

**CITY COUNCIL MINUTES
TUESDAY, JANUARY 9, 2018, 7:00 P.M.
CHEROKEE CITY HALL**

A regular meeting was called to order on this date by Mayor Schmidt. Roll call: Present: Councilpersons Agnitsch, Brown, Miller, Johnson, Pingel. City Administrator Kooiker, City Attorney Herbold and City Clerk-Treasurer Cargin.

Additions/Changes to Agenda

Kooiker stated that he received a request to move 6.02(a) Lewis Apartments to the beginning of the meeting. Motion by Pingel, seconded by Agnitsch, to approve the request. Motion carried.

Authorize Posting of Dangerous Building Notice 231 W. Main

Lisa Westcott, manager of the Lewis Hotel building at 231 W. Main St. said that three water pipes froze and broke last week. She has incurred additional expense with these repairs and is running low on funds. She still cannot get ahold of the owner of the building. She has never met the owner and is doing the best she can. Kooiker stated that Steve Brashears, purchaser of one of the tax sale certificates on the building has shown some interest in taking over ownership and saving the building. Westcott asked if the building is going to be red-tagged. She does not have the funds to make all of the necessary repairs. Kooiker replied that it will depend upon the condition of the building at the end of the notice period (March). He advised Westcott that she needs to continue taking steps to follow through on the fire marshal's recommendations. Westcott replied that she is unable to address the back wall issue because of lack of funds. Herbold advised that the responsibility is on the property owner and that the city has an obligation to insure the safety of its residents above all else. Westcott stated that she is trying to protect the residents as well and doesn't want the building to be red-tagged if someone is going to step up and take care of it. She asked if she needs to tell them they may be locked out in 90 days and Kooiker replied that she should. Westcott then expressed concern that she would then lose her tenants, which would not be beneficial to anyone stepping forward to take care of the building. Kooiker advised Westcott to make contact with Steve Brashears. Motion by Pingel, seconded by Johnson, to move forward with the posting of the Dangerous Building Notice for the property at 231 W. Main St. Roll call was: AYES: All. NAYES: None.

Resolution 2018-01 Adopting Fee Schedule

Motion by Miller, seconded by Brown adopted Resolution 18-01, a Resolution Adopting Fee Schedule. Changes to the current schedule include re-implementing a monthly camping rate, which will be set at \$420, including the fee for the bulk water sales station, including the fees for the electronic community sign, adding a \$3.00 per day rental fee for use of fire hydrant meters and simplifying the building permit fee schedule. Roll call was: AYES: All. NAYES: None.

Resolution 2018-02 Waiving Building Permit Fees

Motion by Agnitsch, seconded by Miller adopted Resolution 2018-02, a Resolution Waiving Building Permit Fees for new single family homes and duplexes for permits approved before June 30, 2018. Roll call was: AYES: All. NAYES: None.

Ordinance #662 Amending Aviation Authority Agreement

Motion by Miller, seconded by Agnitsch approved the first reading of Ordinance #662, an Amendment to the Aviation Authority Chapter Regarding Property Tax Assessment. Roll call was: AYES: All. NAYES: None. Resolution #2018-03 will be acted upon after the final passage of Ordinance #662.

Consent Agenda

On a motion by Brown, seconded by Pingel, the following was approved under Consent Agenda. Roll call was: AYES: All. NAYES: None
City Council Minutes of December 26, 2017.

December Police Report

Reviewed Airport Authority Board Minutes of December 12, 2017.

December Treasurer's Report and Receipts as follows: General \$78,913.44; Police Forfeiture \$632.51; County Library \$3,500.92; Road Use \$52,612.87; Employee Benefits \$28,012.36; Emergency \$1,493.85; Local Option Sales Tax \$45,827.00; Hotel/Motel Tax \$31,001.65; Revolving Loan \$29.19; Library Memorial \$266.41; Park & Rec Capital Improvement \$7.23; Cemetery Special Care \$15.32; Debt Service \$13,946.54; Road Use Equipment \$1.29; CDBG Storefront Project \$0; FEMA Flood Buyout Program \$0; 2016 Capital Projects \$0; Emergency Set-Aside \$18.82; Oak Hill Perpetual Care \$336.95; Water Utility \$57,514.73; Water Utility – Industrial \$42.00; South Water Main Extension Project \$0; Water Main Project Bond & Interest \$9987.50; Water System Maintenance \$9,568.02; Sewer Utility \$88,565.17; Sewer Utility – Industrial \$30.10; Sewer Facility Bond & Interest \$61,001.00; Sewer System Maintenance \$9,096.95; CDBG Sanitary Sewer \$0; Aviation Authority \$829.96; Solid Waste \$27,246.49; Landfill \$29,341.56; Storm Sewer Utility - \$6,726.99; Self-Insurance \$27.58; Police Dept. Special Acct. \$.54

