

**CITY COUNCIL MINUTES
JULY 26, 2016, 7:00 P.M.
CHEROKEE CITY HALL**

A regular meeting was called to order on this date by Mayor Murphy. Roll call: Present: Councilpersons Agnitsch, Brown, Johnson, Miller, Pingel, City Attorney Herbold, City Administrator Kooiker, City Clerk-Treasurer Cargin. Absent was Councilperson Pingel.

Update on Structure as 123 E. Main St.

Schoenfeldt Engineering of LeMars IA has been retained by the building owner of 123 E. Main St., Dennis Pointen, to inspect the building. His report should be available in the next few weeks. This matter was continued to the August 9 council meeting.

Ordinance No. 622 Amending Provisions regarding Oak Hill Cemetery

City Attorney Herbold commented that Christina Hazelbaker with the Iowa Insurance Division has reviewed proposed Ordinance No. 622 Amending Provisions Regarding Oak Hill Cemetery and has found it to be in compliance with State regulations. New language that will become mandatory to be included next year is contained in the amended ordinance so it will not need to be revised again. Pingel made a motion, seconded by Johnson, approving the third reading of Ordinance 622 and ordering its publication. Roll call was: AYES: All. NAYES: None.

Resolution No. 16-21 Transferring Donations from Cemetery Perpetual Care Fund

Pingel made a motion to adopt Resolution #16-21, Transferring Donations the Cemetery Perpetual Care Fund to the Special Care Fund. This transfer will allow the principal amount of approximately \$50,950 to be spent on cemetery-related care. Brown seconded the motion. Roll call was: AYES: All. NAYES: None.

Public Hearing on Sale of General Obligation Capital Loan Notes

At 7:06 Mayor Murphy opened the Public Hearing on the Proposed Sale of General Obligation Capital Loan Notes Not to Exceed \$2,000,000 for new projects and not to exceed \$1400,000 to refund existing obligations. There were no written or oral comments from the public.

Scott Stevenson from D. A. Davidson, bond underwriters, gave an overview of the proposed sale. The city has a legal debt limit of approximately 11 million dollars. After the issuance of these bonds, the city will have borrowed about 6.2 million, leaving a debt capacity remaining of about \$4.8 million, or 43.63% of the total limit. Funds borrowed for building demolition will be taxable, the other funds will be tax exempt, carrying a lower interest rate. Refinancing the 2011 W. Cherry St. debt will result in approximately \$35,000 - \$45,000 savings over the remaining term of the debt. Mayor Murphy closed the Public Hearing at 7:21 p.m.

Resolution No. 16-27 Instituting Proceedings to Take Additional Action

Brown made a motion to adopt Resolution #16-27, a Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed 3.4 Million General Obligation Capital Loan Notes. The motion was seconded by Pingel. Roll call was AYES: All. NAYES: None.

Ordinance No. 623 Prohibiting Dogs and Other Animals at Oak Hill Cemetery

Myla Stoneking, 1602 W. Main, addressed the council in opposition of the passage of Ordinance No. 623, an Ordinance Prohibiting Dogs and Other Animals within Oak Hill Cemetery with the exception of service animals. She and her husband walk their dogs in the cemetery frequently and pick up after them. Since the signs requiring dogs to be leashed and picked up after have only been in place a few weeks, she feels the council should allow more time to see if the public complies. She also suggested a similar sign be placed at the main entrance. Agnitsch made a motion, seconded by Brown, approving the 1st reading of Ordinance 623. Roll call was: AYES: All. NAYES: None.

Ordinance No. 624 Defining Illegal Animals in City Limits

Pingel made a motion, seconded by Miller, approving the 1st reading of Ordinance No. 623, an Ordinance Defining and Prohibiting Illegal Animals. Roll call was: AYES: All. NAYES: None. Pingel made a motion to waive the 2nd and 3rd readings of Ordinance No. 624 and ordering its publication. Agnitsch seconded the motion. Roll call was: AYES: All. NAYES: None.

Ordinance No. 625 Amending the Sale and Transfer of Lot Provisions

Brown made a motion approving the 1st reading of Ordinance No. 625, an Ordinance Amending the Sale and Transfer of Lot Provisions Pertaining to Oak Hill Cemetery, to waive the 2nd and 3rd readings and ordering its publication. Johnson seconded the motion. Roll call was: AYES: All. NAYES: None

Ordinance No. 626 Changing Stop Sign Configuration Along N. Roosevelt St.

Ordinance No. 626 authorizes the placement of permanent 4-way stop signs at intersections at Roosevelt and E. Bow Drive, at Roosevelt and Jefferies St, at Roosevelt and Hayward St. and at E. Indian St. and Ridgeview Dr. Currently these intersections have turnable, 4-way stop signs during the school year. Miller made a motion to adopt Ordinance No. 626, Changing Stop Sign Configuration along N. Roosevelt St., to waive the 2nd and 3rd readings and ordering its publication. Pingel seconded the motion. Roll call was: AYES: All. NAYES: None.

Resolution No. 16-28 Surplus and Disposal of Canoes and Paddleboats

Agnitsch made a motion, seconded by Miller, adopting Resolution No. 16-28 Authorizing Disposal of Canoes and Paddleboats. The canoes will be donated to Cherokee County Conservation and the paddleboats will be sold at an upcoming auction. Roll call was: AYES: All. NAYES: None.

