

**CITY COUNCIL MINUTES
TUESDAY, OCTOBER 23, 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, Miller, Pingel, City Administrator Kooiker, City Attorney Herbold and Deputy City Clerk-Treasurer Lucas. Absent was Councilperson Johnson.

Addition to Agenda

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

Oath of Office for Officer Mike McGee

Mayor Schmidt read the Oath of Office to Officer Mike McGee.

2nd Reading of Ordinance 668 Amending Property Maintenance Provisions

Motion by Pingel, seconded by Brown to approve the 2nd reading and waive the 3rd reading of Ordinance #668, an Ordinance Amending Property Maintenance Provisions. Roll call was: AYES: All. NAYES: None.

Resolution 2018-77 Partners for Fish & Wildlife agreement

Motion by Brown, seconded by Agnitsch adopted Resolution 2018-77, a Resolution Approving a Partners for Fish & Wildlife agreement for the area between E. Main and E. Maple Street east of Roosevelt Avenue. Roll call was: AYES: All. NAYES: None.

Public Hearing – Surrender N. 11th Street Road Easement

At 7:07 p.m. Mayor Schmidt opened the Public Hearing for the Surrender of the N. 11th Road Easement from the Joanne Lundquist family. As there were no written or oral comments, the Mayor closed the Public Hearing at 7:08 p.m.

Resolution 2018-78 Approving the termination of right of way easement

Motion by Agnitsch, seconded by Miller to adopted Resolution 2018-78, a Resolution Approving the termination of right of way easement intersecting the northern corner of North 11th Street. Roll call: AYES: All. NAYES: None.

Resolution 2018-79 Transferring Funds from Water Utility Fund to Water Main Project

Motion by Miller, seconded by Pingel, adopted Resolution 2018-79, a Resolution Transferring Funds from Water Utility Fund to Water Main Project Bond and Interest Fund. Roll call was: AYES: All. NAYES: None.

Resolution 2018-80 Reporting Policy

Motion by Brown, seconded by Miller, adopted Resolution 2018-80, a Reporting Policy required with the FEMA applications for this year's flooding events. Roll call: AYES: All. NAYES: None.

Consent Agenda

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

City Council Minutes of October 9, 2018.

Tennis Committee Minutes of October 16, 2018.

Urban Revitalization Tax Abatement for 231 W. Main St. – Frank Sawatzky.

Class C Beer Permit for Dollar General Store

Bills totaling \$128,056.45

ALLIANT ENERGY	NATURAL GAS	\$502.45
BAKER & TAYLOR INC.	BOOKS	\$1,161.88
BARCO MUNICIPAL PRODUCTS	CLEANER	\$247.32
BOLTON & MENK, INC.	2018 STREET IMPROVEMENTS	\$19,720.00
BOLTON & MENK, INC.	BOW ST. R/W VACATE	\$1,745.00
BOLTON & MENK, INC.	RAILROAD CREEK HYDRAULICS	\$2,370.00
BOLTON & MENK, INC.	2018 STORMWATER IMPROVEMENTS	\$6,395.00
BRAD'S TIRE SERVICE	MOWER REPAIRS	\$658.92
BROWN SUPPLY CO.	PVC PIPE	\$677.60
BUILDERS SHARP. & SERVICE	SEEDER RENT, PARTS	\$1,618.17
CENTRAL IOWA DIST. INC.	TOWELS, URINAL BLOCKS	\$96.00
CERTIFIED TESTING SERVICES	2017 ELM ST. SANITARY SEWER	\$304.00
CHAMPION ELECTRIC, INC.	BOW ST. LIGHT REPAIRS	\$929.07
CHEROKEE AUTO PARTS	OPERATING SUPPLIES	\$5.78
CHEROKEE AVIATION AUTHORITY	TAX DRAW	\$6,725.50
CHEROKEE COUNTY RECORDER	COMRADE REGISTRATION	\$18.75
CHEROKEE REGIONAL MED. CENTER	NEW HIRE TESTING	\$165.00
CHEROKEE ROTARY CLUB	MEALS	\$104.00
CINTAS	FIRST AID SUPPLIES	\$141.05
COUNSEL	COPY CONTRACT & OVERAGE	\$128.70
COUNTRY TIRE & SERVICE	BATTERY & OIL CHANGE, TIRE REPAIRS	\$575.53
DAN CONLEY	MEAL	\$12.50
DIANE CARGIN	MILEAGE TO SPENCER	\$51.78
ELECTRIC PUMP	INDUSTRIAL PLANT HEADWORKS	\$1,029.79
FAREWAY STORES, INC.	OPERATING SUPPLIES	\$172.32
FASTLANE MOTOR PARTS	SHOP SUPPLIES	\$129.92
FIRST COOPERATIVE ASSOC.	MAD DOG	\$116.23
FRANK DUNN CO.	HIGH PERFORMANCE PATCH	\$799.00
HALLETT MATERIALS	STONE & ROAD GRAVEL	\$5,433.21
HAWKINS, INC.	LAB SUPPLIES	\$385.00
HIWAY TRUCK EQUIPMENT, INC	WATER TRUCK PARTS	\$2,721.04
HY-VEE, INC.	FUEL, OPERATING SUPPLIES	\$250.53
I.M.W.C.A.	FY18 AUDIT PREMIUM	\$5,006.00
IAWEA REGION 3	WASTEWATER TRAINING	\$160.00
IOWA ASSOC. OF MUNICIPAL UTILITIES	CONFERENCE REGISTRATION	\$350.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY	\$76.00
IOWA LAW ENFORCEMENT ACADEMY	MMPI	\$150.00
IOWA ONE CALL	LOCATES	\$44.10

