

**CITY COUNCIL MINUTES  
TUESDAY, APRIL 10, 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, Johnson, Miller, Pingel, City Administrator Kooiker and City Clerk-Treasurer Cargin. City Attorney Herbold was present for part of the meeting by phone.

Motion by Brown, seconded by Miller, to approve the agenda with no changes or additions. Motion carried.

**Resolution 2018-26 Authorize Reimbursement for Removal of Asbestos Costs**

Brown spoke in favor of the city reimbursing for asbestos removal charges in the old Cookie's Tap building at 208 W. Main and stated that the city has been pretty consistent with financial support toward downtown development and feels it would be a shame to let the building sit there when there is someone willing to take it down. Ann Peck, 300 Pilot Ave., spoke out in opposition of the reimbursement and does not think that the city should fully reimburse for the asbestos removal charges since the building belongs to a private citizen. She questioned how the property will generate more taxes as an empty lot. Brown replied that the property does not generate much tax revenue currently, and there could possibly be a structure built on the lot in the future and demolishing the building will make the lot more attractive for future development. Without demolition, any prospective buyer would have to pay to take down the building, which could deter them from redeveloping the property. Loughlin will pick up the demolition costs. Peck questioned that as a private citizen, if she buys something that has asbestos in it can she come to the council and ask for money? That is basically what is going on here. Brown replied that the City has already spent a considerable amount on improvements to downtown buildings, this is just a continuation of what the city has done in the past. Peck replied that this building should then be treated the same as the buildings that participated in the Downtown Façade Program. Pingel stated that 208 W. Main does not have any redeemable value, it can't be saved. Peck still disagrees with the City paying for the entire cost of asbestos removal. Mayor Schmidt commented that John, Rich and Will Cook purchased the building back in 2001 to get rid of a hazardous blight and that their purchase was good for the City. John Loughlin, the potential buyer of the property, will make the property much more attractive than it is now. Peck replied that the Cooks and Loughlin could share in the cost of the asbestos removal. Schmidt replied that the Cooks have already invested about \$50,000 in the property at this juncture. John Loughlin stated the Cooks did a service and he is not looking to get any return on this and he won't. He will pay to tear the building down and whatever costs it takes to get the lot looking presentable. Motion by Brown, seconded by Pingel, to adopt Resolution #2016-26, a Resolution to Authorize Reimbursement for Removal of Asbestos to Facilitate Demolition of 208 W. Main, not to exceed \$16,300, to be paid after the removal has been certified as complete. Roll call was: AYES: Brown, Johnson, Pingel. NAYES: Agnitsch, Miller. Motion carried.

**Agreement for 123 E. Main Sidewall**

Kooiker advised the council that an agreement with Lynn Waggoner, owner of the property at 123 E. Main Street has been reached. There are some changes in wording to the agreement presented at the last council meeting, but the offer of \$18,000 for the cost of the sidewall sealing remains unchanged. Motion by Miller, seconded by Agnitsch, authorized the Mayor to sign a Construction Settlement Agreement with Lynn Waggoner. Roll call was: AYES: All. NAYES: None.

**Resolution 2018-27 Setting Wages for Non-Union Full-time Employees**

Motion by Brown and seconded by Pingel to adopt Resolution 2018-27, a Resolution Setting Wages for non-union, full-time employees effective July 1, 2018. Roll call was: AYES: All. NAYES: None.

**Resolution 2018-28 Setting Wages Regular Part-time Employees**

Motion by Agnitsch, seconded by Miller, to adopt Resolution 2018-28, a Resolution Setting Wages for regular, part-time employees effective July 1, 2018. Kooiker noted this Resolution includes the position of Fire Chief for the first time. Roll call was: AYES: All. NAYES: None.

**Resolution 2018-29 Garbage Collection**

Motion by Miller, seconded by Pingel, to adopt Resolution 2018-29, a Resolution Authorizing the Negotiation of a New Contract with Sanitary Services for garbage collection, and to table the third reading of Ordinance #663, an Ordinance Increasing Residential Garbage Collection Fees. Roll call was: AYES: All. NAYES: None.

