

**Regular City Council Meeting  
City Hall, Cherokee, Iowa  
April 8, 2014 – 7:00 P.M.**

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

Item #4.05 was added under “Consent Business” – approve a new, 6-month Class “B” beer permit for Cherokee County Fair.

At 7:03 p.m., Mayor Murphy opened a public hearing on a proposal to renew the electric franchise with Mid American Energy. Mark George and Pam Dunn were present from the local Mid American office. Administrator Eikmeier explained that the franchise allows Mid American Energy to acquire, construct, erect, maintain and operate in the City of Cherokee. Also included in the agreement is the imposition of franchise fees of 3% effective 7/1/14, 4% effective 7/1/15, and 5% effective 7/1/16. As there were no oral or written comments, the Mayor closed the public hearing at 7:05 p.m.

A motion by Brown, seconded by Peck, approved the Revenue Purpose Statement for utility franchise fees indicating how the fees will be used. Motion carried.

On a motion by Miller, seconded by Johnson, the council approved the first presentation of an ordinance granting a 25-year electric franchise to Mid American Energy. Roll call was: AYES: All. NAYS: None.

A motion by Peck, seconded by Miller, waived the second and third presentations of Ordinance No. 590, granting a 25-year electric franchise to Mid American Energy, and ordered its publication. Roll call was: AYES: All. NAYS: None.

A motion by Brown, seconded by Johnson, approved the first presentation of an ordinance amending natural gas franchise fees by increasing the fee to 3% on 7/1/14, 4% on 7/1/15, and 5% on 7/1/16. Roll call was: AYES: All. NAYS: None.

On a motion by Brown, seconded by Peck, the council waived the second and third presentations of Ordinance No. 591, amending natural gas franchise fees by increasing the fee to 3% on 7/1/14, 4% on 7/1/15, and 5% on 7/1/16, and ordered its publication. Roll call was: AYES: All. NAYS: None.

On a motion by Brown, seconded by Miller, the council approved the first presentation of an ordinance amending tree planting restrictions to include prohibiting the planting of ash trees on any public property or public right-of-way. Roll call was: AYES: All. NAYS: None.

A motion by Peck, seconded by Johnson, waived the second and third presentations of Ordinance No. 592, amending tree planting restrictions to include prohibiting the planting of ash trees on any public property or public right-of-way, and ordered its publication. Roll call was: AYES: All. NAYS: None.

A motion by Johnson, seconded by Miller, unanimously approved the following under “Consent Business”.

City council minutes of March 25th.

Bills totaling \$238,651.28.

AHLERS & COONE, P.C.

