

**Regular City Council Meeting
City Hall, Cherokee, Iowa
October 13, 2015 – 7:00 P.M.**

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

A motion by Miller, seconded by Johnson, adopted Resolution No. 15-19, naming bank depositories and maximum balances. Roll call was: AYES: All. NAYS: None.

A motion by Johnson, seconded by Peck, unanimously approved the following under "Consent Business". City council minutes of September 22, October 1, and October 6.

Bills totaling \$753,747.57.

AL'S CORNER OIL CO.	DIESEL	22.01
ALLIANT ENERGY	NATURAL GAS	1,154.53
ARAMARK UNIFORM SERVICES	SHOP RAGS, RUGS, MOPS	49.47
ARMOND RIDER	OCT. CELL PHONE	50.00
ATIRA CREDIT MASTERCARD	ACADEMY CLOTHING; FUEL; MOTEL; MEALS	1,628.66
	BUDGET WORKSHOP REGISTRATION	65.00
	MOTEL - CLERK'S INSTITUTE	226.24
BAKER & TAYLOR, INC.	BOOKS	1,269.02
BARKLEY ASPHALT, INC.	PATCHING; STREET OVERLAYS; CN TRAIL	97,913.71
BENSON CONSTRUCTION	WATER LEAK 6TH ST.	2,415.00
BLAINE ADAMSON	SOCCER REF	25.00
BLAINE'S WATER CONDITIONING	COOLER RENT, WATER; SOFTENER SALT	307.18
BOLTON & MENK, INC.	SOUTH 4TH, INDUSTRIAL PROSPECT	5,008.10
	CDBG SEWER SYSTEM IMPROVEMENTS	613.50
BOMGAARS	OPERATING SUPPLIES	1,675.72
BROWN SUPPLY CO.	SAFETY GLASSES; HYD. EXTENSION	688.87
	SUPPLIES FOR OAK KNOLL STORM SEWER	2,416.26
BUGH WELDING	WELDING	30.00
BUILDERS SHARP. & SERVICE	EQUIPMENT SUPPLIES/REPAIRS	254.13
C-M-L TELEPHONE	PHONE - 8/20/15 - 10/31/15	430.07
CAPITAL BANK & TRUST	457 PLAN ROLLOVER	267,954.44
CARDIS MFG. CO.	FENCE AT WESCOTT	3,025.00
CARROLL DISTRIBUTING	SEAL FOR PATH	176.22
CARUS CORPORATION	CARROX, CALCIQUEST	2,305.33
CENTRAL IOWA DIST. INC.	SHOP TOWELS	149.00
CHAMPION ELECTRIC, INC.	HILL ST. TOWER	11.90
CHARLENE CARLSON	MILEAGE	59.36
CHEROKEE AUTO PARTS	VEHICLE SUPPLIES	65.54
CHEROKEE AVIATION AUTH.	SEPT. TAX DRAW	1,660.73
CHEROKEE CO. SOLID WASTE	WEEDS FROM SLUDGE TANK; OCT. LANDFILL	29,770.83
CHEROKEE CO. WORK SERVICE	SHREDDING; SHOP TOWELS; RUGS	91.71
CHEROKEE COUNTY SHERIFF	SERVE S/C NOTICES	62.00
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCES-8/21/15-9/21/15	340.00
CHEROKEE REG. MED. CENTER	PHYSICAL/LABS FOR ACADEMY	677.00
CHEROKEE STATE BANK	LOAN PAY.-FORD TRUCK/EQUIP.	11,717.40
	LOAN PAY.-13 INT'L TRUCK/PLOW	35,415.78
	NSF CHECKS & ACH	572.93
CHESTERMAN COMPANY	COMM CENTER - POP MACHINE	111.50
CHRONICLE TIMES	EMPLOYMENT ADS, PUB. COSTS	847.84
COLE VIETOR	SOCCER REF - 9/9/15-10/5/15	135.00
CONSUMER REPORTS	SUBSCRIPTION	26.00
CONTROL SYSTEM SPECIALISTS	MECHANICAL SYSTEM REPAIR	404.50
COUNTRY PINES	MOVE TREES	294.00
COUNTRY TIRE & SERVICE	TIRE REPAIRS	205.32
CREATIVE SERVICES	SOCCER SOCKS	225.00
DARREN'S CLOTHING CO.	UNIFORM SHIRTS	416.00
DEMCO, INC.	SUPPLIES	318.46

