

**CITY COUNCIL MINUTES  
FEBRUARY 14, 7:00 P.M.  
CHEROKEE CITY HALL**

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

**Resolution 17-13 Resolution Supporting Funding Trust Fund**

John Kruse, Mayor of Storm Lake, gave an overview of proposed Resolution No 17-13, a Resolution Supporting Funding of the Natural Resources and Outdoor Recreation Trust Fund. This resolution shows support for the Iowa Legislature to develop and pass legislation that funds the trust fund, namely a 3/8 of one cent increase in sales tax. This revenue would then fund unmet needs in soil and water conservation and outdoor recreation. Motion by Brown, seconded by Miller to adopt the resolution. Roll call was: AYES: Pingel, Brown, Johnson, Miller. NAYES: None.

**Resolution 17-11 Approving Easement Encroachment Agreement**

Dan Hiserote, owner, participated by phone in discussion regarding Resolution 17-11, a resolution Approving Easement Encroachment Agreement for 409B Valley View Drive. The east side of the finished duplex protrudes 3.02' beyond the variance approved on July 9 2013. Dan stated he hoped the council would approve the 3.02' vacation requested but does not support the encroachment agreement that the Board of Adjustment specifically requested be included in the Resolution. Motion by Brown, seconded by Pingel, to send the item back to the Board of Adjustment for further review. Roll call was: AYES: Brown, Johnson, Miller, Pingel. NAYES: None.

**Ordinance No. 635 Creating Hotel/Motel Tax Advisory Board**

Brown made a motion, seconded by Johnson, to approve the first reading of Ordinance No. 635, an Ordinance Creating the Hotel/Motel Tax Advisory Board, and waiving the second and third readings and ordering its publication. Roll call was: AYES: Johnson, Pingel, Miller, Brown. NAYES: None.

**Ordinance No. 636 Creating a Sewer System Maintenance Fee**

Kooiker introduced Ordinance No. 636 which institutes a \$4.00 monthly sewer maintenance fee for all utility customers. Kooiker explained that the sewer fund is running a negative balance, primarily due to years of deferred maintenance and the closing of the Tyson plant. The City operates an industrial wastewater plant formerly used by Tyson and Tyson paid for a portion of expenses for the operation of this plant including a portion of salaries for the wastewater employees. Even though Tyson is no longer utilizing the industrial plant, the City must continue to maintain it. It was noted by the City's auditors that the City failed to meet bond requirements in FY15-16 which stipulate net revenue be 110% of the yearly bond payment. This fee would begin April 1, 2017. Motion made by Miller, seconded by Brown, to approve the first reading of Ordinance No. 636. Roll call was: AYES: All. NAYES: None.

**Consent Business**

On a motion by Miller, seconded by Johnson, the following was approved under Consent Agenda:

City Council Minutes of January 31 and February 7 & 8, 2017.

Revised City Council Minutes of January 10, 2017, reflecting waiver of 2<sup>nd</sup> and 3<sup>rd</sup> reading of Ordinance No. 634 amending the City’s Urban Revitalization Plan.

Hotel/Motel Tax Advisory Board Minutes of Jan. 26, 2017.

January 2017 Police Report.

Parks & Rec Advisory Board Minutes of February 6, 2017.

Council appointment to the Hotel/Motel Tax Advisory Board: Julie Hering-Kent for term to expire 12/31/17, Shawn Simonsen and Sandy Siegel for terms to expire 12/31/18 and Terri Brown and Ed Otto for terms to expire 12/31/19.

January 2017 Treasurer’s Report as follows: General \$89,129.29; Police Forfeiture \$1480.94; County Library \$1.34; Road Use \$58,619.07; Employee Benefits \$5,562.14; Emergency \$308.98; Local Option Sales Tax \$136,800.92; Hotel/Motel Tax \$29.07; Tax Increment Financing \$316.72; Revolving Loan \$10,520.67; Library Memorial \$1,172.15; Park & Rec Capital Improvement \$5.27; Debt Service \$88,624.16; Road Use Equipment \$11,205.40; CDBG Storefront Project \$53,185.00; FEMA Flood Buyout Program \$7,559.00; 2016 Capital Projects \$6,500.00; Emergency Set-Aside \$8.89; Oak Hill Perpetual Care \$493.94; Water Utility \$54,894.90; Water Utility – Industrial \$30.35; Water System Maintenance \$9,351.21; Sewer Utility \$91,351.23; Sewer Utility – Industrial \$20.93; Sewer Facility Bond & Interest \$30,292.33; Sewer System Maintenance \$6,250.00; CDBG Sanitary Sewer \$0; Aviation Authority \$171.67; Solid Waste \$25,506.77; Landfill \$31,614.64; Storm Sewer Utility - \$6,961.32; Self-Insurance \$19.52; Police Dept. Special Acct. \$0.

