

**CITY COUNCIL MINUTES
OCTOBER 25, 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 Administrator Kooiker, City Clerk-Treasurer Cargin. City Attorney Herbold participated by phone.

Public Forum

Joe Schleef, 1346 550th St., was present to address the council. Schleef questioned the sign on the door of City Hall prohibiting guns in the building. He is a firm believer of the Second Amendment and says it is pointless to have the sign. He received a notice from the City to clean up the property at 500 W. Maple St., which belongs to his mother. Half of the problem was cars in the yard. These cars don't belong to him and he could get in trouble for having them towed. He asked the council to consider the other things that could go wrong within their rules. He cannot fix up the property because he is out of money and has no income from it. He can't fix it until he can rent it and can't rent it until he can get the money to fix it up. Police Chief James commented that there are four people living there and it is his understanding that they are not paying rent. They aren't family members. Joe replied that he cannot charge them rent because the structure does not meet the rental code standards. The Mayor commented that the renting situation is a whole different issue. The issue is the appearance of the outside of the structure. Joe replied that the letter he received from the City stated that the structure needs painting. He does not have the money to do paint it. The Mayor stated the City will continue to try to resolve the issues.

Resolution 2016-25 Evertex Equipment on North Water Tower

Brown made a motion, seconded by Miller, approving Resolution 2015-16 which allows Evertex to place two pieces of their equipment on the Hwy. 59/3 water tower. This will enable Evertex to improve their existing service and expand their customer base. Roll call was: AYES: Pingel, Brown, Agnitsch, Johnson, Miller. NAYES: None.

Update on Condition of 123 E. Main St.

Wayne Schlotfeldt, Schlotfeldt Engineering, LeMars, IA gave the council a summary of areas of concern with the structure at 123 E. Main St. There are three items that should be addressed in the near future including replacement of missing windows or covering the window openings with plywood, re-tuckpointing the brick on the front façade and augmenting the reinforcing cable system presently located in the north end of the building. Large cables and structural plates will need to be installed to ensure long term stability. Wayne commented that the footings are now stable. Dennis Pointon, owner of the property, is offering no ability at this time to do the work. He is working on trying to sell the building "as is."

Ordinance No. 630 Vacating a Portion of Sioux Valley Dr.

On a motion by Brown, seconded by Johnson, the council approved the second reading of Ordinance No. 630, an ordinance vacating a portion of Sioux Valley Drive.

Roll call was: AYES: All. NAYES: None.

Consent Business

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

City Council Minutes of October 11, 2016

Class C Liquor License – Monterrey Mexican Restaurant

Application for Tax Abatement – 414A Valley View Dr.

September Treasurer’s Report and Receipts as follows: General \$178,179.94; Police Forfeiture \$405.85; County Library \$3,500.95; Road Use \$69,745.19; Employee Benefits \$72,088.50; Emergency \$4,353.25; Local Option Sales Tax \$47,014.08; Hotel/Motel Tax \$23,693.49; Tax Increment Financing \$1647.37; Revolving Loan \$519.88; Library Memorial \$177.71; Park & Rec Capital Improvement \$5.79; Debt Service \$50,284.48; Road Use Equipment \$5.76; CDBG Storefront Project \$57,145.00; Emergency Set-Aside \$9.67; Oak Hill Perpetual Care \$2.42; Water Utility \$62,074.06; Water Utility – Industrial \$33.49; Water System Maintenance \$9,238.16; Sewer Utility \$87,225.93; Sewer Utility – Industrial \$22.76; Sewer Facility Bond & Interest \$30,292.33; Sewer System Maintenance \$6,250.00; Aviation Authority \$2,418.38; Solid Waste \$26,168.90; Landfill \$32,032.74; Storm Sewer Utility - \$6,951.99; Self-Insurance \$21.27;