JAKE DYSLIN	MILEAGE	\$197.84
JANITOR'S CLOSET, LTD.	CLEANING SUPPLIES	\$202.60
JESSICA KIRCHNER	UTILITY BILL REFUND	\$51.22
MARX LEASING	CONTAINER RENT	\$60.00
MID AMERICAN ENERGY	ELECTRICITY	\$25,142.37
MID-AMERICAN BENEFITS, INC	CLAIMS THROUGH 10/17/18	\$1,985.91
MIGUEL RAMOS	UTILITY BILL REFUND	\$55.70
MODERN HEATING & COOLING	SINK, BOILER, TOILET REPAIRS	\$435.29
MONGAN PAINTING CO.	BOW & INDIAN STREET LIGHTS	\$4,159.30
MUNICIPAL SUPPLY, INC.	WATER SUPPLIES	\$165.18
NOGGIN WATER	COOLER RENT	\$25.00
NORTHWESTERN MASONRY	BLOCK FOR INTAKE	\$89.45
O'HALLORAN INTERNATIONAL	STREET REPAIRS, TRUCK REPAIRS	\$1,349.62
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$89.97
PERRIN DIRECTIONAL DRILLING	BORE SEWER AT CEMETERY	\$2,400.00
PIGOTT ELECTRIC	WIRE CHLORINE PUMP	\$132.68
REHAB SYSTEMS, INC.	TV BEECH & 1ST ST. SEWER LINES	\$6,875.00
REINERT MACHINE SHOP	REPAIRS	\$126.74
SCE, LLC	SEWER CLEANING, DIG GRAVES, RENTAL	\$2,970.00
SCIENCE FIRST, LLC.	LAB SUPPLIES	\$166.97
SHOPKO STORES OPERATING CO	DVD'S	\$37.98
SIOUX SALES COMPANY	AMMUNITION	\$1,531.75
SIOUX VALLEY ENVIRONMENTAL	SVENFLOC	\$880.00
THRASHER	INSTALL POLY AT POOL	\$4,640.00
TODD LARSEN	USE BOAT FOR FLOOD, MEAL & MILEAGE	\$245.12
TOOLS PLUS INDUSTRIES	GLOVES	\$109.53
UNUM LIFE INS. CO OF AMERICA	11/18 LIFE & DISABILITY INS.	\$1,081.93
USPS	CYCLE 2 UTILITY BILL POSTAGE	\$329.63
UTILITY EQUIPMENT COMPANY	HYDRANT REPAIR KIT	\$261.49
VALLEY VETERINARY CENTER	BOARD STRAYS	\$714.00
WALDNER'S LAWN SERVICE	LAWN MOWING	\$99.00
WELLS FARGO VENDOR FIN SERVICE	BOBCAT TOOLCAT PAYMENT	\$1,841.69
WINDSTREAM	EMAIL & TELEPHONE	\$44.85
WOODALL ELECTRIC	SEWER PLANT REPAIRS	\$8,381.50

Motion by Pingel, seconded by Agnitsch to approve an Urban Revitalization Tax Abatement for 716 N. 11th Street for William and Jennifer Miller. Roll call: AYES: Brown, Agnitsch, Pingel. NAYES: None. Miller abstained.

Residency Waiver Request for George Schmidt

Motion Miller, seconded by Brown to grant a Permanent Residency Waiver to George Schmidt per the City's Personnel manual. Roll call: AYES: All. NAYES: None.

