

**CITY COUNCIL MINUTES
TUESDAY, AUGUST 8, 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

The Mayor added the following to the agenda: 5.04 Authorize Grant Application with Iowa D.O.T. for traffic signal improvements for Bluff St. and Hwy. 59.

Update on Glass Recycling

Brent Kach, manager of the Cherokee County Landfill, informed the council of the upcoming changes for glass recycling. Van's Recycling from LeMars currently accepts glass co-mingled with other recyclables for curbside pickup in Cherokee. Beginning Sept 1, glass should no longer be put in with other recyclables and instead will need to be deposited in one of two large purple dumpsters that will be located at the city parking lot on E. Main St. and the city parking lot on W. Elm St. (near the current recycling dumpster located in these parking lots.) This will be a change for Cherokee residents as now glass can be co-mingled with other recyclables and is picked up curbside. Flyers will be inserted in an upcoming edition of the Chronicle's "shopper", and are available at City Hall and on the city's website at www.cherokeeiowa.net which explain the new glass recycling procedure.

Resolution #17-39 Emergency Non-Potable Water Agreement with CMRC

Motion by Brown, seconded by Miller, adopted Resolution #17-39, a Resolution to Provide Emergency Non-Potable Water to Cherokee Regional Medical Center. Roll call was: AYES: All. NAYES: None.

Ordinance #652 Repealing and Replacing the Official Zoning Map

Motion by Miller, seconded by Pingel, to approve the first reading and waive the second and third readings of Ordinance #652, with the following amendments: The version of the map does reflect the passage of Ordinance #641 on April 25, 2017, which rezoned land owned by the Cherokee County Fair Association from Agricultural (A-1) to Commercial (C-1), however the map does not include the C-1 designation for this parcel and will be updated as soon as possible. To avoid another amendment, we are hereby restating the intent to properly reflect that parcel. Roll call was: AYES: All. NAYES: None.

Ordinance #655 Implementing Traffic Signage Changes

Motion by Brown, seconded by Agnitsch, to approve the second reading and waive the third reading of Ordinance #655, an Ordinance Implementing Traffic Signage Changes. Roll call was: AYES: All. NAYES: None.

Ordinance #657 Amending the Locations for Truck Parking

Motion by Brown, seconded by Pingel, to approve the first reading of Ordinance #657, an Ordinance Amending the Locations for Truck Parking from the current location on E. Main Street to a new location on the south side of the 300 block of W. Beech St. between S. 3rd and

S. 4th Streets with a maximum parking time of thirty consecutive days. Roll call was: AYES: All. NAYES: None.

Ordinance #658 Locations for Trailer Parking

Motion by Miller, seconded by Johnson, to approve the first reading of Ordinance #658, an Ordinance Amending the Locations for Trailer Parking, designating a new location on the south side of the 300 block of W. Beech between S. 3rd and S. 4th St. for truck parking (30 days) and trailer parking (14 days) and eliminating overnight parking of vehicles at the E. Main lot including campers and trailers and allowing said overnight parking only by authorization of the Chief of Police or designee. Parking a trailer, boat, bus, or any other such vehicle on a residential lot where the primary residential structure is not occupied is not allowed, unless temporary parking is authorized by the Police Chief or designee. Roll call was: AYES: All. NAYES: None.

Resolution #17-46 Agreement for Use and Transport of Bio-Solids

Motion by Brown, seconded by Pingel, adopted Resolution #17-46, a Resolution Authorizing an Agreement for Use and Transport of Biosolids/Sludge allowing the leasee of the land near the Cherokee wastewater plant to use the City's 1989 Chevy truck to haul sludge. Roll call was: AYES: All. NAYES: None.

Authorize City Attorney to Issue Notice to Terminate Land Lease

Motion by Brown, seconded by Miller, to authorize the City Attorney to terminate the land lease for city ground located south of the wastewater treatment plant. The existing lease expired December 1, 2013, and was a three year lease. Roll call was: AYES: All. NAYES: None.

Authorize City Attorney to Renegotiate Land Lease

Motion by Miller, seconded by Pingel, to authorize the City Attorney to renegotiate the land lease for 11.17 acres of city property located south of the wastewater treatment plant. Roll call was: AYES: All. NAYES: None.

Resolution #17-47 Inspections to Ensure Proper Hook-up of Sump Pumps

Motion by Agnitsch, seconded by Brown, adopted Resolution #17-47, a Resolution in Support for Public Works Inspections to Ensure Proper Hook-up of Sump Pumps. This Resolution supports City Ordinance 95.07 which grants right of entry for inspection to ensure proper hookup to the public sanitary sewer system. Roll call was: AYES: All. NAYES: None.