DIANE CARGIN	MILEAGE-BUDGET WORKSHOP	54.63
DON EIKMEIER	LUNCH - ADMIN CANDIDATE	23.51
DONALD CORPORATION	SLUDGE PUMP PARTS	1,471.46
DOUGHERTY, ALICIA	REFUND BALANCE OF WATER DEPOSIT	66.04
DPC INDUSTRIES, INC.	CHLORINE	332.00
DUANE MUMMERT	OCT. CELL PHONE	35.00
ED ROEHR SAFETY PRODUCTS	4 TASER CARTRIDGES	119.40
EMERGENCY APPARATUS MAINT.	PUMP REPAIRS; REPAIR WATER LEVEL GAUGE	5,049.73
ERIC PETERSON	SOCCER REF - 9/8/15-10/5/15	135.00
EVERTEK, INC.	SEPT. INTERNET	36.25
FAMILY TABLE RESTAURANT	LIQUOR LICENSE REFUND	112.50
FAREWAY STORES, INC.	SUPPLIES	90.04
FELD FIRE	EXTINGUISHERS; SERVICE KIT; HEADLAMP	457.80
FIRST COOPERATIVE ASSOC.	SAHARA DG	1,080.00
FLINT, PATTY	BALANCE OF WATER DEPOSIT	87.01
FOLLET SCHOOL SOLUTIONS, INC.	AUTOMATION SYSTEM CONTRACT	1,298.00
FOUNDATION ANALYTICAL LAB	WATER TESTS/SAMPLING	1,052.00
FOX ENGINEERING	WASTEWATER STUDY-INDUSTRIAL	5,411.25
FRANK DUNN CO.	HIGH PERFORMANCE PATCH	1,598.00
FREMONT INDUSTRIES, INC.	FLOCCULANT	1,359.10
GREGG COMPUTER SERVICE	REPAIR PRINTER TRAY	40.00
HACH CO.	LAB SUPPLIES	502.69
HALLETT MATERIALS	STONE; PEA ROCK; ROAD GRAVEL; SAND	1,099.75
HAWKEYE COMMUNITY COLLEGE	ACADEMY FOR KRIS ALESCH	3,150.00
HOLZHAUER MOTORS, LTD.	REPAIRS ON SQUAD CAR	1,855.26
HY-VEE FOOD STORE	POOL CONCESSIONS; DIST. WATER; TOWELS	79.08
IAWEA REGION 3	REGISTRATION-FALL MTG. (3)	120.00
INGRAM BOOK COMPANY	BOOKS	113.61
IOWA ASSOC. OF MUNICIPAL UTIL.	IAMU CONFERENCE REGISTRATION	235.00
IOWA D.O.T.	CALCIUM CHLORIDE	4,320.80
IOWA D.N.R.	ANNUAL WATER USE FEE	99.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY; REPAIR SECURITY LIGHT	142.01
IOWA LAW ENFORC. ACADEMY	ACADEMY - J. DYSLIN	6,000.00
IOWA LIBRARY ASSOCIATION	CONFERENCE FEES (3)	588.00
IOWA ONE CALL	AUGUST LOCATES	60.30
IOWA PRISON INDUSTRIES	TRUCK ROUTE SIGNS	47.80
IOWA STATE UNIVERSITY	SUDAS SPEC BOOKS	80.00
JAKE DYSLIN	MILEAGE; MEALS - ACADEMY	115.59
JANITOR'S CLOSET, LTD.	FLOOR WAX; GARB. BAGS; TOWELS; TISSUE	631.82
JEBRO, INC.	DURA PATCHER OIL	700.00
JIM ADAMSON	REIMBURSE FOR COPIES - CDBG PROGRAM	49.10
JIM PECK	MILEAGE - SIMPCO MTG. 9/17/15	69.00
JOHN MEIS	SIMPCO TAC MEETING	220.25
JUDY GRIENKE-MILLER	MILEAGE	62.10
K-MART #9222	PAPER CLIPS; CLEANING SUPPLIES	11.57
L & G PRODUCTS, INC.	MULCH FOR POOL	908.60
LETSCHE BIKE/RADIO SHACK	SD CARD ; DVD'S	70.97
LUKE KLASCHEN	OKOBOJI CONF.-ROOM/MEALS/MILEAGE	206.47
LUNDELL CONSTRUCTION CO.	GRAVE DIGGING	517.50
	PUMP SEWER	115.00
	REPAIR WATER LEAK-SARATOGA	1,501.00
	DOHERTY ADD. WATERLINE REPAIRS	1,485.40
	REPAIR CURB STOP-309 E. CEDAR	1,031.07
	PUMP RENTAL; CLEAN SEWER LINE	426.00
	TV SEWER LINE-ROOSEVELT	160.00
MACKENZIE BALLOU	SOCCER REF	135.00
MADDY REINHART	SOCCER REF	50.00
MASON HILL	SOCCER REF	50.00
MASON KRUGER	SOCCER REF	135.00
MES-MIDAM	SWITCH REPAIR; RACK; SPOT LAMP	102.91
MID AMERICAN ENERGY	ELECTRICITY - 2 MONTHS	51,496.98
MID COUNTRY MACHINERY, INC.	O-RINGS FOR DURA PATCHER	22.13

