

**CITY COUNCIL MINUTES  
NOVEMBER 9, 2021, 7:00 P.M.  
CHEROKEE CITY HALL**

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

**Approve Agenda**

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

**Public Forum**

Dan Feser, 305 Flint St., addressed the council with some concerns he has. He stated that he as well as other residents are not happy with Mediacom internet service. He feels that Mediacom has a monopoly in Cherokee and asked that the City explore providing alternatives, specifically C-M-L fiber optics. He has researched several federal grant funding opportunities for various items including STEM education, which he feels is lacking in our community, the rehabilitation of buildings and also the construction of a database to include all city financial transactions that would be made online accessible. The council thanked him for his comments.

**Public Hearing – CDBG-DR Grant Application (FEMA Buyout)**

At 7: 04 p.m. Mayor Schmidt opened a public hearing on the submission of a CDBG-DR grant application which would provide federal grant funds in the amount of \$14,332.00 for the acquisition and demolition of a property located at 218 E. Elm (FEMA buyout). This funding will cover the city's share of the project costs (15%) as well as the state share (10%). As there were no written or oral comments, the public hearing was closed at 7:05 p.m.

**Resolution #2021-50 Authorizing CDBG-DR Grant Application (FEMA Buyout)**

Motion by Miller, seconded by Pingel to adopt Resolution #2021-50, a Resolution Approving an Application for a Community Development Block Grant (CDBG) for a CDBG-DR Buyout Project and Authorizing the Chief Elected Official and City Clerk to Execute Documents Pertaining to the Project. Roll call was: AYES: Loughlin, Pingel, Miller. NAYES: None.

**Public Hearing – Authorize Loan and Disbursement Agreement**

At 7:07 p.m. Mayor Schmidt opened a public hearing on the Authorization of a Loan and Disbursement Agreement and the Issuance of Notes to Evidence the Obligation of the City Thereunder. As there were no oral or written comments, the public hearing was closed at 7:07 p.m.

**Resolution #2021-51 Instituting Proceedings to Take Additional Action**

Motion by Miller, seconded by Loughlin to adopt Resolution #2021-51, a Resolution Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$720,000 Sewer Revenue Capital Loan Notes. Roll call was: AYES: Pingel, Loughlin, Miller. NAYES: None.

### **Resolution #2021-52 Approving & Authorizing Form of Interim Loan Agreement**

Motion by Loughlin, seconded by Miller to adopt Resolution #2021-52, a Resolution Approving and Authorizing a Form of Interim Loan and Disbursement Agreement By and Between the City of Cherokee and the Iowa Finance Authority, and Authorizing and Providing for the Issuance and Securing the Payment of \$720,000 Sewer Revenue Capital Loan Notes Anticipation Project Note, Series 2021, of the City of Cherokee, Iowa, Under the Provisions of the Code of Iowa, and Providing for a Method of Payment of Said Note. Roll call was: AYES: Pingel, Miller, Loughlin. NAYES: None.

### **Ordinance #705 Requirement for Age Limits of Passengers of ATV/ORV's**

Police Chief Nate James was present to discuss the current ATV/ORV ordinance that states that no person under the age of ten shall be allowed to ride in an ATV/ORV recreational vehicle. Proposed Ordinance #705 would remove the age restriction. James reported that he has had no problems with enforcing the current ordinance and is not opposed to leaving it as is, neither is he opposed to removing the age restriction. Operators of such vehicles would still have to abide by the same Iowa seat belt/car seat regulations as operators of any other type of motor vehicle. Miller is opposed to changing the current ATV/ORV ordinance passenger age restriction, citing safety concerns for younger passengers. The council concurred, and no action was taken on this matter.

### **Consent Agenda**

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

City Council Minutes of October 26, 2021.

October Police Report

Park & Rec Meeting Minutes of November 1, 2021.

