

**City Council Meeting
City Hall, Cherokee, Iowa
March 22, 2016 – 7:00 p.m.**

A regular meeting was called to order on this date by Mayor Murphy. Present: Council members Agnitsch, Brown, Johnson, Miller, Pingel, City Attorney Herbold, City Administrator Kooiker and City Clerk-Treasurer Cargin.

Invoice for Repairs to Traffic Signal.

Administrator Kooiker advised the council that the bill from Champion Electric in the amount of \$4,287.39 for repairs to a traffic signal at Hwy. 59 and Lake St has been submitted to the city's insurance carrier, ICAP, for reimbursement. This damage was caused by a truck driver striking the signal on Dec. 19, 2015. Brown made a motion, seconded by Pingel, authorizing payment of this bill. Roll call was: AYES: All. NAYS: None

2nd Presentation of Ordinance Repealing Schoon TIF and Urban Renewal Area.

Ordinance 620 repealing Ordinance 367 which provided for the division of taxes levied on taxable property in the Schoon Industrial Park Urban Renewal Area was introduced to the council by Administrator Kooiker. This TIF area is set to expire in 2017, but it is advisable to repeal the ordinance now in order to clear this old TIF off the books. On a motion by Miller, seconded by Agnitsch, the council passed the 2nd presentation and waived the 3rd presentation of Ordinance 620. Roll call was: AYES: All. NAYS: None.

Ordinance Changing Residency Requirement for Appointments to Park & Rec Board.

Kooiker explained that this ordinance changes the residency requirement of appointments to the Parks & Rec Board from "city" to "county." Brown made a motion, seconded by Johnson, approving the first presentation of Ordinance No. 621 and waiving the second and third presentations. Roll call was: AYES: All. NAYS: None.

Public Hearing and Appeal from Swain Motors

Karen Swain, addressed the council regarding the property her and her husband own at 100 E. Willow St. (old Wilson School Building). The Swains purchased a portion of the building from Guts and Hope Goodknight, (f/k/a) Bert and Hope Bieler in 2010 and had it re-surveyed at that time. She passed out a copy of the document which shows what portion of the building they own and what is owned by the Goodknights. The Goodknights purchased the building from the Cherokee Community School District. Karen stated that she has no objection to the City doing an inspection of their portion of the building to determine if it is unsafe, but would like her son to accompany the inspector. She is not authorized to give permission for the City's inspector to enter the portion of the building owned by the Goodknights. She feels the side of the building they own is in good shape. She and her husband were aware of the common wall when they purchased their part of the building. Kooiker asked Karen if they had property and liability insurance on the building and if there was much asbestos within the building. Karen replied that their portion of the building is insured and that it is her understanding that much if not all of the asbestos had been removed by Larry Weede sometime in the past. Alyssa Herbold, City Attorney, thanked Karen for the information and stated that the City's position is that separation of ownership of the building cannot be determined due to the common wall. Kooiker mentioned

that the sidewalk between the building and Hwy. 59 is in poor condition and needs to be addressed at some point. The public hearing was closed at 7:17 p.m.

Consent Business

On a motion by Brown, seconded by Miller, Item #4.05 was pulled from the consent agenda for separate consideration, and the following was approved. Roll call was: AYES: All. NAYES: None.

City council minutes of March 8, 2016.

Approved appointment of Jason Cook to the Parks & Recreation Advisory Board until 12/31/16 to fill an unexpired term.

Reviewed Park & Recreation Board minutes of March 7, 2016.

Approved Amendment #1 to Richard Carlson for update of the Site Inventory Form (Downtown Façade Restoration).

Renewal of Class “C” Liquor License – Cherokee Country Club.

