

**Regular City Council Meeting
City Hall, Cherokee, Iowa
February 10, 2015 – 7:00 P.M.**

A regular meeting was called to order on this date by Mayor Murphy. Present: Council members Brown, Miller, Pingel, Peck, City Attorney Miller, Administrator Eikmeier, Clerk-Treasurer Taylor. Absent: Council member Johnson.

Administrator Eikmeier explained that the City's insurance coverage is through the Iowa Communities Assurance Pool (ICAP) and worker's comp. coverage is through the Iowa Municipal Workers' Compensation Association (IMWCA). City's can choose who they wish to represent them. Rob Bixenman, Bixenman Insurance, along with Terri Brown, and Matt Susemihl, were present to state reasons why Bixenman Insurance should be the City's representative. Mr. Bixenman stated they have been the agent for Plymouth Co., City of LeMars, City of Merrill, Plymouth Co. Landfill, Plymouth Co. EMS, Plymouth Co. E911 for the past 12 years, and recently added Cherokee Co. on January 1st. They established a local office about a year ago; would provide an annual coverage audit; would attend annual visits from ICAP and IMWCA representatives; would provide a deductible study; would assist with the City's safety committee; would provide insight on experience modification factor analysis and workers comp. claims analysis; and would lead or assist in a return to work program. Mayor Murphy thanked them for their presentation. Central Insurance will make a presentation at next week's meeting.

At 7:20 p.m., Mayor Murphy opened a public hearing to amend provisions of the Zoning Code pertaining to off-street parking for retail stores, and accessory buildings in R-1 and R-2 residential zoning districts. Administrator Eikmeier explained that the required off-street parking for retail stores would be 1 space per 250 sq. ft. of gross floor area (currently 1 space per 200 sq. ft.). The amendment to R-1 and R-2 residential zoning districts would allow an accessory building of 2,000 sq. ft. on residential lots of .5 acres or more provided they can be located a minimum of 30 ft. from the side and rear property lines and at least 50 ft. from any existing residential structure. The Planning & Zoning Commission has recommended approval of these amendments. As there were no oral or written comments, the Mayor closed the hearing at 7:21 p.m.

On a motion by Miller, seconded by Brown, the council approved the first presentation of an ordinance amending provisions pertaining to Off-Street Parking Regulations, as described above. Roll call was: AYES: All. NAYS: None.

A motion by Brown, seconded by Peck, approved the first presentation of an ordinance amending provisions pertaining to Accessory Buildings in R-1, Single and Two-Family Residential, and R-2, Multiple-Family Residential Zoning Districts, as described above. Roll call was: AYES: All. NAYS: None.

A motion by Peck, seconded by Miller, approved the first presentation of an ordinance amending provisions pertaining to Vacancies in an Elected Office and City Elections. Roll call was: AYES: All. NAYES: None.

A motion by Pingel, seconded by Brown, waived the second and third presentations of Ordinance No. 605, amending provisions pertaining to Vacancies in an Elected Office and City Elections, and ordered its publication. Roll call was: AYES: All.

On a motion by Brown, seconded by Pingel, the council approved the first presentation of Ordinance No. 606, amending provisions pertaining to Vapor Products and Alternative Nicotine Products, waived the second and third presentations, and ordered its publication. Roll call was: AYES: All. NAYS: None.

On a motion by Miller, seconded by Peck, the council approved the first presentation of Ordinance No. 607, amending provisions pertaining to Off-Road Utility Vehicles, waived the second and third presentations, and ordered its publication. Roll call was: AYES: All. NAYS: None.

On a motion by Pingel, seconded by Brown, the council approved the first presentation of Ordinance No. 608, amending provisions pertaining to Persons Under Legal Age/Social Hosts, waived the second and third presentations, and ordered its publication. Roll call was: AYES: All. NAYS: None.

A motion by Pingel, seconded by Miller, adopted Resolution No. 15-2, confirming approval of Police Officer Training Reimbursement Agreements with J. D. Rogge, Zach Sittig, Tim Smith, Hunter Clayton, and Brian Heidesch. Roll call was: AYES: All. NAYS: None.

On a motion by Peck, seconded by Brown, the council unanimously approved the following under "Consent Business".

City council minutes of January 27th.

Bills totaling \$191,436.91.

