

**CITY COUNCIL MINUTES
TUESDAY, JULY 24, 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. Absent was City Attorney Herbold.

Motion by Brown, seconded by Miller to approve the agenda. All voted aye, motion carried.

Resolution 2018-53 28E Law Enforcement Agreement with City of Marcus

Motion by Miller, seconded by Johnson, adopted Resolution 2018-53, a Resolution Authorizing 28E Agreement with Marcus, IA Regarding Law Enforcement Services. This is a one year agreement with an auto-renewal clause in regard to Cherokee police officers serving as part-time police officers for Marcus, with potential for Marcus police officers to serve part-time in Cherokee. Roll call was: AYES: All. NAYES: None.

Public Hearing – Authorization of Loan Agreement

At 7:03 p.m. Mayor Schmidt announced that this was the time and place for the Public Hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$150,000 General Obligation Capital Loan Notes in order to provide funds to pay the costs of equipping of the fire department, including the acquisition of a new truck, for essential corporate purposes, and that the notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 384.24A and 384.25 of the Code of Iowa.

Rick Mitchell of Danko Emergency Equipment joined the meeting by phone. Mitchell informed the council that the price difference in the bid received from Danko and the bid received from Rosenbauer reflects the difference in the type of chassis. The city provided only general specs and Danko subsequently quoted a higher rated chassis, therefore the price difference in the two quotes is not comparing “apples to apples.” Mitchell stated that Danko’s standard chassis is higher rated with increased durability and they also quoted a 350 hp motor rather than a 300 hp motor. Kooiker asked Mitchell if he thought the bidding price was unfair. Mitchell replied no, but he wanted city officials to understand the difference in bid is due to the difference in the chassis and the engine. He advised that the next time bids for a vehicle are solicited that the City needs to give more complete specs on the type of chassis they want. There were no specs from the City regarding the chassis other than wanting an International. Agnitsch stated that anytime the City solicits bids there should be a line sheet. Greg Eaton, Fire Chief, stated the chassis bid by Rosenbauer is not undersized. Donley Frederickson, representative of Rosenbauer stated he understood that we wanted a 300 hp motor and he has talked to O’Halloran’s to make sure there is no problem with the chassis they bid. Miller stated the City needs to make sure we solicit bids with precise specs included in order to get comparable bids the first time.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections to

the issuance of the Notes and none were made. The Mayor then closed the Public Hearing at 7:12 p.m.

Resolution 2018-54 Instituting Proceedings to Take Additional Action

Motion by Pingel, seconded by Miller adopted Resolution 2018-54, a Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$150,000 General Obligation Capital Loan Notes for the purchase of a new fire truck. Roll call was: AYES: Brown, Miller, Pingel, Johnson. NAYES: Agnitsch.

Resolution 2018-55 Encumbering FY17-18 Appropriations

Brown questioned the need for Resolution 2018-55 to Encumber Funds from the FY17-18 budget for the purchase of a side-by-side for the Parks/Cemetery Depts. and also from the Community Center budget for the construction of a new stage front. He favors spending the money out of the FY18-19 budget since the funds are available, with the expenses to be included in a budget amendment. The Clerk stated she has asked the city’s auditors for their opinion on the policy of encumbering funds from one budget year to the next but has not had the opportunity to visit with them yet. No action was taken on Resolution 2018-55. Motion by Brown, seconded by Johnson, to approve the expenditure for a side-by-side for the Cemetery/Parks Dept. in the amount of \$10,000 with the cost split equally between the two departments, and approve the expense of re-construction of a stage front in the amount of \$10,040 for the community center, and to obtain the city’s auditor’s advisement on the policy of encumbering funds. Roll call was: AYES: All. NAYES: None.

Resolution 2018-56 Eliminating FEMA Fund Deficit

Motion by Miller, seconded by Pingel, adopted Resolution 2018-56, a Resolution Transferring Funds to clear a deficit balance in the FEMA Flood Buyout Program. The Clerk explained that transfers in the amount of \$85,039 had been included in the FY18-19 budget to clear the deficit, but since the budget was adopted another \$1,698.25 in bills were approved for payment from this fund. In order for the entire deficit balance to be cleared, another \$1,698.25 will need to be transferred from Storm Water Utility to the FEMA Flood Buyout Program. Roll call was: AYES: Agnitsch, Johnson, Pingel, Brown, Miller. NAYES: None.

