

**Regular City Council Meeting  
City Hall, Cherokee, Iowa  
September 8, 2015 – 7:00 P.M.**

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

During the public forum, Mick Mallory, 1135 W. Cedar St., commented on how nice the green spaces, downtown nodes, and community center grounds look this year. Good job.

A motion by Brown, seconded by Peck, adopted Resolution No. 15-17, approving the annual Street Financial Report for fiscal year ending 6/30/15. Roll call was: AYES: All. NAYS: None.

A motion by Pingel, seconded by Miller, unanimously approved the following under “Consent Business”. City council minutes of August 25th.

Bills totaling \$257,092.23.

ABBY LUBECK	REIMBURSEMENT-WSI CLASS	65.00
ACCO	POOL CHEMICALS	758.80
ADDISYN JENSEN	REIMBURSEMENT-LG CLASS	65.00
AHLERS & COONEY, P.C.	LEGAL SERVICES	240.00
ALLIANT ENERGY	NATURAL GAS	1,395.94
ALLOY SPECIALTY, INC.	ASBESTOS CLEARANCE; ON SITE CONSULTING	583.10
ARAMARK UNIFORM SERVICES	SHOP RAGS; RUGS; MOPS	49.47
ARMOND RIDER	SEPT. CELL PHONE	50.00
	APWA FALL CONF. REGISTRATION; MOTEL	387.78
ATIRA CREDIT MASTERCARD	SHIPPING LABELS	71.99
	MONSTER.COM - ADMIN. ADS	595.00
	NOTARY RENEWAL - D. CARGIN	30.00
	FILE SMALL CLAIMS-M. ROSS	85.00
AVENET, LLC	ANNUAL WEBSITE SERVICE	1,100.00
BAKER & TAYLOR INC.	BOOKS	1,083.28
BARCO MUNICIPAL PRODUCTS	EAR PLUGS	109.87
BETH REINERT	SOCCER REFUND	25.00
BLAINE'S WATER CONDITIONING	COOLER RENT; WATER; SOFTENER RENT	121.90
BOCKMANN, INC.	ASBESTOS REMOVAL-FLOOD BUYOUT PROG.	9,500.00
BOLTON & MENK, INC.	11TH ST. STORM SEWER	1,572.00
	CDBG SEWER ABANDONMENT	1,553.50
BOMGAARS	OPERATING SUPPLIES	1,258.85
BRETT BARRITT	REIMBURSEMENT-WSI CLASS	65.00
BROWN SUPPLY CO.	GRAFFITI REMOVER; PARTS FOR WATER PLANT	925.38
BSN SPORTS, INC.	SOCCER EQUIPMENT	1,475.29
BUILDERS SHARP. & SERVICE	EQUIPMENT MAINTENACE SUPPLIES	522.04
C-M-L TELEPHONE	REFURBISHED PHONE SYSTEM	579.95
CALVIN CHALSTROM	REIMBURSEMENT-WSI CLASS	65.00
CARROLL DISTRIBUTING	3/8" X 4" TITEN ANCHORS	93.00
CHAMPION ELECTRIC, INC.	CERAMIC FUSE; STREET LIGHT REPAIRS	1,563.09
CHEROKEE AREA ECON. DEV.	QUARTERLY CONTRIBUTION	2,733.75
CHEROKEE AUTO PARTS	OIL; FILTERS; HOSE CLAMPS	75.69
CHEROKEE CO. SOLID WASTE	DEMO DEBRIS-FLOOD BUYOUT PROG.	8,566.50
	APPLIANCE DISPOSAL	10.00
	SEPT. LANDFILL FEE	29,688.51
CHEROKEE CO. TREASURER	PROPERTY TAXES	401.00
CHEROKEE CO. WORK SERVICE	CLEAN SHOP RAGS; RUG	30.22
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCE	435.00
CHEROKEE STATE BANK	NSF CHECKS	390.93
CHESTERMAN COMPANY	POP	220.90
CHRONICLE TIMES	EMPLOYMENT ADS; MINUTES; ORDINANCE	1,169.95
COLE VIETOR	REIMBURSEMENT-LG CLASS & WSI CLASS	130.00
COLLIN LUNDY	REIUMBURSEMENT-LG CLASS	65.00
CREATIVE SERVICES	SOCCER COACH T-SHIRTS	284.65
DARIAN OWENS	REIMBURSEMENT-LG CLASS & WSI CLASS	130.00
DAVE GRAVENISH REPAIR, INC.	SLAVE CYL. REPAIR	690.24