Bills totaling \$329,383,49

ACCO	CEU RENEWALS/D.ELLIS	\$180.00
ALEXIA GERDES	VOLLEYBALL REF	\$80.00
ALLIANT ENERGY	UTILITY SERVICES	\$1,494.70
ALPHA WIRELESS	PAGER BATTERIES	\$217.50
ARAMARK	RAGS/RUGS/MOP	\$47.57
AUTOMATIC SYSTEMS	VFD DRIVER, FLOW METER	\$8,329.79
BAKER & TAYLOR	BOOKS & AUDIOS	\$536.22
BENSON CONST,	SNOW REMOVAL	\$870.00
BOCKMANN INC.	ASBESTOS ABATEMENT	\$3,700.00
BOLTON & MENK, INC.	PROF. SERVICES	\$13,523.35
BOMGAARS	OPERATING SUPPLIES	\$411.99
BUILDERS SHARPENING	PARTS	\$172.68
CARUS CORPORATION	CHEMICALS	\$1,577.39
CAEDC	BANQUET TICKET/SK	\$20.00
CHEROKEE CO. RECOR.	TRANSFER TAX-115 E. LOCUST	\$26.40
CHEROKEE CO. TREAS.	PROP. TAXES-115 E. LOCUST	200.66
CHEROKEE LUMBER	SCREWS	\$1.11
CHEROKEE REG. MED.	DRUG SCREENING	\$27.00
CHESTERMAN	POP	\$72.10
COGRAN SYSTEMS REC.	BILLING SYSTEM	\$599.00
CONTROL SYSTEM SPEC	MAINTENANCE	\$1,861.81
COUNSEL	COPIES	\$3.85
CREATIVE SERVICES	CITIZEN PLAQUE	\$63.00
DARREN'S CLOTHING	BASKETBALL JERSEYS	\$780.00
DAX JOHANNSEN	VOLLEYBALL REF	\$30.00
DIANE CARGIN	MILEAGE	\$54.63
DPC INDUSTRIES	CHLORINE	\$267.50
ELIZABETH HERRERA	VOLLEYBALL REF	\$90.00
FAREWAY STORES, INC.	SUPPLIES	\$397.67
FELD FIRE	EXTINGUISHER BRACKET	\$204.00

GARRETT HILL	VOLLEYBALL REF	\$15.00
HACH COMPANY	TESTING	\$284.34
HALLETT MATERIALS	COLD PATCH	\$887.40
HOLZHAUER MOTORS	OIL CHANGE	\$14.10
INTERCON CONST.	HARD DRIVE	\$98.69
IA DEPT PUBLIC HEALTH	POOL REGISTRATION	\$105.00
IOWA LAKES ELECTRIC	UTILITIES	\$39.71
IOWA OUTDOORS	SUBSCRIPTION	\$30.00
JANITOR'S CLOSET	SUPPLIES	\$660.80
JASMINE RAMIREZ	VOLLEYBALL REF	\$105.00
JEFF NOLDER	SOCCER REF	\$20.00
JUNGLE'S FLAG	FLAGS	\$100.00
JR'S SALES & SERVICE	REPAIR OVERHEAD DOOR	\$161.00
KMART	SUPPLIES	\$24.96
KNIFE RIVER	COLD PATCH	\$846.45
LARRY VOLKERT	115 E. LOCUST – FEMA	\$16,772.94
LETSCHES	CABLE, SPEAKERS	\$62.97
LINDSAY WILLIAMS	VOLLEYBALL REF	\$80.00
LUNDELL CONST.	DIG GRAVES	\$517.50
MID AMERICAN ENERGY	UTILITY SERVICES	\$18,821.53
MID AMERICAN ENERGY	UTILITY SERVICES	646.74
MODERN HEATING	REPAIR TOILETS	\$808.37
MOTION PICTURE LIC.	MOVIE LICENSE	\$119.30
MOTOR PARTS SALES	PARTS	\$23.41
MUNICIPAL SUPPLY	METERS	\$2,931.18
OFFICE OF VEHICLE	SALVAGE CERTIFICATES	\$170.00
ONE OFFICE SOLUTIONS	OFFICE SUPPLIES	\$125.40
PAITYN HAGBERG	VOLLEYBALL REF	\$140.00
PARK AVE. UPHOL.	REPAIR CHAIRS	\$330.00
PAYTON SLAUGHTER	VOLLEYBALL REF	\$60.00
PEOPLE SERVICE, INC.	MONTHLY SERVICE	\$4,700.00
PURCHASE POWER	POSTAGE	\$448.66
RDG INC.	PROFESSIONAL SERV.	\$11,465.20
REINERT MACHINE	STEEL, BLADE, BOLTS	\$280.74
S&S WORLDWIDE	SUPPLIES	\$13.98
SCHOON CONST.	DEMOS, PARTS	\$13,872.97
SIOUX SALES	NAME PLATE	\$25.90
THE ACCURATE COURT	SUBSCRIPTION	\$39.00
THREE RIVERS BENEFIT	CLAIMS THROUGH 3/4/16	\$2,430.81
TRUCK EQUIPMENT INC	STREET SWEEPER	\$197,500.00
TYLER EBEL	SOCCER REF	\$290.00
U. S. CELLULAR	CELL PHONE	\$228.33
USPS	POSTAGE FOR UTILITY BILLS	\$342.71
UNITY POINT CLINIC	DRUG TEST-J.HOGDGON	\$37.00
VERIZON WIRELESS	CELL PHONE	\$25.00
WITTGRAF LAW FIRM	LEGAL SERVICE	\$2,700.00