AHLERS & COONEY P.C.	LABOR RELATIONS	426.00
AL'S CORNER OIL CO.	DIESEL	94.43
ALEXIA GERDES	V.B. REF. - 1/28/15	25.00
ALLIANT ENERGY	NATURAL GAS	5,771.83
ARAMARK UNIFORM SERVICES	SHOP RAGS; RUGS; MOPS	49.47
ATIRA CREDIT MASTERCARD	DRINK COASTERS	39.92
BAKER & TAYLOR INC.	BOOKS	219.19
BLAINE'S WATER CONDITIONING	SOFTENER SALT & SERVICE; WATER FOR LAB	297.36
BOMGAARS	OPERATING SUPPLIES	594.42
BRAD'S TIRE SERVICE	NEW TIRES - TAHOE; 4 TIRES FOR CAT; TIRE CHANGE	3,287.99
BREAK TIME	DONUTS	47.94
BRETT GANNON	EQUIPMENT FOR K-9; DEF. COMP. SURRENDER	6,019.99
BROOKELYN HOEPPNER	V.B. REF. - 1/21/15	25.00
BUGH WELDING	PROBE ROD; REPAIR UV LIGHT BOX	104.00
BUILDERS SHARP. & SERVICE	HYD. OIL; SYN. OIL; SAW CHAINS	63.52
C. C. WIEBERSCH	V.B. REF. - 1/21/15	25.00
CARROLL DISTRIBUTING	SAFETY GLASSES	62.16
CASSIE SLEEZER	V.B. REF. - JAN.15,22,29; FEB. 5	155.00
CHAMPION ELECTRIC, INC.	WIRING FOR HANDICAP DOORS	698.13
	INSTALL NEW HEATER-CHLORINE ROOM	497.61
CHEROKEE AUTO PARTS	O-RINGS; WIPER BLADES; BATTERY	193.76
CHEROKEE AVIATION AUTHORITY	JAN. TAX DRAW	141.72
CHEROKEE CO. SOLID WASTE	FEB. LANDFILL FEE	29,688.51
CHEROKEE CO. WORK SERVICE	CLEAN SHOP RAGS	4.81
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCES	1,305.00
CHEROKEE STATE BANK	NSF CHECKS	235.69
CHRONICLE TIMES	NOTICE-RELEASE OF FUNDS (FLOOD PROGRAM)	64.82
	MINUTES; ORDINANCE; NOTICES	484.67
COUNTRY STORES OF CARROLL, LTD	GAS CANS	5.30
CREATIVE SERVICES	REDO LETTERING ON B.B. JERSEY	4.60
DEER VALLEY LAND IMPROV.	HAUL SNOW DOWNTOWN-1/7/15	892.50
DOUBLEDAY LARGE PRINT	BOOKS	191.96
DPC INDUSTRIES, INC.	CHLORINE; POTASSIUM PERMANG.	730.00
EBERT'S	REFRIGERATOR	599.95
EMILY HASELHOFF	V.B. REF.-JAN. 14; FEB. 4	85.00
EVERTEK, INC.	JAN. INTERNET SERVICE	36.30
FAREWAY STORES, INC.	CLEANING SUPPLIES; TOWELS	273.05
FELD FIRE	POWDER; EXTINGUISHERS; RECHARGING	604.60
FOUNDATION ANALYTICAL LAB	SAMPLE TESTING	423.00
FRANK DUNN CO.	PALLET OF WINTER COLDMIX PATCH	789.00
GREGG COMPUTER SERVICE	COMPUTER SERVICE; PRINTER; CORRECT VIRUS	615.00
HALLETT MATERIALS	SAND FOR BUNKER; FILL SAND FOR WATER LEAK	1,248.46
HOLZHAUER MOTORS, LTD.	REPLACE BATTERY; HOOD CABLE; SERVICE	365.56
IAWEA	REGISTRATION FOR BIO-SOLIDS CONF.	95.00
INDURON PROTECTIVE COATINGS	PRIMER/PAINT-PUMP ROOM PIPING	598.00
IOWA ASSOC. OF MUNICIPAL UTILITIES	PUBLIC WORKS SUPT. LISTING	70.00
IOWA CODIFICATION, INC.	2014 LEGISLATIVE CHANGE ORDINANCES	750.00
IOWA LAKES COMMUNITY COLLEGE	RESERVE MODULE-RICHTER	150.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY	48.67
IOWA LAW ENFORCEMENT ACADEMY	MMPI FOR APPLICANTS	335.00
IOWA LIBRARY ASSOCIATION	IOWA LIB. ASSOC. DUES	220.00
IOWA LIBRARY SERVICES	ONF. REGISTRATION	155.00
IOWA ONE CALL	DEC. LOCATES	35.10
IOWA STATE POLICE ASSOC.	IOWA POLICE ASSOC. DUES	150.00
IOWA STATE UNIVERSITY	WORK ZONE SAFETY REG.	180.00
JANITOR'S CLOSET, LTD.	CLEANING SUPPLIES	404.47