Bills Totaling \$118,611.96

AHLERS & COONEY P.C.	BOND RELATED SERVICES	\$1,644.00
ALLIANT ENERGY	GAS	\$96.26
ALLOY SPECIALTY, INC.	CDBG STOREFRONT SERVICES	\$206.25
ALPHA WIRELESS	PAGER BATTERIES	\$227.00
AL'S CORNER OIL CO.	SKID LOADER DIESEL FUEL	\$49.58
ARMOND RIDER	MEAL, MILEAGE, HOTEL	\$359.15
BAKER & TAYLOR INC.	BOOKS & AUDIO	\$991.25
BANKERS TRUST CO.	INITIAL FEE 2016 GO BOND A-B-C	\$750.00
BOCKMANN, INC.	REMOVE ROOF AT OLD WATER PLANT	\$4,900.00
	CRMC SITE PLAN & WATER TREATMENT PLANS	\$13,670.10
BOLTON & MENK, INC.	OPERATING SUPPLIES	\$84.97
BOMGAARS	OPERATING PARTS	\$49.00
BUILDERS SHARP. & SERVICE	GARAGE DOOR LUBE	\$12.58
CHEROKEE AUTO PARTS	METER POST	\$17.72
CHEROKEE LUMBER, INC.	CPR CLASS	\$35.00
CHEROKEE REG. MED. CENTER	UTILITY REFUND	\$26.58
CHRISTY SYNDERGAARD	TELEPHONE & INTERNET	\$214.61
C-M-L TELEPHONE	START SYSTEM AT WASTEWATER	\$226.00
CONTROL SYSTEM SPECIALISTS	COPY CONTRACTS & COPIES	\$238.87
COUNSEL	SOFTBALL & VOLLEYBALL SHIRTS	\$268.27
CREATIVE SERVICES	SUPPLIES FOR CHILDRENS DEPT.	\$74.69
DEMCO, INC.	STOOL REPAIRS	\$90.00
DENNY'S SERVICE	SOCCER FIELD PAINT	\$270.00
DIAMOND VOGEL PAINTS	FACE SHIELD, EXTINGUISHER PARTS	\$268.23
FELD FIRE		

FREDERICK WELDING & SALES	MOWER WHEEL	\$25.08
GREGG COMPUTER SERVICE	HARD DRIVE, MOVE TO NEW SERVER	\$335.00
HIWAY TRUCK EQUIPMENT, INC	LED LIGHTS	\$217.50
HOLZHAUER MOTORS, LTD.	REPLACE DOOR HANDLE	\$97.70
ICON	SKID LOADER OIL FILTERS	\$56.16
IMAA	ATTORNEY DUES	\$35.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY-	\$71.90
IOWA PRISON INDUSTRIES	ATV STICKERS	\$66.25
JACK'S UNIFORMS & EQUIPMENT	SIDE ZIP BOOTS-K. ALESCH	\$109.95
JERRY'S TREE SERVICE	TRIM TREES AT PARK	\$500.00
JUDY GRIENKE-MILLER	MILEAGE & MOTEL	\$719.60
KATELYNN BURCH	SOCCER REFEREE	\$125.00
K-MART #9222	OFFICE SUPPLIES	\$25.47
MACKENZIE BALLOU	SOCCER REFEREE	\$185.00
MADISON HODGDON	SOCCER REFEREE	\$175.00
MATTHEW STIENEKE	SOCCER REFEREE	\$185.00
MID AMERICAN ENERGY	ELECTRICITY	\$26,151.15
MIDWEST WHEEL COMPANIES	LED LIGHT BAR	\$188.00
MIGUEL MARTINEZ	SOCCER REFEREE	\$185.00
MUNICIPAL SUPPLY, INC.	HY-VEE METER & PARTS	\$2,237.98
NATE DAME	SOCCER REFEREE	\$100.00
NICOLE MC LAUGHLIN	SOCCER REFEREE	\$175.00
NORTH CENTRAL LABORATORIES	LAB SUPPLIES	\$1,016.37
NORTHWEST IOWA LEAGUE OF CITIES	FY 16/17 MEMBER DUES	\$50.00
O'HALLORAN INTERNATIONAL	SNOW PLOW HYDRAULIC HOSE & PARTS	\$113.24
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$553.50
PITNEY BOWES GLOBAL FINANCIAL	POSTAGE MACHINE LEASE	\$35.00
R.J. THOMAS MFG. CO., INC.	SIGNS, T. LARSEN BUSINESS CARDS	\$391.76
RDG PLANNING & DESIGN	CDBG FACADE SERVICES	\$5,017.11
REHAB SYSTEMS, INC.	MANHOLE & SEWER REPAIRS	\$39,790.45
SCE, LLC	DIG 5 GRAVES	\$1,080.00
SIOUX SALES COMPANY	UNIFORM-C. SINGER	\$344.75
SJE RHOMBUS	2ND QTR. SERVICE FLEX LEVEL 4	\$2,500.00
SPENCER TROPHY & AWARDS	2 GOLD BRASS PLATES	\$27.04
STEVE'S WINDOW SERVICE	CLEAN WINDOWS	\$26.00
SYNCHRONY BANK/AMAZON	DVD'S	\$220.69
TAYVEN GLIENKE	SOCCER REFEREE	\$125.00
THE DES MOINES REGISTER	SUBSCRIPTION	\$223.32
THREE RIVERS BENEFIT	CLAIMS THROUGH 10/10/16	\$209.82
TREVOR CURTIS	SOCCER REFEREE	\$125.00
TYLER EBEL	SOCCER REFEREE	\$125.00
UNUM LIFE INS. CO OF AMERICA	LIFE & DISABILITY INS.	\$1,030.26
USPS	UTILITY BILL POSTAGE	\$333.00
VALLEY VETERINARY CENTER	MEDS FOR K-9	\$83.50
VERIZON WIRELESS	CELL PHONE	\$30.01

