

**CITY COUNCIL MINUTES
TUESDAY, AUGUST 22, 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, Johnson, Miller, Pingel, City Administrator Kooiker, City Attorney Herbold and City Clerk-Treasurer Cargin.

Addition to Agenda

Katie Morgan of Klay, Veldhuizen, Bindner, DeJong & Halverson, P.L.C., of Paullina IA, attorney representing Rick and Karen Swain, requested the addition of an item for their proposal to the city for a selective demolition of the Wilson School property. She agreed to place the item prior to item #6.01(a), Public Hearing requested by Rick and Karen Swain.

Request for Sewer Charge Credit – Noggin Water

A request from Matt Harding with Noggin Water regarding a sewer charge credit was continued to the November 14, 2017.

Condition of 500 W. Maple

The owner of the property at 500 W. Maple was not present to give an update on the status of the rehabilitation, therefore this item was postponed to the September 12, 2017, meeting.

Ordinance #657 Locations for Truck Parking

Motion by Miller, seconded by Brown, approved the second reading and waived the third reading of Ordinance #657, an Ordinance Amending the Locations for Truck Parking and ordered its publication. Roll call was: AYES: All; NAYES: None.

Ordinance #658 Locations for Trailer Parking

Motion by Brown to approve the second reading and waive the third reading of Ordinance #658, an Ordinance Amending the Locations for Trailer Parking and ordered its publication. Roll call was: AYES: All; NAYES: None.

Public Hearing on Ordinance #653 Clarifying Trailer Parking in R-1 District

At 7:04 Mayor Murphy opened a public hearing to consider Ordinance #653, an Ordinance Amending the Zoning Regulations to Clarify Trailer Parking in R-1 Single and Two-Family Residential Zoning District. As there were no oral or written comments, the Mayor closed the Public Hearing at 7:05 p.m.

Ordinance #653 Clarifying Trailer Parking in R-1 Zoning District

Motion by Brown, seconded by Miller, to approve the first reading and waive the second and third readings of Ordinance #653, an Ordinance Clarifying Trailer Parking in R-1 District and ordered its publication. Roll call was: AYES: All. NAYES: None.

Public Hearing on Ordinance #659 Adding Penalties for Zoning Regulations Violations

At 7:05 Mayor Murphy opened a public hearing to consider Ordinance #659, an Ordinance to Adding Penalties for Violation of the Zoning Regulations. As there were no oral or written comments, the Mayor closed the Public Hearing at 7:06 p.m.

Ordinance #659 Adding Penalties for Violations of Zoning Regulations Chapter

Motion by Miller, seconded by Johnson, to approve the first reading and waive the second and third readings of Ordinance #659, an Ordinance Adding Penalties for Violations of Zoning Regulations Chapter and ordered its publication. Roll call was: AYES: All. NAYES: None.

Resolution #17-49 Setting Mileage Reimbursement

Motion by Pingel, seconded by Agnitsch, to adopt Resolution #17-49, a Resolution Setting the Mileage Reimbursement for city employees using their personal vehicles for job-related travel to be reimbursed at the standard mileage rate set annually by the Internal Revenue Service. Roll call was: 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 August 22, 2017.

Award of Contract for deicing salt to Miller & Miller.

Approve Primex Services automation upgrade for wastewater plant.

Parks & Recreation Advisory Board Minutes of August 7, 2017.

Authorize closure of 6th St. from W. Main to W. Willow on Sept. 10 for Freedom Rock Dedication.

