

CITY COUNCIL MINUTES
TUESDAY, SEPTEMBER 12, 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.

Public Forum

Mick Samsel said he has been doing some research into the Wilson School building and said his purpose is to bring forward ideas and possibly generate a positive outcome, the best case scenario would be to keep this building on the tax rolls. Jim Adamson stated he has been communicating with the State Historical Society and others and offered an alternative plan which involves a Kansas City development company, Foutch Bros., coming to Cherokee to look at the building. Foutch Bros. recently purchased an old school building in Storm Lake and are renovating it into an apartment complex. Jim has been in contact with Shawn Foutch and he would consider coming over here to look at the Wilson building. Kooiker noted that the City does not have the authority to allow access into the building. Jim stated the Swains are agreeable to allowing access into their portion. Mick asked if pictures and reports could be passed on to the company. Kooiker replied yes, there are currently three main reports, an asbestos report, a structural engineering report by Jim Tometich and a third report that is not yet available, but when the City has it it will become a public record. Brown feels that it is better to focus our efforts on other buildings such as the Brummer and Lewis buildings that still have signs of life. We do not have the resources to save them all. It will be easier to encourage investment into the other buildings. Pingel agrees. Samsel said he can appreciate this view, but in his travels he has seen that other than the challenge of ownership these problems are surmountable, it just comes down to dollars. He agrees there are challenges with the three other buildings and it is not a positive to tear any buildings down.

Status of 123 E. Main St.

Denny Paltz, realtor with Northwest Realty said that he has been working with the owners of the building at 123 E. Main St., Dennis and Tammy Pointon, and has had the building listed for about a year. Structural issues have worsened and it will be much harder to sell it now. The Pointons are wanting to donate the building to the City, as their finances are exhausted. Kooiker said he has visited with Tammy Pointon and picked up the abstract. He recommends proceeding with continuing the abstract, drafting the transfer paperwork and proceeding with negotiation of construction easements. Jim Tometich, structural engineer, is preparing a report with three facets including cost to save the building, cost of a selective demolition of the third story and cost of complete demolition and filling in the basement. Brown does not feel the city should own the building and that it needs to be treated as a dangerous building. Any work that is needed to make the building safe should be done and costs assessed to the owners. Pingel agrees and said accepting the donation sets a terrible precedent and he does not feel this is a prudent use of tax dollars. The Pointons knew the condition of the building when they bought it. Kooiker stated that once the Tometich report is available the donation to the City would be brought forward for discussion in conjunction with cost estimates.

Condition of 500 W. Maple

Vivian Schleef spoke to the council on the progress made on the house at 500 W. Maple. Vivian went through the list of items to be addressed that were set out in letters to owner Belle Schleef from the city, and all have been addressed. Brown noted that it looks like the Schleefs have done considerable improvements and the property looks a lot better. Pingel noted that it should not have taken this long for the Schleefs to address the problems and ongoing upkeep is all the council is requesting at this point.

Ordinance #660 Relating to Parking in Alleys

Motion by Miller, seconded by Brown, approved the first reading of Ordinance #660, an Ordinance Amending the Restrictions Relating to Parking in Alleys. Roll call was: AYES: All; NAYES: None.

Report from Cherokee County Emergency Management

Justin Pritts, Cherokee County Emergency Management Coordinator, reported on emergency management activities. He thanked the council for the recent use of greenspace area for a disaster drill which was very successful. He also reported on the recent purchase of a Salamander system to help manage disaster events.

Resolution #17-50 Amendment to Hazard Mitigation Agreement

Justin Pritts explained that several of the city's critical infrastructure facilities were inadvertently left out of the Hazard Mitigation Plan when it was developed in 2014. Inclusion of these facilities will assist the city in obtaining federal grants. Motion by Brown, seconded by Agnitsch to adopt Resolution #17-50, a Resolution Amending the Multi-Jurisdictional Hazard Mitigation Plan. Roll call was: AYES: All; NAYES: None.

Resolution #17-51 Officer Training Reimbursement Agreement

Motion by Brown, seconded by Miller, to adopt Resolution #17-51, a Resolution Confirming Approval of Police Officer Training Reimbursement Agreement with Officer Chase Goodman. Roll call was: AYES: All. NAYES: None.

