

**CITY COUNCIL MINUTES
TUESDAY, FEBRUARY 13, 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, Pingel, City Administrator Kooiker, City Attorney Herbold and City Clerk-Treasurer Cargin. Absent were Councilpersons Johnson and Miller.

Update on Lewis Hotel Building

Ryan Mohr, the attorney involved in assisting with the transferring of ownership from the current owner Dennis Esch to Frank Sawatzky & David Peters informed the council that he expects the transfer should be completed within the next two to three weeks. As soon as the transfer is complete, the new owners will begin work securing the building against further water damage. Brown expressed appreciation to Sawatzky and Peters for taking on this project.

Presentation on Emerald Ash Borer

Emma Hanigan, a state urban forester with the Iowa DNR explained the upcoming tree inventory that the DNR will undertake this summer in Cherokee which will aid in formulating a plan to address the upcoming emerald ash borer problem. She has looked at the city's ordinance regarding tree planting in the right-of-way and although the ordinance does cover the things that need to be covered, she said the DNR can help with a more thorough review and suggest options for the ordinance.

Public Hearing – 208 W. Main

At 7:21 p.m. Mayor Schmidt opened the public hearing on the use of public funds to pay for the asbestos removal in the former Cookie's Tap building located at 208 W. Main Street. Mick Samsel questioned what the amount of "unencumbered funds" is that the city could use to pay for the asbestos removal costs. Kooiker replied that for the FY19 budget the city projects approximately \$300,000 in unencumbered general fund monies. Rich Cook, one of the owners of the building, asked if the council had any questions. Brown asked whether an agreement has been made with the adjacent property owners. Jay Loughlin, the prospective buyer of the building who owns the building to the east indicated that his attorney has visited with the owner of the building to the west and he has agreed to accept what his building looks like when the Cookie's building is down. Cook stated that the agreement between them and Loughlin is subject to the council's approval. As there were no additional oral or written comments, the public hearing was closed at 7:23 p.m.

Resolution 2018-09 Removal of Asbestos at 208 W. Main

Motion by Brown, seconded by Pingel to adopt Resolution #2018-09 a Resolution to Authorize Reimbursement for Removal of Asbestos to Facilitate Demolition of 208 W. Main.

Roll call was: AYES: Brown, Pingel; NAYES: Agnitsch. Motion failed.

Resolution 2018-10 Authorizing Transfer of Funds

Motion by Brown, seconded by Pingel adopted Resolution 2018-10, a Resolution Authorizing Transfer of Funds for the payment of the Spruce St. Water Plant Upgrades Project. Roll call was: AYES: All. NAYES: None.

Resolution 2018-11 Authorizing Use of Bond Funds

Motion by Pingel, seconded by Agnitsch adopted Resolution #2018-11, a Resolution Authorizing Use of 2016B General Obligation Bond funds to close out the CDBG Sanitary Sewer Improvements Project. Roll call was: AYES: All. NAYES: None.

Resolution 2018-12 Authorizing Payment of Mayor’s Club Membership

Motion by Brown, seconded by Pingel adopted Resolution #2018-12, a Resolution Authorizing Payment for Mayor’s Cherokee Rotary Club dues, fees and lunches. Roll call was: AYES: All. NAYES: None.

Resolution #2018-13 Pledging \$25,000 for Sanford Museum Upgrades Project

Motion by Brown, seconded by Agnitsch adopted Resolution #2018-13, a Resolution Pledging a total of \$25,000 to the Sanford Museum over the course of two fiscal years, beginning with FY2018-19. Roll call was: AYES: All. NAYES: None.

Consent Agenda

On a motion by Agnitsch, seconded by Pingel, the following was approved under Consent Agenda. Roll call was: AYES: All. NAYES: None

City Council Minutes of January 23, February 6 and February 7, 2018.

January Police Report

Reviewed Airport Authority Board Minutes of January 9, 2018.

Reviewed Parks & Rec Advisory Board Minutes of February 5, 2018.

Tax Abatement Application for 320 Coyote Dr.

Reviewed Hotel/Motel Tax Advisory Board of February 1, 2018.

Approved Mayoral Re-Appointment of Mike Fox to the Aviation Authority Board.

Authorized Sewer Utility Credit of \$531.30 for Crossroads, 322 Lake St.

Class E Liquor License Renewal for Fareway.

Set Public Hearing date for adoption of FY2018-19 budget for February 27, 2018, at 7 p.m.

