

**CITY COUNCIL MINUTES  
TUESDAY, APRIL 23, 2019, 7:00 P.M.  
CHEROKEE CITY HALL**

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

**Approve Agenda**

Motion by Miller, seconded by Pingel, to approve the agenda. Roll call was: AYES: All. NAYES: None.

**Public Forum**

Joe Schleef spoke to the council concerning a request from resident Dennis Radke who resides at 506 N. Roosevelt Ave. Mr. Radke has asked Mr. Schleef to construct a small pen at this address in which to contain seven ducks that Mr. Radke has ordered. Before going ahead with this, Mr. Schleef is asking for council direction. Mr. Radke has spoken with the Mayor and told him that he received permission from the previous city administrator to keep ducks at this residence. There is nothing in writing to substantiate this. Mayor Schmidt stated that he checked Mr. Kooiker, and that Kooiker said he had corresponded with Mr. Radke about bobwhite quail which Radke planned to keep inside the house. Brown commented that the council has turned down similar requests in the past. Per City Code Sections 55.01 and 55.05, ducks are classified as “livestock” and it is unlawful to keep livestock within city limits without written consent of the city council. Since this item was not listed on the agenda, no action can be taken. Mr. Schleef was advised that before going any further Mr. Radke needs to submit a request at City Hall for this matter to be included on a council agenda. Mr. Schleef also advised the council that he plans to use an old boat as a flower bed on the property at 500 W. Maple. As there is nothing in the City Code that would prohibit this, the council advised Mr. Schleef to make sure the area around the flower display is kept mowed, weeded, and looking good.

**Resolution #2019-17 Approving Administrator Employment Agreement**

Motion by Miller, seconded by Brown to adopt Resolution 2019-17, a Resolution Approving a City Administrator Employment Agreement. This Agreement sets out terms and conditions for the employment of City Administrator Eric List beginning May 20, 2019, at an annual salary of \$95,000. Roll call: AYES: All. NAYES: None.

**Resolution #2019-18 Approving Leachate Agreement with CCSWC**

Motion by Pingel, seconded by Miller to adopt Resolution 2019-18, a Resolution Approving a Leachate Disposal Agreement with Cherokee County Solid Waste Commission. This is a two year contract. Roll call: AYES: All. NAYES: None.

**Resolution #2019-19 to Complete the Purchase of Real Property**

Motion by Brown, seconded by Miller to adopt Resolution 2019-19, a Resolution to Complete the Purchase of Real Property from the Iowa Natural Heritage Foundation to Expand the Public Trail System. Roll call was: AYES: All. NAYES: None.

## Consent Agenda

On a motion by Miller, seconded by Pingel, the following was approved under Consent Agenda.

Roll call was: AYES: All. NAYES: None.

City Council Minutes of April 9, 2019.

Class B Beer Permit for Cherokee Chamber PRCA Rodeo.

Bills totaling \$93,040.63

ACCO	POOL CLEANING SUPPLIES	\$1,260.00
AGRIVISION EQUIPMENT GROUP	AIR & OIL FILTERS	\$155.58
AL'S CORNER OIL CO.	PARK FUEL	\$236.04
ALLIANT ENERGY	NATURAL GAS	\$1,207.71
AURELIA LUMBER COMPANY	LUMBER & SUPPLIES	\$697.65
BAKER & TAYLOR	BOOKS	\$735.41
BRAD'S TIRE SERVICE	MOWER VALVE ADJUSTMENT	\$133.59
BROWN SUPPLY CO.	COUPLING, GASKET, LUG	\$378.00
BUILDERS SHARP. & SERVICE	LAWN MOWER & SERVICE	\$2,343.20
CENTRAL IOWA DIST. INC.	DEGREASER	\$63.00
CHEROKEE AVIATION AUTHORITY	TAX DRAW	\$6,874.59
CHEROKEE CO. TREASURER	ASSESSMENTS	\$118.88
CHEROKEE MAIN STREET BAKERY	MEET & GREET COOKIES	\$27.00
CHICAGO CENTRAL & PACIFIC	LEASE PAYMENT	\$75.00
COUNTRY TIRE & SERVICE	REPAIRS	\$721.56
DIANE CARGIN	MILEAGE	\$233.74
DOLLAR GENERAL-REGIONS 410	OPERATING SUPPLIES	\$92.21
FAREWAY STORES, INC.	OPERATING SUPPLIES	\$76.25
GREAT AMERICA FINANCIAL SERVICE	COPY CONTRACT	\$79.00
GREG EATON, FIRE CHIEF	VOLUNTEER FIREMAN PAYROLL	\$800.00
GUARANTEE GUTTER CO.	GUTTERS	\$729.00
HALLETT MATERIALS	HIGH PERFORMANCE PATCH & STONE	\$2,368.85
HY-VEE, INC.	REC SUPPLIES & FUEL	\$126.66
I & S GROUP, INC.	UV DISINFECTION IMPROVEMENTS	\$4,232.00
IOWA COMM. ASSURANCE POOL	TROY PEDERSEN	\$79.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY	\$100.24
J & M DISPLAYS, INC.	2019 FIREWORKS	\$4,000.00
JACK'S UNIFORMS & EQUIPMENT	KEY STRAP	\$42.90
JJSS, LLC	JET PARK & GILLEASE	\$240.00
JOHN MEIS	SIMPCO MEETING	\$209.00
MARTIN MARIETTA MATERIALS	STONE	\$3,022.17
MID AMERICAN ENERGY	ELECTRICITY	\$23,012.98
MID-AMERICAN BENEFITS, INC	CLAIMS THROUGH 4/17/19	\$2,324.90
MIDWEST TURF & IRRIGATION	SPRING LAKE FOUNTAIN	\$5,608.19
MILLS & MILLER INC.	DEICING SALT	\$1,708.20
MODERN HEATING & COOLING	FIX SINK & FAUCET, DEHUMIDIFIER	\$3,587.28
MUNICIPAL SUPPLY, INC.	CLAMP	\$190.00
NOGGIN WATER	WATER & COOLER RENT	\$26.25