Pay Application #3 Hulstein Excavating – Roosevelt Ave. Reconstruction

Historic Preservation Commission Appointment – Quinn Black

Class C Beer Permit for Kimmes Cherokee Country Store

Review Planning & Zoning Minutes of November 2, 2021

Review Board of Adjustment Minutes of November 2, 2021

October Treasurer's Report and Receipts as follows: General \$674,205.03; Police Forfeiture \$985.73; County Library \$.72; Road Use \$57,752.77; Employee Benefits \$247,029.22; Emergency \$16,570.34; Other Street Monies/Local Option Sales Tax \$78,709.66; Hotel/Motel Tax \$6.61; Tax Increment Financing \$12,570.40; Wilson School Reserve \$0; Revolving Loan \$.17; Library Memorial \$4,115.33; Park & Rec Capital Improvement \$725.99; Cemetery Special Care \$.22; Debt Service \$147,970.05; 2016 Capital Projects \$0; Floods of 2018/19 \$10,310.11; FEMA Flood Buyout Project \$0; S. 5<sup>th</sup> Street Improvement Project \$0; American Rescue Funds \$37.22; Emergency Set-Aside \$7.38; Oak Hill Perpetual Care \$160.00; Water Utility \$80,048.36; Water Utility – Industrial \$2.66; Water Main Project Bond & Interest \$5,169.00; Water System Maintenance \$9,332.30; Sewer Utility \$121,050.15; Sewer Facility Bond & Interest \$23,758.00; Sewer System Maintenance \$8,747.76; CDBG Sanitary Sewer \$0; Aviation Authority \$9,205.96; Solid Waste \$31,054.67; Landfill \$28,749.85; Storm Sewer Utility \$6,599.56; Self-Insurance \$9.94; Police Dept. Special Acct. \$.0.

Bills totaling \$149,526.64

3B'S HONEY HAULING	PUMP RENTAL	\$1,500.00
A-OX WELDING SUPPLY CO.	Q CYL	\$11.95
AL'S CORNER OIL CO.	PARK FUEL	\$37.28
ALINA CALCINES	REFUND BUILDING PERMIT	\$100.00
ALLIANT ENERGY	NATURAL GAS	\$198.32
AURELIA LUMBER COMPANY	FELT & BIT	\$73.99
AUTOMATIC BUILDING CONTROL	FIRE ALARM MONITORING	\$240.00
BAKER & TAYLOR INC.	BOOKS	\$722.98
BLACKTOP SERVICE CO.	SEQUOIA DRIVE	\$12,936.00
BLAINE'S WATER CONDITIONING	COOLER RENT & WATER	\$325.52
BOMGAARS	OPERATING SUPPLIES	\$940.38
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$1,343.02
CERTIFIED TESTING SERVICES	ROOSEVELT AVE. RECONSTRUCTION	\$2,532.00
CHAMPION ELECTRIC, INC.	STREET LIGHT REPAIRS & BULBS	\$522.84
CHEROKEE CO. SOLID WASTE	10/21 ASSESSMENT & DISPOSAL	\$29,868.51
CHEROKEE NAPA	AIR & OIL FILTERS	\$112.02
CHRONICLE TIMES	SUBSCRIPTION RENEWAL & LEGAL PUBLICATIONS	\$1,579.45
CORE & MAIN LP	OPERATING SUPPLIES	\$506.26
COUNSEL	COPY OVERAGE	\$65.05
COUNTRY SUBSCRIPTION	SUBSCRIPTION RENEWAL	\$15.00
DEMCO, INC.	OFFICE SUPPLIES	\$490.15
DONNA AMUNDSON	MILEAGE REIMBURSEMENT	\$19.15
DUANE MUMMERT	11/21 CELL PHONE REIMBURSEMENT	\$35.00
ERIC LIST	11/21 CELL PHONE REIMBURSEMENT	\$50.00
ERIN RYDREN	MILEAGE & DVD'S	\$225.76
FAREWAY STORES, INC.	OPERATING SUPPLIES	\$135.06
FELD FIRE	FIRE SUPPLIES	\$598.17
FOUNDATION ANALYTICAL LAB	WATER & WASTEWATER SAMPLES	\$650.90
GREG EATON, FIRE CHIEF	VOLUNTER FIREMAN PAYROLL	\$640.00
HALLETT MATERIALS	FILL SAND	\$95.69
HY-VEE, INC.	OPERATING SUPPLIES	\$109.48
IOWA DIVISION OF LABOR	OPERATING PERMIT FEE	\$175.00
IOWA ONE CALL	LOCATES	\$135.00
IOWA POETRY ASSOCIATION	LYRICAL IOWA	\$9.00
IOWA PUMP WORKS	PUMP	\$2,891.00
KURITA AMERICA INC.	FLOCCULANT	\$1,614.52
LEAF	COPIER CONTRACT	\$41.98
LUKE GRAVENISH	11/21 CELL PHONE REIMBURSEMENT	\$50.00
LUKE KLASCHEN	WATER TREATMENT OPER. COURSE	\$168.00
MARCUS LUMBER COMPANY	FLOOR PAINT	\$47.98
MEDIACOM LLC	INTERNET	\$406.90
MID AMERICAN ENERGY	ELECTRICITY	\$708.97
MID-AMERICAN BENEFITS, INC	CLAIMS THROUGH 11/3/21	\$5,338.67
MODERN HEATING & COOLING	STOOL REPAIRS	\$379.38
MOTOR PARTS SALES	OPERATING SUPPLIES	\$256.93
MUNSON CLEANING	CLEAN CARPETS	\$652.80
NATE JAMES	11/21 CELL PHONE REIMBURSEMENT	\$50.00
NOGGIN WATER	COOLER RENT	\$25.00
NORTHERN BALANCE & SCALE	CALIBRATE & BALANCE SCALE	\$182.00
NORTHSIDE TIRE	BALL JOINT REPAIRS	\$812.56