Resolution #17-52 Approving FY16-17 Street Financial Report

Motion by Miller, seconded by Pingel to adopt Resolution #17-52, a Resolution Approving the FY16-17 City Street Financial Report. Roll call was: AYES: All. NAYES: None.

Consent Agenda

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

City Council Minutes of August 22, 2017.

New Cigarette/Vape Permit for Fog It – 787 N. 2nd St.

Parade Permit for Dec. 7, 2017, - Chamber of Commerce

Parade Permit for Sept. 22, 2017 – WHS Student Council

Class C Beer Permit – Shopko

Class B Native Wine Permit – HyVee Pharmacy & Gift Store

FY16-17 Annual Urban Renewal Report

August Police Report

August Treasurer's Report and Receipts as follows: General \$41,276.16; Police Forfeiture \$1,074.00; County Library \$0; Road Use \$70,336.64; Employee Benefits \$1,263.88;

Emergency \$0; Local Option Sales Tax \$67,375.37; Hotel/Motel Tax \$23,254.98; Tax Increment Financing \$0; Revolving Loan \$1,175.88; Library Memorial \$1,122.27; Park & Rec Capital Improvement \$0; Cemetery Special Care \$0; Debt Service \$0; Road Use Equipment \$0; CDBG Storefront Project \$38,659.00; FEMA Flood Buyout Program \$24,212.00; 2016 Capital Projects \$30,720.00; Emergency Set-Aside \$0; Oak Hill Perpetual Care \$0; Water Utility \$72,043.48; Water Utility – Industrial \$0; South Water Main Extension Project \$0; Water Main Project Bond & Interest \$4,993.75; Water System Maintenance \$9,567.11; Sewer Utility \$143,885.60; Sewer Utility – Industrial \$0; Sewer Facility Bond & Interest \$30,500.59; Sewer System Maintenance \$8,702.92; CDBG Sanitary Sewer \$0; Aviation Authority \$412.60; Solid Waste \$26,578.79; Landfill \$28,879.29; Storm Sewer Utility - \$6,679.52; Self-Insurance \$0; Police Dept. Special Acct. \$0.

Bills totaling \$430,581.57

360 CUSTOM DESIGNS	T-SHIRTS, SWEATSHIRTS, JACKETS	\$2,975.00
88 TACTICAL BUILDING GROUP	SWAT CLASS	\$455.00
ACCO	LIQUID CHLORINATING SOLUTION	\$345.20
AHLERS & COONEY P.C.	WILSON SCHOOL NUISANCES	\$1,460.00
ALLIANT ENERGY	GAS	\$185.02
ALLOY SPECIALTY, INC.	FEMA-CLEARANCE ON 8 PROPERTIES	\$2,325.00
AL'S CORNER OIL CO.	PARK FUEL	\$32.75
ALYSSA A. HERBOLD PLC.	8/17 LEGAL SERVICE	\$4,698.00
ALYSSA A. HERBOLD PLC.	WILSON SCHOOL NUISANCES	\$2,092.50
ARAMARK UNIFORM SERVICES	RAGS, RUGS, MOPS	\$50.97
ARLA KINTIGH	FAIRGOERS PRESENTATION	\$27.50
ARMOND RIDER	9/17 CELL PHONE REIMBURSEMENT	\$50.00
ATIRA CREDIT MASTERCARD	MISC. ITEMS	\$1,182.91
AURELIA LUMBER COMPANY	LUMBER	\$221.02
BLACKTOP SERVICE CO.	SEAL COATING	\$39,354.00
BLACKTOP SERVICE CO.	11TH STREET CHANGE ORDER	\$23,716.75
BLACKTOP SERVICE CO.	2017 STREET PROJECTS	\$177,216.17
BLAINE'S WATER COND.	COOLER RENT, WATER, SALT	\$418.50
BLOOMING HOUSE	PERENNIALS	\$44.46
BOMGAARS	OPERATING SUPPLIES	\$2,840.92
BROWN SUPPLY CO.	MISC. ITEMS	\$2,282.09
BUGH WELDING	STEEL	\$61.12
BUILDERS SHARP. & SERVICE	FILTER, CHAIN, FAN HOUSING, SAW	\$391.51
CARROLL DISTRIBUTING	STAKES	\$234.00
CHAMBER OF COMMERCE	CITY DIRECTORY	\$25.00
CHAMPION ELECTRIC, INC.	LOCATE LIGHT WIRES, POOL LIGHTS	\$161.71
CHEROKEE AREA ECONOMIC	FY 18 1ST QTR. CONTRIBUTION	\$3,457.50
CHEROKEE AUTO PARTS	OPERATING SUPPLIES	\$162.88
CHEROKEE CO. SOLID WASTE	8/17 ASSESSMENT, FEMA DEMO'S	\$29,688.51
CHEROKEE CO. SOLID WASTE	FEMA-224 E. MAPLE DEMO	\$1,967.28
CHEROKEE CO. SOLID WASTE	FEMA-310 E. MAPLE DEMO	\$2,263.48
CHEROKEE CO. TREASURER	PROPERTY TAXES-925 AMBER DR.	\$22.00
CHEROKEE COUNTY RECORDER	BOAT RENEWAL, RECORD RESOLUTION	\$38.90
CHEROKEE REG. MED. CENTER	7 TONERS, DRUG & HEARING TEST	\$965.00