LEGAL SERVICES - FRANCHISE

619.50

ALEX AIR APPARATUS, INC.	REPAIR HURST POWER UNIT	1,578.00
ALLIANT ENERGY	NATURAL GAS	6,653.50
AMOS PUBLISHING	CRAFT IDEAS SUBSCRIPTION	21.99
ARAMARK UNIFORM SERVICES	SHOP RAGS; RUGS; MOPS	48.34
ATIRA CREDIT MASTERCARD	MOTEL;MEALS;GAS-WEEKS 3-5 @ ILEA	1,473.30
	SUPPLIES-FATHER/DAUGHTER DANCE	129.47
	PARK/REC. PROFESSIONAL COURSE	299.00
	LOGO FOR NEW SOFTBALL LEAGUE	69.00
	REPLACEMENT PROJECTOR BULB	147.70
	ANTI-VIRUS RENEWAL-3 COMPUTERS	116.73
AUTOMATIC SYSTEMS CO.	TROUBLESHOOT #2 RAS PUMP	125.00
	NEW INFLUENT METER	4,310.00
BAKER & TAYLOR, INC.	BOOKS & AUDIOS	569.50
BARCO MUNICIPAL PRODUCTS	TRAIL SIGN POSTS	523.18
BLAINE'S WATER CONDITIONING	SALT; COOLER RENT; WATER FOR LAB	126.40
BOMGAARS	OPERATING SUPPLIES	1,311.85
BREAK TIME	BUNS - FATHER/DAUGHTER DANCE	44.80
BRIAN HEIDESCH	TRAINING AMMO AT	50.00
BUILDERS SHARP. & SERVICE	OIL & AIR FILTERS; SAW CHAINS; BAR	136.51
CALHOUN-BURNS & ASSOCIATES	ENG. - RIVER RD. BRIDGE PROJECT	10,121.10
CARMEN HENKE	STORIES 2000 BOOKS	283.40
CARUS CORPORATION	CALCIQUEST	3,288.05
CENTRAL IOWA DIST., INC.	CAR WASH; WAX; GLASS CLEANER	142.90
CHAMPION ELECTRIC, INC.	FLAGPOLE & NORTH POLE LIGHT	206.55
	BATHROOM LIGHT FIXTURE; BULBS	23.20
CHEROKEE AUTO PARTS	VEHICLE MAINTENANCE SUPPLIES	1,640.99
CHEROKEE AVIATION AUTHORITY	MAR. TAX DRAW	851.24
	INS. PROCEEDS - HANGAR DOOR DAMAGE	5,097.95
CHEROKEE CO. CLERK/COURT	CITY CASE	60.00
CHEROKEE CO. SOLID WASTE	APR. LANDFILL FEE	29,688.51
CHEROKEE CO. WORK SERVICE	CLEAN SHOP TOWELS	8.19
CHEROKEE COUNTRY STORE	DIESEL	65.53
CHEROKEE COUNTY RECORDER	PROMISSORY NOTE-MUGGE;	104.00
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCE	920.00
CHEROKEE LUMBER, INC.	WHITE BOARD FOR COUNCIL ROOM	29.99
	LUMBER FOR SIDE BOARDS-'09 DUMP TRUCK	30.20
	SHINGLES;MATERIALS-NEW SHELTER	1,358.21
CHEROKEE REGIONAL CLINICS	PRE-EMPLOYMENT PHYSICALS	215.00
CHEROKEE REG. MED. CENTER	PRE-EMPLOYMENT SCREENINGS	174.00
	RANDOM CDL DRUG TESTS	50.00
CHEROKEE STATE BANK	NSF CHECK - A. ALVAREZ	160.00
CHESTERMAN COMPANY	POP FOR MACHINE	61.80
CHRONICLE TIMES	MINUTES; ORDINANCE; CALL FOR BIDS	302.37
CONTINENTAL RESEARCH CORP.	HITCH PINS; CASE OF WINDOW CLEANER	187.29
CONTROL SYSTEM SPECIALISTS	MECHANICAL SYSTEM REPAIR/SUPPLIES	494.61
COUNTRY TIRE & SERVICE	2 TIRES FOR '11 TAHOE	328.14
	NEW REAR TIRES ON BACKHOE	1,351.99
	TIRE REPAIRS - '12 CHEV. & '03 GMC	36.06
CREATIVE SERVICES	CITIZEN OF YEAR	63.00
DAVE ELLIS	MOTEL/MEALS/MILEAGE-CPO	201.66
DEMCO, INC.	SUPPLIES	335.34
DENNY'S SERVICE	FURNACE & A/C AS BID	6,599.00
DES MOINES STAMP CO.	RETURN ADDRESS STAMP	24.30
DIVERSIFIED FASTENING SYSTEM	PLOW BOLTS & NUTS	322.91
DOUBLEDAY LARGE PRINT	BOOKS	50.96
DPC INDUSTRIES, INC.	CHLORINE; POTASSIUM PERMANG.	1,098.50
ELECTRONIC ENGINEERING	CHECK AUDIO IN INTERVIEW ROOMS	95.00
ENVIRON. RESOURCE ASSOC.	DMR-QA ANNUAL TESTING	788.55
FAMILY TABLE RESTAURANT	LUNCHES FOR MEETING 4/1/14	56.00
FAREWAY STORES, INC.	CLEANING SUPPLIES	96.09
FELD FIRE	EXTINGUISHERS; TAGS; POWDER; SEALS	1,089.35
FIREHOUSE SOFTWARE	SOFTWARE SUPPORT CONTRACT	105.00
FOUNDATION ANALY. LAB	SAMPLE TESTING	2,131.00