WATCHGUARD VIDEO	CAMERA & SUPPLIES	\$1,500.00
WIESE OIL & SUPPLY CO.	GREASE & FUEL	\$1,111.33
WINDSTREAM	WATER ALARM SYSTEM PHONE	\$123.37
WOODALL ELECTRIC	REPAIR & MAINTENANCE	\$5,047.00
ZACH FREKING-SMITH	MILEAGE & HOTEL ILA CONF.	\$642.59

Health Insurance Renewal

Rick Angell advised the council of a 9.18% rate increase for the City's health insurance premium with Wellmark Blue Cross Blue Shield beginning December 1, 2016. This premium amount will be for a thirteen month period until January 1, 2018. At that time all small group plans will have to convert to ACA plans. Pingel made a motion, seconded by Miller, authorizing the renewal of the city's health coverage with Wellmark at the new premium rate. Roll call was: AYES: All. NAYES: None

Spring Lake Goose Hunt

Discussion on the Spring Lake Goose Hunt was postponed until a later date.

Winter Camping at Spring Lake Park

On a motion by Johnson, seconded by Brown, the council authorized keeping 35 spots with sewer hook-up open for camping at Koser Spring Lake Park through the winter season at a nightly rate of \$15.00. Water will be available but not for direct hookup. Roll call was: AYES: All. NAYES: None.

Bacon Aquatic Center Update

Dave Schwarz with Water's Edge Aquatic Design, Kansas City KS, has looked at the swimming pool this summer after the City became concerned with large amounts of water loss. He did not do a complete evaluation. Several of the most immediate concerns are that return flow of water is inadequate, resulting in flooded gutters and pool water overflowing into the deck drains. The surge tank capacity is undersized. Filter backwash goes to the storm sewer but needs to discharge to a sanitary sewer per IDPH. These are design flaws by the engineer, the contractor did the work specified in the designs. On a motion by Miller, seconded by Brown, the council approved retaining the firm of Water's Edge Aquatic Design to provide engineering services for the development of a plan with cost options for the repair of the deficiencies. Roll call was: AYES: All. NAYES: None

High School/Community Center Waterline

Discussion on the high school/community center waterline was postponed to a non-specific date.

Board of Adjustment Recommendation

The council reviewed the recent action of the Board of Adjustment regarding a setback variance request for the Sequoia Trail Shelter from the City's Parks Department and Trails Committee. The Board of Adjustment denied the request and recommended the shelter be even with the homes (approximately 34' setback). Brown made a motion to approve

the Board of Adjustment's recommendation, seconded by Agnitsch. Roll call was: AYES: All. NAYES: None.

Executive Session

Agnitsch made a motion, seconded by Pingel, to go into Executive Session at 8:10 p.m. for the purpose of Litigation Strategy (closed pursuant to Iowa Code Section 21.5(1)(c). Roll call was: AYES: Agnitsch, Brown, Johnson, Miller, Pingel. NAYES: None.

At 8:35 p.m. a motion was made by Brown, seconded by Miller, to resume open session. Roll call was: AYES: Agnitsch, Brown, Johnson, Miller, Pingel. NAYES: None.

Action as a Result of Executive Session

Pingel made a motion to remit payment to Calhoun-Burns & Associates, West Des Moines IA, for payment of the remainder of the contracted work on the River Road Bridge Culvert Project, withholding \$2,000 until after the completion of the D.O.T. audit of the project. Agnitsch seconded the motion. Roll call was: AYES: Agnitsch, Brown, Johnson, Miller, Pingel. NAYES: None

Adjournment

Pingel made a motion to adjourn, seconded by Agnitsch. All voted aye, the meeting was adjourned at 8:36 p.m.

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

Mark Murphy, Mayor

ATTEST:

City Clerk-Treasurer