CHRONICLE TIMES	LEGAL PUBLICATIONS	\$1,219.44
CLARK EQUIPMENT CO.	TOOLCAT ATTACHMENTS	\$5,989.00
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$633.12
COGRAN SYSTEMS	7/17 REC. SCHEDULING	\$150.00
CONSUMER REPORTS	SUBSCRIPTION RENEWAL	\$30.00
CONTROL SYSTEM SPECIALISTS	FY18 SERVICE CONTRACT, SERVICE WORK	\$1,798.74
CORE-MARK MIDCONTINENT, INC	POOL CONCESSIONS	\$508.40
COUNSEL	COPY CONTRACT & OVERAGE	\$431.08
COUNTRY TIRE & SERVICE	TIRE PATCH	\$22.33
CREATIVE PRODUCT SOURCE	BOOKMARKS	\$193.06
CREATIVE SERVICES	SOCCER SOCKS	\$173.80
DEMCO, INC.	OFFICE SUPPLIES	\$431.84
DENNY'S SERVICE	PRESS REG, VALVES, TOILET REPAIRS	\$626.00
DUANE MUMMERT	9/17 CELL PHONE REIMB.	\$35.00
FAMILY HANDYMAN	SUBSCRIPTION RENEWAL	\$24.98
FAREWAY STORES, INC.	SUPPLIES FOR PD	\$52.35
FELD FIRE	MERCHANDISE FOR RESALE	\$792.00
FIRST COOPERATIVE ASSOC.	FINANCE CHARGE	\$2.78
FOUNDATION ANALYTICAL LAB	WASTEWATER SAMPLES	\$553.00
FRIENDS OF THE SPIRIT LAKE	LONGMIRE DVD	\$15.00
GEORGE SCHMIDT	9/17 CELL PHONE REIMBURSEMENT	\$35.00
GM CONTRACTING, INC.	SOUTH SIDE WATER MAIN EXT.	\$34,147.61
GREG EATON, FIRE CHIEF	FIREMAN PAYROLL	\$755.00
GREGG COMPUTER SERVICE	WIRELESS ROUTER, LAPTOP FOR PD	\$632.49
GROUND EFFECT LP	MULCH	\$420.00
GROUP RESOURCES	9/17 ADMIN FEES, CLAIMS	\$811.52
H & S ROOFING CO., INC.	REPAIR C. CENTER WALLS	\$250.00
HALLETT MATERIALS	WASHED FILL SAND	\$416.81
HAWKEYE TRUCK EQUIPMENT	FREIGHT FOR DECAL KIT	\$13.30
HOLZHAUER MOTORS, LTD.	OIL CHANGE	\$27.65
HY-VEE, INC.	WATER, POOL SUPPLIES, FUEL	\$178.94
INGRAM BOOK COMPANY	BOOKS	\$17.68
IOWA COMM. ASSURANCE POOL	SETTLEMENT-ROBINSON	\$171.23
IOWA COMM. ASSURANCE POOL	T. PEDERSEN RESTITUTION	\$108.39
IOWA D.O.T.	CALCIUM CHLORIDE, ICE MELT, TESTING	\$5,572.77
IOWA LIBRARY ASSOCIATION	CONFERENCE REGIS.CC, JGM, ZFS	\$618.00
IOWA PRISON INDUSTRIES	GOLF CART PERMIT STICKERS	\$85.00
J. D. ROGGE	CAMERA	\$129.88
JANE LENZ	GILLETTE SHELTER REFUND 8/16	\$30.00
JEBRO, INC.	CRS-2	\$840.00
JIM GANO	AMERICAN FLAG	\$40.00
JIM'S SEWER SERVICE	WEST BLUFF CURB	\$454.32
K-MART #9222	CLEANING SUPPLIES	\$45.58
MARCUS LUMBER COMPANY	VETERAN'S SIGN BOARD, LUMBER, REBAR	\$204.05
MICKEY SAUSER	UTILITY BILL REIMB. - WAPLES	\$361.62
MID AMERICAN ENERGY	ELECTRICITY	\$29,202.93