JASMINE RAMIREZ	V.B. REF. - JAN. 28	25.00
JIM PECK	MILEAGE-SIMPCO MTG.-1/15/15	69.00
JUDY GRIENKE-MILLER	BATTERY BACKUP	87.71
K-MART #9222	VACUUM CLEANER; CLEANING SUPPLIES	159.14
KRISTI EBEL	V.B. REF. - 1/22/15	35.00
LETSCHER BIKE/RADIO SHACK	BATTERIES	31.98
LUNDELL CONSTRUCTION CO.	HAUL SAND; LOAD/HAUL SNOW-JAN. 5 & 7	5,213.75
	CLEAN RIPRAP FROM CREEK (FLOOD)	802.50
	REPAIR WATER LEAK ON PILOT	1,097.50
	CHANGE VALVE/METER-TYSON PIT	1,806.00
	PUMP OUT SUMNER LIFT; PULL/REPLACE PUMP	1,874.62
	CLEAN SEWER ON S. 7TH & BEHIND CAREY'S REST.	320.00
M.O.C.I.C.	ANNUAL MEMBERSHIP	100.00
MARK NAPIER	MILEAGE-DES MOINES-PICKUP FITTINGS	189.75
MID AMERICAN ENERGY	ELECTRICITY	19,143.12
MID-IOWA SALES CO.	TRUCK CLEANING SUPPLIES	62.90
MITINET, INC.	MARC WIZARD SUBSCRIPTION	219.00
MOTOR PARTS SALES	SET OF WINTER WIPER BLADES ROAD USE	17.98
MUNICIPAL SUPPLY, INC.	BRASS FTTGS/VALVES; IPERL METERS; BOLTS	7,022.54
NORTHWEST COMMUNICATIONS	JAN. INTERNET SERVICE	84.90
O'HALLORAN INTERNATIONAL, INC.	SEALED BEAM; HYD. HOSES	162.22
	REPLACE BLOCK HEATER-'13 I.H.	463.28
	RPLACE THROTTLE - '00 I.H.	672.95
	REPLACE EGR COOLERS-'09 I.H.	4,283.04
	MIRROR ASSM.; PIPE/CLAMPS	252.37
	COPIER LEASES	443.80
OFFICE ELEMENTS	19 SALVAGE AUTO CERTIFICATES	190.00
OFFICE OF VEHICLE SERVICES	GRIT & CAPPER'S SUBSCRIPTION	34.95
OGDEN PUBLICATIONS	V.B. REF. - 1/15/15	35.00
PAITYN HAGBERG	OFFICE SUPPLIES	311.97
PERKINS OFFICE SOLUTIONS	POSTAGE; SUNDAY DES MOINES REGISTERS	99.46
PETTY CASH - LIBRARY	JAN. POSTAGE METER RENT	35.00
PITNEY BOWES	VISION IOWA SIGNS	35.00
R.J. THOMAS MFG. CO., INC.	CDBG FACADE PROG. APPLICATION	4,942.01
RDG PLANNING & DESIGN	REPAIR R.R. DOOR LATCH	20.00
REINERT MACHINE SHOP	JAN. GARBAGE PICKUP	24,884.40
SANITARY SERVICES	V.B. REF. - JAN. 14 & 21	50.00
SARA RAMIREZ	RIPRAP UNDER HWY.BRIDGE (FLOOD)	4,832.25
SCHOON CONSTRUCTION CO.	SNOW REMOVAL-JAN. 5 & 7	4,252.50
	CARPET CLEANING	1,762.44
SERVICE MASTER BY RICE	PREPARE CDBG FACADE GRANT APPLICATION	800.00
SIMMERING-CORY, INC.	WINDOW CLEANING	90.00
STEVE'S WINDOW SERVICE	BOOKS & DVDS	193.07
SYNCHRONY BANK/AMAZON	FEB. SUBSCRIPTION	13.00
THE COURT FOCUS	CLAIMS THRU 1/23/15; FEB. ADMIN. FEE	725.00
THREE RIVERS BENEFIT	JAN. SALES TAX	5,345.01
TREASURER, STATE OF IOWA	CELL PHONES	268.72
UNITED STATES CELLULAR	DATA MEMBERSHIP DUES	50.00
UNITYPOINT CLINIC-OCC. MEDICINE	ROLL OF STAMPS; POSTAGE FOR UTILITY BILLS	717.15
USPS	ANNUAL TOWER MAINTENANCE	17,042.68
UTILITY SERVICE CO., INC.	CELL PHONES	52.01
VERIZON WIRELESS	REMOVE SNOW FROM NODES-JAN. 5 & 7	550.00
WALDNER'S LAWN SERVICE	JAN. LEGAL SERVICES	4,162.50
WALLY MILLER, JR.	RESERVE TRAINING	160.00
WESTERN IOWA TECH. C.C.	2 AUTOMATIC DOOR OPENERS-COMM. CENTER	6,100.00
WHEELCHAIR DYNAMICS, INC.	GAS; DIESEL; FILL 100# PROPANE TANK	4,936.69
WIESE OIL & SUPPLY CO., LTD	PHONE/INTERNET	1,219.77
WINDSTREAM	SUMNER LIFT REPAIR; REPLACE SWITCH-MHI LIFT	502.00
WOODALL ELECTRIC	REPLACE PLUG FOR UV BOX	389.00
ZIEGLER, INC.	REPAIR CIRCLE ASSM. ON CAT	1,316.82

