

**Regular City Council Meeting
City Hall, Cherokee, Iowa
June 9, 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 Herbold, Administrator Eikmeier, Clerk-Treasurer Taylor. Absent: Council member Johnson.

Police Chief, Nate James introduced Zach Smith as the newest police officer who started May 30th. Zach has lived in Cherokee his entire life and has participated in many ride times with the department. Zach plans to complete his 2-year degree in December, and if completed, he would be able to attend the 8-week Academy course.

A motion by Brown, seconded by Miller, unanimously approved the following under "Consent Business". City council minutes of May 26th.

Bills totaling \$460,158.54.

ACCO	POOL CHEMICALS	3,070.00
ALEX AIR APPARATUS, INC.	AIR COMPR, STORAGE CAPACITY; UPDATES	9,073.83
ALLIANT ENERGY	NATURAL GAS	1,125.40
ARAMARK UNIFORM SERVICES	SHOP RAGS; RUGS; MOPS	98.94
ARMOND RIDER	JUNE CELL PHONE	50.00
AARON HONSBRUCH	BALANCE OF DEPOSIT	11.16
ASSURANT EMPLOYEE BENEFITS	JUNE DISABILITY PREMIUM	1,063.65
ATIRA CREDIT MASTERCARD	MEAL	25.42
	REPAIR POOL STRAINER BASKET	557.00
	STORM WATER PERMIT-RIVER RD. BRIDGE	180.00
BAKER & TAYLOR INC.	BOOKS & AUDIOS	770.01
BARCO MUNICIPAL PRODUCTS	"NO TRUCKS" SIGNS; BANDING RETURNED	61.22
BARKLEY ASPHALT, INC.	MILL/OVERLAY -COMM. CENTER N. LOT	30,566.00
BENSON CONSTRUCTION	REPLACE CHLORINE ROOM DOOR	2,843.50
BLAINE'S WATER CONDITIONING	SALT; COOLER RENT; WATER	165.42
BOLTON & MENK, INC.	ENG. - CDBG SANITARY SEWER PROJECT	1,810.00
BOMGAARS	OPERATING SUPPLIES & MATERIALS	2,837.49
BONFIRE WEB CO., LLC	DOMAIN NAME RENEWAL	15.00
BRAD'S TIRE SERVICE	TIRE REPAIR	6.13
BRYAN BYERLY	GAS	7.81
BUGH WELDING	BRACKET FOR AIR REGULATOR	30.00
	REPAIR VALVE SEAT TOOL	85.00
	PART FOR INFLUENT VALVE	263.29
BUILDERS SHARP. & SERVICE	FILTERS; ELEMENT; CABLE; SPARK PLUG	148.87
	DOOR FOR SKID LOADER	253.08
	MOWER FOR POOL	419.00
CAROL LORENZ	PURCHASE-222 E. CEDAR	30,178.37
CARROLL DISTRIBUTING	SEALANT	310.80
CHAMPION ELECTRIC, INC.	ELEC. REPAIRS; BULBS	437.14
	REPAIR CONTROLLER-2ND/INDIAN	137.95
	LOCATE UNDERGROUND WIRES	43.00
	REWIRE FUEL PUMP; REPAIR LIGHT	275.25
CAEDC	QUARTERLY CONTRIBUTION	2,733.74
CHEROKEE AUTO PARTS	VEHICLE MAINTENANCE SUPPLIES	72.58
CHEROKEE AVIATION AUTH.	MAY TAX DRAW	823.53
CHEROKEE COUNTRY CLUB	OVERPAID BILL	309.76
CHEROKEE CO. SOLID WASTE	DEBRIS - 405 E. MAPLE DEMO	1,306.62
	JUNE LANDFILL FEE	29,688.51
CHEROKEE CO. TREASURER	PRO-RATED TAXES-FLOOD BUYOUT PROP.	1,423.15
CHEROKEE CO. WORK SERVICE	CLEAN SHOP TOWELS	10.92
CHEROKEE COUNTY RECORDER	TRANSFER TAX-FLOOD BUYOUT PROPERTIES	138.40
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCES	520.00
CHEROKEE LUMBER, INC.	LUMBER; PRIMER; PAINT	450.01
CHEROKEE POLICE DEPT.	CONFIDENTIAL FUNDS	1,000.00
CHEROKEE POLICE RESERVES	ANNUAL CONFERENCE	532.00