Mayor's annual appointments:

- a. Cherokee Co. Conference Board – Mayor Schmidt
- b. Cherokee Co. Emergency Management Commission – Mayor Schmidt
- c. Cherokee Area Economic Development Board – Chad Brown
- d. Cherokee E911 Board – Emily Johnson
- e. Mayor Pro tem – Wayne Pingel
- f. Police Chief – Nate James
- g. Council Liaisons:

Police – Mayor Schmidt	Fire – Will Miller
Street – Wayne Pingel	Park & Rec. – Chad Brown
WWTP – Emily Johnson	Water – Jim Agnitsch

Council annual appointments:

- a. Labor Negotiations – Administrator, City Attorney, Mayor, Chad Brown, Will Miller
- b. County Landfill Commission – Jim Agnitsch
- c. Siouxland Regional Housing Authority – Alyssa Herbold
- d. Iowa Surface Trans. Policy committee – Jim Agnitsch
- e. Iowa Surface Trans. Tech Advisory comm. – John Meis
- f. Hotel/Motel Tax Advisory Board – Julie Hering-Kent
- g. City Attorney – Alyssa Herbold
 - a. Resolution 2018-04 City Attorney appointment.
- h. City Clerk-Treasurer – Diane Cargin
- i. Deputy City Clerk-Treasurer – Sara Lucas

j. Official newspaper – Chronicle Times
 Mayoral re-appointments of Mick Samsel and Tim Greenwood to the Historic Preservation Commission and new appointment of Cindy Wilberding for 3-year terms.
 Council re-appointments of Al Carlson, Myla Stoneking and Stephanie Zarr to the Planning & Zoning Commission for 3-year terms.
 Council re-appointment of Cindy Wilberding to the Parks & Recreation Advisory Board for a 3-year term.

Bills totaling \$108,521.88

AHLERS & COONEY P.C.	URBAN RENEWAL	\$342.00
ALLIANT ENERGY	GAS	\$1,005.13
ALYSSA A. HERBOLD PLC.	12/17 LEWIS HOTEL	\$108.00
ALYSSA A. HERBOLD PLC.	12/17 LEGAL SERVICE	\$688.50
ALYSSA A. HERBOLD PLC.	12/17 WILSON SCHOOL	\$445.50
ARMOND RIDER	1/18 CELL PHONE REIMBURSEMENT	\$50.00
ASCAP	ANNUAL LICENSE FOR POOL	\$348.00
AVENET, LLC	EMAIL SERVICE 2018	\$50.00
BARCO MUNICIPAL PRODUCTS	BRACKET, CATCH BASIN SPOONS	\$1,849.62
BLAINE'S WATER CONDITIONING	WATER & COOLER RENT, SOFTNER RENT	\$97.90
BOMGAARS	OPERATING SUPPLIES	\$656.61
BRAD'S TIRE SERVICE	TIRE REPAIRS	\$416.87
CHAMPION ELECTRIC, INC.	LIGHT BULBS, THERMOSTAT COVER	\$2,130.94
CHEROKEE AUTO PARTS	PARTS	\$347.70
CHEROKEE CO. SOLID WASTE	12/18 ASSESSMENT	\$29,688.51
CHEROKEE CO. SOLID WASTE	SEWER GARBAGE DISPOSAL	\$23.94
CHEROKEE REG. MEDICAL CENTER	SHOTS	\$308.00
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$625.08
COGRAN SYSTEMS	11/17 REC. SCHEDULING	\$150.00
COUNSEL	COPY CONTRACT & OVERAGE	\$161.69
COUNTRY LIVING	SUBSCRIPTION RENEWAL	\$15.97
COUNTRY TIRE & SERVICE	MOUNT & BALANCE TIRES	\$89.53
CROSSROADS OF WESTERN IOWA	CLEAN SHOP TOWELS	\$37.19
DAVID GIBSON	UTILTIY BILL REFUND	\$25.52
DEMCO, INC.	OFFICE SUPPLIES	\$281.99
DUANE MUMMERT	1/18 CELL PHONE REIMBURSEMENT	\$35.00
ELECTRIC PUMP	PACO VERTICAL PUMP	\$3,193.75
FELD FIRE	FIRE EXTINGUISHERS	\$567.20
FOUNDATION ANALYTICAL LAB	WATER & WASTEWATER SAMPLES	\$1,192.50
GEORGE SCHMIDT	1/18 CELL PHONE REIMBURSEMENT	\$35.00
GREGG COMPUTER SERVICE	SERVER UPDATE LIBRARY	\$127.50
GROUP RESOURCES/THREE RIVERS	FLEX SPENDING, CLAIMS	\$1,409.92
HALLETT MATERIALS	WASHED FILL SAND	\$249.44
HOLZHAUER MOTORS, LTD.	UPPER CONTROL ARMS, OIL CHANGE	\$1,633.55
IOWA LIBRARY ASSOCIATION	2018 MEMBER DUES	\$195.00
IOWA WORKFORCE DEVELOPMENT	ELEVATOR ANNUAL INSPECTION	\$175.00
JACK'S UNIFORMS & EQUIPMENT	PATCHES, JACKETS	\$145.40
JAMIE HODGDON	1/18 CELL PHONE REIMBURSEMENT	\$35.00