Resolution #17-48 Approving Plat of Staver's Eastside Addition

Motion by Miller, seconded by Johnson, adopted Resolution #17-48, a Resolution Approving the Plat of Staver's Eastside Addition to the City of Cherokee. Roll call was: AYES: All. NAYES: None.

Consent Agenda

On a motion by Agnitsch, seconded by Pingel the following was approved under Consent Agenda. Roll call was: AYES: All. NAYES: None
City Council Minutes of July 25, 2017.
Tax Abatement Application for 410 Sac St.

July Treasurer's Report and Receipts as follows: : General \$129,869.91; Police Forfeiture \$456.00; County Library \$0; Road Use \$68,272.22; Employee Benefits \$6,244.43; Emergency \$318.84; Local Option Sales Tax \$82,336.34; Hotel/Motel Tax \$0; Tax Increment Financing \$16.14; Revolving Loan \$1,500.00; Library Memorial \$594.75; Park & Rec Capital Improvement \$0; Cemetery Special Care \$0; Debt Service \$2,988.02; Road Use Equipment \$12,451.82; CDBG Storefront Project \$8,500.00; FEMA Flood Buyout Program \$1,250.00; 2016 Capital Projects \$12,311.00; Doherty Addn. \$15,704.84; Emergency Set-Aside \$0; Oak Hill Perpetual Care \$375.00; Water Utility \$75,054.70; Water Utility – Industrial \$0; South Water Main Extension Project \$0; Water Main Project Bond & Interest \$4,993.75; Water System Maintenance \$9,583.95; Sewer Utility \$103,510.41; Sewer Utility – Industrial \$0; Sewer Facility Bond & Interest \$30,500.50; Sewer System Maintenance \$8,801.51; CDBG Sanitary Sewer \$0; Aviation Authority \$301.20; Solid Waste \$26,160.59; Landfill \$30,847.90; Storm Sewer Utility - \$6,695.40; Self-Insurance \$0; Police Dept. Special Acct. \$0.

July Police Report

Class C Liquor License Renewal for the Brightside Lounge

Board of Adjustment minutes of July 31, 2017

Planning & Zoning minutes of August 1, 2017.

Bills totaling \$326,857.98

ACCO	CHEMICAL FEEDER	\$611.42
AHLERS & COONEY P.C.	ANNEXATION, WILSON SCHOOL	\$4,217.00
ALLIANT ENERGY	GAS	\$128.97
ALYSSA A. HERBOLD PLC.	WILSON SCHOOL LEGAL SERVICE	\$634.50
ALYSSA A. HERBOLD PLC.	7/17 LEGAL SERVICE	\$2,187.00
ARAMARK UNIFORM SERVICES	RAGS, RUGS, MOPS	\$132.57
ARMOND RIDER	8/17 CELL PHONE REIMBURSEMENT	\$50.00
ASCAP	POOL MUSIC LICENSE	\$343.92
ATIRA MASTERCARD	SUPPLIES, SMALL CLAIMS, MEAL	\$144.93
AVENET, LLC	ANN. WEB SITE SERV. GOV OFFICE	\$1,200.00
BLAINE'S WATER CONDITIONING	COOLER RENT & WATER, SALT	\$376.70
BOCKMANN, INC.	FEMA ASBESTOS REM.-8 HOUSES	\$20,600.00
BOLTON & MENK, INC.	CDBG SANITARY SEWER PROJECT	\$5,201.00
BOMGAARS	OPERATING SUPPLIES	\$1,207.85
BRAD CATES	SOFTBALL PREP & OFFICIATING	\$100.00
BROWN SUPPLY CO.	HOSE, FLANGE, PARTS	\$991.20
BUILDERS SHARP. & SERVICE	OPERATING SUPPLIES	\$1,944.13
CARROLL DISTRIBUTING	SAFETY CONES, STAKES	\$786.93
CHAMPION ELECTRIC, INC.	STOP LIGHT REPAIRS, BREAKERS	\$756.75
CHEORKEE CO. SOLID WASTE	FEMA DEMO-241 E. MAIN ST.	\$2,860.62
CHEROKEE AUTO PARTS	REFRIGERANT, BATTERY, SOAP	\$156.20
CHEROKEE CO. ENVIR. HEALTH	POOL & SLIDE INSPECTIONS	\$493.00
CHEROKEE CO. SOLID WASTE	7/17 ASSESSMENT	\$29,688.51
CHEROKEE COMM. FOUNDATION	HORSESHOE PIT FUNDING	\$500.00
CHEROKEE COUNTY RECORDER	RECORD DEED, 28E, ANNEXATION	\$86.00
CHLORINATORS INCORPORATED	REMOTE METER PANEL & PARTS	\$1,993.60
CINTAS	FIRST AID SUPPLIES	\$21.21
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$624.26