CHEROKEE REGIONAL CLINICS	PRE-EMPLOYMENT PHYSICAL	79.00
CHEROKEE REG. MED. CENTER	RANDOM CDL DRUG TESTS	155.00
CHEROKEE STATE BANK	NSF CHECK – R. ROSENTRATER	129.33
CHESTERMAN COMPANY	POP; POOL CONCESSIONS	480.60
CHRONICLE TIMES	MINUTES; BUDGET AMEND; EMP.ADS	893.80
CONTROL SYSTEM SPECIALISTS	ANNUAL SERVICE CONTRACT	1,418.40
CREATIVE SERVICES	DOOR LETTERING	48.00
DOUBLEDAY LARGE PRINT	BOOK	24.99
DPC INDUSTRIES, INC.	CHLORINE; POTASSIUM PERMANG.	794.90
DEARBORN NATIONAL	JUNE LIFE INS. PREMIUM	273.06
EBERT'S	DISHWASHER	599.95
ED ROEHR SAFETY PRODUCTS	TASER CARTRIDGES	119.40
EVERTEK, INC.	MAY INTERNET SERVICE	36.30
FAREWAY STORES, INC.	SUPPLIES; WATER FOR ECOFEST	116.81
FARNER-BOCKEN COMPANY	POOL CONCESSIONS	921.20
FIRST ABSTRACT & LOAN	NEW ABSTRACT - LAPOSKY	300.00
FOUNDATION ANALYTICAL LAB	SAMPLE TESTING	706.00
FREDERICK WELDING & SALES	MOWER BLADES	68.38
GREEN TREE SERVICING, LLC	MORTGAGE PAYOFF-207 E. CEDAR	37,771.65
GREGG COMPUTER SERVICE	COMPUTER UPGRADES; LAPTOPS	4,564.99
HACH CO.	LAB SUPPLIES	338.29
HALLETT MATERIALS	3" LIMESTONE; PEA GRAVEL	512.48
HD SUPPLY WATERWORKS, LTD	2 REPAIR CLAMPS	380.68
HILLYARD	SUPPLIES	78.27
I. C. CHURCH	1/2 COST TO PAINT I.C. GYM	1,220.00
I.M.W.C.A.	2015-16 WORKER'S COMP. PREMIUM	52,353.00
IOWA CITY/COUNTY MGMT. ASSOC.	ANNUAL MEMBERSHIP	150.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY (2 MON.)	96.79
IOWA LEAGUE OF CITIES	MUNIC. PROFESSIONALS ACADEMY	210.00
IOWA ONE CALL	APR. LOCATES	63.00
JANITOR'S CLOSET, LTD	TISSUE; GARB. BAGS; PAPER TOWELS	511.99
JEAN WHEELER	SHELTER REFUND FOR 6/13/15	30.00
JESSICA BIEBER	RECERTIFY LIFEGUARDS	253.00
JIM PECK	MILEAGE-SIMPCO-MTG.-5/21/15	69.00
JOHN MEIS	TAC MEETING	148.75
K-MART #9222	EQUIPMENT; TOWELS; MULCH	39.94
KENNETH A. MORGAN	PURCHASE/RELOCATION ASST.-214 E. CEDAR	48,809.44
LETSCHE BIKE/RADIO SHACK	CORD	19.99
LUNDELL CONSTRUCTION CO.	PUMP LIFT STATION	690.00
	PUMPT LIFT STATION; INSTALL PUMP	251.00
	PULL PUMP & MOTOR	391.00
	CUT OFF WATER LINE-108 S. FLOOD	1,569.24
	INSTALL INFLUENT VALVE & MECHANISM	2,882.00
	SEWER CLEANER ON PARK AVE.	160.00
MARY JO RUPPERT	MILEAGE; STORIES 2000 BOOKS	124.51
MID AMERICAN ENERGY	ELECTRICITY	17,179.14
MOTOR PARTS SALES	TOW CONVERTER; TURN SIGNAL BULB	37.70
MUNICIPAL SUPPLY, INC.	SMART POINTS	1,205.08
NATE JAMES	JUNE CELL PHONE	50.00
NELSON'S LOCKSMITH SHOP	REPAIR BATH HOUSE LOCK; REKEY LOCK	105.00
NORTH CENTRAL LABORATORIES	LAB SUPPLIES	81.34
NORTHWEST COMMUNICATIONS	MAY INTERNET SERVICE	84.90
N.W. IOWA CITY CLERK'S ASSOC.	DUES	25.00
NOVELTY MACHINE & SUPPLY	PRESSURE GAUGE	88.03
OFFICE ELEMENTS	COPIER LEASES; BOOK MARKS	591.40
OFFICE OF VEHICLE SERVICES	10 SALVAGE AUTO CERTIFICATES	110.00
PERKINS OFFICE SOLUTIONS	OFFICE SUPPLIES	554.37
PETTY CASH	USE OF FAIR GROUNDS FOR SOCCER	1.00
	OPENING CASH - POOL/CONCESSIONS	200.00
	CLEAN. SUPPL.;COFFEE;BATTERIES;COOKIES	56.40
	SHIPPING COSTS	17.22
PETTY CASH - LIBRARY	BOOKS; SUPPLIES; POSTAGE; SUNDAY PAPERS	164.49