Bills totaling \$263,401.71

ACCO	LIQUID CHLORINATING SOLUTION	\$1,297.20
AHLERS & COONEY P.C.	URBAN RENEWAL	\$114.00
ALLIANT ENERGY	GAS	\$779.42
ALPHA WIRELESS	EARPIECE	\$72.00
AURELIA LUMBER COMPANY	SCREWS, REROD, STAKES	\$346.25
BAKER & TAYLOR INC.	BOOKS	\$880.10
BLACKTOP SERVICE CO.	1ST STREET PAVING	\$15,612.00
BLACKTOP SERVICE CO.	W. ELM STREET RR CROSSING	\$19,169.71
BLACKTOP SERVICE CO.	CITY HALL PARKING LOT	\$2,500.00
BOLTON & MENK, INC.	FUNDING APP., 2017 STREETS	\$1,213.00
BOLTON & MENK, INC.	2017 BRIDGE INSPECTIONS	\$4,160.00
BOLTON & MENK, INC.	WATERMAIN EXTENSION	\$5,116.50
BROWN SUPPLY CO.	MANHOLE LIDS, SANIT. SEWER LID	\$3,906.00
BUILDERS SHARP. & SERVICE	2 FILTER ELEMENTS	\$116.46
CHAMPION ELECTRIC, INC.	REPAIR & REPLACE CORD REELS	\$157.35
CHESTERMAN COMPANY	POP FOR POOL	\$431.70
CHRONICLE TIMES	PUBLICATIONS, SUBSC. RENEWAL	\$1,211.20
CORE-MARK MIDCONTINENT, INC	POOL CONCESSIONS	\$3,024.74
COUNSEL	COPY CONTRACT & OVERAGE	\$84.39
COUNTRY TIRE & SERVICE	2 NEW TIRES, TIRE REPAIRS	\$67.11
CROSSROADS OF WESTERN IOWA	CLEAN SHOP TOWELS	\$32.25
DEMCO, INC.	OFFICE SUPPLIES	\$60.53
DIAMOND VOGEL PAINTS	SOCCER FIELD PAINT	\$324.00
DIANE CARGIN	MILEAGE - INCODE TRAINING	\$283.55
DON GROVES REPAIR	INSTALL EQUIPMENT	\$1,664.95

FAREWAY STORES, INC.	OPERATING SUPPLIES	\$143.00
FASTENAL COMPANY	NUTS, BOLTS	\$586.86
FELD FIRE	EXT. POWDER & PURCHASE	\$219.56
FIRST COOPERATIVE ASSOC.	LIBERTY	\$168.35
FOUNDATION ANALYTICAL LAB	WATER SAMPLES	\$51.00
GRAHAM TIRE & AUTOMOTIVE	TIRES	\$472.32
GROUND EFFECT LP	MULCH	\$949.98
GROUP RESOURCES/THREE RIVERS	CLAIMS, ADMIN FEES	\$1,724.30
HACH CO.	LAB SUPPLIES	\$380.65
HALLETT MATERIALS	CLASS A STONE	\$60.98
HAWKINS, INC.	SUPPLIES	\$610.00
HIWAY TRUCK EQUIPMENT, INC	DUMP BODY, PARTS	\$47,124.93
HOLZHAUER MOTORS, LTD.	BRAKE REPAIRS, OIL CHANGE	\$273.19
HY-VEE, INC.	POOL SUPPLIES	\$18.83
IOWA LAKES ELECTRIC COOP	ELECTRICITY	\$72.48
IOWA PUMP WORKS	SHIMMAYWA PUMP	\$3,950.00
JACK'S UNIFORMS & EQUIPMENT	MICROPHONE	\$143.69
JANITOR'S CLOSET, LTD.	TRASH BAGS	\$48.24
JERRY'S TREE SERVICE	DROP TREES	\$450.00
JIM'S SEWER SERVICE	JET TILE LINE	\$150.00
L & G PRODUCTS, INC.	PRO PLUS, STAPLES, STRAW BLANKET	\$229.70
LUKE GRAVENISH	UNIFORM SHIRTS	\$158.16
MARK MURPHY	MILEAGE TO SIMPCO MTG.	\$66.34
MID AMERICAN ENERGY	ELECTRICITY	\$30,129.83
MILLER, MILLER, MILLER, PC	435 E. CEDAR-SNYDER CLOSING	\$1,150.00
MODERN HEATING & COOLING	CAREY'S PLUGGED SEWER	\$222.56
MUD ON MAIN	DIPPIN DOTS	\$96.00
O'HALLORAN INTERNATIONAL	2018 INTERNATIONAL 7400 TRUCK	\$78,660.00
OFFICE ELEMENTS	OFFICE SUPPLIES	\$819.61
PILOT ROCK SIGNS	VETERAN'S SIGN	\$774.40
PITNEY BOWES	RELOAD POSTAGE	\$1,442.80
PLUNKETT'S PEST CONTROL	PEST CONTROL	\$308.26
POWER SOLUTIONS	GENERATOR MAINTENANCE	\$1,000.00
RDG PLANNING & DESIGN	CDBG STOREFRONT FACADE	\$13,138.90
REHAB SYSTEMS, INC.	VAC LIFT STATION & LAGOON SITE	\$1,750.00
SHOPKO STORES OPERATING CO	CARPET CLEANER, SOUND SYSTEM	\$260.97
SIMPCO	FY18 MEMBERSHIP DUES	\$2,732.00
SIOUX SALES COMPANY	BELT	\$29.95
STANDARD READY MIX	CONCRETE	\$1,821.50
UNITED STATES CELLULAR	CELL PHONES	\$185.32
UNUM LIFE INS. CO OF AMERICA	9/17 LIFE & DISABILITY	\$1,030.26
USA BLUE BOOK	CORE PRO SAMPLER	\$150.35
USPS	UTILITY BILL POSTAGE	\$333.65
WALDNER'S LAWN SERVICE	SPRAY ROUND UP	\$180.00
WESTERN IOWA TECH. COMM. COLLEGE	POLICE ACADEMY-GOODMAN	\$3,245.00
WEX BANK	FUEL	\$2,909.59