GCC ALLIANCE CONCRETE, INC.	WATER PIT LIDS - NEW SHELTER	125.00
	WATER LEAK-HICKORY & 59	356.50
GECRB/AMAZON	DVDS & BOOKS	337.06
GRAINGER	SUMP PUMP FOR BEECH ST. LIFT	476.25
	CASTER WHEELS FOR SAMPLE CART	105.60
GREGG COMPUTER SERVICE	UPGRADE IN-CAR COMPUTERS TO WINDOW 7	2,100.00
GUARANTEE GUTTER CO.	GUTTERS - MAINT. BLDG.	1,016.40
HALLETT MATERIALS	SAND	1,637.75
HOLZHAUER MOTORS, LTD.	SERVICE '13 TAHOE	39.95
HOTSY EQUIPMENT CO.	55 GAL. SOAP & WAX FOR POWER WASHER	604.00
HY-VEE, INC.	DISTILLED WATER FOR LAB	26.70
IAWEA REGION 3	REGISTRATION - WASTEWATER MTG.	120.00
INDELCO PLASTICS CORP.	POTASSIUM PERMANG. PUMP	1,074.65
	POLYPHOSPHATE PUMP	1,678.90
	ELECTRICITY	38.12
IOWA LAKES ELECTRIC COOP	MMPI-2 APPLICANT EVALUATION	140.00
IOWA LAW ENFORCE. ACADEMY	CLEANING SUPPLIES	356.11
JANITOR'S CLOSET, LTD.	LIFEGUARD TRAINING FEE	1,350.00
JESSICA CEDAR	MEALS-PICK UP SWEEPER	19.05
JIM AGNITSCH	STP 2018 APPLICATION; TAC MTG.	268.00
JOHN MEIS	BATTERIES; OFFICE SUPPLIES; HANGERS	136.16
K-MART #9222	BALANCE OF DEPOSIT	22.02
KAREN KENNEDY	UPM COLD MIX PATCH	1,133.16
KNIFE RIVER MIDWEST, LLC	QUARTZ FOR ROCK ISL. BASINS	151.01
L. G. EVERIST, INC.	SUBSCRIPTION	9.99
LADIES HOME JOURNAL	DROP CORD ENDS & CORD	82.03
LAKE ELECTRIC SUPPLY, INC.	REPAIR RADIATOR ON SWEEPER	295.00
LARRY'S RADIATOR REPAIR	SPEAKERS FOR TRAINING	29.99
LETSCHE BIKE/RADIO SHACK	GRAVE DIGGING	330.00
LUNDELL CONSTRUCTION CO.	LOAD/HAUL SNOW - 3/3/14	2,240.25
	LOADER/PUSHER TO PILE SNOW	890.00
	SEWER MACHINE-UNTHAW STORM SEWER	375.00
	FORKLIFT - NEW SHELTER	55.00
	WATER LEAK-HICKORY & 59	1,662.00
	MAKE CONNECTION LAKE & 59	5,366.50
	TV INSPECTIONS OF 65 HOUSES	9,600.00
MALLOY ELECTRIC	SEALS/BRG./IMPELLOR-BEECH PUMP	4,731.59
MARY JO RUPPERT	SUNDAY DM REGISTERS; BUSINESS WEEK	65.00
	STORIES 2000; ISLA MEETING FEE	29.61
	ROLL WELDING	22.00
MATHESON TRI-GAS, INC.	ELECTRICITY	24,697.41
MID AMERICAN ENERGY	SUBSCRIPTION	19.97
MIDWEST LIVING	REPAIR LEAK IN MEN'S R.R.	71.62
MODERN HEATING & COOLING	WATER METERS;FLANGES;GASKETS;ADAPTORS	3,447.36
MUNICIPAL SUPPLY, INC.	PATCH ROOF FROM OLD CHIMNEY	272.00
NOHAVA CONSTRUCTION INC.	MAR. INTERNET SERVICE	79.90
NORTHWEST COMMUNICATIONS	VEHICLE REPAIRS & SUPPLIES	560.27
O'HALLORAN INTERNATIONAL	COPIER LEASES	419.05
OFFICE ELEMENTS	11 SALVAGE AUTO CERTICATES	110.00
OFFICE OF VEHICLE SERVICES	ELEVATOR SERVICE CONTRACT	158.67
OTIS ELEVATOR COMPANY	REFUND YACHT CLUB	150.00
PATTY MELSON	OFFICE SUPPLIES; FAX MACHINE	548.54
PERKINS OFFICE SOLUTIONS	SUPPLIES; DONUTS FOR VOLUNTEERS; POSTAGE	122.29
PETTY CASH	MAR. POSTAGE METER RENT	35.00
PITNEY BOWES FIN. SERVICES	POSTAGE FOR METER	500.00
PITNEY BOWES	PRESSURE RELIEF VALVE; LOADER REPAIRS	4,291.65
POWERPLAN	SET STAKES FOR GILLEASE PAVING	390.00
PROFESSIONAL SURVEYING SERV.	PREPARE PLANS FOR BID - WESCOTT TRAIL	1,200.00
	STAKING FOR RIVER RD. & GREER	720.00
	UPDATE HYDRANT MAP	480.00
	SEWER ELEVATIONS IN FLOOD AREA	250.00
R.J. THOMAS MFG. CO., INC.	CHAMP SHIRTS FOR V.B.	149.25
REHAB SYSTEMS, INC.	SEWER MACHINE TO UNTHAW LINE	1,625.00

