

**City Council Meeting
City Hall, Cherokee, Iowa
April 12, 2016 – 7:00 p.m.**

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

Mayoral Proclamation – Sexual Assault Awareness Month

Mayor Pro-Tem Pingel read a proclamation declaring April as Sexual Assault Awareness Month in the City of Cherokee and presented the signed proclamation to Skyla Selby, representative of CAASA.

Public Form

Public Works Director Armond Rider spoke briefly about the new street sweeper which was parked at City Hall. Rider is very pleased with the new sweeper and stated it does a very nice job. The council and public were invited to take a closer look at it after the meeting.

Authorization Filling Vacant Position in Public Works

Brown made a motion, seconded by Miller, to approve filling a full-time position in the Public Works Department, vacant due to several recent resignations. Roll call was: AYES: All. NAYS: None.

Public Hearing – Sale of Real Estate

At 7:06 Mayor Pro Tem Pingel opened the public hearing for comments regarding the sale of real estate at 220 W. Locust St. There were no oral or written comments. The public hearing was closed at 7:07 p.m.

Resolution Declaring Surplus Property and Authorizing Advertising for Bids

Administrator Kooiker introduce Resolution No. 16-09, a resolution declaring the property at 220 W. Locust St. to be surplus property and authorizing advertising for sale by sealed bid. On a motion by Miller, seconded by Johnson, the council adopted Resolution No. 16-09. Roll call was: AYES: All. NAYES: None.

Consent Business

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

City council minutes of March 22, 2016.

Renewal of agreement with IDOT for maintenance and repair of primary roads.

Change Order #1 to CDBG Sewer Project for Beech St. Pump

Renewal of Class “C” Beer Permit for Kmart Corp.

Renewal of Class “C” Liquor Licenses for HyVee (d/b/a Western Iowa Tech) and Pool & Pub.

Acknowledgement of award of STP Grant for 5th St. from Elm St. to 6th St.

Authorization to apply for RR Crossing Safety grant for W. Cherry St. crossing.

Bills totaling \$309,060.46

AHLERS & COONEY	SCHOON TIF REPEAL	\$660.00
ALLIANT ENERGY	UTILITY SERVICES	\$2,155.39
ALLOY SPECIALTY	233 E WILLOW, ASBESTOS INSPEC.	\$165.00
AL'S CORNER OIL	DIESEL	\$107.36
AMERICAN AQUATIC TESTING	ANNUAL WETT TESTING	\$975.00
ATIRA CREDIT CARD	WORKSHOPS, BUSINESS CARDS, VOLLEYBALLS, FACEBOOK ADS AVG SOFTWARE	\$757.58
BLAINE'S WATER COND.	FILTER, SOFTNER, SALT, COOLER RENT	\$297.56
BOCKMANN, INC.	233 E WILLOW, ASBESTOS ABATEMENT	\$2,900.00
BOLTON & MENK, INC.	CDBG SANITARY SEWER PROJ. ENGINEERING	\$14,979.28
BOMGAARS	OPERATING SUPPLIES	\$1,063.41
BUGH WELDING	WELD PIPE WRENCH	\$30.00
BUILDERS SHARPENING	SNOW BLOWER, EQUIP PARTS	\$1,350.07
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$187.98
CHAMPION ELECTRIC	SERVICES	\$138.85
CHEROKEE CO. ASSESSOR	ANNUAL PICTOMETRY CONTRIBUTION	\$2,000.00
CHEROKEE CO. SOLID WASTE	MO. LANDFILL FEE, FEMA DEMO'S	\$33,102.69
CHEROKEE CO. WORK SERVICE	CLEAN SHOP TOWELS	\$5.20
CHEROKEE LUMBER	PLYWOOD, PAINT, PAINT PAN	\$1,969.63
CHRONICLE TIMES	PUBLICATION COSTS, ADS	\$1,085.74
COUTRY TIRE & SERVICE	NEW TIRE FOR JOHN DEERE	\$198.39
COUNSEL	COPIER LEASE, COPIES	\$323.03
COVERT TRACK GROUP	UNDERCOVER EQUIP. RENEWAL	\$600.00
D. A. DAVIDSON & CO	FY 15 GO BOND DISCLOSURE SERV.	\$1,000.00
DEER VALLEY LAND IMPROVE.	SNOW REMOVAL	\$1,322.50
DON EIKMEIER	PROFESSIONAL SERVICES	\$2,200.95
ENVIRONMENTAL RESOURCE	LAB SUPPLIES	\$800.24
FELD FIRE TEST	GAS FOR MONITOR	\$236.00
FOUNDATION ANALYTICAL LAB	WATER TESTING	\$1,396.23
GREGG COMPUTER SERVICE	SERVICE WORK, FLASH DRIVES	\$209.98
HALLETT MATERIALS	PEA GRAVEL	\$65.89
HOLZHAUER MOTORS	OIL CHANGE, BRAKES, BATTERY	\$919.47
HVVEE INC.	FATHER/DAUGHTER DANCE FOOD, DONUTS	\$255.05
ICON	AIR FILTER FOR LOADER	\$19.67
INSTITUE OF PUBLIC AFFAIRS	MUNICIPAL LEADERS HANDBOOK	\$30.00
IOWA LAW ENFORECMET	EVALUATION OF MMPI	\$140.00
JAMES, NATE	CELL PHONE REIMBURSEMENT	\$50.00
JERRY'S TREE SERVICE	TREE REMOVAL FOR SEWER LINE	\$250.00
KIMMIES	COUNTRY STORE DIESEL	\$53.38
KOOIKER, SAM	CELL PHONE REIMBURSEMENT	\$50.00
LARSON, TODD	CELL PHONE REIMBURSEMENT	\$35.00
LETSCHES BIKE/RADIO SHACK	BATTERIES FOR TESTERS	\$17.99
LUNDELL CONSTRUCTION	DIG GRAVES, SNOW REMOVAL	\$4,025.00
MEIS, JOHN	TAC MEETING, HMA 1-17 BID	\$747.00
MID AMERICAN ENERGY	UTILITY SERVICES	\$406.40
MID-IOWA SALES	TRUCK WASH SUPPLIES	\$78.90
MILLER, TODD	CELL PHONE REIMBURSEMENT	\$35.00