COMES INVESTMENTS (PIZZA HUT)	PIZZA FOR POOL	\$66.00
CONTROL SYSTEM SPECIALISTS	LIBRARY MAINTENANCE	\$179.74
COUNSEL	COPY CONTRACT & OVERAGE	\$254.04
COUNTRY TIRE & SERVICE	4 NEW TIRES	\$621.51
CROSSROADS OF WESTERN IOWA	CLEAN SHOP TOWELS	\$4.29
CYNMAR LLC	MAGNETIC STIRRER, FILTER PAPER	\$339.36
DEMCO, INC.	OFFICE SUPPLIES, ROCKERS	\$1,421.86
DON GROVES REPAIR	INSTALL EQUIPMENT IN SQUAD CAR	\$2,086.93
DUANE MUMMERT	8/17 CELL PHONE REIMBURSEMENT	\$35.00
EBERT'S	SERVICE CALL, WASHER & DRYER	\$864.90
FAREWAY STORES, INC.	SRP SUPPLIES	\$10.33
FIRST COOPERATIVE ASSOC.	MAD DOG	\$157.40
FOUNDATION ANALYTICAL LAB	WATER & WASTEWATER SAMPLES	\$706.00
GEORGE SCHMIDT	8/17 CELL PHONE REIMBURSEMENT	\$35.00
GM CONTRACTING, INC.	SOUTH SIDE WATER MAIN PROJECT	\$56,897.10
GREG EATON, FIRE CHIEF	FIREMAN PAYROLL	\$600.00
GROUP RESOURCES/THREE RIVERS	CLAIMS	\$583.25
HILLYARD	SOAP, AIR FRESHNERS	\$104.63
HOLZHAUER MOTORS, LTD.	REPAIR ACTUATOR	\$490.67
HOLZHAUER MOTORS, LTD.	2017 CHEVY TAHOE	\$21,088.29
IOWA DEPT. OF NAT. RESOURCES	POLLUTANT ANNUAL FEE	\$1,275.00
IOWA DIVISION OF LABOR SERVICE	POOL BOILER INSPECTIONS	\$190.00
IOWA PRISON INDUSTRIES	STREET SIGNS	\$334.62
JACK'S UNIFORMS & EQUIPMENT	LAPEL MICROPHONE	\$89.95
JANITOR'S CLOSET, LTD.	CLEANING SUPPLY	\$186.54
JIM'S SEWER SERVICE	JET MANHOLES	\$600.00
JOHN MEIS	ROOSEVELT ST. PROJECT	\$1,937.42
K-MART #9222	CLEANING SUPPLIES, PHONE	\$90.71
LETSCHE BIKE/RADIO SHACK	PHONE, STEREO	\$75.97
MARCUS LUMBER COMPANY	VINYL BOARD, LUMBER	\$61.06
MID AMERICAN ENERGY	ELECTRICITY	\$1,898.34
MILLER, MILLER, MILLER, PC	PURCHASE 435 E CEDAR - FEMA	\$53,000.00
MILLER, MILLER, MILLER, PC	3 FEMA CLOSINGS	\$3,450.00
MODERN HEATING & COOLING	PIPE FOR SPRINKLER	\$276.44
MOTOR PARTS SALES	PARTS	\$102.60
MUNICIPAL SUPPLY, INC.	METERS	\$55.12
NATE JAMES	8/17 CELL PHONE REIMB.	\$50.00
NELSON ELECTRIC	LIGHT & FIXTURE REPAIRS	\$3,928.31
NORTHWEST ELECTRIC	FRAME	\$2,100.00
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$398.70
O'REILLY AUTOMOTIVE STORES	WRENCH	\$29.99
OVERDRIVE, INC.	FY18 BRIDGES SUBSCRIPTION	\$923.66
PC CONNECTION SALES CORP.	TRENDMICRO LICENSING	\$440.00
PETERSEN MFG. CO. INC.	BENCH REPAIRS	\$691.50
PETTY CASH - LIBRARY	PAPERS, POSTAGE, LETTERING	\$114.97
PILOT ROCK SIGNS	10TH ANNIVERSARY SIGN	\$93.62