	2 BUCKETS SEAL PATCH-STORM SEWER	100.00
REINERT MACHINE SHOP	MARKING PENCILS; TANK REFILL; STEEL	234.10
RON'S REPAIR, INC.	REPAIR HEATER; DOOR HANDLE	250.00
RUPP MANUFACTURING	NEW SKIDS-SNOW PUSHER	315.00
	RAILING FOR TRESTLE BRIDGE	1,100.00
SANFORD MUSEUM	PROGRAM FEE	100.00
SANITARY SERVICES	MAR. GARBAGE PICKUP	25,284.90
SCHOON CONSTRUCTION CO.	LOADER TO SIOUX CITY FOR REPAIRS	362.50
	LOAD/HAUL SNOW - 3/3/14	1,890.00
SIOUX CITY FOUNDRY CO.	HANDRAIL - NEW SHELTER	255.64
SIOUX CITY JOURNAL	SUBSCRIPTION	215.00
SIOUX SALES COMPANY	OFFICER BADGE; AMMO FOR RESERVES	1,474.90
STEVE CASEY	MEAL; MOTEL-BIOSOLIDS MTG.	80.50
STEVE'S WINDOW SERVICE	WINDOW CLEANING	90.00
THE BOOK VINE	BOOKS	11.18
THE COURT FOCUS	APR. SUBSCRIPTION	13.00
THREE RIVERS BENEFIT	CLAIMS THRU 4/4/14; APR. ADMIN. FEE	3,330.37
TIM SMITH	TRAINING AMMO AT ILEA	50.00
TITAN ACCESS ACCOUNT	MUFFLER CAP FOR SWEEPER	22.00
TODD MILLER	BOOT	75.00
TOOLS PLUS INDUSTRIES	4 SETS REFLECTIVE RAIN SUITS	234.23
TRANS-IOWA EQUIPMENT, INC.	SWEEPER PARTS & REPAIRS	7,762.38
TREASURER, STATE OF IOWA	MAR. SALES TAX	5,072.25
TYLER EBEL	B.B. SCOREKEEPER - MARCH	90.00
UNITED PARCEL SERVICE	SHIPPING CHARGES	155.25
UNITED STATES CELLULAR	CELL PHONES	316.15
UNITYPOINT CLINIC	REVIEW RANDOM CDL DRUG TESTS	74.00
USPS	POSTAGE FOR UTILITY BILLS	668.25
VERIZON WIRELESS	CELL PHONES & CARD	146.48
WALLY MILLER, JR.	FEB./MAR. LEGAL SERVICES	6,012.50
WATERPLAY SOLUTIONS CORP.	PLAY STRUCTURE FOR POOL	4,398.85
WIESE OIL & SUPPLY CO., LTD	GAS; DIESEL; GREASE; OIL; PARTS	8,673.97
WINDSTREAM	PHONE/INTERNET SERVICE	1,186.39
WOODALL ELECTRIC	RECONNECT WIRE - BEECH ST. PUMP	232.50
	REWIRE PLUG FOR UV LIGHTS	180.00

Renewal of Class "C" liquor license – Pool & Pub.

Reviewed Library Board minutes of March 5th.

New, 6-month Class "B" beer permit – Cherokee County Fair.