MODERN HEATING & COOLING	FAUCET/DRAIN REPAIR, FILTERS	\$200.48
MOTOR PARTS SALES	TRUCK PARTS, SUPPLIES	\$303.01
MUMMERT, DUANE	CELL PHONE REIMBURSEMENT	\$35.00
NORTHWEST COMM.	INTERNET	\$44.95
O'HALLORAN INTERNATIONAL	HYDRAULIC LINES, QUICK COUPLER	\$416.45
O'REILLY AUTOMOTIVE	FUEL FILTER, 6" PUMP	\$72.76
OFFICE OF VEHICLE SERVIES	SALVAGE CERTIFICATES	\$70.00
ONE OFFICE SOLUTIONS	TONER, PRINTER INK	\$368.03
PITNEY BOWES GLOBAL FIN.	POSTAGE METER RENTAL	\$35.00
R.J. THOMAS MFG.	UPDATE CEMETERY DIRECTORY	\$50.00
REHAB SYSTEMS, INC.	STORM SEWER CLEANING HWY. 59	\$1,250.00
REINERT MACHINE SHOP	REBUILT CYLINDER, STEEL & OXY	\$373.19
RIDER, ARMOND	CELL PHONE REIMBURSEMENT	\$50.00
SANITARY SERVICES	MARCH GARBAGE COLLECTION	\$24,911.10
SCHOON CONST.	FEMA DEMOS	\$16,559.50
SIMMERING-CORY INC.	DOWNTOWN FAÇADE GRANT ADMIN	\$6,000.00
STEVE'S WINDOW SERVICE	WINDOW CLEANING-CITY HALL	\$26.00
SIOUX SALES	PEPPER SPRAY	\$14.95
TOFTENBERG, CHRIS	MAILBOX REPLACEMENT	\$58.84
TRUCK EQUIPMENT INC.	FIRE HOSE ADAPTER	\$143.45
USA BLUE BOOK	LAB SUPPLIES	\$334.33
U.S. BANK EQUIPMENT FIN.	COPY MACHINE LEASE	\$89.94
U. S. CELLULAR	CELL PHONE	\$228.33
VERIZON WIRELESS	CELL PHONE	\$40.01
VESSCO INC.	POLYMER PUMP PARTS	\$364.75
WEX BANK	FUEL	\$1,936.91
WIESE OIL	FUEL, OIL	\$702.00
WINDSTREAM	TELEPHONE	\$805.47
VOLKERT, LARRY	FEMA HOUSING REPLACEMENT FUNDS	\$29,000.00
THREE RIVERS BENEFIT	CLAIMS THROUGH 4/1/16	\$703.58
THREE RIVERS BENEFIT	ADMIN. FEES - APRIL	\$416.00
JEREMY BUENGER	REFUND WATER DEPOSIT	\$10.01
TREASURER, STATE OF IOWA	SALES TAX - MARCH	\$3,530.00
AGNITSCH, JIM	MILEAGE	\$121.50
ICAP	INS. PREMIUM ON STOPLIGHTS	\$778.59
GOCHENOUR, DOUG	MILEAGE - FIREWORKS CLASS	\$54.63
ICAP	PROPERTY, LIABILITY, AUTO INS.	\$125,890.45
USPS	POSTAGE, UTILITY BILLS	\$329.42
CHEROKEE FIRE DEPT.	VOLUNTEER PAYROLL	\$905.00
MENKE, KAYLEE	ZUMBA INSTRUCTOR	\$355.00
MILLER, JENN	UTILITY BILL REFUND	\$231.61
THREE RIVERS BENEFIT	CLAIMS THROUGH 3/18/16	\$3,235.75
CHAMPION ELECTRIC	STOP LIGHT REPAIR, HWY 59 & LAKE ST	\$4,287.39
ALLIANT ENERGY	GAS	\$348.34
BICYCLING	SUBSCRIPTION	\$19.94
THE BOOK FARM	BOOKS	\$329.31
CHARLENE CARLSON	EASTER BUNNY VISIT	\$25.00
CHRONICLE TIMES	ADVERTISING	\$527.25