K-MART #9222	COFFEE, SANITIZER, BATTERIES	\$74.98
LETSCHKE BIKE/RADIO SHACK	LIGHTER/REMOTE	\$5.99
M.O.C.I.C.	2018 MEMBERSHIP FEES	\$100.00
MARCUS LUMBER COMPANY	SCREWS & LUMBER	\$747.38
MEDIACOM LLC	INTERNET	\$1,372.30
MENARDS-SPENCER	GLOVES, WRENCH, LIGHT BULBS	\$342.80
MEN'S HEALTH	SUBSCRIPTION RENEWAL	\$25.97
MID AMERICAN ENERGY	ELECTRICITY	\$872.16
MODERN HEATING & COOLING	REPAIR HEATER IN PARK SHOP	\$74.00
MONGAN PAINTING CO.	DUMP TRUCK	\$1,000.00
NATE JAMES	1/18 CELL PHONE REIMB.	\$50.00
NELSON ELECTRIC	HANG CEILING FANS & LIGHT	\$1,244.78
NICOLE BOYLE	UTILTIY BILL REFUND	\$11.30
O'HALLORAN INTERNATIONAL	2014 INT. HOSE REPAIRS	\$148.51
OHLSON TRUCKING	HAUL 1" ROADSTONE	\$1,310.31
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$116.99
PETERSEN MFG. CO. INC.	T. GRUNDMAN BENCH	\$405.00
PETTY CASH - LIBRARY	NEWSPAPERS, STAMPS	\$132.65
PILOT ROCK SIGNS	C. CENTER BACK SPLASH	\$25.32
POWERPLAN	CUTTING EDGE	\$244.64
RAZORBACK CONTRACTORS	CONSPICUITY TAPE	\$181.70
REHAB SYSTEMS, INC.	JET VAC SEWER LINES	\$1,625.00
REINERT MACHINE SHOP	FUEL TANK REPAIR	\$316.88
SAM KOOIKER	1/18 CELL PHONE REIMB.	\$50.00
SANITARY SERVICES	12/17 GARBAGE PICK UP	\$24,991.20
SATURDAY EVENING POST	SUBSCRIPTION RENEWAL	\$28.00
SCE, LLC	CLEAN SEWER 805 JEFFERIES	\$175.00
SCIENCE FIRST, LLC.	LAB SUPPLIES	\$141.31
SETH THILL	MEAL & PART REIMBURSEMENT	\$22.14
SIOUX COMMERCIAL SWEEPING	JOINT SEAL PATCH ON HWY 59	\$600.00
SIOUX SALES COMPANY	UNIFORMS	\$395.65
SJE RHOMBUS	NEW VFD FOR BEECH ST LIFT	\$9,999.20
SJE RHOMBUS	LEVEL CONTROLLER, TRANSDUCER	\$5,639.05
STANDARD READY MIX	CONCRETE	\$124.00
STEVE'S WINDOW SERVICE	CLEAN LIBRARY WINDOWS	\$90.00
THE BOOK VINE	BOOKS	\$33.09
TODD LARSEN	1/18 CELL PHONE REIMBURSEMENT	\$35.00
TODD MILLER	1/18 CELL PHONE REIMUBRSEMENT	\$35.00
USPS	FIRST CLASS PRESORT, POSTAGE	\$541.44
VALLEY VETERINARY CENTER	K-9 MEDS	\$537.23
VERIZON WIRELESS	HOT SPOTD	\$120.05
WEX BANK	FUEL	\$2,653.70
WIESE OIL & SUPPLY CO., LT	PROPANE FOR SEWER HEATER, DIESEL	\$2,489.84
WINDSTREAM	TELEPHONE	\$453.87