PITNEY BOWES FINANCIAL	MAY POSTAGE METER RENT	35.00
PITNEY BOWES, INC.	INK CARTRIDGES	61.19
PITNEY BOWES	POSTAGE FOR METER	1,008.50
PLUNKETT'S PEST CONTROL	PEST ABATEMENT	300.00
PRODUCTIVITY PLUS ACCOUNT	HARDWARE FOR NEW VALVE	22.70
R.J. THOMAS MFG. CO., INC.	SIGNS & DECALS; UPDATE DIRECTORY; T-SHIRTS	1,355.14
RANDY KANE	MEALS	23.29
RAPID AMERICAN PRESS	LETTERHEAD; ENVELOPES	696.00
REHAB SYSTEMS, INC.	TELEWISE SEWER LINE – DAKOTA AVE.	375.00
REINERT MACHINE SHOP	EXTRACT/REPAIR MOWER BOLT	120.00
	REPAIR GAS TANK	45.00
	REPAIR WEAR HOLES ON SWEEPER	420.00
	REPAIR MANHOLE COVER PULLER	30.00
	REPAIR BOTTOM OF FUEL TANK	294.84
RHOADSIDE BLOOMING HOUSE	MEMORIAL DAY FLOWERS; PERINNIALS	7,288.58
ROBIN MC COY	PARTIAL RELOCATION ASST.-409 E. MAIN	7,689.15
ROSWITHA BRANDT	PURCHASE/RELOCATION ASST.-207 E. CEDAR	22,619.69
ROYER'S JEWELRY	ENGRAVE PLAQUES	25.00
S & S WORLDWIDE, INC.	SUMMER READING SUPPLIES	332.30
SANITARY SERVICES	MAY GARBAGE PICKUP	25,271.55
SCHOON CONSTR. & EXCAVATION	E-ONE ADAPTER FOR LIFT STATION	337.45
SENSUS USA	REPAIR HAND HELD & AUTOGUN	878.72
SHARE CORPORATION	APPLE PEAPODS	86.70
SHIELD TECHNOLOGY CORP.	SHIELD SOFTWARE	913.75
SIOUX SALES COMPANY	CLOTHING; BOOTS; RESERVE UNIFORMS/EQUIP.	6,768.20
STANDARD READY MIX	CONCRETE	1,003.75
STEVE HARRIS CONSTRUCTION	FINAL - DOHERTY IMPROVEMENTS	10,000.00
STEVE'S WINDOW SERVICE	WINDOW CLEANING	90.00
STEVENSON FAMILY TREE SERVICE	TREE TRIMMING-VARIOUS AREAS	2,200.00
SYNCHRONY BANK/AMAZON	DVDS; BOOKS; CD; LEGOS	234.03
THE ACCURATE COURT REPORTER	JUNE SUBSCRIPTION	13.00
THE BOOK FARM	PUZZLES	69.93
THREE RIVERS BENEFIT	CLAIMS THRU 5/29/15; JUNE ADMIN. FEE	5,047.69
TOTAL BACKFLOW & METER RES.	TEST BACKFLOW ASSEMBLIES	585.00
TREASURER, STATE OF IOWA	MAY SALES TAX	3,746.15
UNITED PARCEL SERVICE	SHIPPING CHARGE	24.13
UNITED STATES CELLULAR	CELL PHONES	228.10
UNITYPOINT CLINIC	RANDOM CDL TEST REVIEWS	185.00
USPS	POSTAGE FOR UTILITY BILLS	721.39
UTILITY SERVICE CO., INC.	ANNUAL CONTRACT-M.H.I. & HILL TOWERS	26,470.17
VANITY FAIR	SUBSCRIPTION	45.00
VERIZON WIRELESS	CELL PHONES	64.61
WALDNER'S LAWN SERVICE	MOWING; WEED SPRAYING	3,907.00
WALLY MILLER, JR.	LEGAL/CLOSINGS-FLOOD BUYOUT PROG.	10,350.00
WEX BANK	GAS	2,570.67
WIESE OIL & SUPPLY CO., LTD	DIESEL; OIL; GAS	4,374.48
WINDSTREAM	PHONE/INTERNET	1,106.04
WITTGRAF LAW FIRM	MAY LEGAL SERVICES	1,315.00
WOODALL ELECTRIC	INSPECTION - 207 W. ELM	90.00
	REWIRE & TEST BIG VALVE	1,001.00
	SAMPLER SOLENOID VALVE	584.50