January Treasurer’s Report and Receipts as follows: General \$163,060.89; Police Forfeiture \$143.71; County Library \$1.24; Road Use \$49,327.02; Employee Benefits \$27,394.56; Emergency \$1,455.46; Local Option Sales Tax \$45,837.44; Hotel/Motel Tax \$11.15; Revolving Loan \$28.69; Library Memorial \$1234.20; Park & Rec Capital Improvement \$546.54; Cemetery Special Care \$15.07; Debt Service \$13,302.39; Road Use Equipment \$11,841.33; CDBG Storefront Project \$0; FEMA Flood Buyout Program \$20,276.00; 2016 Capital Projects \$0; Emergency Set-Aside \$18.51; Oak Hill Perpetual Care \$0; Water Utility \$58,449.36; Water Utility – Industrial \$41.31; South Water Main Extension Project \$0; Water Main Project Bond & Interest \$4,993.75; Water System Maintenance \$10,026.57; Sewer Utility \$98,672.87; Sewer Utility – Industrial \$29.60; Sewer Facility Bond & Interest \$30,500.50; Sewer System Maintenance \$9,043.24; CDBG Sanitary Sewer \$2,000.00; Aviation Authority \$808.63; Solid Waste \$27,864.31; Landfill \$30,019.68; Storm Sewer Utility - \$7,048.51; Self-Insurance \$27.14; Police Dept. Special Acct. \$0

Bills totaling \$144,177.64

360 CUSTOM DESIGNS	BASKETBALL JERSEYS	\$107.00
ABBIE KOOIKER	VOLLEYBALL REF 1/31	\$30.00
AHLERS & COONEY P.C.	GENERAL FINANCE	\$172.50
AL'S CORNER OIL CO.	PARK FUEL, ICE SCRAPER	\$87.84

ALLIANT ENERGY	GAS	\$2,516.01
ALPHA WIRELESS	2 NEW PAGERS	\$1,130.00
ALYSSA A. HERBOLD PLC.	WILSON SCHOOL	\$528.00
ALYSSA A. HERBOLD PLC.	1/18 LEGAL SERVICE	\$2,323.50
ALYSSA A. HERBOLD PLC.	DANGEROUS BUILDING	\$54.00
APPALACHIAN TRAINING	VEST PANELS	\$335.00
ARAMARK UNIFORM SERVICES	RAGS, RUGS, MOPS	\$50.83
ARMOND RIDER	2/18 CELL PHONE REIMB.	\$50.00
AURELIA LUMBER COMPANY	LUMBER, STROFOAM	\$320.32
BAKER & TAYLOR INC.	BOOKS & DVD'S	\$835.25
BLAINE'S WATER COND.	COOLER RENT & WATER	\$322.10
BOLTON & MENK, INC.	WATER TREATMENT REHAB.	\$7,869.13
BOMGAARS	OPERATING SUPPLIES	\$1,277.09
BRAD'S TIRE SERVICE	TIRE REPAIR	\$40.95
BROWN SUPPLY CO.	HOSE ASSEMBLY	\$836.00
BRYCE KREMER	VOLLEYBALL REF, 3X	\$90.00
BUILDERS SHARP. & SERVICE	AIR FILTER, OIL, PLUGS, NUTS	\$191.94
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$630.03
CENTRAL IOWA DIST. INC.	RUBBER MATS	\$237.00
CHAMBER OF COMMERCE	CHAMBER COFFEE PRIZES	\$30.00
CHAMPION ELECTRIC, INC.	REPAIR 2 TRUCK BAY LIGHTS, STOPS	\$703.81
CHEROKEE AUTO PARTS	OPERATING SUPPLIES	\$65.47
CHEROKEE CO. SOLID WASTE	REC. DISPOSAL, 1/18 ASSESSMENT	\$29,713.53
CHEROKEE REGIONAL MED. CENTER	IMMUNIZATIONS	\$326.00
CHRONICLE TIMES	LEGAL PUBLICATIONS	\$823.98
CINTAS	FIRST AID SUPPLIES	\$30.25
COGRAN SYSTEMS	12/17 REC. REGISTRATIONS	\$150.00
CONTROL SYSTEM SPECIALISTS	CONTRACT WORK, FILTERS	\$361.72
COUNSEL	COPY OVERAGE & CONTRACTS	\$402.22
COUNTRY TIRE & SERVICE	REPAIR TIRE & HEADLIGHT	\$41.04
COURTNEY ADEN	VOLLEYBALL REF 1/25	\$30.00
CROSSROADS OF WESTERN IOWA	CLEAN SHOP TOWELS	\$35.89
D. A. DAVIDSON & CO.	FY17 DISSEMINATION SERVICES	\$1,000.00
DALLAS ELLIS	VOLLEYBALL REF 1/24	\$30.00
DAVE ELLIS	KITCHEN CART	\$33.99
DEMCO, INC.	OFFICE SUPPLIES	\$273.40
DON GROVES REPAIR	PD VEHICLE UPDATES	\$727.60
DONALD YOUNGBLOOD MYSTERIES	BOOKS	\$30.25
DUANE MUMMERT	2/18 CELL PHONE REIMB.	\$35.00
FAREWAY STORES, INC.	LIBRARY SUPPLIES	\$27.30
FELD FIRE	FIRE EXTINGUISHERS	\$2,496.50
FOUNDATION ANALYTICAL LAB	WATER SAMPLES	\$72.00
GEORGE SCHMIDT	2/18 CELL PHONE REIMBURSEMENT	\$35.00
GODFATHER'S PIZZA	SUPPER FOR BUDGET WORKSHOP	\$60.83
GRAHAM TIRE & AUTOMOTIVE	TIRES FOR PD	\$762.54
GREG EATON, FIRE CHIEF	FIREMAN PAYROLL	\$1,020.00
GRUNDMAN-HICKS L.L.C.	WATER TREATMENT PLANT IMPROVE.	\$11,590.00

