

**Regular City Council Meeting
City Hall, Cherokee, Iowa
March 25, 2014 – 7:00 P.M.**

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

Mayor Murphy said a couple residents had approached him regarding the recycling tubs indicating that the recyclables are blowing out of the tubs. No one else had received complaints. A suggestion was made to place a brick or other heavy item on top.

On a motion by Brown, seconded by Miller, the council approved the third presentation of Ordinance No. 589, increasing water and sewer rates as follows, and ordered its publication. Roll call was: AYES: All. NAYS: None.

WATER RATES

Effective Dates		Rates
April 1, 2014 to December 31, 2014	Base Charge	\$5.12
	Commodity Charge (per 100 cu. ft.)	\$2.18
January 1, 2015 to December 31, 2015	Base Charge	\$5.26
	Commodity Charge (per 100 cu. ft.)	\$2.25
January 1, 2016 to December 31, 2016	Base Charge	\$5.40
	Commodity Charge (per 100 cu. ft.)	\$2.33
January 1, 2017 to December 31, 2017	Base Charge	\$5.60
	Commodity Charge (per 100 cu. ft.)	\$2.40
January 1, 2018 to December 31, 2018	Base Charge	\$5.80
	Commodity Charge (per 100 cu. ft.)	\$2.48

SEWER RATES

Effective Dates		Rates
April 1, 2014 to December 31, 2014	Base Charge	\$9.02
	Commodity Charge (per 100 cu. ft.)	\$4.44
January 1, 2015 to December 31, 2015	Base Charge	\$9.17
	Commodity Charge (per 100 cu. ft.)	\$4.59
January 1, 2016 to December 31, 2016	Base Charge	\$9.32
	Commodity Charge (per 100 cu. ft.)	\$4.74
January 1, 2017 to December 31, 2017	Base Charge	\$9.45
	Commodity Charge (per 100 cu. ft.)	\$4.89
January 1, 2018 to December 31, 2018	Base Charge	\$9.64
	Commodity Charge (per 100 cu. ft.)	\$5.03

Administrator Eikmeier reported on findings of the Rental Housing Code study committee. Members of the committee were Sandy Siegel, Jerry Woodall, Justin Pritts, Gail Thill, and Wayne Pingel. This issue came about in part as a result of inspections done following the 2010 and 2013 flood events. A majority of the committee recommended that the City adopt a Rental Housing Maintenance Code, which is modeled after Storm Lake's program. If adopted, owners of all rental properties would be required to register their rental units with the City. These units would be inspected at least once every three years and there would be an annual fee of \$48 per unit. The Administrator indicated that not all committee members were in agreement. He reported that Gail Thill is not in favor of the rental inspections because everyone suffers for a few "bad apples". The Administrator said that most laws on the books are set up that way. Although Sandy Siegel was unable to be present, she submitted a letter to the council with her

thoughts. The letter stated, in part, that over the years she has been frustrated by calls from renters who have no where to turn to fix issues that the landlord has not. These calls aren't petty in nature, but have to do with not having furnaces and having to use space heaters for the whole winter. Although the tenant can give notice to move if the landlord fails to perform any of their duties, the vacancy rate in Cherokee is between 0% and 5% so there is no where to move. She has visited with realtors from communities of various sizes that have rental housing inspection programs in place. They indicated that there was opposition at first, but after it was implemented they felt the rental market was better for it and it had not hurt the market from investors wanting to purchase more rental properties. Having rental properties is a business and there are some great landlords in Cherokee who keep their properties well maintained, but there are also landlords that let things slide and will continue to do so because they have no one to answer to. She feels that adopting a rental housing inspection program would make Cherokee a better place to live. Jerry Woodall just questioned whether the inspection program will actually fix the problem and whether it is needed in a town this size. He also questioned that if there is a safety issue, does the City have the authority to enter the property. The Administrator answered that through the dangerous building code already on the books, the City can enter the property. Wayne Pingel said that government regulation isn't always so good. However, as a fireman, he has seen things that aren't what they should be. He feels there is justification for the program with minimal financial outlay for the landlord. Storm Lake has also assisted landlords to some extent to deal with problem tenants. Council member Miller said he doesn't want the inspection to be so simple as to walk in and see that there are smoke alarms, a furnace and a water heater and then walk out. Administrator Eikmeier said a typical inspection would focus primarily on safety – functional smoke alarms; sound electrical system that is not dependent on strings of extension cords or overloaded circuits, damaged or exposed wiring; a functional heating system; a sound plumbing system; a structure that doesn't have broken or collapsed walls and/or ceiling tiles; steps that are sound; and doors and windows that are operable and can be secured. Mark Napier asked whether the inspection program would be just residential or whether it would include commercial, as there are some questionable commercial properties as well. This program will be for residential rentals only at this time. A motion by Pingel, seconded by Johnson, approved the first presentation or an ordinance creating the Rental Housing Code. Roll call was: AYES: All. NAYS: None.

A motion by Pingel, seconded by Peck, unanimously approved the following under "Consent Business".

City council minutes of March 11th.

Renewal of Class "C" liquor license – Cherokee Country Club.