Administrator Eikmeier reported that C-M-L Telephone Coop. plans to install high-speed fiber optics in Cherokee. Installation will start at Hwy. 3 and 59, run south along Hwy. 59 to Cedar St., the west to Willow St., then along 6th St. south to 4th and Elm. Several businesses including the banks, hospital, and school district are interested in connecting to fiber optics. A motion by Brown, seconded by Peck, approved the C-M-L Telephone Coop. plan to install high-speed fiber optics. Motion carried.

The Sign Shed of Albert City has submitted a billboard application on behalf of the Cherokee County Fair Board to construct a new billboard on the east side of Hwy. 59, south of Sequoia Dr. The property is owned by the Fair Board. On the recommendation of the Planning & Zoning Commission, a motion by Johnson, seconded by Brown, the council approved a special use permit for the installation of the billboard. Motion carried.

The council reviewed a tourism grant application from the Chamber of Commerce requesting \$900 for advertising in the Western Iowa Tourism Region Ad Insert. The Ad Insert is distributed through various newspapers in Iowa, Kansas, Missouri, Minnesota, Nebraska, and South Dakota. The Tourism Committee has recommended funding the grant. The tourism grant program is funded by the Hotel/Motel tax. A motion by Peck, seconded by Miller, approved a tourism grant in the amount of \$900 for the Chamber of Commerce. Motion carried.

The council reviewed specifications for a new end-loader for the Street Dept. Jim Agnitsch, Street Supt., said they have had a chance to demo all 3 models that will be bid. The specs are written so as not to exclude any bidders. A motion by Miller, seconded by Brown, approved the specifications and authorized advertisement for bids. Motion carried.

On a motion by Brown, seconded by Miller, the council unanimously approved a settlement with the I.U.O.E. Union, as follows: Three-year contract; 2% wage increase July 1st of each contract year and a .5% wage increase effective January 1st of each contract year; health insurance benefits remain the same for the 3-year contract; employee pays 3% of premium for single coverage; employee pays 15% of difference between single plan and dependent plan; On-Call pay increases from \$8/day to \$12/day; additional vacation leave authorizing 22.5 days of vacation for employees with 25 or more years of service; each public works employee shall receive \$200 per contract year for all uniforms, clothing, boots, gloves, etc. and public works employees shall be required to wear safety boots; reduce the number of positions listed in the agreement to the following – Machine Truck Operator II, Laborer, Water Treatment Plant Operator, Water Department Servicer, Wastewater Plant Operator, Sewer Utility Servicer, Receptionist/Clerical, Fire Driver, and Auto Mechanic; add a paragraph at the bottom of Appendix A explaining the advancement through the pay matrix.

In his report to the council, Administrator Eikmeier reported that a new police officer has been hired. Hunter Clayton is from the Emmetsburg area and has a degree in criminal justice, which will allow him to attend the short-course police academy in Sioux City. The Water Dept. is repairing two more water leaks this week. Council member Brown asked if inspections of private sewer lines in the northwest area of town has shown any problems. Jim Agnitsch said they have inspected roughly half of the houses and found 4-5 cross connections and several sump pumps connected to the sanitary sewer. He feels the inspections should do a lot of good and hopes to complete the 65-70 remaining houses in late summer or early fall. The Administrator reported that snow tickets were issued last week following the 5"-7" snowfall. The Police Dept. and City Hall received several complaints as people were confusing the downtown restriction of no parking between October 1 and April 1, with no parking on the streets anywhere following 2" or more of snow.

Dave Ellis, Recreation Director, presented his quarterly report to the council. Events since the first of the year included the first annual Father/Daughter dance, which was a huge success; youth basketball league; youth indoor soccer; and adult volleyball and basketball. Dave reported that there were no problems (fights, etc.) with adult basketball this year so he anticipates more teams and a longer season in the future. The aquatic center staff has been hired for the season and a City-formed adult softball league will begin in May. Other upcoming events include: sand volleyball league, disc golf league, Hershey track meet, Cherokee track club, youth tennis camp, Eco Day with Middle School students, and the high school art class plans to paint the fountain at the community center. Dave feels the Park & Rec Advisory Board has been a good addition.

The meeting was adjourned at 7:45 p.m.

News media – Paul Struck, *Chronicle Times*; Nikki Thunder, KCHE.

Mark Murphy – Mayor

ATTEST:

Debra Taylor  
City Clerk-Treasurer