New Class "C" liquor license for C & S Entertainment, LLC – d/b/a/ Jobies Pastime.

Renewal of Class "B" beer permit – Pizza Hut; renewal of Class "C" liquor license – V.F.W.; renewal of Class "C" liquor license – Gasthaus Bar & Grille.

Renewal of cigarette permits for the following: Hy-Vee Food Store, Hy-Vee Gas, Fareway, Sparky's One Stop, Casey's General Store, Liquor on the Corner, Dollar General Store, Kimmes Cherokee Country Stores, and A to Z Liquor.

Change Order #2 for \$350 to L & J Dream Builders for 501 Park Ave. CDBG housing rehab.

The council reviewed an amended 457 Deferred Compensation Plan Document. The amendment primarily eliminates non-applicable language and incorporates IRS language regarding early withdrawals. Attorney Herbold reviewed the plan and indicated that the council should specify who is named as administrator. The City Clerk was certain this was spelled out in an ordinance and/or resolution when the plan was originally adopted, but will double check for clarification. A motion by Brown, seconded by Pingel, approved the amendment of the 457 Deferred Compensation Plan Document and named the City Administrator as the plan administrator. Motion carried.

The council reviewed two bids received last fall for the vacant lot at 316 W. Locust St. These bids were tabled at that time pending a decision on the possible relocation of houses from the flood buyout area. The bids were as follows: Wayne Nafe - \$500; Mike and Becky Anderson - \$1,200. Each of these bidders own adjoining lots. Mr. Nafe has committed to constructing a greenhouse within 2 years, and Mr. and Mrs. Anderson propose to construct a 2 or 3-stall garage with no specific deadline. Council member Brown noted that of the lots the City has previously sold, none of the buyers have come through in the way of constructing any structures. He would like to see proposed improvements made before issuing a deed to the buyer. Attorney Herbold stated that a purchase agreement could include a reverter, meaning that if the improvements weren't completed by a set deadline the property would revert back to the City. A motion by Peck, seconded by Miller, accepted the bid of \$500 from Wayne Nafe subject to the drafting of a purchase agreement with a reverter clause. Roll call was: AYES: Peck, Miller, Pingel. NAYS: Brown.