PLUNKETT'S PEST CONTROL	FY18 PEST CONTROL	\$407.78
PROSECUTING ATTORNEYS TRNG.	FORFEITURE/SEIZURE	\$60.00
RACO MFG. & ENGINEERING	8/17-8/18 ALARMAGENT	\$615.00
RADAR ROAD TEC	4 RADAR CERTIFICATIONS	\$140.00
RANGER RICK	SUBSCRIPTION RENEWAL	\$28.95
RDG PLANNING & DESIGN	CDBG STOREFRONT FACADE PROJ.	\$13,138.90
REHAB SYSTEMS, INC.	CUT ROOTS	\$375.00
REINERT MACHINE SHOP	ANGLE IRON, REPAIRS	\$27.00
RENAISSANCE RESTORATION INC.	CDBG STOREFRONT PROJECT	\$34,188.53
RENT-ALL, INC.	10TH ANNIV. INFLATABLES	\$530.00
SAM KOOIKER	8/17 CELL PHONE REIMBURSEMENT	\$50.00
SANITARY SERVICES	7/17 GARBAGE PICK UP	\$25,231.50
SARA LUCAS	MILEAGE	\$183.60
SATURDAY EVENING POST	SUBSCRIPTION RENEWAL	\$20.00
SCE, LLC	CURB STOP REPAIRS	\$4,045.78
SCHUMACHER ELEVATOR CO.	ANNUAL ELEVATOR MAINT.	\$1,550.33
STATE LIBRARY OF IOWA	FY18 BRIDGES PLATFORM FEES	\$399.41
STEVE'S WINDOW SERVICE	CLEAN LIBRARY WINDOWS	\$90.00
SUPER CITY DOTS, LLC	DIPPIN DOTS FOR POOL	\$382.08
THE BOOK VINE	BOOKS	\$455.01
TODD LARSEN	8/17 CELL PHONE REIMBURSEMENT	\$35.00
TODD MILLER	8/17 CELL PHONE REIMBURSEMENT	\$35.00
U.S. BANK EQUIPMENT FINANCE	COPY CONTRACT	\$89.94
USPS	UTILITY BILL POSTAGE	\$314.86
VALLEY VETERINARY CENTER	K-9 MEDS	\$56.40
VERIZON WIRELESS	HOT SPOT	\$80.02
WALDNER'S LAWN SERVICE	REP. SPRINKLER HEADS, MOWING	\$310.00
WATCHGUARD VIDEO	CAMERAS NEW SQUAD CAR	\$5,550.00
WIESE OIL & SUPPLY CO., LT	FUEL	\$795.13
WINDSTREAM	TELEPHONE & INTERNET	\$432.84
ZACH FREKING-SMITH	DVD'S, RUGS, BINGO PRIZES	\$260.83

Wastewater Treatment Plant Study

George Schmidt, Wastewater Superintendent, outlined the latest correspondence from the Dept. of Natural Resources regarding the Nutrient Reduction Feasibility Study. Although the DNR agrees that the city does not need to further reduce total nitrogen, which is the costliest component of the previous DNR mandate, they still are requiring a reduction in phosphorus concentration. This will require the installation of chemical phosphorus removal equipment by 2023, which is the year the State Revolving Loan debt is retired. The cost of this equipment is projected to be at least \$200,000. Motion by Brown, seconded by Pingel, to support the study as submitted reflecting the revised requirements from the State DNR. Roll call was: AYES: All. NAYES: None.

Condition of City's Bridges

Jim Archer, engineer with Bolton & Menk, presented a report on the condition of the city's ten bridges. He said he rates the condition of the bridges overall as fair, which is pretty much par for the course state-wide. The bridges were inspected on July 22. The D.O.T. has

recently asked for ratings for Group 1 Special Haul Vehicles for the bridges at E. Willow and W. Bluff. Motion by Brown, seconded by Agnitsch, to accept the report and proceed with obtaining load ratings for the E. Willow and W. Bluff bridges. Roll call was: AYES: All. NAYES: None.

Award Quote for Painting Intersection Poles

Motion by Brown, seconded by Miller, to accept the quote received from Mongan Painting for the sandblasting and painting of the intersection poles on Hwy. 59 from Indian St. to Elm St. in the amount of \$19,289.00. Roll call was: AYES: All. NAYES: None.

Grant Application with Iowa D.O.T. for Traffic Signal Improvements

Motion by Miller, seconded by Johnson, authorized the submission of a grant application to the Iowa D.O.T. for traffic sign improvements for Bluff St. and U. S. Hwy. 59. Roll call was: AYES: All. NAYES: None.

Board of Adjustment Recommendation

Motion by Miller, seconded by Pingel, to accept the Board of Adjustment's recommendation regarding a variance for 525 Sumner St. applied for by Brent Wolfswinkel and Rick Angell. Roll call was: AYES: All. NAYES: None.

Adjournment

Johnson made a motion to adjourn, seconded by Agnitsch. All voted aye. The meeting was adjourned at 7:51 p.m.

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

Mark Murphy, Mayor

ATTEST:

Diane Cargin
City Clerk Treasurer