HILLYARD	TOILET PAPER, TOWELS, SOAP	\$245.87
HOLZHAUER MOTORS, LTD.	RADIATOR REPAIRS, OIL CHANGE	\$697.89
IMFOA	FY19 MEMBER DUES/SL/DC	\$100.00
IOWA LIBRARY ASSOCIATION	MEMBERSHIP RENEWAL-HAYES/STRUCK	\$60.00
JAMIE HODGDON	2/18 CELL PHONE REIMBURSEMENT	\$35.00
JANITOR'S CLOSET, LTD.	CLEANING SUPPLIES	\$307.94
K-MART #9222	COFFEE, FATHER/DAUGHTER SUPPLIES	\$52.95
KRISTI EBEL	BASKETBALL SCORE 1/23,1/30,2/6	\$90.00
LUKE GRAVENISH	MILEAGE TO/FROM LYONS SD	\$148.24
MARCUS LUMBER COMPANY	LUMBER TO REPAIR CHAIRS	\$43.98
MCKAYLA BENSON	VOLLEYBALL REF 1/24	\$30.00
MENARDS-SPENCER	WISE	\$24.48
MID AMERICAN ENERGY	ELECTRICITY	\$22,993.36
MID-AMERICAN BENEFITS, INC	CLAIMS THROUGH 2/1/18	\$794.50
MID-IOWA SALES CO.	TRUCK WASH, VEHICLE CLEANERS	\$137.54
MILLS & MILLER INC.	DEICING SALT	\$1,616.58
MODERN HEATING & COOLING	URINAL REPAIRS	\$50.00
MOTOR PARTS SALES	BELT, OIL, FILTERS, WIPERS	\$62.55
MOTOR TREND	SUBSCRIPTION RENEWAL	\$42.00
MUD ON MAIN	CHAMBER COFFEE TREATS	\$55.80
MUNICIPAL EMERGENCY SERVICE	COMBUSTIBLE SENSOR	\$150.00
NATE JAMES	2/18 CELL PHONE REIMB.	\$50.00
N.W. IOWA LEAGUE OF CITIES	LEAGUE OF CITIES MEETING	\$45.00
O'HALLORAN INTERNATIONAL	2000 INTER. CHECK BLOWER MOTOR	\$246.51
O'REILLY AUTOMOTIVE STORES	WIPER BLADES	\$31.98
OFFICE ELEMENTS	OFFICE SUPPLIES	\$266.53
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$532.06
PAITYN HAGBERG	VOLLEYBALL REF 1/25	\$30.00
PETTY CASH	POSTAGE, COFFEE	\$65.79
PETTY CASH - LIBRARY	POSTAGE	\$105.97
POWERPLAN	OIL & FUEL FILTERS, SEALS	\$198.22
R COMM WIRELESS	HANDHELD RADIO PARTS	\$78.00
RAPID AMERICAN PRESS	PROPERTY/EVIDENCE CARDS	\$155.00
REHAB SYSTEMS, INC.	JET VAC SEWER LINES	\$687.50
REINERT MACHINE SHOP	CUTTING EDGE, IC GYM MAT	\$371.96
RIVERFRONT CAR WASH	1/24/18 SNOW REMOVAL	\$540.00
RUPP MANUFACTURING	2 SETS SNOW PUSHER SKID SHOES	\$760.00
SAM KOOIKER	2/18 CELL PHONE REIMB.	\$50.00
SANITARY SERVICES	GARBAGE PICKUP SERVICE	\$24,931.65
SCIENCE FIRST, LLC.	FILTER PAPER	\$79.42
SIOUX SALES COMPANY	TROUSERS	\$149.90
STEPHEN VEIT, M.D.	IMMUNIZATIONS	\$132.50
STEVE'S WINDOW SERVICE	CLEAN LIBRARY WINDOWS	\$90.00
STOREY KENWORTHY/MATT PARROT	W2 FORMS	\$49.67
SUBWAY	SUPPER FOR BUDGET WORKSHOP	\$30.00
SYMBOLARTS	LEMARS PD PATCHES	\$40.63
THE BOOK VINE	BOOKS	\$86.96