Bills Totaling \$143,458.84

AHLERS & COONEY P.C.	PROFESSIONAL FEES - ANNEXATION	1,594.68
ALAYNE GRAYBILL	VOLLEYBALL REF	20.00
ALEXIA GERDES	VOLLEYBALL REF	60.00
ALLIANT ENERGY	GAS	2,098.67
ALPHA WIRELESS	LABOR INSTALL LIGHTS, SIREN	539.00
ALYSSA HERBOLD	LEGAL SERVICES	4,144.50
ARAMARK UNIFORM SERVICES	RAGS, RUGS & MOPS	44.19
ARMOND RIDER	2/17 CELL PHONE REIMBURSE	50.00
ATIRA MASTERCARD	SMALL CLAIMS FILING FEE	25.00
BAKER & TAYLOR INC.	BOOKS	771.00
BLAINE'S WATER CONDITIONIN	WATER & COOLER RENT	288.40
BOB HATCH MASONRY CONST.	501 W. MAIN CURB REPAIRS	7,535.10
BOLTON & MENK, INC.	PROFESSIONAL SERVICES	3,071.43
BOMGAARS	SUPPLIES	825.99
BRAD'S TIRE SERVICE	4 SKID LOADER TIRES	809.50
BROWN SUPPLY CO.	GATE VALVE, FLANGE	4,711.82
BUGH WELDING	3 METER CARTS	507.49
C-M-L TELEPHONE	TELEPHONE & INTERNET	632.26
CARROLL DISTRIBUTING	SAFETY GLASSES	99.73
CASCADE SUBSCRIPTION SERVI	AMERICAN CEMETERY SUBSCRIP.	99.00