CONTROL SYSTEM SPECIALISTS	MECHANICAL SYSTEM REPAIR/SUPPLIES	\$359.59
COUNSEL	COPIER CONTRACT	\$126.75
DOUBLEDAY LARGE PRINT	BOOKS	\$32.19
FAREWAY STORES	SUPPLIES	\$50.21
JUDY GRIENKE-MILLER	MILEAGE	\$27.60
MID AMERICAN ENERGY	ELECTRICITY	\$586.33
MOTOR TREND	SUBSCRIPTION	\$30.00
ONE OFFICE SOLUTION	TONER CARTRIDGE	\$155.89
PETTY CASH - LIBRARY	POSTAGE, NEWSPAPERS	\$97.57
POPULAR SCIENCE	SUBSCRIPTION	\$29.97
PSYCHOLOGY TODAY	SUBSCRIPTION	\$29.97
STEVE'S WINDOW SERVICE	WINDOW CLEANING	\$90.00
STATE SAVINGS BANK	SAFETY DEPOSIT BOX RENT	\$12.00
UPSTART	SUMMER READING SUPPLIES	\$144.00
WINDSTREAM	INTERNET & TELEPHONE	\$142.67
DOUBLEDAY LARGE PRINT	BOOKS	\$42.48
SIOUX CITY JOURNAL	SUBSCRIPTION	\$276.64
SYNCHRONY BANK	BOOKS, DVDS,	\$846.57

Transfer of Insurance Agency

On a motion by Brown, seconded by Pingel, the council authorized the transfer of agency for Worker's Comp, Employee Bonds, Pollution Liability and Flood Insurance from Central Insurance Agency to Bixenman Insurance Agency. Roll call was: AYES: All. NAYES: None.

Approval of Employment Offer

Administrator Kooiker explained that an employment offer has been made to a candidate for the Wastewater Grade IV Operator/Supervisor position. Current personnel policy requires essential employees to reside within a ten mile radius of city hall within six months of his/her hiring date. The candidate for this position is requesting a time extension due to his wife's employment status and having to find a home here. The city has several options, one would be a complete waiver of residency for this individual and one would allow for an extension to the residency policy requirement for up to 24 months. Miller is against waiving the residency requirement completely. Pingel agrees as doing so would set a bad precedent, especially since the city recently updated the residency policy. Brown feels that this position is a specialized position and not a typical situation, it is not common to find a candidate with this level of certification. Brown made a motion to approve the employment offer with an extension of up to 24 months to establish residency. After further discussion, Brown rescinded his motion. Pingel then made a motion to approve the employment offer to include an 18 month timeframe to establish residency within ten miles of Cherokee City Hall, contingent on passing a standard public works physical and drug screen. Brown seconded the motion. Roll call was: AYES: All. NAYES: None.