Consent Agenda

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

City Council Minutes of July 10, 2018.

Application for Tax Abatement for 815 W. Cedar St.

Class C Beer Permit for Hy-Vee Gas.

Class C Liquor License for Tanner’s Last Chance.

Historic Preservation Commission Minutes of June 11, 2018.

Sewer credit of \$124.65 for 1010 Rock Island utility bill.

Bills totaling \$128,543.75

ACCO	LIQUID CHLORINATING SOLUTION	\$758.60
ALLIANT ENERGY	NATURAL GAS	\$536.76
BAKER & TAYLOR INC.	BOOKS	\$532.50
BENSON CONSTRUCTION	CEMETERY BUILDING	\$24,680.87

BERT GURNEY & ASSOCIATES	VOLUTE GASKETS	\$216.37
BLOOMING HOUSE	PARK FLOWERS	\$398.57
BOMGAARS	OPERATING SUPPLIES	\$1,968.30
BRAD'S TIRE SERVICE	MOWER & REPAIRS	\$9,553.00
BROWN SUPPLY CO.	ROLL UP SIGNS	\$165.99
BUILDERS SHARP. & SERVICE	OPERATING SUPPLIES	\$312.87
CARROLL DISTRIBUTING	GRAY SEALANT	\$150.00
CENTRAL IOWA DIST. INC.	DEGREASER, TRASH BAGS	\$387.10
CHEROKEE AUTO PARTS	OPERATING SUPPLIES	\$48.68
CHEROKEE AVIATION AUTHORITY	PROPERTY TAX DRAW	\$183.50
CHEROKEE CO. ENVIR. HEALTH	POOL SLIDE INSPECTION FEES	\$493.00
CHEROKEE COMM. FOUNDATION	FY 18-19 FUNDING	\$1,000.00
CHEROKEE REGIONAL MED. CENTER	IMMUNIZATIONS	\$639.00
CHEROKEE ROTARY CLUB	ROTARY DUES & MEALS/CS	\$182.73
CHURCH OF CHRIST	INFLATABLES FOR CRAZY DAYS	\$300.00
COMES INVESTMENTS (PIZZA HUT)	PIZZA FOR POOL	\$20.00
COUNSEL	COPY OVERAGE	\$95.33
COUNTRY TIRE & SERVICE	TIRE REPAIR	\$22.38
DENNY'S SERVICE	A/C REPAIRS	\$110.00
FAREWAY STORES, INC.	POP FOR C. CENTER, WATER SUPPLIES	\$68.68
FELD FIRE	FIRE EXTINGUISHERS	\$2,877.71
FOUNDATION ANALYTICAL LAB	WASTEWATER SAMPLES	\$398.25
GREGG COMPUTER SERVICE	LAPTOP	\$285.00
HACH CO.	LAB SUPPLIES	\$273.46
HALLETT MATERIALS	COLD MIX	\$1,285.35
HAWKINS, INC.	LAB SUPPLIES	\$310.00
HOLZHAUER MOTORS, LTD.	OIL CHANGE	\$43.99
HOPKINS & HUEBNER, P.C.	28E AGREEMENT WITH MARCUS	\$600.00
HY-VEE, INC.	POOL SUPPLIES	\$50.38
IOWA LAKES ELECTRIC COOP	ELECTRICITY	\$42.17
IOWA ONE CALL	LOCATES	\$63.00
IOWA PUMP WORKS	PUMP PARTS FOR PARK	\$676.02
JANITOR'S CLOSET, LTD.	CLEANING SUPPLIES	\$294.68
JESSICA BIEBER	LIFE GUARD CERTIFICATION	\$132.00
K & M TREE SERVICE	BOOM TRUCK RENTAL	\$48.00
K-MART #9222	CLEANING SUPPLIES, WATER	\$33.56
MEDIACOM LLC	INTERNET	\$313.40
MID AMERICAN ENERGY	ELECTRICITY	\$27,268.53
MID-AMERICAN BENEFITS, INC	FLEX SPENDING & CLAIMS	\$2,483.89
MID-IOWA SALES CO.	SWEEPER BROOM	\$36.59
MOTOR PARTS SALES	OPERATING SUPPLIES	\$9.70
MUNICIPAL EMERGENCY SERVICE	OPERATING SUPPLIES	\$1,293.21
NOHAVA ROOFING REPAIR, INC	FLASHED NEW RTU	\$3,136.80
O'REILLY AUTOMOTIVE STORES	OPERATING SUPPLIES	\$20.97
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$579.93

