

**CITY COUNCIL MINUTES
TUESDAY, MAY 23, 2017, 7:00 P.M.
CHEROKEE CITY HALL**

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

Additions to Agenda

Added to the agenda was #4.07 Approve Class B Beer Permit for Cherokee Co. Fair Assn.

Public Forum

Board members from Little Sioux Corn Processors presented the Cherokee Fire Department with a \$25,000 check toward the purchase of the new aerial fire truck. The Fire Department as well as the Mayor and Council thanked Little Sioux Corn Processors for their generous donation.

Kent Schmillen, 820 N. 11th St. and Dr. Tim Rice, 901 N. 11th St. are requesting help with the dust problem on N. 11th Street. Kent stated the amount of dust caused by the large amount of traffic and the speed of traffic on the road is a safety issue. Neighbors have been applying dust control in recent years at their own cost, however he feels the City needs to step in. Applying dust control would necessitate less blading, offsetting some of the cost to the city. Brown feels that chip sealing the road would be a better alternative. Public Works Director Rider will get a cost estimate for chip sealing and the matter will be discussed again at the next council meeting.

Property at 123 E. Main St.

Discussion on the offer of the property at 123 E. Main St. by Dennis and Tammy Pointon to the City had been continued to this meeting. The Pointons were not present. Chad Brown stated he is not in favor of the City's accepting a donation of the building and Agnitsch agreed. Herbold said that since the building has been re-listed with a realtor, this action likely voids the earlier offer of the building to the City.

Ordinance #643 Regulating Fireworks

Motion by Miller, seconded by Agnitsch, approved the second reading of Ordinance #643, an Ordinance Relating to Discharging Fireworks within the City of Cherokee. Roll call was: AYES: All. NAYES: None.

Ordinance #644 Parking on N. 5th St.

Motion by Miller, seconded by Brown, approved the first reading of Ordinance #644, an Ordinance Switching from Diagonal to Parallel Parking on the east side on N. 5th St. from W. Main St. to W. Willow St. This will result in the loss of one parking space. Roll call was: AYES: All. NAYES: None.

Public Hearing on West Elm St. Storm Sewer Project

Motion by Brown, seconded by Agnitsch, set the Public Hearing on the W. Elm St. Storm Sewer Project for June 13, 2017, at 7 p.m. Roll call was: AYES: All. NAYES: None.

Resolution No. 17-29 W. Elm Storm Sewer Project

Brown made a motion, seconded by Miller, adopting Resolution No. 17-29 Ordering Bids, Approving Plans, Specifications and Form of Contract and Notice to Bidder, Fixing Amount of Bidder’s Check and Ordering Clerk to Publish Notice for Public Hearing for the W. Elm Storm Sewer Project. Roll call was: AYES: All. NAYES: None.

Consent

On a motion by Johnson and seconded by Miller the following was approved under Consent Agenda.

City Council Minutes of May 9, 2017.

Cherokee Rural Fire District Minutes of May 2, 2017.

Class C Beer Permit for K-Mart Corporation.

Class D Liquor License for Hy-Vee Inc. d/b/a Western Iowa Tech.

Class C Liquor License for Jobie’s Pastime.

Class B Beer Permit for Cherokee County Fair Assn.