**Consent Agenda**

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

City Council Minutes of March 27, 2018

March Police Report.

Tax Abatement Application – 512 Sumner St.

Tax Abatement Application – 1108 St. Andrew’s Dr.

Tax Abatement Application – 1600 W. Main St.

March Treasurer’s Report and Receipts as follows: General \$67,902.92; Police Forfeiture \$656.51; County Library \$3,501.59; Road Use \$46,781.96; Employee Benefits \$27,543.18; Emergency \$1,464.49; Local Option Sales Tax \$77,509.17; Hotel/Motel Tax \$24,879.94; Revolving Loan \$31.34; Library Memorial \$291.27; Park & Rec Capital Improvement \$6,675.60; Cemetery Special Care \$16.51; Debt Service \$12,075.26; Road Use Equipment \$5.25; CDBG Storefront Project \$0; 2016 Capital Projects \$500.00; Emergency Set-Aside \$20.29; Oak Hill Perpetual Care \$483.25; Water Utility \$55,304.95; Water Utility – Industrial \$45.28; Water Treatment Fac. Project \$0; Water Main Project Bond & Interest \$4,993.75; Water System Maintenance \$9,979.28; Sewer Utility \$87,765.52; Sewer Utility – Industrial \$32.11; Sewer Facility Bond & Interest \$30,500.50; Sewer System Maintenance \$9,125.27; Aviation Authority \$7,422.43; Solid Waste \$27,825.82; Landfill \$29,924.52; Storm Sewer Utility - \$7,121.62; Self-Insurance \$0; Police Dept. Special Acct. \$0

Bills totaling \$129,156.60

AHLERS & COONEY P.C.	WILSON SCHOOL NUISANCE	\$189.00
AL'S CORNER OIL CO.	SKIDLOADER FUEL	\$78.95
ALLIANT ENERGY	NATURAL GAS	\$1,314.95
ALYSSA A. HERBOLD PLC.	3/18 DANGEROUS BUILDINGS	\$297.00
ALYSSA A. HERBOLD PLC.	3/18 LEGAL SERVICE	\$1,404.00
ALYSSA A. HERBOLD PLC.	WILSON SCHOOL NUISANCE	\$378.00
ARMOND RIDER	4/18 CELL PHONE REIMB.	\$50.00
BARCO MUNICIPAL PRODUCTS	SIGNS	\$325.02
BLAINE'S WATER COND.	COOLER RENT & WATER	\$110.90
BLOOMBURG BUSINESS WEEK	SUBSCRIPTION RENEWAL	\$160.00