Industrial Water Well Rehab

Motion by Brown, seconded by Pingel, to approve a quote from Cahoy for the rehab of industrial wells #6 and #12 in the amount of \$53,584 to be paid from the City's Industrial Water Fund. Roll call was: AYES: Johnson, Miller, Pingel, Agnitsch, Brown. NAYES: None.

Building at 318 Lake St.

Kooiker received a letter from Ron Strickland, owner of the building at 318 Lake St., stating he had made a trip to Cherokee to look at his building and has several contractors look at it as well. He has asked the contractors to give him a written statement concerning the condition and ways to remedy the situation. Sam stated that he will let Strickland know that he can resolve the dangerous building situation by bringing in his own engineer to evaluate the building and put his stamp on it. Motion by Pingel, seconded by Johnson acknowledging the discussion and subsequent letter. No action on the dangerous building notice will be taken at the present time. Roll call was: AYES: All. NAYES: None.

Wilson School Building

Kooiker stated that city representatives will be meeting with the Landfill Commission again in February regarding disposal of demolition debris. Katie Morgan, attorney for Rick and Karen Swain has had an architect, Kevin Godwin, review the demolition specs and Mr. Godwin noted what he considers the lack of detail in some of the specifications and provided a list his recommended major changes. Mr. Godwin is on vacation until January 25 and has not been able to talk to the city's engineers, Bolton & Menk, regarding the specs. Ms. Morgan feels it would be beneficial for all parties to have a meeting and discuss the specs in further detail and try to resolve some of the concerns. Kooiker questioned that Ms. Morgan and the Swains had hired an architect to look at the specs, rather than an engineer. Ms. Morgan replied she feels comfortable with Mr. Godwin's qualifications and experience with this type of project. Josh Pope, engineer with Bolton & Menk addressed some of Mr. Godwin's concerns regarding the structural specs and stated that the city's engineer, Jim Tometich has indicated that some of Godwin's proposals are already included in the demolition procedure, but he can make it more clear in the documents. One of Mr. Godwin's concerns is the use of cement plaster on an exterior wall and he state that the plaster will be ruined in a year's time. Mr. Pope stated that Mr. Tometich disagrees and says that cement plaster is commonly used on exterior walls and lasts for many years. Some of the things recommended by Mr. Godwin may be unnecessary and will drive up the price of demolition. Mayor Schmidt stated that any meeting should take some of these unnecessary items off the table. Motion by Miller, seconded by Johnson to continue discussion and set an executive session for the January 23, 2018, city council meeting. After further discussion a motion was made by Miller, seconded by Agnitsch to continue the discussion and set an executive session for the February 13, 2018, meeting. Roll call was: AYES: All. NAYES: None.

2018 Street Project

Armond Rider, Public Works Director, along with Bolton & Menk have identified streets slated for possible partial reconstruction/maintenance in 2018. The streets are West Elm from S. 7th St. to S. 8th St., North 7th St. from W. Main St. to W. Cedar St., North 8th St. from W. Main St. to W. Willow St., North 10th St. from W. Main St. to W. Willow St., and West Bluff St. from N. 9th St. to N. 11th St. The cost of these improvements is estimated at \$413,000 and it is feasible to assess the curb and gutter portion of the project to the adjoining

property owners. Motion by Agnitsch, seconded by Pingel, to move forward with the next step in implementing the 2018 Street Project. Roll call was: AYES: All. NAYES: None.

Appointment of Bolton & Menk

Motion by Miller, seconded by Johnson to authorize an Agreement for Professional Services for city engineering services between the City and Bolton & Menk Inc. Roll call was: AYES: All. NAYES: None.

Fire Department Report

Fire Chief Greg Eaton reported on recent activities in the fire department. They have been doing a lot of rental inspections, going through outdated gear and equipment, working on a couple of FEMA grant applications and putting together a fundraiser.

Adjournment

On a motion by Brown, seconded by Pingel, the meeting was adjourned at 8:42 p.m.

Media Present: Nikki Thunder, *KCHE Radio*

Craig Schmidt, Mayor

ATTEST:

Diane Cargin
City Clerk Treasurer