A motion by Brown, seconded by Pingel, unanimously approved flood buyout offers, at pre-flood appraised values, for the following: 315 E. Maple - \$17,000 and 301 N. 1st - \$25,000.

Administrator Eikmeier reported that with Steve Casey's retirement at the end of June, the City would be without a Grade 4 wastewater operator, which is required by the DNR. Earlier this year, the DNR had indicated that the City would have 6 months from July 1 to replace the Grade 4 operator. However, because there would be only a Grade 2 operator on staff, the DNR is now requiring that the City have a Grade 4 immediately. Although it may take 2-3 years for one or more of the current employees to obtain the Grade 4 status, they will continue to work toward that goal. If a Grade 4 operator weren't on staff, the City would be subject to DNR and/or EPA fines. The Administrator feels that the only way to achieve the Grade 4 at this time is to hire a private company that offers wastewater services to municipalities. The council was asked to consider an agreement with People Service, Inc. to provide this service. The firm would provide 20 hrs./week, onsite professional and technical assistance in the operation and maintenance of the wastewater treatment plant and 5 lift stations at a cost of \$56,400/yr. With a 90-day notice, either party can terminate the agreement. Council member Brown asked whether the City could just hire a Grade 4 operator. Administrator Eikmeier answered that we could; however, the cities of Storm Lake and Carroll have been trying to do that without any luck. That is the reason for the 90-day notice, so that in the event someone could be hired, or when a current employee achieves the Grade 4 status, the agreement can be terminated. On a motion by Miller, seconded by Brown, the council unanimously approved an agreement with People Service, Inc. to provide Grade 4 services as proposed, subject to DNR's final review of the agreement.

The council reviewed the following reports.

1. Administrator's report – the pool opened today. The pump came in on Friday and the staff had the pool filled and chemicals balanced in time for the opening. He is working on a possible promotion to thank patrons for their patience in the delay. Linda Ducommun, Cherokee Comm. Schools, will have a class working on the community center fountain painting this summer.
2. Mary Jo Ruppert, Library Director, presented her quarterly report to the council. To accommodate changing use patterns, library hours have been changed eliminating some evening and Saturday hours, which will reduce about 45 hrs. of wages and utilities; 16 public computers have been upgraded thereby increasing speeds; the summer reading program starts June 10 with 100 participants signed up; the children's department is doing very well, making great strides in the after school programs; Friends of the Library funded the cost of puppets, games and puzzles for the children's department; building concerns include boiler maintenance work recently completed, messes left in the men's restroom have been

addressed, and the Board wants the brick planter in removed as soon as possible; the check out of movies has been steady; computers are always busy; staff does a lot of faxing, scanning and emailing for patrons.

3. May Clerk-Treasurer's report and receipts as follows: General-\$163,013.68; Police Forfeiture-\$405; Road Use-\$27,909.93; Employee Benefits-\$22,505.38; Emergency-\$1482.43; LOST-\$40,593.99; TIF-\$219.92; Revolving Loan-\$400; Library Memorial-\$70.85; Debt Service-\$28,661.95; Road Use Equipment-\$10,904.56; Water Utility-City-\$51,823.31; Water System Maint.-\$8,371.19; Sewer Utility-City-\$92,802.98; Sewer Bd./Int.-\$29,610; Sewer System Maint.-\$5,750; Sewer Improvement-\$1,793.67; Aviation Authority-\$823.53; Solid Waste-\$23,764.22; Landfill-\$29,229.47; Storm Sewer Utility-\$6,298.01; Police Special Acct.-\$1,000.

4. May General Fund revenue/expense report.

5. May Police reports.

The meeting was adjourned at 7:40 p.m.

News media – Ken Ross, *Chronicle Times*.

Mark Murphy – Mayor

ATTEST:

Debra Taylor
City Clerk-Treasurer