TODD LARSEN	2/18 CELL PHONE REIMB.	\$35.00
TODD MILLER	2/18 CELL PHONE REIMB.	\$35.00
TOM MUMMERT	SNOW REMOVAL	\$945.00
TREASURER, STATE OF IOWA	JANUARY SALES TAX	\$4,459.00
TYLER EBEL	VOLLEYBALL & BASKETBALL	\$120.00
U.S. BANK EQUIPMENT FINANCE	COPY CONTRACT	\$89.94
USPS	UTILITIY BILL POSTAGE CYCLE 1	\$311.29
UTILITY EQUIPMENT COMPANY	WATER DEPT. PARTS	\$1,179.54
VERIZON WIRELESS	CELL PHONE, HOT SPOTS	\$152.82
WALDNER'S LAWN SERVICE	330 SUMNER SNOW REMOVAL	\$50.00
WEX BANK	FUEL	\$3,353.94
WIESE OIL & SUPPLY CO., LT	DIESEL FUEL	\$4,163.00
WINDSTREAM	TELEPHONE & INTERNET	\$541.18
WOODALL ELECTRIC	123 E. MAIN ST. OUTLETS	\$90.00
YOUR FLEETCARD PROGRAM	PARK FUEL	\$165.19

Labor Agreement with Cherokee Police Assn.

Motion by Brown, seconded by Pingel, to continue this item to the next meeting. Roll call was: AYES: Johnson, Miller, Pingel, Agnitsch, Brown. NAYES: None.

Authorize Obtaining Bids for Cemetery Building

Motion by Brown, seconded by Agnitsch, to proceed with obtaining bids for construction of a bathroom/storage building at Oak Hill Cemetery. Roll call was: AYES: All. NAYES: None.

2018 Street Improvements Project

Josh Pope, engineer with Bolton & Menk commented that the city has been undertaking an effort to improve its streets and infrastructure over the last few years. Numerous streets were considered for inclusion in the 2018 Street Improvements Project and have been narrowed down to four: 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., and West Bluff St. from N. 9th St. to N. 11th St. Cost estimate for improvements to these four streets is \$457,500 with possible assessment of curb & gutter costs to the property owners. Josh roughly estimates that 24% of the project cost could be assessed. Motion by Pingel, seconded by Agnitsch to approve the cost estimate and consultant agreement for the 2018 Street Improvements Project. Roll call was: AYES: All. NAYES: None.

Variance Request – 508 N. Roosevelt

Kooiker reviewed the Board of Adjustment's recommendation regarding the variance request for 508 N. Roosevelt Ave. The Board recommended approval of the variance with several stipulations. Jolene Schumacher, 600 N. Roosevelt, stated she has a lot of concerns about the decision made by the Board of Adjustment and does not think her concerns were considered as they needed to be. On a motion by Brown, seconded by Pingel, this matter was tabled to a later date. Roll call was: AYES: All. NAYES: None.

Former Wilson School Building

Kooiker advised the council that the negotiation conference regarding the former Wilson school building held on February 7, 2018, went very well and contracts are now in the works. Therefore, there is no need for an Executive Session at this meeting. Disposal of the building

will be discussed at a later date. Mick Samsel, a member of the Cherokee Historic Preservation Commission commented he has sent in information on the former Wilson school building and the former Cookie's Tap building to the Preservation Iowa organization and they have included the two buildings on their 2018 Most Endangered Properties list. John Snapp spoke in opposition to demolition of the Wilson school building and thinks that either the council should act to restore it or have someone restore it. He requested the council asked for public input before demolition.

Adjournment

On a motion by Pingel, seconded by Brown, the meeting was adjourned at 7:53 p.m.

Media Present: Nikki Thunder, *KCHE Radio*

Craig Schmidt, Mayor

ATTEST:

Diane Cargin
City Clerk Treasurer