PARTY FUN RENTALS	MOVIE SCREEN RENT	\$309.99
PENGUIN MANAGEMENT, INC.	FY19 EDISPATCH	\$1,747.00
PLUNKETT'S PEST CONTROL	FY19 PEST CONTROL	\$424.08
POWER SOLUTIONS	SUPPLIES	\$1,000.00
R.J. THOMAS MFG. CO., INC.	TRASH RECEPTACLES, ALUMINUM PLANKS	\$1,316.10
RACO MFG. & ENGINEERING	ALARMAGENT.COM	\$475.00
RANDY RUPP	BOOT REIMBURSEMENT	\$150.00
RECREONICS, INC.	WEDGE ASSEMBLY	\$95.44
REHAB SYSTEMS, INC.	JET VAC EUCLID & SPRUCE LINES	\$275.00
REINERT MACHINE SHOP	MOWER RACK, REPAIRS	\$199.41
RON'S REPAIR, INC.	FIX A/C IN BOBCAT	\$220.00
SCE, LLC	FUEL TANK PUMP RENTAL	\$675.00
SCHUMACHER ELEVATOR CO.	ELEVATOR MAINTENANCE	\$1,601.20
SIMPCO	MEMBERSHIP DUES	\$4,977.70
SIOUX SALES COMPANY	BELT	\$64.95
STATE LIBRARY OF IOWA	FY19 STATEWIDE DATABASE FEE	\$340.18
SUPER CITY DOTS, LLC	DIPPIN DOTS FOR POOL	\$601.92
TAMMY OLSON	MEDICAL SUPPLIES	\$3.37
TREASURER OF STATE OF IOWA	ATTORNEY FEES/K. HARRIS	\$78.47
UNUM LIFE INS. CO OF AMERICA	8/18 LIFE & DISABILITY	\$1,037.35
US BANK EQUIPMENT FINANCE	COPY CONTRACT	\$89.94
USPS	UTILITY BILL POSTAGE	\$328.09
VALLEY VETERINARY CENTER	BOARD DOG, MEDS FOR JACOB	\$326.56
WALDNER'S LAWN SERVICE	SPRAYING, POOL REPAIRS	\$1,367.00
WELLS FARGO VENDOR FIN SERVICE	TOOLCAT PAYMENT	\$1,841.69
WIEMOLD SMALL ENGINE REPAIR	ROPE	\$5.00
WIESE OIL & SUPPLY CO., LT	FUEL	\$1,606.20
WINDSTREAM	EMAIL	\$2.99
WOODALL ELECTRIC	POOL & SEWER PLANT REPAIRS	\$22,003.30

REAP Grant Application

Motion by Brown, seconded by Miller, approved the submission of a grant application to REAP for \$100,000. If funded the grant monies will be used toward the acquisition of the 50-acre Magnetic Park property and development of a paved trail. Roll call was: AYES: All. NAYES: None.

Administrator's Report

Jamie Hodgdon, Cemetery Sexton, and Armond Rider, Public Works Director each gave the council a short update of their department's activities.

Board of Adjustment Report

Motion by Miller, seconded by Johnson acknowledged the owner of 5 S. Bow Drive's request to withdraw their variance request and instead pursue a partial alley vacation. Roll call was: AYES: All. NAYES: None.

Motion by Johnson, seconded by Miller to uphold the Board of Adjustment's recommendation for approval of a variance request for 1122 W. Hill St. Roll call was: AYES: All. NAYES: None.

Motion by Pingel, seconded by Brown to uphold the Board of Adjustment's recommendation for approval of a variance request for 518 Bailey Court. Roll call was: AYES: All. NAYE: None.

Adjournment

On a motion by Brown, seconded by Miller, the meeting was adjourned at 7:40 p.m.

Media Present: None.

Craig Schmidt, Mayor

ATTEST:

Diane Cargin
City Clerk Treasurer