WOODALL ELECTRIC	LIGHTS, WIRING	\$12,556.00
WORKIN.COM INC.	JOB ADVERTISEMENT	\$219.00
YOUR FLEETCARD	FUEL	\$77.22

Selection of Insurance Agent of Record

Three local insurance agencies that expressed interest in being the City’s Agent of Record with ICAP gave presentations to the council. Justin Mohning, agent for Central Insurance and the city’s current agent presented an action plan which was identical to what he presented last year. This plan includes quarterly reviews with a council presentation after each review and a complete insurance audit of current coverage. Central Ins. is currently in the review process and is now meeting with department directors. He stated the biggest area of concentration over the last year was worker’s comp insurance review. They like to focus on three to five things each year. The agency will have replacement cost estimates completed on all city buildings by May 31, 2016. Justin and Central Insurance value their agency’s relationship with the city.

Sheryl Leonard with AgCom Insurance gave her agency’s presentation. AgCom is partnered with The Hoffman Agency, and together they serve 22 ICAP accounts. As part of their plan they will review and confirm inventory and schedule meetings with department heads to begin the process of determining value and usage of items. They will also do quarterly reviews and present findings to the City Council as well as establish accurate replacement cost estimates for real property.

Matt Susemihl with Bixenman Insurance presented his agency’s proposal to the council. Bixenman will do an annual coverage audit to insure that all buildings, equipment and vehicles are reviewed for proper valuation and exclusion or inclusion on the policy schedule. They will also perform a deductible study, lead or assist with Safety Committee meetings and do an annual worker’s comp claims analysis. Matt asked that the city compare their track record and history working with other entities, namely Cherokee County.

The Mayor asked for questions from the council. Pingel stated he had visited with previous administrator, Don Eikmeier. Don feels that Central Insurance did fulfill the terms of an agreement that was set out a year ago. Quarterly reviews were not presented to the council by the agency, and that may have been overlooked by city administration. Brown feels the city needs an agency that will “hustle” for their business a little more than what we have been receiving for the premium costs. He has seen the results of the change of agent Cherokee County has experienced and it is a night and day difference. Due to this experience he would recommend a switch of agency to Bixenman. Matt Susimihl with Bixenman commented that any agency should be looking at every piece of the entire account, and that is the agency’s job to deliver the best product at the best price.

Brown made a motion to select Bixenman Agency for Agent of Record of the City’s ICAP insurance coverage effective April 1, 2015. Johnson seconded the motion. Roll call was: AYES: All. NAYES: None.

