

**City Council Meeting  
City Hall, Cherokee, Iowa  
May 10, 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, City Attorney Herbold, City Administrator Kooiker and City Clerk-Treasurer Cargin. Absent was Council member Pingel.

**Additions to Agenda**

Item #4.07 – Approve Library Board Minutes of April 6, 2016, and Item #5.06 Approve Release and Satisfaction of Judgment in case of City vs. Timothy Smith.

**Public Forum**

Gary Lundquist, Cherokee County Supervisor was present and said he has been hearing comments from citizens about the City wishing to reduce the landfill fee to residents. He pointed out that the County still has a 6.2 million dollar liability for the pellet machine project, and until that debt is erased he doesn't foresee any reduction in the landfill assessment. Because the City has a 28E agreement with the County regarding the landfill, the City shares responsibility for this debt, which won't be paid off for another 20 years.

**Resolution Authorizing Grant Application for Railroad Crossings**

Mayor Murphy introduced Resolution No. 16-12, a Resolution applying for funding through the Iowa Highway-Railroad Grade Crossing Surface Repair Program for upgrades to three railroad crossings. Funding may not be available until 2023 but it is important to get in line for the grant. On a motion by Miller, seconded by Johnson, the council adopted the resolution. Roll call was: AYES: All. NAYES: None.

**Resolution Adopting Urban and Public Works Design Standards**

Mayor Murphy introduced Resolution No. 16-13, a Resolution Adopting Urban and Public Works Design Standards. Known as SUDAS, the acronym stands for State Urban Design and Specifications. Brown made a motion to adopt the resolution. Agnitsch seconded the motion. Roll call was: AYES: All. NAYES: None.

**Consent Business**

On a motion by Miller seconded by Brown, the following was approved under the consent agenda. Roll call was: AYES: All. NAYES: None.

City council minutes of April 26, 2016

Appointment of Jim Agnitsch to Iowa Surface Transportation Policy Committee

Renewal of Class C Beer Permit – Casey's General Store

Reviewed Parks & Recreation Committee minutes of May 2, 2016

Reviewed Planning & Zoning Commission minutes of May 3, 2016

Reviewed Library Board minutes of April 6, 2016

Bills totaling \$96,634.82

ACCO	POOL SUPPLIES	\$4,763.05
AHLERS & COONEY	LEGAL SERVICE	\$330.97
ALEX AIR APPARATUS, INC.	COMPRESSOR TEST	\$220.00

ALLIANT ENERGY	UTILITY SERVICES	\$109.66
ARMOND RIDER	CELL PHONE REIMBURSEMENT	\$50.00
ATIRA CREDIT CARD	SUPPLIES, REGISTRATIONS	\$1,869.22
AVERA MEDICAL GRP SPENCER	PRE EMPLOYMENT TEST. G. SCHMIDT	\$53.00
BIERSCHBACK	FIRE HOSE GASKETS	\$78.34
BLAINE'S CULLIGAN	WATER & COOLER RENT	\$97.90
BOLTON & MENK	ENGINEERING, URBAN RENEWAL PLAN	\$90.00
BOMGAARS	OPERATING SUPPLIES	\$1,414.04
BROWN SUPPLY	MJ GASKETS, GRATES	\$2,418.85
BUGH WELDING	2 MANHOLE LIFTERS	\$178.77
CARQUEST	GENERATOR, WIPER BLADES, PARTS	\$104.95
CHEROKEE COUNTY SOLID WASTE	MO. ASSESSMENT, 233 E. WILLOW-FEMA	\$31,488.63
CHEROKEE COUNTY WORK SERVICES	TOWELS, RAGS	\$7.80
CHEROKEE LUMBER	FOAM BOARD	\$14.54
CHRONICLE TIMES	ADS, LEGAL PUBLICATIONS	\$1,154.09
CML TELEPHONE	PHONE & INTERNET	\$192.11
COUNSEL	COPIER LEASE/COPIES	\$198.04
CREATIVE SERVICES	VOLLEYBALL CHAMP SHIRTS	\$183.90
DUANE MUMMERT	MILEAGE, CELL PHONE REIMB.	\$99.80
ELECTRIC PUMP	SWITCH, CABLE, HARNESS	\$1,225.09
ENVIRONMENTAL RESOURCE ASSOC.	LAB SUPPLIES	\$328.24
FELD FIRE	PARTS & SUPPLIES	\$144.57
FIREHOUSE SOFTWARE	CONTRACT RENEWAL	\$115.00
FOUNDATION ANALYTICAL LAB	WATER SAMPLES	\$503.27
IOWA LAKES ELECTRIC	ELECTRIC	\$50.40
JERRY'S TREE SERVICE	TREE REMOVAL	\$1,150.00
KMART	SUPPLIES	\$221.18
LUNDELL CONSTRUCTION	GRAVE DIGGING	\$172.50
MATHESON	GRINDING WHEELS, CUTTING TIPS	\$89.07
MID AMERICAN ENERGY	UTILITY SERVICES	\$426.09
MILLER, MILLER, MILLER, PC	LEGAL SERVICES	\$1,040.00
MODERN HEATING & COOLING	SERVICE CALL	\$50.00
NAPA	PARTS & SUPPLIES	\$92.73
NATE JAMES	CELL PHONE REIMBURSEMENT	\$50.00
NORLAB INC.	SEWER TRACING DYE	\$222.00
NORTHWEST COMMUNICATIONS	INTERNET	\$44.95
OFFICE OF VEHICLE SERVICES	SALVAGE AUTO CERTIFICATES	\$50.00
O'HALLORAN INTERNATIONAL	MIRROR BRACKET	\$186.76
ONE OFFICE SOLUTIONS	OFFICE SUPPLIES	\$80.99
PETTY CASH	SUPPLIES	\$69.26
REHAB SYSTEMS INC.	CLEAN AND SIPHON	\$250.00
REINERT MACHINE SHOP	STEEL	\$32.10
RJ THOMAS MFG.	MEMORIAL BENCH, EMERGENCY SIGNS	\$739.00
RON'S REPAIR	FUEL PUMP, FILTER	\$716.00
SAM KOOIKER	CELL PHONE REIMB., MEAL	\$74.50

