38,324; Schoon Const.-\$49,983. Option B, designed for possible future expansion in the area, consists of 24" and 30" perforated dual wall storm sewer and intakes: Lundell Const.-\$59,317.29; Schoon Const.-\$73,540.25. To add an additional 73' of 30" culvert to connect underground to Greta St. would be an additional \$3,869, and an additional \$2,200 for tree removal to extend underground culvert to Greta St. The council heard from Gil Bremicker, Trimont Condo Assoc. president, and Penny Lundell, 410 Centennial, with concerns about these proposed improvements. The Trimont property consists of a drainage swale that water coming across Greta St. enters. This swale is on private property and the City has no responsibility for its maintenance. Although the proposed project won't increase the amount of water, it will increase the speed entering the property, thereby increasing erosion problems. The Association isn't necessarily objecting to the project, but they are asking the council to be aware of potential impacts downstream. Mrs. Lundell had similar concerns as over the years they have had to install retaining walls, plant trees, and place rock to keep their hill from eroding. Dave Wilberding, PSS, explained that the storm sewer would pull the water table down so that the area will be drier. When it does rain there won't be as much of a problem with the volume. Also, the placing of rip-rap at the outlet will help disperse the water. Administrator Eikmeier said the City would evaluate the impact downstream and would continue to monitor the area. A motion by Brown, seconded by Pingel, awarded

the bid to Lundell Construction for a total of \$65,386.29 for Option B, as well as the additional 73' of 30" culvert and additional tree removal to extend the underground culvert. The City will also place rip-rap immediately downstream from the Greta St. expanded culvert. Motion carried.

A motion by Brown, seconded by Miller, unanimously approved a 28E Agreement with the City of Storm Lake for rental maintenance inspection services, which will provide training in regards to enforcement of minimum maintenance codes.

As all information wasn't yet available, the council tabled discussion on a proposal to reorganize to offset Tyson revenue loss until the September 23rd meeting.

The council reviewed the following reports.

1. Administrator's report - visited today with a representative of IMWCA who said because the City's worker's comp. claims have decreased, next year's premium will be lower; the City's health insurance premium will increase only 1.11% on December 1st; work on Hwy. 59 through town should be completed by the end of this week; and Hwy. 59 south of Linden should be done in 3-4 weeks.
2. Steve Schuck, Police Chief, presented his quarterly report to the Council. He reported that Officer Hunter Clayton began the 8-week police academy on Monday; as approved by the Mayor and Administrator, Nate James was promoted to Sergeant effective 9/5/14; some of the officers and reserve officers, through Sioux Sales in Sioux City, worked Creekfest; since the first of the year the department has had 28 OWI's, 55 nuisance abatement notices, 260 criminal charges with 148 jailed, 274 traffic citations, and 467 traffic warnings. Steve said his officers are dedicated and do a good job.
3. August Clerk-Treasurer's report and receipts as follows: General-\$55,820.71; Police Forfeiture-\$4,680.44; County Library-\$1.57; Road Use-\$62,764.75; Employee Benefits-\$1,755.08; LOST-\$282,967.80; Hotel/Motel Tax-\$15.35; Revolving Loan-\$419.02; Library Memorial-\$189.32; Park & Rec. Capital Impr.-\$3.91; Debt Service-\$11.40; Emergency Set-Aside-\$5.30; Oak Hill Perpetual Care-\$455.26; Water Utility-City-\$63,925.34; Water Utility-Industrial-\$13,571.59; Water System Maint.-\$9,042.65; Sewer Utility-City-\$96,721.57; Sewer Utility-Industrial-\$28,537.98; Sewer Bd./Int.-\$29,610; Sewer System Maint.-\$5,750; Sewer Improvement-\$1,793.67; Solid Waste-\$25,738.03; Landfill-\$31,036.56; Storm Sewer Utility-\$6,839.13; Self Insurance-\$25.95.
4. August General Fund revenue/expense report.
5. August Police reports.

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

Mark Murphy – Mayor

ATTEST:

Debra Taylor
City Clerk-Treasurer