Bills totaling \$63,451.45

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| AL'S CORNER OIL CO. | PARK FUEL | \$85.10 |
| ALLIANT ENERGY | GAS | \$592.71 |
| ALLOY SPECIALTY, INC. | WILSON SCHOOL PROJECT | \$175.00 |
| ARAMARK UNIFORM SERVICES | RAGS, RUGS, MOPS | \$93.87 |
| ARTISAN PRESS | BOOK SAMPLES | \$107.00 |
| BAKER & TAYLOR INC. | BOOKS | \$1,292.51 |
| BARCO MUNICIPAL PRODUCTS | POSTS, DOME CAPS | \$921.53 |
| BENSON CONSTRUCTION | 1/2 COST TO SHINGLE CITY HALL | \$7,723.34 |
| BOLTON & MENK, INC. | CDBG SANITARY SEWER | \$2,365.75 |
| | WATER FACILITY REHAB | \$960.00 |
| | N. 1ST ST. REPAIRS | \$12,478.50 |
| BOMGAARS | INSECT KILLER, TRASH BAGS | \$23.97 |
| BROWN SUPPLY CO. | POST BRACKETS | \$699.00 |
| BUGH WELDING | BRACKET FOR PUMPER | \$45.00 |
| CARROLL DISTRIBUTING | WEATHER SEALANT | \$121.44 |
| CHAD SINGER | MILEAGE TO/FROM ACADEMY | \$174.53 |
| CHEROKEE COUNTY SHERIFF | SERVE PAPERS | \$19.50 |
| COUNSEL | COPY LEASE & COPIES | \$82.83 |
| CREATIVE SERVICES | VBALL & BB SHIRTS, PAMPHLETS | \$256.18 |
| DIANE CARGIN | MILEAGE TO CLERK'S MTG | \$54.00 |
| EMERGENCY APPARATUS MAINT. | REPAIR SCBA COMPRESSER | \$1,329.88 |
| ENGINEERED EQUIPMENT SOL. | SOLENOIDS | \$273.75 |
| FAREWAY STORES, INC. | LIBRARY SUPPLIES | \$104.23 |
| FASTENAL COMPANY | BOLTS & SCREWS-POOL | \$413.78 |
| FOUNDATION ANALYTICAL LAB | WATER & WASTEWATER SAMPLES | \$278.00 |
| GROUP RES./THREE RIVERS | CLAIMS THROUGH 5/10/17 | \$295.51 |

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| HAWKINS, INC. | CHLORINE | \$1,520.00 |
| HOLZHAUER MOTORS, LTD. | OIL CHANGE | \$30.95 |
| IDNR | CERTIFICATION RENEWAL, EXAM FEE | \$210.00 |
| IOWA LAKES ELECTRIC COOP | 4/17 ELECTRICITY | \$42.79 |
| IOWA ONE CALL | LOCATES | \$54.00 |
| JANITOR'S CLOSET, LTD. | SOAP & CLEANER | \$114.82 |
| JIM ADAMSON | COPIES-HISTORICAL PRESERVATION | \$65.80 |
| JOHN MEIS | ROOSEVELT ST. PROJECT | \$1,420.00 |
| JOHN SNAPP | SUPPLIES-HISTORICAL PRESERVATION | \$69.37 |
| K-MART #9222 | MEMORY STICK | \$11.49 |
| KNIFE RIVER MIDWEST LLC | COLD MIX ASPHALT | \$946.35 |
| LETSCHE BIKE/RADIO SHACK | 12 VOLT BATTERY | \$5.99 |
| MID AMERICAN ENERGY | ELECTRICITY | \$19,468.04 |
| MODERN HEATING & COOLING | FAUCET & LABOR | \$555.44 |
| MUNICIPAL EMERGENCY SERVICE | FLOW TEST AIR PACKS | \$1,026.25 |
| NORTH CENTRAL LABORATORIES | LAB SUPPLIES | \$277.99 |
| PITNEY BOWES | RELOAD POSTAGE | \$1,530.94 |
| RON'S REPAIR, INC. | ALTERNATOR REPAIRS | \$1,187.00 |
| SCE, LLC | DIG 2 GRAVES | \$270.00 |
| SHARE CORPORATION | CLEANERS | \$220.26 |
| SIOUX SALES COMPANY | MOUTHPIECES, EAR GADGET | \$159.85 |
| STEVE'S WINDOW SERVICE | CLEAN WINDOWS | \$26.00 |
| TYLER COMSTOCK | PARK BENCH REFUND | \$247.00 |
| U.S. BANK EQUIPMENT FINANCE | COPY CONTRACT | \$188.87 |
| UNUM LIFE INS. CO OF AMERICA | 6/17 LIFE & DISABILITY INS. | \$1,030.26 |
| USPS | UTILITY BILL POSTAGE | \$332.97 |
| VALLEY VETERINARY CENTER | BOARD 2 DOGS | \$294.40 |
| VERIZON WIRELESS | CELL PHONE-FIRE | \$59.92 |
| WIESE OIL & SUPPLY CO., LT | SHELL CORENA, FUEL | \$1,029.02 |
| WINDSTREAM | TELEPHONE | \$88.77 |