SANITARY SERVICES	MONTHLY GARBAGE PICK UP	\$25,071.30
SCE LLC	CONCRETE LID	\$65.00
SENSUS	ANNUAL SOFTWARE SUPPORT FEE	\$1,893.15
SHARE CORP	EVAPO-KLEEN	\$252.49
THE UNIVERSITY OF IOWA	CDBG STOREFRONT SURVEY	\$1,200.00
TODD LARSEN	CELL PHONE REIMBURSEMENT	\$35.00
TODD MILLER	CELL PHONE REIMBURSEMENT	\$35.00
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$89.94
VALLEY VET	MEDS FOR K-9	\$19.58
VERIZON WIRELESS	CELL PHONE	\$100.00
WALDNER'S LAWN SERVICE	SPRAY DOWNTOWN PARKING LOT	\$87.00
WESTERN IOWA TOURISM	REGISTRATION – D. MUMMERT	\$65.00
WEX	FUEL	\$2,557.06
WIESE OIL	FUEL	\$1,589.72
GODFATHER'S PIZZA	PIZZA FOR CLEAN UP MEETING	\$82.74
MATT SCHUBERT	UTILITY BILL REFUND	\$8.95
TREASURER, STATE OF IOWA	4/16 SALES TAX	\$3,308.00
THREE RIVERS BENEFIT	CLAIMS THROUGH 4/29/16, ADMIN FEE	\$5,877.19
DOUG GOCHENOUR	CONFERENCE EXPENSES	\$554.51
DICKINSON COUNTY ISU EXTENSION	SERVE SAFE CLASS-D. ELLIS	\$155.00
USPS	UTILITY BILL POSTAGE	\$315.28
SYNCHRONY BANK/AMAZON	BOOKS & DVD'S	\$232.80
SYLVIA COLE	UTILITY BILL REFUND	\$111.88
CHEROKEE REG. MED. CENTER	PRE-EMPLOYMENT SCREENING-A.DOUGLAS	\$59.00
ALLIANT ENERGY	GAS	\$277.23
BLAINE'S CULLIGAN	SOFTNER SALT	\$60.48
BOMGAARS	SUPPLIES	\$29.37
CHARLENE CARLSON	MILEAGE, REGISTRATION	\$71.03
COUNSEL	COPIER LEASE	\$128.10
DOUBLEDAY PAYMENT CENTER	BOOKS	\$42.48
FAREWAY	SUPPLIES	\$72.92
GREGG COMPUTER	COMPUTERS - LIBRARY	\$7,950.00
JUDY GRIENKE-MILLER	REIMB. – SECURITY SOFTWARE	\$340.80
MID AMERICAN ENERGY	ELECTRICITY	\$649.36
NELSON LOCKSMITH	LOCK REPAIR	\$40.00
ONE OFFICE SOLUTIONS	SUPPLIES	\$265.99
PETTY CASH	SUPPLIES, PAPERS, POSTAGE	\$205.46
STEVE'S WINDOW SERVICE	WINDOW CLEANING	\$90.00
WALDNER'S LAWN SERVICE	LAWN CARE	\$110.00

**Status of Property at 315 S. 9<sup>th</sup> St.**

The City has deemed this property to be a dangerous building and on January 26, 2016, proper notice was sent to the owners in accordance with City Code Chapter 145.04. There has been no response from the owner except that the letter was received. City Attorney Herbold advised the

council that the city is not required to make any additional declarations. The City will take no ownership of the property but can proceed with the demolition and assess the costs against the property, to be collected with general property taxes. Brown made a motion, seconded by Miller, to proceed with the demolition and the assessment of any unpaid demolition costs according to City Code Chapter 145.07. Roll call was: AYES: All. NAYES: None.