CENTER POINT LARGE PRINT	BOOKS	30.97
CENTRAL IOWA DIST. INC.	CLEANING SUPPLIES	312.10
CHAMPION ELECTRIC, INC.	INSTALL OUTLET	125.88
CHEROKEE AUTO PARTS	TRUCK SUPPLIES	34.99
CHEROKEE CO. SOLID WASTE	1/17 ASSESSMENT	29,688.51
CHEROKEE COUNTY RECORDER	RECORDING DOCS. - URBAN RENWL	67.00
CHEROKEE COUNTY SHERIFF	SERVE PAPERS-GARNISHMENTS	76.00
CHEROKEE FIRE DEPT.	FIRE CALLS	600.00
CHEROKEE REG. MED CENTER	RANDOM DRUG TESTING	68.00
CHRONICLE TIMES	PUBLICATIONS	604.71
COUNSEL	SUPPLIES, COPIES, COPIER LEASE	438.72
CREATIVE PRODUCT SOURCE	SCENTED PENCILS-LIBRARY PROG.	438.03
DAX JOHANNSEN	VOLLEYBALL REF	120.00
DEER VALLEY LAND IMPROV.	SNOW REMOVAL	1,856.00
DENNY'S SERVICE	PLUMBING FIX	64.20
DUANE MUMMERT	2/17 CELL PHONE REIMBURSEMENT	35.00
DUSTY WRIGHT	VOLLEYBALL REF	30.00
ELECTRONIC ENGINEERING	INSTALL RADIO IN TANK TRUCK	397.60
FAREWAY STORES, INC.	WATER SUPPLIES	60.88
FELD FIRE	EQUIPMENT	1,617.76
GEORGE SCHMIDT	2/17 CELL PHONE REIMBURSEMENT	35.00
GODFATHER'S PIZZA	PIZZA FOR BUDGET WORKSHOP	192.29
GREGG COMPUTER SERVICE	LAPTOP COMPUTER-PD	1,190.00
GROUP RESOURCES/THREE RIVE	CLAIMS THROUGH 1/30/17	2,441.52
HACH CO.	CHLORINE ANALYZER, CORD	3,513.22
HALLETT MATERIALS	ICE CONTROL SAND	2,311.96
HEATH HAGBERG	2016 BASKETBALL CLINIC	400.00
HILLYARD	CLEANING SUPPLIES	30.60
HIWAY TRUCK EQUIPMENT, INC	CUB SHOE	311.87
HOLZHAUER MOTORS, LTD.	OIL CHANGE & BRAKES	673.05
IOWA DEPT. OF NATURAL RESO	NPDES PERMIT AMEND.- RJ THOMAS	85.00
IOWA LAW ENFORCEMENT ACADE	EVAL OF MMPI - C. GOODMAN	140.00
IOWA LIBRARY ASSOCIATION	MEMBERSHIP DUES	296.00
IOWA ONE CALL	LOCATES	50.40
JACK'S UNIFORMS & EQUIPMEN	UNIFORM	69.95
JANITOR'S CLOSET, LTD.	TP, TOWELS, GARBAGE BAGS-CCENT	319.57
JIM AGNITSCH	MILEAGE TO SIMPCO MEETING	60.48
JIM'S SEWER SERVICE	CLEAN ROOSEVELT SEWER MAIN	150.00
JOHN MEIS	ROOSEVLT PRJT, SIMPCO MEET	3,380.75
K-MART #9222	COFFEE, CLEANING SUPPLIES-CH	170.45
LETSCHKE BIKE/RADIO SHACK	BATTERIES	22.99
LINDSAY WILLIAMS	VOLLEYBALL REF	90.00
MARK HURD	2016 BASKETBALL CLINIC	400.00
MID AMERICAN ENERGY	ELECTRICITY	1,317.63
MID-IOWA SALES CO.	TRUCK SUPPLIES	20.90

MILLS & MILLER INC.	DEICING SALT	1,632.46
MITINET INC.	MARC RECORDS	219.00
MODERN HEATING & COOLING	CAREY'S RESTAURANT SEWER	221.63
MOTHER EARTH NEWS	SUBSCRIPTION	27.00
NATE JAMES	2/17 CELL PHONE REIMBURSEMENT	50.00
O'HALLORAN INTERNATIONAL,	SERVICE CALL	313.19
O'REILLY AUTOMOTIVE STORES	TRUCK PARTS	105.84
ONE OFFICE SOLUTION	HAND TOWELS	545.35
OTC BRANDS, INC.	SRP RUPPLIES	166.30
PAITYN HAGBERG	VOLLEYBALL REF	90.00
PAYTON SLAUGHTER	VOLLEYBALL REF	40.00
PETTY CASH - LIBRARY	POSTAGE, SUNDAY PAPERS	111.78
PILOT ROCK SIGNS	PW DECALS, CITY HALL SIGN	526.42
PROSECUTING ATTNYS TRAINING	FORFEITURE ORDER	90.00
REINERT MACHINE SHOP	WELD TRACTOR BAR, MISC	251.75
SAM KOOIKER	2/17 CELL PHONE REIMBURSEMENT	50.00
SANITARY SERVICES	1/17 GARBAGE PICK UP	24,911.10
SCE, LLC	BUS BARN WATER LINE, GRAVES	8,403.92
SIOUX SALES COMPANY	LAPEL TAC MICROPHONE, UNIFORM	478.70
STATE LIBRARY OF IOWA	KIDS FIRST REGIS - CARLSON	125.00
STEVE'S WINDOW SERVICE	CLEAN WINDOWS-CH	116.00
STOREY KENWORTHY	W2 FORMS	27.33
STORM LAKE HYDRAULICS	FIX TRUCK PLOW	140.41
TAPCO	ROLLED POSTER	22.00
TASER INTERNATIONAL	HYBRID CARTRIDGE	339.48
TODD LARSEN	2/17 CELL PHONE REIMBURSEMENT	35.00
TODD MILLER	2/17 CELL PHONE REIMBURSEMENT	35.00
TOM MUMMERT & SON CONST.	SNOW REMOVAL 12/19/16, 1/26,27	5,200.00
TREASURER, STATE OF IOWA	JAN. SALES TAX	3,989.00
UNITED STATES CELLULAR	CELL PHONE CHARGES	152.09
UNITYPOINT CLINIC-OCC. MED	2017 MUCCA DUES, DRUG TEST	87.00
UNUM LIFE INS. CO OF AMERI	LIFE & DISABILITY INS. PREM	1,030.26
USPS	UTILITY BILL POSTAGE	289.03
VALLEY VETERINARY CENTER	MEDS FOR IKE	112.80
VERIZON WIRELESS	CELL PHONE CHARGES	104.96
WATCHGUARD VIDEO	CHEST MOUNT	162.00
WEX BANK	FUEL	2,883.00
WIESE OIL & SUPPLY CO., LT	PROPANE-CEM.	4,112.50
WINDSTREAM	TELEPHONE	533.48
WOODALL ELECTRIC	INSTALL BEECH ST. HEATER	3,333.85
YOUR FLEETCARD PROGRAM	FUEL	126.47