Consent Business

On a motion by Miller, seconded by Johnson, the following was approved under Consent Agenda.

City Council Minutes of July 12, 2016
Parks & Recreation Board Minutes of July 11, 2016
Bills Totaling \$78,817.27

ACCO	Chlorine Solution	\$2,946.05
Alliant Energy	Nat. gas	\$922.99
Alloy Specialty	Wilson School asbestos inspection	\$2,800.00
Aramark	Rugs, rags, mops	\$47.57

Atira Mastercard	Hotel, mis.	\$1,390.86
Baker & Taylor	Books & Audio (library)	\$1,388.81
Bolton & Menk	Water loop survey, urban renewal plan	\$9,307.00
Bomgaars	Mop, mop heads	\$43.97
Brown Supply	8" hymax	\$890.46
Builders Sharpening	P.T.O Repair J.D. (reissue)	\$1,213.86
CarQuest (NAPA)	Parts for #3 truck	\$7.00
Carroll Const.	20 3/4" stakes	\$39.00
Central Iowa Distributing	Garbage bags	\$256.00
Champion Electric	Cord on Equip. truck	\$27.11
Cherokee Co. Engineer	Corrugated storm sewer pipe	\$377.78
Cherokee Co. Work Services	Shop towels, rugs	\$30.67
Chesterman	Pop	\$1,242.60
Cogran	On-line schedule	\$150.00
Counseling & Assessment	MMPI	\$180.00
Country Tire	Tire repairs	\$249.45
Crescent Electric	Heat shrink tube	\$49.89
DGR Engineering	Copies of plans - Beech St. Lift	\$59.91
DPC	Chlorine Solution	\$680.00
Detroit Industrial	Diamond cut of blade	\$283.48
Foundation Analytical Lab	TKN, coliforms	\$308.00
Frederick Welding	Mower parts	\$65.34
Gregg Computer Service	2 laptops, 1 desktop - PD	\$2,225.00
Guarantee Gutter	Gutters at BAC	\$462.00
Holzauer Motors	Repair brakes on squad	\$105.20
HyVee	Hot dogs, misc. supplies	\$131.61
IMT Insurance	Addntl. Bond - Sam	\$71.00
Iowa Lakes Elec.	Elec.	\$83.64
Iowa One Call	Locates	\$119.70
Janitor's Closet	Toilet paper, soap, misc.	\$442.34
Kmart	Cleaner, garbage bags	\$23.74
Meyer Inc.	Playground mulch - Gillette Park	\$1,808.75
Michael Baker PHD	Exam - P.D. applicant	\$115.00
MidAmerican Energy	Elec.	\$27,350.83
Midwest Turf	Fountain repairs	\$1,413.96
Municipal Supply	Water meters, smartpoints	\$2,864.00
Nelson's Locksmith	Locks	\$239.00
North Central Lab	Lab supplies	\$1,115.38
O'Halloran	MHI generator, Beech St. generator	\$1,318.85
One Office Solutions	Paper, supplies	\$50.46
Pitney Bowes	Postage machine rental	\$35.00
Rehab Systems	Cleaning MHI lift	\$1,079.00
Schoon Construction	Pressure washer hose	\$188.82
Steve's Window Cleaning	Window Cleaning	\$26.00
Synchrony Bank	Books & DVD's (library)	\$189.07
Taser	Batteries	\$186.64
TCY Machine	Manhole risers	\$1,865.40

Tifco Industries	Greaper tub	\$101.60
Tyler Technologies	Incode software training	\$750.00
Unum	Life & Disability Ins.	\$954.55
Verizon	Cell phone	\$19.98
Waldner's Lawn Service	Sprinkler heads, sand volleyball court	\$120.00
Wiese Oil	Diesel	\$1,211.27
Windstream	Phone charges	\$196.16
Wittgraf Law Firm	Legal services	\$5,862.50
Your Fleet Card	Fuel	\$222.33
U.S.P.S.	Postage - utility bills	\$332.78
Diane Cargin	Mileage & meals - Incode training, SFR training	\$347.19
Brett Sauser	Collected utility debt - income offset	\$230.72

Parks Department Pickup

The following bids were received for a new Parks Department pickup. Holzhauer Motors: 2017 Ram 4x2 Crew Cab - \$26,715; 2017 Ram 4x4 Crew Cab - \$29,418. Rasmussen Ford – 2017 Ford F250 4x2 - \$30,119; 2017 Ford F250 4x4 \$32,575. Miller made a motion to accept the low bid from Holzhauer Motors in the amount of \$26,715, seconded by Pingel. Roll call was: AYES: All. NAYES: None

Review of Board of Adjustment Hearing

Brown made a motion to approve a request for a variance from Jim and Sandy Siegel for the construction of a pergola on their property at 638 N. Roosevelt that was recently considered and recommended for approval by the Board of Adjustment. Agnitsch seconded the motion. Roll call was: AYES: All. NAYES: None.

Adjournment

Brown made a motion to adjourn, seconded by Agnitsch. All voted aye, the meeting was adjourned at 7:38 p.m.

Media Present: Ken Ross, *Chronicle Times*, Nikki Thunder, *KCHE Radio*

Mark Murphy, Mayor

ATTEST:

City Clerk-Treasurer