Scott Weber, Central Insurance, was present to review the property and liability insurance renewal through Iowa Communities Assurance Pool (ICAP). Scott reported that the City's coverage includes \$2,000,000 for General, Auto, Law Enforcement, Public Acts and Excess Liability. The total blanket coverage for building value plus personal property is \$31,194,910. The 2014 premium renewal is \$135,513.91, a slight increase over last year. The City also receives an annual credit voucher based on the overall profitability and success of being in the ICAP pool. This year's credit is \$10,054.34, which lowers the premium to \$125,459.57. Scott announced that his last day with Central Insurance would be March 26 as he has purchased an insurance agency in Jefferson. He will, however, be around for a couple of months as a consultant. The Mayor and Council thanked Scott for his involvement in the community. A motion by Peck, seconded by Miller, unanimously approved the 2014 renewal for a net premium of \$125,459.57.

Bids were opened for the purchase of a new police vehicle. Rasmussen Ford – 2014 Ford Expedition, \$40,400, less trade of \$26,383, net cost \$14,017 with a 7/1/14 delivery date.

Holzhauser Motors – 2014 Chevy Tahoe, \$35,420, less trade of \$20,984, net cost \$14,436 with a 7/1/14 delivery date. Council asked whether the cages and light bars would transfer from the current vehicle to a new vehicle. Police Chief Steve Schuck, said the light bar wouldn't be an issue, as he will need to purchase a new one regardless of which vehicle is purchased. He did indicate that the Expedition doesn't have a spotlight, which would have to be purchased and installed, and he would have to check on the cage transfer. A motion by Brown, seconded by Johnson, approved the purchase of a vehicle leaving the selection to the discretion of the Chief and Administrator based on any extra costs involved. Motion carried.

The council reviewed the following bids for upgrades to the Wescott Park restrooms and shelter. George Construction - \$19,341.69; Benson Construction - \$23,316.01; Screenbuilders - \$23,879. Alternate bids were also received as follows to reroof the storage building on W. Beech. George Construction - \$2,367.59; Benson Construction - \$3,068.91; Screenbuilders - \$3,265. A motion by Miller, seconded by Peck, accepted the bids from George Construction for \$19,341.69 and \$2,367.59 for the above projects. Motion carried.

A motion by Peck, seconded by Brown, authorized the replacement of RAS pump #2 variable frequency drive at the City's wastewater plant at a cost of \$14,935. Motion carried.

On a motion by Brown, seconded by Miller, the council unanimously approved a tax abatement application for 805 Aster Dr.

On a motion by Brown, seconded by Pingel, the council unanimously approved a tentative settlement with the Police Officer's Association, as follows: Two-year contract; 2% wage increase 7/1/14; .5% wage increase 1/1/15; 2% wage increase 7/1/15; 5% wage increase 1/1/16; funeral leave for grandparents of the employee or employee's spouse for a period not to exceed one day; City will pay 97% and the Employee will pay 3% of the single group health premium as provided by the City; Employees will be eligible for a wellness incentive plan which shall pay for 50% of the cost of a single membership at the Cherokee Regional Wellness Center or the Victory Gym or a wellness center located within the City of Cherokee with equal or lesser facilities and equipment and equal or lesser membership fees – the Employee must attend the facility at least once a week for the time period for which reimbursement is being sought with reimbursements to be made twice per contract year.

In his report to the Council, the Administrator said that the Little Sioux & Big Sioux River Stakeholders would meet at W.I.T. in Cherokee on April 8 from 1:00 to 3:00 p.m. The purpose of the meeting is to provide information to stakeholders of the Little Sioux and Big Sioux Rivers as it becomes a state designated water trail. Council member Brown said this would result in the State redoing some of the access points as well as mapping. Administrator Eikmeier reported that the River Road bridge project has been delayed until the week of April 21st as Mid American Energy needs to relocate more lines than originally planned in order for the cranes to operate safely. He reported that the State has bid the Hwy. 59 project and Cedar Valley Construction was awarded the \$7.75 million contract. The Administrator reported that the school feels the City has been dragging their feet in regards to repairs of the tennis courts. He will try to schedule a joint meeting of the City Council and the School Board to discuss this issue.

Mark Napier, Water Supt., presented his quarterly report to the council. He commented that this has been a brutal winter as there have been 18 frozen service lines, 11 frozen meters/interior plumbing, and at least 3-4 areas of frozen water mains. They started Monday and hope to be finished Wednesday with the permanent repair of the Lake St. water main (which froze earlier this year), tying the 6" main into the 12" main. Boring service lines along Hwy. 59 will start in a couple weeks at which time they can abandon the 6" main in Hwy. 59. The total cost of this

repair will be \$30,000-\$35,000. They just recently completed the installation of new chemical feed pumps. Upcoming projects this spring and summer include hydrant flushing, reservoir cleaning – City and Tyson, valve and hydrant exercising (turning), and leak detection survey. Mark also reported that the distribution model is almost complete. This will be used as a tool to identify needed projects and will help determine how new projects offset the system.

The meeting was adjourned at 8:10 p.m.

News media – Paul Struck, *Chronicle Times*.

Mark Murphy – Mayor

ATTEST:

Debra Taylor
City Clerk-Treasurer