Renewal of Class "E" liquor license – Fareway.

Renewal of Class "B" native wine license – Hy-Vee Gas.

Renewal of Class "C" beer/wine license – Family Table.

A motion by Brown, seconded by Miller, approved the appraisal contract with Northwest Iowa Appraisals for 36 properties, not to exceed \$10,800 in conjunction with the FEMA Flood Buyout Program. Motion carried.

The council reviewed two bids for the purchase of an inlet valve for the wastewater plant – Qtech - \$13,113; Mellen & Associates - \$13,649. A motion by Pingel, seconded by Peck, unanimously approved the purchase of the inlet valve from Qtech for \$13,113.

The council reviewed the following reports.

1. Administrator's report – budget workshops will be held on Monday, Feb. 16 and Tuesday, Feb. 17 starting at 5:30 p.m.; ads for the Public Works Superintendent position have been placed in state-wide publications as well as locally – one or two council members, the Mayor and the Administrator will form a committee to review applications, and they hope to hire by May 1st with a start date of July 1st; will begin advertising for a Police Chief and wastewater positions soon.
2. January Clerk-Treasurer's report and receipts as follows: General-\$67,263.62; Police Forfeiture-\$604.90; County Library-\$1.27; Road Use-\$71,606.77; Employee Benefits-\$12,842.10; Emergency-\$255.08; LOST-\$45,269.90; Hotel/Motel Tax-\$25.76; Revolving Loan-\$816.77; Library Memorial-\$5,094.66; Park & Rec. Cap. Impr.-\$4.20; Debt Service-\$5,094.93; Emergency Set-Aside-\$4.51; Oak Hill Perpetual Care-\$30.04; Water Utility-City-\$55,661.34; Water Utility-Industrial-\$40.38; Water System Maintenance-\$8,982.30; Sewer Utility-City-\$90,587.37; Sewer Utility-Industrial-\$28,549.80; Sewer Bd./Int.-\$29,610; Sewer System Maintenance-\$5,750; Sewer Improvement-\$1,793.67; Aviation Authority-\$141.72; Solid Waste-\$25,253.22; Landfill-\$30,841.15; Storm Sewer Utility-\$6,649.67; Self Insurance-\$18.77.
3. January General Fund revenue/expense report.
4. January Police reports.
5. January Fire Dept. report.

On a motion by Brown, seconded by Peck, the council went into executive session at 7:40 p.m. to discuss matters of possible litigation as per Iowa Code Chapter 21.5(c). Roll call was: AYES: All. NAYS: None.

On a motion by Pingel, seconded by Miller, the council returned to regular session at 8:10 p.m. Roll call was: AYES: All. NAYS: None.

No action was taken in executive session.

The meeting was adjourned at 8:15 p.m.

News media – Ken Ross, *Chronicle Times*.

Mark Murphy – Mayor

ATTEST:

Debra Taylor
City Clerk-Treasurer