

**CITY COUNCIL MINUTES
TUESDAY, NOVEMBER 26, 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, Loughlin, Miller, Pingel, Johnson, City Administrator List and Deputy City Clerk-Treasurer Lucas. Absent: None.

Approve Agenda

Motion by Brown, seconded by Miller, to approve the agenda with no changes or additions. Roll call was: AYES: All. NAYES: None.

2nd Reading Ordinance #679 Snow Parking and End Overnight Parking on Main St.

Motion by Miller, seconded by Johnson to approve the 2nd reading of Ordinance #679, an Ordinance Amending the Restrictions relating to Downtown Parking and Snow Emergency, they encourage further discussion and comments from the public. Roll call: AYES: Miller, Johnson, Brown, Pingel. NAYES: Loughlin.

Consent Agenda

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

City Council Minutes of November 12, 2019.

Mayor's Appointment to Library Board: Linda Burkhart and Loretta Barrett.

Approve Class C Liquor License for Monterrey Mexican Restaurant.

Approve Class B Beer Permit for Kimmies Cherokee Country Store.

Approve Cherokee Aviation Authority Appointments: Dan Mott and Kellen Ludvigson.

Bills totaling \$75,495.43

360 CUSTOM DESIGNS	EMPLOYEE CLOTHING	\$350.00
AEP PUMPING. L.L.C.	528,914 GALLONS WASTEWATER	\$15,867.42
ALLIANT ENERGY	NATURAL GAS	\$1,759.83
ALYSSA A. HERBOLD PLC.	10/19 LEGAL SERVICE	\$1,188.00
AUTOMATIC BUILDING CONTROL	ANNUAL FIRE ALARM CONTRACT	\$1,278.00
BARCO MUNICIPAL PRODUCTS	SURVEY FLAGS	\$40.11
BECK ENGINEERING, INC.	CITY ENGINEERING	\$1,041.25
BECK ENGINEERING, INC.	FEMA-SPRING LAKE OUTFLOW CULVERT	\$14,911.25
BENSON CONSTRUCTION	GUTTERS ON PD GARAGE	\$750.00
BIERSCHBACH EQUIPMENT	NYLON SLINGS	\$28.50
BLAIZE KOSTER	UTILITY BILL DEPOSIT REFUND	\$50.19
BOLTON & MENK, INC.	2019 BRIDGE SAFETY INSPECTIONS	\$1,088.50
BOLTON & MENK, INC.	2019 GENERAL ENGINEERING	\$2,102.50
BOLTON & MENK, INC.	2018 STORMWATER IMPROVEMENTS	\$4,603.50
BOMGAARS	OPERATING SUPPLIES	\$146.30
BROWN SUPPLY CO.	PIPE, SECTION KIT, HOSE	\$967.00
BRYCE JEWETT	FLAG FOOTBALL OFFICIAL	\$60.00
BRYCE KREMER	FLAG FOOTBALL OFFICIAL	\$60.00
BUILDERS SHARP. & SERVICE	IDLER & BEARING	\$85.12
CAMILLE ZWIEFEL	VOLLEYBALL OFFICIAL	\$100.00
CARTER JACOBSON	FLAG FOOTBALL OFFICIAL	\$60.00
CELLEBRITE INC	SOFTWARE AGREEMENT	\$740.00

CHAMPION ELECTRIC, INC.	STREET LIGHT & CLOCK REPAIRS	\$82.00
CHEROKEE AVIATION AUTHORITY	TAX DRAW - NOVEMBER	\$1,215.66
CHEROKEE REGIONAL MED. CENTER	DRUG SCREENING	\$29.00
CINTAS	FIRST AID SUPPLIES	\$33.52
DENA CLAYCAMP	VOLLEYBALL OFFICIAL	\$20.00
DENNY'S SERVICE	STOOL REPAIRS	\$101.00
DETROIT INDUSTRIAL TOOL	DRILL BIT SET	\$215.09
DIANE CARGIN	MILEAGE TO BUDGET MEET/SPENCER	\$55.10
DOLLAR GENERAL-REGIONS 410	CLEANING SUPPLIES	\$12.95
EMMA GOOD	VOLLEYBALL OFFICIAL	\$120.00
FASTENAL COMPANY	NUTS & BOLTS	\$29.00
FIRST ABSTRACT & LOAN	WILLOW AT SECOND ABSTRACT	\$80.00
FIRST COOPERATIVE ASSOC.	SUNLAWN	\$55.00
FOUNDATION ANALYTICAL LAB	WASTEWATER & WATER SAMPLES	\$210.75
GREAT AMERICA FINANCIAL SV	COPY CONTRACT	\$74.00
HALLETT MATERIALS	ICE CONTROL SAND	\$1,181.28
HEIDI ELLIS	VOLLEYBALL OFFICIAL	\$30.00
HIWAY TRUCK EQUIPMENT, INC	PLOW SHOE ASSY	\$41.65
IMT INSURANCE CO.	FIDELITY BOND	\$900.00
IOWA DEPT. OF AG. & LAND STEWARD	PESTICIDE LICENSE	\$25.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY	\$84.00
JACOB HODGDON	FLAG FOOTBALL OFFICIAL	\$60.00
KRISTI EBEL	VOLLEYBALL OFFICIAL	\$150.00
MARTIN MARIETTA MATERIALS	CLASS A ROCK	\$668.81
MEDIACOM LLC	INTERNET	\$334.40
MEKHI SCHUEDER	FLAG FOOTBALL OFFICIAL	\$60.00
MID AMERICAN ENERGY	ELECTRICITY	\$436.70
MID-AMERICAN BENEFITS, INC	12/19 HRA & ADMIN FEES & CLAIMS	\$2,877.50
MODERN HEATING & COOLING	WATER HEATER REPAIRS & NYLON TIES	\$457.70
NOGGIN WATER	COOLER RENT	\$25.00
O'HALLORAN INTERNATIONAL	UNION A/B PUSH	\$9.66
OVERHEAD DOOR CO.	PROGRAM 2 REMOTES	\$197.00
PAMELA GARCIA	VOLLEYBALL OFFICIAL	\$30.00
PARIS MENDEZ	VOLLEYBALL OFFICIAL	\$80.00
PETTY CASH	YOUTH BASKETBALL DONUTS	\$33.25
R.J. THOMAS MFG. CO., INC.	TABLE CROSS BRACE	\$15.00
RADAR ROAD TEC	RADAR CERTIFICATIONS	\$62.00
REHAB SYSTEMS, INC.	JET SEWER LINES	\$712.50
SCE, LLC	CURB STOP REPAIR-50S S CRAIG	\$1,360.99
SCE, LLC	2018 STORMWATER IMPROVEMENTS	\$2,759.75
SHARE CORPORATION	JANITOR SUPPLIES	\$180.74
TREY BENSON	FLAG FOOTBALL OFFICIAL	\$60.00
TYLER EBEL	VOLLEYBALL OFFICIAL	\$150.00
U.S. BANK EQUIPMENT FINANCE	COPY CONTRACT	\$89.94
UNITYPOINT CLINIC-OCC. MED	DRUG TEST	\$42.00
UNUM LIFE INS. CO OF AMERICA	12/19 LIFE & DISABILITY INS.	\$1,198.49
USA BLUE BOOK	ANALOG STIRRER	\$205.54
USPS	UTILITY BILL POSTAGE	\$324.52
WIESE OIL & SUPPLY CO., LT	FUEL	\$1,041.47
WOODALL ELECTRIC	EQUIPMENT FOR UV IMPROVEMENTS	\$10,000.00