O'HALLORAN INTERNATIONAL	FILTER	\$28.11
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$165.96
PETERSEN MFG. CO. INC.	BENCHES & PLAQUE	\$940.50
RANDY RUPP	BOOT REIMBURSEMENT	\$138.97
REHAB SYSTEMS, INC.	JET VAC & TELEVISION	\$17,206.90
REMINISCE SUBSCRIPTION	SUBSCRIPTION RENEWAL	\$14.98
SANITARY SERVICES	10/21 GARBAGE PICK UP	\$29,134.30
SCE, LLC	WATER LEAKS & DIG GRAVES	\$15,971.81
SECRETARY OF STATE	NOTARY RENEWAL	\$30.00
STEVE'S WINDOW SERVICE	CLEAN WINDOWS	\$105.00
STOREY KENWORTHY/MATT PARROTT	W2'S & ENVELOPES	\$120.95
SYNCHRONY BANK/AMAZON	BOOKS	\$1,669.79
THE BOOK VINE	BOOKS	\$378.22
TODD LARSEN	11/21 CELL PHONE REIMBURSEMENT	\$35.00
TODD MILLER	11/21 CELL PHONE REIMBURSEMENT	\$35.00
TREASURER, STATE OF IOWA	SALES & WET TAX	\$5,233.00
TYLER HAHN	SCARECROW SUPPLIES & OUTREACH	\$22.15
UPS	SHIP PACKAGE	\$19.97
USPS	UTILITY BILL POSTAGE	\$372.62
VERIZON WIRELESS	HOT SPOTS & CELL PHONES	\$415.99
WELLS FARGO FINANCIAL LEASE	COPIER LEASES	\$272.00
WESTERN IOWA TECH. COMM. COLLEGE	POLICE ACADEMY	\$3,752.00
WEX BANK	FUEL	\$2,707.36
WINDSTREAM	EMAIL	\$5.90
YOUR FLEETCARD PROGRAM	PARK FUEL	\$124.54

### **Sewer Charge Waive Request**

A request for waiving the utility bill sewer charges on the water used for washing and sandblasting the Brummer building at 101 E. Main St. was tabled due to lack of a quorum (Loughlin abstained from voting).

### **Set Public Hearing Date - Redistricting**

List advised the council that because of the new census data, it is necessary to adjust the boundary of Ward 2 to meet state districting population requirements. List presented several possible redistricting maps for the council's review. Council recommended proceeding with a map that will result in a population of 1,796 in Ward 1, 1,592 in Ward 2 and 1,811 in Ward 3, allowing for potential growth in Ward 2. Motion by Pingel, seconded by Loughlin, to set a public hearing date of December 14, 2021, at 7:00 p.m. at City Hall to receive public input on the proposed redistricting map. Roll call was: AYES: All. NAYES: None.

### **Set Public Hearing Date – Amendment to Zoning Regulations**

List explained that current city code zoning regulations regarding electronic message centers requires that permits be reviewed and renewed annually by the Planning and Zoning Commission and city council. Because this permit renewal process is not being done it is proposed that the council amend the code accordingly. Motion by Miller, seconded by Loughlin, to set a public hearing date of November 23, 2021, at 7:05 p.m. at Cherokee City Hall for public input on the zoning ordinance amendment. Roll call was: AYES: All. NAYES: None.

### **Hotel/Motel Committee Grant Recommendations**

The Hotel/Motel Tax Advisory Board met on November 4, 2021, and have made a recommendation for the FY21-22 \$25,000 allocation as follows: Tinsel and Tidings - \$3,000; Roll Initiative – KeeCon4 - \$1,000, Depot Renovation – Santa Caboose - \$1,056.70, Kee Live - \$2,150. Motion by Loughlin, seconded by Miller to approve funding for all four events. Roll call was: AYES: All. NAYES: None

### **Adjournment**

On a motion by Miller seconded by Loughlin, the meeting was adjourned at 7:29 p.m.

Media Present: *None*

Craig Schmidt, Mayor

ATTEST:

Diane Cargin, City Clerk-Treasurer