BOMGAARS	OPERATING SUPPLIES	\$368.07
BROWN SUPPLY CO.	GATE VALVE	\$996.26
BUGH WELDING	STAND FOR PUMP	\$186.85
BUILDERS SHARP. & SERVICE	HYDRAULIC FLUID, MOWER PARTS	\$121.74
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$643.33
CHAMPION ELECTRIC, INC.	RESET LIGHTS & CLOCK	\$52.56
CHARLENE CARLSON	MILEAGE	\$53.01
CHEROKEE AUTO PARTS	AIR FILTERS	\$46.16
CHEROKEE CO. SOLID WASTE	3/18 ASSESSMENT	\$29,688.51
CHEROKEE CO. TREASURER	INCOME OFFSET ASSESSMENTS	\$780.00
CHEROKEE COUNTY ASSESSOR	ANNUAL PICTOMETRY CONT.	\$2,000.00
CHEROKEE COUNTY EXT.	DYNAMIC LEADERS	\$50.00
CHRONICLE TIMES	LEGAL PUBLICATIONS, ADS, VARIANCE	\$867.10
COGRAN SYSTEMS	2/18 & 3/18 REGISTRATION	\$230.00
CONTROL SYSTEM SPECIALISTS	LIBRARY REPAIRS	\$668.34
COUNSEL	COPY CONTRACT & OVERAGE	\$157.44
COUNTRY TIRE & SERVICE	TIRE REPAIRS, OIL CHANGE	\$303.04
COUNTRY WOMAN	SUBSCRIPTION RENEWAL	\$19.98
COVERT TRACK GROUP, INC.	SUBSCRIPTION RENEWAL	\$600.00
CRAIG SCHMIDT	MILEAGE TO LEAGUE MEETING	\$89.38
CROSSROADS OF WESTERN IA	CLEAN TOWELS	\$39.40
DEER VALLEY LAND IMPROV.	SNOW REMOVAL	\$638.00
DEMCO, INC.	OFFICE SUPPLIES	\$177.35
DUANE MUMMERT	4/18 CELL PHONE REIMB.	\$35.00
ENGINEERED EQUIPMENT SOLUTION	SENSOR SLEEVE	\$241.94
ENVIRON. RESOURCE ASSOC.	LAB SUPPLIES	\$831.51
FOUNDATION ANALYTICAL LAB	WATER & WASTEWATER SAMPLES	\$565.00
GANGER PAINT & BODY	REPAIR DOOR HANDLE	\$76.95
GEORGE SCHMIDT	4/18 CELL PHONE REIMBURSEMENT	\$35.00
GRUNDMAN-HICKS L.L.C.	WATER TREATMENT PLANT IMP.	\$20,416.45
HALLETT MATERIALS	HIGH PERF. COLD MIX	\$1,069.20
HY-VEE, INC.	PARK FUEL	\$25.62
JACK'S UNIFORMS & EQUIPMENT	BOOTS	\$89.95
JAMIE HODGDON	4/18 CELL PHONE REIMB.	\$35.00
JANITOR'S CLOSET, LTD.	SUPPLIES	\$354.56
JIM'S SEWER SERVICE	JET E. MAPLE, E. SPRUCE, BAILEY CT.	\$682.50
JUDY GRIENKE-MILLER	DEEP FREEZE SECURITY	\$115.20
L-TRON CORPORATION	MICROPHONE SCANNER KIT	\$329.00
LILLIAN FORESMAN	OFFSET REIMBURSEMENT	\$140.16
LORNA BENNETT	OFFSET REIMBURSEMNT	\$169.29
MARCUS LUMBER COMPANY	LUMBER	\$536.20
MENARDS-SPENCER	STORM DOORS	\$237.00
MID AMERICAN ENERGY	ELECTRICITY	\$892.44
MID-AMERICAN BENEFITS, INC	2/18 & 3/18 ADMIN FEES, CLAIMS	\$1,037.60
MILLER, MILLER, MILLER	LEGAL-ALDAG PROERTY (FEMA)	\$1,651.38
MOTION PICTURE LICENSING	MOVIE LICENSE RENEWAL	\$124.12
MOTOR PARTS SALES	PARTS	\$166.14