### **Labor Agreement**

Motion by Pingel, seconded by Brown, to approve a Labor Agreement between the City and IUOE Local 234 for the period July 1, 2017 through June 30, 2019. The agreement

includes a 3% pay increase each year and an increase in the employee's share of the employee health insurance premium cost from 3% to 15%. Dependent cost share for employee remains at 15%. Roll call was: AYES: Johnson, Pingel, Brown, Miller. NAYES: None

### **Street Projects Engineering Services Agreement**

Rich and Andrea Cook, 310 Oak Knoll Drive, asked the council to consider including paving Oak Knoll in upcoming street work. Currently the City spends in excess of \$10,000 per year maintaining the road. The road isn't shaped so that water will drain toward collection points and into installed tubes, causing the need for a considerable amount of maintenance. Kooiker thanked the Cooks and stated that if the council chooses to add Oak Knoll to the 2017 project list an amendment can be brought forward in the future. Motion by Brown, seconded by Johnson, to approve the agreement between Bolton & Menk, engineers for 2017 street projects, not to exceed \$25,000 to be billed at hourly rates, and to add Oak Knoll Drive to the project list as an alternate project. Roll call was: AYES: Brown, Johnson, Pingel, Miller. NAYES: None.

### **School District Water Line**

Motion by Miller, seconded by Brown, to approve the Water Service Line Cost-Sharing and Reimbursement Agreement between the City and the Cherokee Community School District. Roll call was: AYES: Pingel, Miller, Brown, Johnson. NAYES: None

Kooiker recommended awarding the quote for the water line service work to SCE LLC in the amount of \$42,721.50, contingent on obtaining signatures. Roll call was: AYES: Johnson, Pingel, Miller, Brown. NAYES: None

### **Budget Review**

Kooiker reported that CDBG restrictions had been released concerning the revolving loan fund and these funds could be spent on other purposes. Kooiker proposed transferring \$15,704.00 from the revolving loan fund to the Doherty Addition fund to clear a negative balance. The balance or a portion of the remaining balance could be used as a forgivable loan or grant to rehabilitate the Lewis Hotel building. The council was agreeable to this.

Kooiker reported that the solid waste fund has a negative balance and one option to correct this would be to adjust customer fees between landfill and garbage services. \$1.00 of the current monthly landfill charge of \$16.25 would be directed to the solid waste collection fund beginning on July 1, 2017. There would be no cost impact to the customer. Brown made a motion, seconded by Miller, to re-distribute \$1.00 of the monthly landfill charge to the solid waste fund beginning July 1, 2017. Roll call was: AYES: Brown, Miller, Johnson, Pingel. NAYES: None. This action will require an ordinance change.

The Council requested all departments in the general fund with the exception of the library, as well as the street department cut their overall budget request by 2%.

**Adjournment**

Brown made a motion to adjourn, seconded by Johnson. All voted aye, the meeting was adjourned at 9:30 p.m.

Media Present: None.

---

Mark Murphy, Mayor

ATTEST:

---

City Clerk-Treasurer