MIDWEST WHEEL COMPANIES	BACKUP LIGHT	53.78
MOTOR PARTS SALES	TRUCK BATTERIES; SPARK PLUG; OIL	299.97
MUNSON CLEANING	CLEAN SOUTH ROOM CARPET	194.88
MURPHY TRACTOR & EQUIPMENT	USED J.D. BACKHOE LOADER	63,134.00
NATE JAMES	OCT. CELL PHONE	50.00
NATIONAL GEOGRAPHIC SOCIETY	SUBSCRIPTION	39.00
NICOLE MC LAUGHLIN	SOCCER REF	100.00
NORTHWEST COMMUNICATIONS	OCT. INTERNET SERVICE	84.90
O'HALLORAN INTERNATIONAL	FUEL PUMP INJECTORS (6" PUMP)	3,029.30
	RADIATOR REPAIR; BACKUP ALARM	712.52
OCV CONTROL VALVES, LLC	HILL ST. TOWER CONTROL VALVE	299.81
OFFICE ELEMENTS	COPIER LEASES; OFFICE SUPPLIES	620.65
OFFICE OF VEHICLE SERVICES	17 SALVAGE AUTO CERTIFICATES	170.00
OGDEN PUBLICATIONS	FARM COLLECTOR SUBSCRIPTION	54.95
PEOPLE SERVICE, INC.	SEPT. SERVICE	4,700.00
PERKINS OFFICE SOLUTIONS	OFFICE SUPPLIES	402.37
PETTY CASH - LIBRARY	SUPPLIES; POSTAGE; SUNDAY NEWSPAPERS	378.65
PITNEY BOWES	POSTAGE FOR METER	1,008.50
PITNEY BOWES FIN. SERVICES	SEPT. POSTAGE METER RENT	35.00
PITNEY BOWES, INC.	POSTAGE METER INK CARTRIDGES	122.38
PIZZA HUT	MEALS-ADMIN. INTERVIEWS	29.50
R.J. THOMAS MFG. CO., INC.	VEHICLE DECALS	25.00
RAY'S WINCHESTERS	AMMO	330.00
REHAB SYSTEMS, INC.	MANHOLE REPAIRS	17,242.50
REINERT MACHINE SHOP	PIPE FOR WASHER	40.76
S & S WORLDWIDE, INC.	SUPPLIES; KEYBOARD	297.62
SAM KOOIKER	MEALS, MILEAGE-INTERVIEW PROCESS	625.58
SANITARY SERVICES	SEPT. GARBAGE PICKUP	25,391.70
SCHOON CONSTR. & EXCAVATION	BAL. OF RETAINAGE-INDUS.RD. WATERLINE	9.96
	REPAIR CURB STOP-800 W. WILLOW	1,536.18
	TV SEWER LINE-BASEBALL FIELD	175.00
	PUMP RENTAL	375.00
	STORM SEWER - ELM ST.	14,973.00
SCHOON CONSTRUCTION CO.	BACKHOE ATTACHMENTS	976.66
SHARE CORPORATION	EVAPOR CLEAN; GLASS CLEANER	224.26
SIOUX SALES COMPANY	BOOTS; JACKETS; BATTERIES; PEPPER	635.50
SJE RHOMBUS	METER FOR WELL; ALARM FOR LIFT STATION	4,201.00
STANDARD & ASSOCIATES, INC.	TEST FOR NEW HIRE	69.00
STANDARD READY MIX	SIDEWALK - N. 11TH & HILL	234.00
	WATER LEAK - SARATOGA	708.50
STEVE'S WINDOW SERVICE	WINDOW CLEANING	206.00
STU HOGG	SOCCER REF	75.00
SYNCHRONY BANK/AMAZON	BOOKS & DVDS	255.23
THE ACCURATE COURT REPORTER	OCT. SUBSCRIPTION	13.00
THE IOWAN	SUBSCRIPTION	22.00
THREE RIVERS BENEFIT	CLAIMS THRU 10/2/15; OCT. ADMIN. FEE	4,314.34
TODD LARSEN	OCT. CELL PHONE	35.00
TREASURER, STATE OF IOWA	SEPT. SALES TAX	3,948.27
TYLER NOLDER	SOCCER REF	20.00
U.S. BANK EQUIPMENT FINANCE	COPIER LEASE	59.96
UNITED PARCEL SERVICE	SHIPPING CHARGE	12.11
UNITED STATES CELLULAR	CELL PHONES	230.08
USA BLUE BOOK	BORIC ACID	83.54
USPS	POSTAGE FOR UTILITY BILLS	677.78
VERIZON WIRELESS	CELL PHONES	101.49
WALDNER'S LAWN SERVICE	AUG./SEPT. LAWN CARE; FERTILIZE	1,531.00
WALLY MILLER, JR.	LEGAL/CLOSING-115 UNION	1,150.00
WEX BANK	FUEL	2,936.36
WIESE OIL & SUPPLY CO., LTD	DIESEL; GAS; GREASE	4,338.00
WINDSTREAM	PHONE/INTERNET SERVICE	1,087.29
WINTHER, STAVE & CO., LLP	PROG. PAYMENT-2014-15 AUDIT	13,100.00
WITTGRAF LAW FIRM	SEPT. LEGAL SERVICES	3,867.00