Award Bid Street Dept. Dump Truck Box, Plow and Hydraulics

Three bids were received for the dump truck box, plow and hydraulics to outfit the new street department dump truck as follows: Hiway Truck Equipment - \$36,985; Steffen Truck Equipment - \$37,825; Truck Equipment Inc. - \$44,000. Motion by Agnitsch, seconded by Miller to award the low bid of \$36,985 to Hiway Truck Equip., Ft. Dodge IA. Roll call was: AYES: All. NAYES: None

Bid Opening for Garages in FEMA Flood Buyout

Kooiker opened bids for the purchase of garages offered for sale to be moved in the FEMA flood buyout program. Two bids were received for the garage at 408 E. Main St. as follows: Todd Larsen - \$100.00; Greg Stieneke - \$151.00. Motion by Brown, seconded by Miller, to accept the high bid of \$151.00 from Greg Stieneke contingent on the sale of property to the City through the FEMA buyout project. Roll call was: AYES: All. NAYES: None. One bid was received on the garage located at 315 E. Willow St. as follows: Marv's Construction - \$1,250.00. Motion by Brown, seconded by Agnitsch, to accept the bid of \$1,250.00 from

Marv's Construction contingent on the sale of the property to the City through the FEMA buyout project. Roll call was: AYES: All. NAYES: None.

Authorize Primex Service Flex Plan Renewal

Motion by Miller, seconded by Brown authorized the renewal of the Primex Service Flex Plan for water/wastewater maintenance and repair of the controls system, plant instrumentation and SCADA system. Roll call was: AYES: All. NAYES: None.

Accept U. S. Fish & Wildlife Control Permit

Motion by Miller, seconded by Brown, accepted the U.S. Fish & Wildlife control permit for vultures and geese, which allows the extermination of up to 10 turkey vultures. Although allowed the City will not proceed with goose extermination at this time. Roll call was: AYES: All. NAYES: None.

Downtown Façade Amendment & Change Orders

Justin Yarosevich and Jennifer Movall from Simmering-Cory explained the amendment to the grant contract for the Downtown Façade Program, requesting the increase of the State share of the project cost from 51% to 60%. Justin feels there is a good likelihood the State will approve the amendment. Cherokee has a great project with tremendous curb appeal and significant change and that is what the State is looking for. Brown stated he is unhappy with the number of change orders the contractor is submitting and wonders why the original bid did not include some of this work. Kooiker stated at some point the city will just have to say close it up and we are done, funds are limited. Motion by Agnitsch, seconded by Brown, approved the amendment request to the State of Iowa to increase the State project share from 51% to 60%. Roll call was: AYES: All. NAYES: None. Motion by Brown, seconded by Miller to approve change orders to 108 N. Second St. (\$2,864.00) and 227 W. Main St. (\$7,001.50). Roll call was: AYES: All. NAYES: None

Update from Recreation Dept.

Dave Ellis, Recreation Director, reported on activities in his department. There are five teams signed up for softball and 12 golfers in the disc golf program. The new pool valve seems to be working very well. He is very pleased with the pool staff that is hired for the upcoming season, the pool will open on schedule on May 27. The ten year anniversary of the opening of the Bacon Aquatic Center will be celebrated on July 8.

Adjournment

Agnitsch made a motion to adjourn, seconded by Miller. All voted aye. The meeting was adjourned at 7:58 p.m.

Media Present: *Nikki Thunder, KCHE Radio*

Mark Murphy, Mayor

ATTEST:

Diane Cargin

City Clerk Treasurer