Authorize Agreement for Maintenance and Repair of Well #11.

Armond Rider, Public Works Director, has secured two quotes to pull and rehabilitate Well 11, one from Cahoy Well and Pump service in the amount of \$12,843 and one from Sargent Well Drilling in the amount of \$11,911.14. Armond has had an engineer look at the two bids and upon his review recommends accepting the higher bid from Cahoy since the pump they quoted is better quality. Agnitsch made a motion, seconded by Miller, to accept the bid from Cahoy for maintenance and repair of Well #11. Roll call was: AYES: All. NAYES: None.

Full-time Water Servicer Position

Rider is requesting the council approve a full-time Water Servicer position. The council approved the full-time position during budget discussions with the position beginning July 1. However with increased duties including the upcoming mowing season he recommends making the position full-time as soon as possible. There is money in the current budget to cover the next three months of wages and benefits. This full-time position will eliminate the need for the current part-time position as well as hiring seasonal help for the water department. Brown and Agnitsch both expressed that the recent re-organization of the street, water and sewer departments under the newly created public works department was done to reduce payroll costs and streamline efficiency. They want to make sure that the work load necessitates the creation of another full-time position. Rider doesn't know if Water Servicer is the correct job classification, as this employee is also used in the street department driving a snow plow and will be used in that department in other capacities as well as in the sewer department. He feels the work load is definitely there to substantiate the position. Brown made a motion to postpone the decision on this item until the April 12th council meeting so that they could study this further. Pingel seconded the motion. Roll call was: AYES: All. NAYES: None.

Water Permit Fees/Charges for Downtown Façade Restoration Project

Brown made a motion, seconded by Miller, to waive any necessary permit fees associated with the Downtown Façade Restoration Project as well as waive any water charges incurred by contractors for the project. The water will still be metered to determine usage. Roll call was: AYES: All. NAYES: None.

Review of Board of Adjustment Decision – Gary Olsen Property

Kooiker reviewed the recent decision of the Board of Adjustment regarding the issuance of a Special Permit to Gary Olsen allowing him to sell “salvage title or insurer’s certified” vehicles from his property at 719 and 721 N. 2nd Street. Most would be capable of being driven. Gary is not going to be doing anything different from what he has been doing, he now just needs a new salvage permit due to changes in State law, along with the dealer’s permit he already holds. The Board of Adjustment granted the request with certain conditions. The council can accept and affirm the Board of Adjustment’s decision or send the matter back to the Board with recommendations. Brown made a motion, seconded by Miller, to accept and affirm the Board’s decision. Roll call was: AYES: All. NAYES: None.

Executive Session.

At 8:20 p.m. a motion was made by Johnson, seconded by Agnitsch, to go into executive session for Litigation Strategy (pursuant to Iowa Code Section 21.5 (1)(c)). Roll call was: AYES: All. NAYES: None.

At 8:48 p.m. a motion was made by Brown, seconded by Miller, to return to open session. Roll call was: AYES: All. NAYES: None.

As a result of executive session, Pingel made a motion, seconded by Brown, acknowledging the comments made at the public hearing held earlier this evening and to proceed with the inspection by City officials of the building located at 100 E. Willow Street (old Wilson School Building). Roll call was: AYES: All. NAYES: None

Administrator's Report

Kooiker informed the council that he had recently authorized closed the sidewalk at the corner of N. Second St. and W. Maple Street alongside the Natural Health Solutions building owned by Gay Lynn Strub. The sidewalk constitutes a safety hazard, and until such time as the City obtains something in writing from a contractor stating that the sidewalk is safe for foot traffic it will remain closed.

Adjournment.

The meeting was adjourned at 8:55 p.m.

News media – Ken Ross, *Chronicle Times*

Mark Murphy, Mayor

ATTEST:

City Clerk-Treasurer