DENNY'S SERVICE	REPLACE FAUCET; REPAIR A/C	471.87
DPC INDUSTRIES, INC.	CHLORINE	800.00
DUANE MUMMERT	CELL PHONE – 4 MONTHS	140.00
ELECTRONIC ENGINEERING	INSTALL EQUIP. IN NEW TAHOE	4,678.85
ELIZABETH HERRARA	REIMBURSEMENT-LG CLASS & WSI CLASS	130.00
EMMA WOLTERMAN	REIMBURSEMENT-LG CLASS	65.00
ENVIRON. RESOURCE ASSOC.	QUALITY CONTROL SAMPLES	327.55
EVERTEK, INC.	AUG. INTERNET SERVICE	36.30
FARNER-BOCKEN COMPANY	CONCESSIONS	529.53
FELD FIRE	EXTINGUISHERS; BRACKET; SEALS	335.00
FISHER SCIENTIFIC	LAB SUPPLIES	120.46
FOUNDATION ANAL. LAB	SAMPLE TESTING	656.00
FREDERICK WELDING & SALES	BLADES, BOLTS, WASHERS	61.81
FREMONT INDUSTRIES INC.	PARTS; WASH DOWN MOTOR FOR RDT UNIT	1,530.27
HACH CO.	AIR METER	842.77
HALLETT MATERIALS	BALLAST; ROCK; ROAD GRAVEL; SAND	798.75
HOLZHAUER MOTORS, LTD.	SERVICE VEHICLES; FUEL PUMP	1,067.11
HY-VEE, INC.	POOL CONCESSIONS	100.84
IOWA D.N.R.	ANNUAL WATER SUPPLY FEE	616.64
	CONST. PERMIT-N. ROOS. PROJECT	200.80
	CONST. PERMIT-S. 4TH WATER MAIN PROJ.	100.00
IOWA INSURANCE DIVISION	ANNUAL FILING FEE – OAK HILL CEMETERY	25.00
IOWA LAKES ELEC. COOP.	ELECTRICITY	68.36
IOWA ONE CALL	AUG. LOCATES	71.10
ISAAC LAFLEUR	REIMBURSEMENT-LG CLASS	65.00
JASMINE RAMIREZ	REIUMBURSMNT-WSI CLASS	65.00
JEBRO, INC.	CRS-2 DURA PATCHER OIL	3,024.00
JENNIFER BARRITT	REIMBURSEMENT-LG CLASS	65.00
JOHN MEIS	BRIDGE INSPECTIONS & REPORTS	3,100.25
JORDYN BINGHAM	REIMBURSEMENT-LG CLASS	65.00
K-MART #9222	SOCCER SUPPLIES; CLEANING SUPPLIES; TISSUE	66.63
KNIFE RIVER MIDWEST, LLC	HOT MIX FOR STATE STREET	393.25
KYLIE MONGAN	REIMBURSEMENT-LG CLASS	65.00
LEAGUE OF MINNESOTA CITIES	CITY ADMIN. AD	150.00
LEAGUE OF NEBRASKA MUNIC.	CITY ADMIN. AD	40.15
LINDSAY BIERMAN	BALANCE OF WATER DEPOSIT	76.32
LINDSAY WILLIAMS	REIMBURSEMENT-LG CLASS	65.00
LUNDELL CONSTRUCTION CO.	PUMP-LIFT STATION	115.00
	GRAVE DIGGING	517.50
	PUMP FOR SEWER BACKUP	168.00
	REPLACE FIRE HYDRANT VALLEY VIEW	1,174.00
	CAMERA SEWER LINE - LINN ST.	240.00
	STORM SEWER - OAK KNOLL	81.52
MADDY REINHART	REIUMBURSEMENT-LG CLASS & WSI CLASS	130.00
MADISON HODGDON	REIMBURSEMENT-LG CLASS & WSI CLASS	130.00
MEGAN HUMMEL	MOMMY & ME CLASS TRAINING	30.00
MELANIE BENSON	SOCCER REFUND	25.00
MES-MIDAM	DICKE TOOL V-PATCH	23.06
MID AMERICAN ENERGY	ELECTRICITY	24,745.95
MIKKI HINKHOUSE	REIUMBURSEMENT-LG CLASS	65.00
MODERN HEATING & COOLING	REPAIR SOFTENER LEAK	288.25
MOTOR PARTS SALES	AQUACHEK FILTER; OIL & AIR FILTERS	54.91
MUNICIPAL SUPPLY, INC.	TOUCH POINTS; MARKING PAINT	3,698.20
NATE JAMES	SEPT CELL PHONE	50.00
NORTHERN SAFETY CO., INC.	HIP WADERS	492.46
NORTHWEST COMMUNICATIONS	AUG. INTERNET SERVICE	84.90
O'HALLORAN INTERNATIONAL	REPAIR 6" PUMP	1,531.73
O'REILLY AUTOMOTIVE STORES	VEHICLE SUPPLIES	53.73
OFFICE ELEMENTS	COPIER LEASES; OFFICE SUPPLIES	548.03
OFFICE OF VEHICLE SERVICES	16 SALVAGE AUTO CERTIFICATES	160.00
PAITYN HAGBERG	REIUMBURSEMENT-LG CLASS	65.00
PEOPLE SERVICE, INC.	AUGUST SERVICE	4,700.00
PERKINS OFFICE SOLUTIONS	OFFICE SUPPLIES; CALCULATOR	434.69