WYATT BALLOU	SOCCER REF	85.00
YOUR GENEALOGY TODAY	SUBSCRIPTION	51.00

Tax abatement application for 805 W. Cherry St.
 Street closing on Main St. from 6th St. to Euclid from 6 p.m. to 8 p.m. on December 3 for the annual Christmas parade.

- Authorized destruction of old city records.
- Reviewed Library Board minutes of September 15.
- Reviewed Planning & Zoning Commission minutes of October 6.
- Renewal of Class “E” liquor license – Hy-Vee Food Store.
- Renewal of Class “C” liquor license – Danny’s Sports Spot.
- Renewal of Class “B” beer permit – Godfather’s Pizza.

Administrator Eikmeier reported on the condition of the sidewalk at 117 S. 2nd St. As a result of an increasing number of complaints about holes in the sidewalks, the City inspected them a few years ago and again a few weeks ago. The sidewalks are built over vacant coal bins or storage areas under the sidewalks, which could result in the sidewalk caving in. The cost to reinforce the interior walls of the void areas, remove the debris that is in the voids, fill them with sand, and construct new sidewalks is estimated to be \$27,000. The City’s options are to continue to encourage the owner to make the necessary repairs; take the lead in forcing the repairs and providing notice to the owner that if costs are not paid a lien will be placed on the property; or reach some kind of cost-share agreement with the owner. The Administrator indicated that if the City were to provide and haul the sand to fill the voids, the cost savings would be about \$5,500. The property owner, Gay Lynn Strub, was in attendance and said she is aware of the deterioration of the sidewalk. She has been patching the sidewalks on the east and south sides of the property over the past several years. She has closed the business and the building is for sale so she would prefer some type of cost-sharing agreement with the City with the City taking the biggest cost. She mentioned the project in the early 2000’s when the City made improvements along Main St., including sidewalk improvements, and thought the project would continue to her area. When she acquired the building in 2006, she wasn’t informed of the voids under the sidewalk. Council members said they could agree to paying for some of the costs, such as providing and hauling the sand, but doesn’t feel the City should pay for a major share. A motion by Miller, seconded by Pingel, authorized the City to provide and haul sand to fill the voids and gave the property owner 60 days to complete the balance of the repairs. Motion carried.