NORTHWEST IOWA LEAGUE OF CITIES	MEETING REGISTRATION	\$15.00
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$92.57
R.J. THOMAS MFG. CO., INC.	ALUMINUM SEAT PLANK	\$78.00
REHAB SYSTEMS, INC.	VAC LIFT STATION, JET SANITARY SEWER	\$997.50
ROBERT STOUT	INCOME OFFSET	\$205.06
SCE, LLC	PUMP & TRUCK RENT, SERVICE LINE	\$7,931.47
SENSUS USA	SOFTWARE	\$1,949.94
STEVE'S WINDOW SERVICE	CLEAN WINDOWS	\$26.00
TRUCK EQUIPMENT INC.	BROOM, FLOOD CLEAN UP	\$483.04
TYLER EBEL	INDOOR SOCCER REF	\$350.00
UNUM LIFE INS. CO OF AMERICA	5/19 LIFE & DISABILITY INS.	\$1,028.93
USPS	UTILITY BILL POSTAGE	\$327.74
WALDNER'S LAWN SERVICE	SNOW REMOVAL	\$275.00
WELLS FARGO VENDOR FIN SERVICE	BOBCAT TOOLCAT PAYMENT	\$1,841.69
WIESE OIL & SUPPLY CO., LT	FUEL	\$1,683.60
WOODALL ELECTRIC	SEWER & WATER REPAIRS	\$7,652.30
ZAC SMITH	MILEAGE TO/FROM CAMP DODGE	\$186.76

### **Quotes for Police Dept. Garage Building**

Two quotes were received for the construction of a 30'x 40' garage building with overhead doors for the police department as follows: Benson Construction \$72,598.12; Rob Kannegieter \$77,472. Motion by Miller, seconded by Brown to award the low quote to Benson Construction. Roll call was: AYES: All. NAYES: None.

### **Quotes for 2019 Bridge Inspection**

Two quotes were received for engineering services for the 2019 bridge inspections for the ten bridges located in city limits as follows: Beck Engineering \$7,700; Bolton & Menk \$5,800. Motion by Brown, seconded by Pingel to award the low quote to Bolton & Menk. Roll call was: AYES: All. NAYES: None.

### **Approve Appointment of Eric List to City Administrator Position**

Motion by Brown, seconded by Miller, to appoint Eric List to the position of City Administrator. Roll call was: AYES: All. NAYES: None.

### **Accept Resignation of Councilperson and Discuss Filling Vacancy**

Motion by Miller, seconded by Pingel to accept the resignation of City Councilperson Ward 1 Jim Agnitsch effective April 16, 2019, and to direct the Clerk to publish Notice of Intent to Fill Vacancy by Appointment. Roll call was: AYES: All. NAYES: None. The council plans to fill the vacancy by appointment at the May 14, 2019, city council meeting. The individual appointed will serve until the November, 2019, city council election. Residents of Ward 1 will must petition for a special election within fourteen days after the appointment is made if they desire to do so. Councilmembers and residents of Ward 1 (mostly the northwest quadrant of the city) that wish to be considered for appointment are asked to submit their names to the City Clerk as soon as possible but no later than 4:30 p.m. on Thursday, May 9, 2019.

**Purchase of Used 2011 Maintainer**

Motion by Brown, seconded by Pingel, to accept a quote of \$122,250 for a 2011 John Deere 772G maintainer. This price includes a trade in value of \$46,000 for a 140H maintainer. Roll call was: AYES: All. NAYES: None.

**Purchase of Pumps for Lift Station**

Two quotes were received for the replacement of two pumps with guide rails for the Spruce St. Lift Station as follows: Electric Pump \$29,500; Quality Flow Systems \$29,940. Motion by Brown, seconded by Pingel to award the low quote from Electric Pump. Roll call was: AYES: All. NAYES: None.

**Parking Lot Party Proposal**

The Brightside Lounge and Jobie's Pastime would like to sponsor a dance in the W. Maple parking lot on Friday, May 31, through noon on Sunday, June 1. The owners are requesting the closure of the parking lot and also the alley during this time period. The council expressed no objection to this event as long as adjoining property owners are notified and are in agreement, the city is listed as an additional insured on coverage for this event and appropriate liability coverage is secured.

**Adjournment**

On a motion by Pingel, seconded by Brown, the meeting was adjourned at 7:33 p.m.

Media Present: None.

Craig Schmidt  
Mayor

ATTEST:

Diane Cargin  
City Clerk Treasurer