Reports/Other

Trails Committee - Deb Hankens, representative from the Trails Committee as well as the Parks & Rec Committee gave the council an update on the activities of the Trails Committee. There are a lot of energetic people on the committee and they have made a lot of progress. They have applied for and received a Trees Forever grant which will provide planning expertise as well as

possibly some plantings. The committee also recently received a Legacy Grant in the amount of \$7500.00.

Administrator's Report – The City's Recreation Department received a Legacy Grant award in the amount of \$2,000 to help with the cost of an ADA lift for the aquatic center. Two more FEMA properties have been demolished. An update on the timeline of the Downtown Façade Restoration Project Timeline was given.

March Clerk – Treasurer's Report and Receipts as follows: General \$68,549.60; Police Forfeiture \$686.60; County Library \$3,500.77; Road Use \$55,700.64; Employee Benefits \$18,977.02; Emergency \$1,248.73; Local Option Sales Tax \$38,719.77; Hotel/Motel Tax \$18,146.68; Tax Increment Financing \$16.66; Revolving Loan \$520.24; Library Memorial \$215.36; Park & Rec Capital Improvement \$805.74; Debt Service \$12,955.15; Emergency Set-Aside \$6.06; Oak Hill Perpetual Care \$333.75; Water Utility \$56,627.12; Water Utility – Industrial \$36.26; Water System Maintenance \$9,510.92; Sewer Utility \$92,086.36; Sewer Utility – Industrial \$24.05; Sewer Facility Bond & Interest \$29,959.17; Sewer System Maintenance \$5,750.00; Aviation Authority \$693.74; Solid Waste \$26,515.24; Landfill \$32,874.62; Storm Sewer Utility - \$7,183.47; Self-Insurance \$23.45; Police Dept. Special Acct. \$.52.

Reviewed Library Board Minutes of March 2, 2016.

Sidewalk at 217 S. Second St.

Adminstrator Kooiker presented a letter from Schlotfeld Engineering, a representative of which recently inspected the sidewalk at this address. The engineer's report basically agreed with the city's position regarding the condition of the sidewalk. Three items were set out by the engineer as needing to be addressed before the sidewalk no longer represents a potential hazard. Gay Lynn Strub, owner of the property, stated that the first item which is removing all foreign material from the coal storage area has been completed. The second item which is to remove the wood access doors and replace with concrete blocking is scheduled to be done this week. Harmon Masonry is going to complete this work and rebar the blocks in for additional support. Gay Lynn had originally visited with Mike Mummert, a local contractor, about dropping the sidewalk and crushing the concrete into the hole. Mike presented her with a less expensive alternative of pushing sand mixed with a little water into the void, he will fill it as full as he can get, then put in the mortar. Due to winter weather and scheduling conflicts, the work was not able to be completed within the 60 day timeline originally given Gay Lynn last October. At this point she does not have a signed contract, but is hopeful she can obtain one in the next week or two. Gail does not plan on replacing the sidewalk, only doing the work set out by the engineer to fill the void so that the sidewalk is safe. She state that there are much worse looking sidewalks along Maple Street that are not being addressed.

The engineer recommends that if the sidewalk is reopened prior to completing the above work on the void, the sidewalk surface be bridged using ¼" thick plate steel that spans across the very poor area. Gay Lynn has a new tenant in the building as of early May. Miller and Brown both stressed that the sidewalk will not be reopened until the work on the void is complete or the steel plates are in place and secured.

Wally Miller Jr., attorney representing the city in this matter, stated that the city has two options. The city can choose to go ahead with obtaining sealed bids in order to get the work completed as

soon as possible and get the sidewalk reopened. The charges would then be assessed against the property if unpaid. Alternatively they can give Gay Lynn an extension for completing the work.

Pingel made a motion to approve the three part solution identified by Schlofeldt Engineering and require Ms. Strub to produce a signed contract for the completion of the necessary work by April 26, 2016, in lieu of which the city will proceed with soliciting bids for the project. In order for the sidewalk to be reopened before the necessary repairs are complete, the ¼” thick plate beams spanning the sidewalk must be property installed. Brown seconded the motion. Roll call was: AYES: All. Nayas: None.

There was no executive session.

Adjournment.

The meeting was adjourned at 8:00 p.m.

News media – Ken Ross, *Chronicle Times*

Mark Murphy, Mayor

ATTEST:

City Clerk-Treasurer