The Administrator reported that he has completed review of the State Code and several cities’ ordinances regarding the use of all-terrain vehicles and off road vehicles on city streets. Some of the ordinances regulate ATV’s, ORV’s, motorcycles, snowmobiles, and golf carts. The ordinance he is proposing, should the council wish to proceed, focuses on ATV’s and ORV’s. The ordinance would establish which streets could be used (State Code prohibits these vehicles on state highways, so that would eliminate Hwy. 59 except for crossing); where the vehicles would be prohibited – parks, trails, railroad right-of-way, sidewalks; permits and fees; operators would have to have a valid driver’s license; insurance; and hours of operation. There was some question as to whether passengers would be allowed and if so, would seatbelts be required. Some vehicles aren’t equipped with seatbelts. Kyle Samsel, 338 S. 9th, said ATV and ORV owners have quite a bit of money in their vehicles and would like to be able to use them to go to and from work and other areas of town. They have to pay for insurance and registration, but then can’t ride them anywhere. If seatbelts are factory installed it should be mandatory that they are used. As to the question of passengers, he feels that should be enforced the same way any other street legal vehicle is handled. He feels ATV’s and ORV’s are as safe or safer than motorcycles. Trent Coombs, 326 S. 9th, added to Kyle’s comments indicating that they just want to be legal and not have to trailer the vehicles everywhere. This issue will be reviewed further and drafted into an ordinance for first reading at the October 27th meeting.

1. Administrator’s report – health insurance premiums will increase by only 1.79% effective 12/1/15; he has received several calls regarding feral cats and passed out an article from Blair, NE where volunteers capture and sterilize the cats; Sara Lucas has been hired as Utility Billing Clerk to start Oct. 27; Shopko is scheduled to open late October or early November.

2. September Clerk-Treasurer's report and receipts as follows: General-\$140,613.62; Police Forfeiture-\$1,775.44; County Library-\$3,501.24; Road Use-\$73,446.22; Employee Benefits-\$315,820.82; Emergency-\$2,989.59; LOST-\$14.08; Hotel/Motel Tax-\$22.08; TIF-\$445.28; Revolving Loan-\$517.29; Library Memorial-\$2,680.26; Park & Rec. Cap. Impr.-\$1,215.05; Debt Service-\$38,931.12; Road Use Equipment-\$3.10; Emergency Set-Aside-\$5.34; Oak Hill Perpetual Care-\$104.63; Water Utility-City-\$57,069.74; Water Utility-Industrial-\$31.93; Water System Maint.-\$9,178.27; Sewer Utility-City-\$90,094.20; Sewer Utility-Industrial-\$21.18; Sewer Bd./Int.-\$29,959.17; Sewer System Maint.-\$5,750; Aviation Authority-\$1,660.73; Solid Waste-\$25,895.64; Landfill-\$31,553.71; Storm Sewer Utility-\$6,895.47; Self Insurance-\$21.03; Police Special Acct.-\$.40.
3. September Police reports.

The meeting was adjourned at 7:58 p.m.

News media – Ken Ross, *Chronicle Times*; Nikki Thunder, KCHE.

Mark Murphy – Mayor

ATTEST:

Debra Taylor
City Clerk-Treasurer