Employee Health Insurance and Medical Expense Reimbursement Plan

Motion by Brown, seconded by Loughlin to approve the health insurance renewal plan and

medical expense reimbursement plan as presented with a rate reduction of 7.88%. Roll call: AYES: All. NAYES: None.

Change Date for 12/24/19 Council Meeting

Motion by Loughlin, seconded by Pingel to change the December 24, 2019 City Council Meeting to Monday, December 23, 2019 at 7:00 p.m. Roll call: AYES: All. NAYES: None.

Approve Waste Water Roof Replacement Bid

Motion by Brown, seconded by Miller to approve the bid from Brentwood Roofing & Construction for the 15 year warranty product for \$28,730.00. Roll call: AYES: All. NAYES: None.

Approve Engineering Service for 2020 Magnetic Park Phase 1 Trail Project

Brown verified that the Trail Committee will be paying for the Engineering Service. Motion by Brown, seconded by Loughlin to approve the proposal from Beck Engineering for Engineering Services for the 2020 Cherokee Magnetic Park Phase 1. Roll call: AYES: All. NAYES: None.

Set a Public Hearing for the Waste Water CDBG Application

The city is eligible for a CDBG Grant up to \$600,000 for Waste Water Improvements. The city has been looking at adding a new line from E. Spruce and Euclid to Highway 59 to assist in high flows and backups in the area as well as some additional sewer main lining to reduce the amount of INI. Motion by Brown, seconded by Miller to set the public hearing for December 10, 2019 at 7:00 p.m. Roll call: AYES: All. NAYES: None.

Approve Submittal of Solid Waste Alternative Program Grant Application

The city is applying for \$10,000 in SWAP funds to purchase 300, 65-gallon recycle carts with a \$3,185 city match. These carts are sold for residential use for \$20. Motion by Miller, seconded by Brown to approve the Submittal of the Solid Waste Alternative Program Grant Application. Roll call: AYES: All. NAYES: None.

Executive Session

City Attorney Alyssa Herbold attended by phone, stating “In light of inclement weather, my current commitments and the need to expedite resolution of this matter, it would have been impractical to look for a date when this could be done with me attending in person.” Motion by Brown, seconded by Miller to go into Executive Session at 7:23 p.m. to discuss Litigation Strategy (closed pursuant to Iowa Code Section 21.5(1)(c). Roll call: AYES: All. NAYES: None.

Motion by Pingel, seconded by Miller to resume open session at 7:38 p.m. Roll call: AYES: All. NAYES: None.

Action per Executive Session

Motion by Pingel, seconded by Miller move to resolve all issues in litigation with Molly Bainbridge for \$5,000 as recommended by the City’s Insurance Carrier not because there was any wrongdoing on the part of the City of Cherokee, Donald Eikmeier, or Armond Rider but solely to avoid the costs, expenses, and attorney fees of ongoing litigation and which alleged

wrongdoing will be expressly denied in the settlement documents to be signed by Molly Bainbridge. Roll call: AYES: All. NAYES: None.

Prior City Administrator Don Eikmeier provided a letter to Council extending congratulations on the conclusion of the case. The full letter is available via request.

Adjournment

On a motion by Pingel, seconded by Miller, the meeting was adjourned at 7:42 p.m.

Media Present: None.

Craig Schmidt
Mayor

ATTEST:

Sara Lucas
Deputy City Clerk-Treasurer