PITNEY BOWES FINANCIAL	AUG. POSTAGE METER RENT	35.00
R.J. THOMAS MFG. CO., INC.	PLANKS; BENCH; PLAQUE	379.40
RADAR ROAD TEC	CALIBRATE RADAR IN VEHICLES	210.00
REHAB SYSTEMS, INC.	CAMERA & CLEAN AMENT ADDN.	1,125.00
	JET/VAC CLEANING	28,395.05
REINERT MACHINE SHOP	REPAIR BENT DECK ON GRASSHOPPER	75.00
RHOADSIDE BLOOMING HOUSE	FLOWERS FOR CITY HALL BEDS	120.93
SANITARY SERVICES	AUG. GARBAGE PICKUP	25,511.85
SCHOON CONSTR. & EXCAV.	WESCOTT WATER LEAK REPAIR	1,676.15
	PUMP FOR PUMPING MAINS	560.00
	DEMOLITIONS - FLOOD BUYOUT PROG.	29,579.00
	WATER LEAKS & FIRE HYDRANT	4,607.50
	PAY #2 & FINAL - INDUSTRIAL RD. WATER LINE	6,244.53
	CAMERA 1603 SUSAN	262.50
	USED TYPEWRITER	30.00
SHELLY SHORT	BOOTS	129.95
SIoux SALES COMPANY	REIMBURSEMENT-LG CLASS	65.00
SKYLAR GERDES	RECEIPT BOOKS	429.98
STOREY KENWORTHY/M. PARROTT	BOOKS & DVDS	285.16
SYNCHRONY BANK/AMAZON	SEPT. SUBSCRIPTION	13.00
THE ACCURATE COURT REPORTER	CLAIMS THRU 9/4/15; SEPT. ADMIN. FEE	1,856.10
THREE RIVERS BENEFIT	SEPT. CELL PHONE	35.00
TODD LARSEN	REPLACE CURB ON PARK AVE.	2,325.00
TOM MUMMERT & SON CONSTR.	AUG. SALES TAX	4,380.85
TREASURER, STATE OF IOWA	CELL PHONES	228.00
UNITED STATES CELLULAR	LAB CLEANER	330.63
USA BLUE BOOK	SUBSCRIPTION	293.27
USA TODAY	ROLL OF STAMPS; POSTAGE FOR UTILITY BILLS	727.21
USPS	CELL PHONES	69.24
VERIZON WIRELESS	LINE PAINT	432.00
VOGEL PAINT & WAX	FUEL	3,766.46
WEX BANK	FUEL; OIL; FILTER	810.12
WIESE OIL & SUPPLY CO., LTD	PHONE SERVICE	974.20
WINDSTREAM	AUG. LEGAL SERVICES	3,347.50
WITTGRAF LAW FIRM	SHOP FAN; 026. TOOL ROOM LIGHTS	1,213.80
WOODALL ELECTRIC	FLOW INDICATOR; BEECH LIFT GENERATOR	720.00
	MAIN SCREEN ROOM EXPLOSION	923.00
	BREAKER REPAIR; MOTOR REPLACEMENT	405.00
	MHI LIFT STATION LIGHTS	257.60
	TRANSFORMER NOISE-TYSON PLANT	90.00
	SOUTH LIFT REPLACED TRANSDUCER	1,170.00

Temporary extension of outdoor service patio for Jobie's Pastime for September 19 & 20.  
Application for tax abatement at 105 E. Willow St.