MUNICIPAL SUPPLY, INC.	LIQUID GAUGES, METERS,	\$2,211.30
NATE JAMES	4/18 CELL PHONE REIMB.	\$50.00
NELSON ELECTRIC	LED BULBS	\$337.50
NORTHWEST ELECTRIC	BLOWER REPAIRS	\$2,874.20
O'HALLORAN INTERNATIONAL	SKID LOADER HOSE	\$25.21
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$329.25
PETTY CASH - LIBRARY	NEWSPAPERS, POSTAGE	\$164.12
PITTS TRUCKING	2 LOADS ROCK	\$1,528.00
R.J. THOMAS MFG. CO., INC.	BENCH ARMREST	\$259.20
RASMUS TRUCKING	LOAD 1" LIMESTONE, 5 LOADS 1" STONE	\$3,920.00
REHAB SYSTEMS, INC.	JET 7TH & BEECH ST.	\$825.00
REINERT MACHINE SHOP	CUTTING EDGE, PLOW REPAIRS	\$239.15
RIVERFRONT CAR WASH	SNOW REMOVAL	\$450.00
SAM KOOIKER	4/18 CELL PHONE REIMBURSEMENT	\$50.00
SANITARY SERVICES	3/18 GARBAGE PICK UP	\$24,951.15
SCE, LLC	WATER LEAK, GRAVES	\$8,931.40
SCIENCE FIRST, LLC.	LAB SUPPLIES	\$11.86
SHOPKO STORES OPERATING CO	KLEENEX	\$5.49
SIOUX VALLEY ENVIRONMENTAL	SVENFLOC	\$1,344.44
SJE RHOMBUS	4TH QTR. FLEX BILLING	\$210.38
STEPHEN VEIT, M.D.	HEPATITIS SHOT	\$132.50
STEVE'S WINDOW SERVICE	CLEAN WINDOWS	\$26.00
THE BOOK VINE	BOOKS	\$63.67
THE NEW SIOUX CITY IRON CO	ROUTER BITS	\$61.57
TODD LARSEN	4/18 CELL PHONE REIMB.	\$35.00
TODD MILLER	4/18 CELL PHONE REIMB/	\$35.00
TOOLS PLUS INDUSTRIES	DIAMOND BLADE, SAFETY GLASSES, SIGNS	\$742.22
TRAVELER	SUBSCRIPTION	\$39.97
U.S. BANK EQUIP. FINANCE	COPY CONTRACT	\$89.94
USPS	UTILITY BILL POSTAGE	\$311.43
UTILITY EQUIPMENT COMPANY	SERVICE CHARGE	\$21.42
VALLEY GLASS & FRAMING	WINDOW IN CITY HALL DOOR	\$350.00
VERIZON WIRELESS	HOT SPOT	\$40.01
WALDNER'S LAWN SERVICE	330 SUMNER SNOW REMOVAL	\$50.00
WELLS FARGO VENDOR FIN SERV.	CHANGE DUE DATE FEE	\$39.19
WESTERN IA TOURISM REGION	DESTINATION DEVELOPMENT SUMMIT	\$60.00
WEX BANK	FUEL	\$3,022.21
WIESE OIL & SUPPLY CO., LT	FUEL	\$2,223.00
YOUR FLEETCARD PROGRAM	PARK FUEL	\$116.90
ZACH FREKING-SMITH	DVD'S FOR LIBRARY	\$37.37

### **FY18-19 Street Chip Seal Projects**

Motion by Agnitsch, seconded by Brown, authorized obtaining bids for FY18-19 chip seal projects. Roll call was: AYES: Johnson, Miller, Pingel, Agnitsch, Brown. NAYES: None.

### **Acceptance of Grant for Recycling Containers**

Motion by Brown, seconded by Miller, to authorize acceptance of a Solid Waste Alternatives Program Project Agreement between the City and the Iowa Department of Natural Resources for a forgivable loan in the amount of \$7,490 for the purchase of 198 recycling containers, and authorized the Administrator and Clerk to explore ordering additional containers at city cost. These containers will be made available for residents to purchase at a cost of \$20.00 each. There is a 25% city match required. Roll call was: AYES: All. NAYES: None.

### **Authorize Delay in Enforcement of Lewis Hotel Dangerous Building Issues**

Motion by Johnson, seconded by Agnitsch to delay enforcement of the Lewis Hotel (231 W. Main) dangerous building issues until after July 3, 2018. Roll call was: AYES: All. NAYES: None.

### **Set Hearing Date for FY17-18 Budget Amendment**

Motion by Miller, seconded by Pingel to set the date for the Public Hearing on the FY17-18 Budget Amendment for April 24, 2018, at 7 p.m. at Cherokee City Hall. Roll call was: AYES: All. NAYES: None.

### **Action on Board of Adjustment Recommendation**

Motion by Brown to agree with the Board of Adjustment's recommendation to deny both aspects of a variance request for 425 Gillease St. and to consider amending the ordinance to allow for larger garages. Motion seconded by Miller. Roll call was: AYES: All. NAYES: None.

### **Adjournment**

On a motion by Johnson, seconded by Pingel, the meeting was adjourned at 7:35 p.m.

Media Present: None

Craig Schmidt, Mayor

ATTEST:

Diane Cargin  
City Clerk Treasurer