WIESE OIL & SUPPLY CO., LT	SHELL ROTELLA	\$29.00
WINDSTREAM	TELEPHONE & EMAIL	\$92.27
YOUR FLEETCARD PROGRAM	FUEL	\$232.52

Proposal for Mural on Retaining Wall at Community Center

James Pingrey, along with Rob Hach, scoutmaster for the Alta-Aurelia Boy Scout organization explained a project he wishes to complete to earn his Eagle Scout status. He presented the council with a design consisting of black scenes on a white background depicting various types of events held at the community center. Matt Mongan of Mongan Painting is assisting with the project. Brown made a motion, seconded by Johnson, to approve the proposed project with the stipulation that the mural can be painted over at the end of a three year period if need be. Roll call was: AYES: All. NAYES: None.

Smoke Detector Upgrades at Library

Zach Freking-Smith, Library Director, explained to the council that the smoke alarms need to be replaced at the library as there have been two false alarms in the last year. The smoke detectors date back to 1998. Zach is requesting the council approve an expenditure of up to \$3,750 for 50% of the cost of the new smoke detector system and the Library Board of Trustees will pay the other 50%. The cost of the system is estimated at \$7,500. Motion by Pingel, seconded by Miller, authorized the expenditure of up to \$3,750 for this expense. Roll call was: AYES: All. NAYES: None.

Request for Selective Demolition of the Wilson School Property

Maria Brownell, attorney with Ahlers & Cooney, Des Moines IA, dialed in to the meeting. Katie Morgan, attorney for Rick & Karen Swain requested a selective demolition to preserve the north portion of the old Wilson School building. She stated that her clients have reviewed many options, including moving their businesses which consist of an auction company, auto dealership and auto body shop, as well as constructing a new building. They have concluded that they like what they have, it is sustainable for them and is in a good location. The Swains are requesting that their portion of the building be structurally supported during the demolition of the remainder of the building, requesting that utility hookups be provided to them by the city and want the ground landscaped after demolition to prevent any issues with water or settlement. They are also requesting the remaining outside wall be insulated to the same value it now has. Swains are aware that this is going to cost a lot of money but they feel this is a less expensive alternative for the taxpayers than the construction of a new building. The Swains have had an architect, Kevin Godwin with Building Solutions in Sioux City, IA, conduct a field evaluation of the building assembly and although he does not give a determination as to whether or not the existing school building is repairable, he has concluded that the building addition that now houses Swain Motor Co. is sustainable if the adjacent school building is demolished. Kooiker stated that Jim Tometich, the engineer retained by the city is available to come to Cherokee on Sept. 6 to start the process of writing a report to explore the feasibility of demolition and retaining the Swain's portion of the building. He will need access to Swain's portion and the process will entail approximately one hour of labor as well as cutting a 2' hole in the sheetrock and removing some ceiling tiles to raise a ladder. Ricky Swain said if they allow the city's engineer to access their portion of the building they would like their expert present at the same time. Morgan tentatively agreed to allowing access to research feasibility and will contact their architect and see if Sept. 6 will work. Kooiker proposed continuing this item to the

September 26, 2017, council meeting and holding the public hearing that evening as well and in the same order as was scheduled for tonight.

Motion by Brown, seconded by Pingel, to continue discussion on a proposal from Rick and Karen Swain for selective demolition to the September 26, 2017, city council meeting. Roll call was: AYES: All. NAYES: None.

Motion by Pingel, seconded by Agnitsch, to continue the Public Hearing requested by Rick and Karen Swain on the Notice to Abate Nuisance at 100 E. Willow St. to September 26, 2017, following the discussion on the selective demolition proposal. Roll call was: AYES: All. NAYES: None.

Executive Session

There was no executive session.

Adjournment

On a motion by Brown, seconded by Pingel, the meeting was adjourned at 7:49 p.m.

Media Present: Ken Ross, *Chronicle Times*
Nikki Thunder, *KCHE Radio*

Mark Murphy, Mayor

ATTEST:

Diane Cargin
City Clerk Treasurer