The council was asked to reconsider an ordinance adopted July 14th banning parking on the north side of E. Cedar St. between N. Roosevelt Ave. and Saratoga Ave. At the August 11th meeting, residents on this street presented a petition asking the council to reconsider the parking ban citing the fact that there are streets narrower than E. Cedar St. that don't have a parking ban. Administrator Eikmeier reviewed the Planning & Zoning Commission's 2013 study of street widths. He initially thought E. Cedar St. was one of the narrower streets in town, but found that it is 31' back of curb to back of curb, which is a common street width. Council member Miller has driven this street several times and feels residents are parking closer to the curb. The police will continue to monitor the parking on this street. On the Administrator's recommendation, a motion by Brown, seconded by Johnson, the council approved the first presentation and waived the second and third presentations of Ordinance No. 618, repealing the parking ban on the north side of E. Cedar St. between N. Roosevelt Ave. and Saratoga Ave., and ordered its publication. Roll call was: AYES: All. NAYS: None.

At the last meeting, Duane Mummert reported that the roof on the maintenance building at the aquatic center is leaking and needs to be repaired before winter. The council reviewed a quote from Mongan Painting of \$7,066.51 to make the repairs using a 5-step process. In order for the repair to be successful,

it must be completed when temperatures are above 55 degrees. A motion by Miller, seconded by Pingel, authorized Mongan Painting to proceed with the roof repairs as quoted. Motion carried.

Armond Rider presented two options for the replacement of the 1998 John Deere backhoe. He reported that City crews could complete a substantially greater amount of water main break work, sewer trenching, and similar work than we have done in the past. However, the current backhoe isn't as dependable as it needs to be when working adjacent to other utilities. Deeper trenching that requires shoring equipment would still be contracted out. Two quotes were received from Murphy Tractor & Equipment, as they are the only John Deere dealer for industrial equipment in our area. Both quotes allow \$19,000 for the trade in of the current backhoe. The first quote is for a 2013 demonstration model with 534 hours for a net cost of \$63,134 and includes the remaining base warranty plus an extended power train and hydraulics warranty of 36 months or 3,000 hours. The second quote is for a new model for a net cost of \$75,064 and includes a 12-month base warranty plus an extended power train and hydraulics warranty of 36 months or 3,000 hours. The trade-in allowance of \$19,000 would be used as the first year's payment with the remaining balance to be financed over the next three fiscal years. A motion by Peck, seconded by Johnson, authorized the purchase of the used, 2013 backhoe from Murphy Tractor & Equipment at a net cost of \$63,134. Motion carried.

Only one bid was received for moving the house from 239 E. Willow to 345 E. Cedar as part of the FEMA flood buyout program. The bid was from Berghorst & Son, Inc. for \$8,500. Two other bidders were unable to bid due to other commitments. A motion by Brown, seconded by Miller, awarded the contract to Berghorst & Son, Inc. for \$8,500. Motion carried.

On a motion by Pingel, seconded by Peck, the council went into executive session at 7:25 p.m. to discuss possible litigation as per Iowa Code Chapter 21.5(c). Roll call was: AYES: All. NAYS: None.

A motion by Brown, seconded by Pingel, returned the council to regular session at 7:57 p.m. Roll call was: AYES: All. NAYS: None.

No action was taken as a result of executive session.

1. Administrator's report – W.I.T. Board of Directors will be holding an open house and council was encouraged to attend. Testing of Police Officer candidates will be held this weekend with interviews to begin Sept. 18 or 20. Asphalt overlay and seal coating has begun with Park Ave. being completed as well as the trail from Gillease St. to Sleezer Rd.
2. August Clerk-Treasurer's report and receipts as follows: General-\$57,798.10; Police Forfeiture-\$700.34; County Library-\$98; Road Use-\$78,907.53; Employee Benefits-\$3,063.15; LOST-\$102,128.94; Hotel/Motel Tax-\$31,395.03; Revolving Loan-\$518.04; Library Memorial-\$92.21; Park & Rec. Capital Impr.-\$5.03; Debt Service-\$11.73; Road Use Equipment-\$1,552.93; Emergency Set-Aside-\$5.61; Oak Hill Perpetual Care-\$31.11; Water Utility-City-\$58,912.91; Water Utility-Industrial-\$33.53; Water System Maint.-\$8,873.51; Sewer Utility-City-\$91,603.29; Sewer Utility-Industrial-\$22.24; Sewer Bd./Int.-\$29,959.17; Sewer System Maint.-\$5,750.00; Solid Waste-\$25,493.84; Landfill-\$30,958.57; Storm Sewer Utility-\$6,676.72; Self Insurance-\$22.15.
3. August Police reports.

The meeting was adjourned at 8:05 p.m.

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

Mark Murphy – Mayor

ATTEST:

Debra Taylor  
City Clerk-Treasurer