#### **Agreement with Primex Service Flex Plan**

Public Works Director Armond Rider explained that Primex offers a service plan for the controls that run the water and wastewater plants. Enrolling in this plan requires that the City spend a minimum of \$10,000 per year with them, but then will provide a discount of 20% on parts and reduced fees for technical services with free telephone support. Rider stated that three new flow meters are needed at a cost of \$12,500. Brown questioned locking into one supplier for repair and replacement costs as well as service costs. Rider replied that there is only one other supplier but that he feels this is the best one and we currently use their control system and software at the water plant. On a motion by Miller, seconded by Brown, the council approved entering into a service agreement with Primex Service Flex Plan for one year. Roll call was: AYES: All. NAYES: None.

#### **Set Public Hearing for Budget Amendment**

Brown made a motion to set the Public Hearing for the budget amendment for May 24, 2016, at 7 p.m. at City Hall. Roll call was: AYES: All. NAYES: None.

#### **Bid Award Street Department Pickup**

The City received three bids for a new pickup for the street department. Bids are as follows: Holzhauser Motors – 2016 Dodge Ram \$22,872 after trade in; Rasmussen Ford – 2016 Ford F250 \$26,638 after trade in; and Holzhauser Motors - \$27,250 for a 2016 Chevy Silverado after trade in. The vehicle to be traded is a 2WD Ford 2004 ¾ ton truck. There was some discussion as to whether or not to trade in this vehicle or keep it for use by fire department personnel for building inspection and code enforcement activities. Currently fire department employees are using their own vehicles for this. The council agreed that the fire department needs a vehicle but because of possible dependability issues and future repair bills the 2004 truck should be traded in. Brown made a motion, seconded by Johnson, to award the bid to Holzhauser Motors for a 2016 Dodge Ram for \$22,827 after trade in. Roll call was: AYES: All. NAYES: None.

#### **Change order for Well #11**

Administrator Kooiker explained that pump at Well #11 needs to be replaced. At the March 22 council meeting the council authorized a change from \$12,843 to \$44,732 to cover the cost of the pump replacement. The change as presented was incorrect, the total figure needed for the well rehab and replacement of the pump is \$63,259. This is \$5,684 higher than what was originally estimated to be spent. Miller made a motion to approve the change order, seconded by Johnson. Roll call was: AYES: All. NAYES: None.

#### **Release of Lien – Tim Smith**

Since the debt has been satisfied, Brown made a motion, seconded by Agnisch, to release a property lien filed by the City against Timothy Smith. Roll call was: AYES: All. NAYES: None.

### **Board of Adjustment Action – 204 Chief St.**

Brown made a motion to accept recent action of the Board of Adjustment allowing a 2' rear setback for a building permit request for Craig and Lisa Wiese. Miller seconded the motion. Roll call was: AYES: All. NAYES: None.

### **Reports**

The council reviewed the following reports:

1. Administrator's Report – Clean-up Day is May 19<sup>th</sup>, residents need to call City Hall to have their address added to the list to have their items picked up. There is a charge for appliance and tire pickup. Planning & Zoning Commission recently heard a request from CRMC for possible changes to Sioux Valley Drive in order to accommodate a building expansion. Planning and Zoning also decided to continue holding their meetings on the first Tuesday of each month at 4:30 at City Hall. Kooiker has spoken with CenturyLink about recent outages and the lack of infrastructure upgrades.
2. April Clerk-Treasurer's report and receipts as follows: General \$478,121.44; Police Forfeiture \$625.47; County Library \$1.13; Road Use \$42,275.16; Employee Benefits \$187,374.86; Emergency \$12,637.61; Local Option Sales Tax \$38,675.43; Hotel/Motel Tax \$26.54; Tax Increment Financing \$709.18; Revolving Loan \$516.28; Library Memorial \$3,250.95; Park & Rec Capital Improvement \$4,004.71; Debt Service \$132,106.47; Road Use Equipment \$6,568.57; Emergency Set-Aside \$4.82; Oak Hill Perpetual Care \$587.93; Water Utility \$44,614.76; Water Utility – Industrial \$28.82; Water System Maintenance \$8,512.10; Sewer Utility \$72,812.37; Sewer Utility – Industrial \$19.12; Sewer Facility Bond & Interest \$29,959.17; Sewer System Maintenance \$5,750.00; CDBG Sanitary Sewer \$36,837.00; Aviation Authority \$11,134.60; Solid Waste \$24,433.21; Landfill \$29,869.59; Storm Sewer Utility - \$6,469.90; Self-Insurance \$18.63; Police Dept. Special Acct. \$.90.
3. April Police Report
4. ICAP Audit Results – Matt Susimehl passed out a new audit report for that Bixenmann Insurance recently completed for the City. There were numerous additions of property to be included, some deletions of property no longer owned by the City and changes in coverage values set out in the audit report. The council will review the report and this item will be put on the next council agenda.

### **Adjournment.**

On a motion by Agnitsch, seconded by Miller, the meeting was adjourned at 8:13 p.m.

News media – Ken Ross, *Chronicle Times*

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Mark Murphy, Mayor

ATTEST:

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City Clerk-Treasurer