Request for separate water service lines for 625 ½ and 627 ½ W. Main St.

Water service for two homes located at 625 ½ W. Main and 627 ½ W. Main are served by the

same private service line, which also serves 627 W. Main. The shut off valve for 625 ½ and 627 ½ W. Main is in the basement of the home at 627 W. Main Street. Barry Lewis the owner of both properties has requested the City install the service lines at City expense as he believes this should have been corrected in 1998 when it came up at that time. He also said the matter was not disclosed to him when he purchased the properties.

Motion by Agnitsch, seconded by Brown to deny Barry's request for the City to install new service lines at the City Expense. Roll call: AYES: All. NAYES: None.

Motion by Pingel, seconded by Brown to authorize the Public Works Director to send a letter to Barry Lewis denying the request and requiring the homeowner to install new service lines at his expense within in 90 days. Roll call: AYES: All. NAYES: None.

Discussion on vacant lot at 123 E. Main St.

Motion by Agnitsch, seconded by Miller to table the direction on the vacant lot at 123 E. Main Street until the November 13, 2018 meeting. Roll call: AYES: All. NAYES: None.

Review and award quote for Riverview Sewer Line

Two bids were received for the public portion of the sewer improvements near the Foundation Analytical Lab site, SCE \$21,126 and Jim's Sewer Service \$27,479. Motion by Miller, seconded by Brown to award the low bidder SCE for \$21,126. Roll call; AYES: All. NAYES: None.

Resignation of City Administrator, Sam Kooiker

Sam presented his letter of resignation to the council with an effective date of December 4, 2018 being his last day. Brown requested that Sam's last day be November 6, 2018 and pay him until December 4, 2018, Brown requested this so that it makes it easier for City Council to work with city staff. Miller said that he feels the tax payers and the City would benefit more from receiving Sam's services until December 4, 2018, than they would paying him and not having him here.

Motion by Brown to approve Sam's resignation letter with his last day being November 6, 2018 and pay until December 4, 2018. Agnitsch would like a full council for a vote. The motion failed for the lack of a second.

Sam provided a list of issues he feels need to be finished up before he leaves. Pingel said he is nothing but thankful for the cities time with Sam. Attorney Herbold thanked Sam for his time and attention to details with his work for the City. Brown stated that his request for a change in last day is not to penalize Sam, but to move forward with the City. Mayor Schmidt is more than happy to fill any roll council wants him to.

Motion by Pingel, seconded by Miller to accept Sam's resignation with the date of December 4, 2018 as his final day per his letter, any further discussion when day to day duties end can be determined. Roll call: AYES: All. NAYES: None.

Attorney Herbold suggested that council form a committee to help with the hiring of a new Administrator. The primary purpose of the committee would be to put together a package for the new hire and work with a consultant.

Council Comments

Pingel stated that he would like to see Sam complete as much of the budget as possible and department head reviews before he leaves, it is important for city staff to still be able to move forward. Council discussed how to proceed during the interim process. Department heads should report directly to their council liaison. Providing a weekly update with ups, downs, worries, and budget items would be very helpful. The concern was raised over who could authorize bills between the \$5,000 and \$10,000 threshold, department heads can authorize bills up to \$5,000.

Motion by Miller, seconded by Agnitsch to give Mayor Schmidt temporary authority to spend up to \$10,000 in the absence of the City Administrator. Roll call: AYES: All. NAYES: None.

Council discussed the recruitment process for hiring a new Administrator. The consensus was to form a committee to consist of 5 members initially and grow to 8 members later in the process. The suggested committee members consist of Council members Miller and Brown, Mayor Schmidt, Attorney Herbold and Armond, Public Works Director. The responsibilities of the committee will be to review the Hiring Consultants contract, figure out 3 community member for the committee, review the Administrators job description and to review recruiters.

Motion by Pingel, seconded by Agnitsch to form a Recruitment Committee to consist initially of the 5 members listed above and 3 additional members to be determined later. Initial duties to include review recruiters proposals, review and make changes to the job description and review the Administrators contract. Roll call: AYES: All. NAYES: None.

Comments by Rich Cook

Local resident Rich Cook commended Sam for his time with the City and wished him well with his new position.

Adjournment

On a motion by Agnitsch, seconded by Brown, the meeting was adjourned at 8:50 p.m.

Media Present: None.

Craig Schmidt, Mayor

ATTEST:

Deputy City Clerk Treasurer