MID SIOUX OPPORTUNITY, INC	OVERPAYMENT- YACHT CLUB 8/31	\$130.00
MONGAN PAINTING CO.	WORK ON SANDER	\$1,000.00
MOTOR PARTS SALES	OPERATING PARTS	\$412.83
MUNICIPAL SUPPLY, INC.	WATER METERS & PARTS	\$4,675.04
MUNICIPAL EMERGENCY SERVICE	TRUCK EQUIPMENT & REPAIRS	\$765.15
NATE JAMES	9/17 CELL PHONE REIMBURSEMENT	\$50.00
NATIONAL GEOGRAPHIC SOCIET	SUBSCRIPTION RENEWAL	\$39.00
NORTHWEST IA LEAGUE OF CITIES	LEAGUE MTG., FY 17/18 MEMBER DUES	\$65.00
O'HALLORAN INTERNATIONAL	REPAIRS	\$4,206.48
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$996.14
OTC BRANDS, INC.	SUPPLIES	\$108.34
PETTY CASH - LIBRARY	NEWSPAPERS, POSTAGE	\$148.85
PILOT ROCK SIGNS	MEMORIAL BENCHS-BEALS, KIES	\$1,693.00
PITNEY BOWES GLOBAL FIN. SERV.	POSTAGE MACHINE LEASE	\$158.64
RAPID AMERICAN PRESS	ENVELOPES, WATER RECEIPTS	\$632.00
RDG PLANNING & DESIGN	CDBG STOREFRONT FACADE	\$2,674.33
REINERT MACHINE SHOP	SUPPLIES	\$2.55
SAM KOOIKER	9/17 CELL PHONE REIMBURSEMENT	\$50.00
SARA LUCAS	COFFEE	\$39.98
SCE, LLC	WATER MAIN PROJECT, CURB STOP REP.	\$13,174.49
SHOPKO STORES OPERATING CO	USB DRIVES	\$31.96
STANDARD READY MIX	M-4 WR, C-4 WR	\$544.38
STEVE'S WINDOW SERVICE	CLEAN LIBRARY WINDOWS	\$90.00
SYNCHRONY BANK/AMAZON	DVD'S	\$194.54
TASTE OF HOME SUBSCRIPTION	SUBSCRIPTION RENEWAL	\$29.98
THE ACCURATE COURT REPORTER	SUBSCRIPTION RENEWAL	\$39.00
THE BOOK VINE	BOOKS	\$141.24
TODD LARSEN	9/17 CELL PHONE REIMBURSEMENT	\$35.00
TODD MILLER	9/17 CELL PHONE REIMBURSEMENT	\$35.00
TRACIE TUTTLE	LIBRARY MURAL	\$300.00
TREGLIA, SHEYE	UTILITY BILL REFUND	\$74.17
TRUCK EQUIPMENT INC.	INTAKE FLAP	\$130.18
TYLER TECHNOLOGIES	FINANCIAL TRAINING	\$125.00
U.S. BANK EQUIPMENT FINANCE	COPY CONTRACT	\$89.94
UNITED PARCEL SERVICE	SHIP PACKAGE	\$66.07
USA TODAY	SUBSCRIPTION RENEWAL	\$340.48
USPS	UTILITY BILL POSTAGE	\$315.71
VALLEY VETERINARY CENTER	K-9 MEDS	\$159.27
VERIZON WIRELESS	CELL PHONE, HOT SPOTS	\$100.54
WEX BANK	FUEL	\$3,018.68
WIESE OIL & SUPPLY CO., LT	FUEL	\$2,204.25
WINDSTREAM	TELEPHONE	\$572.38
YOUR FLEETCARD PROGRAM	FUEL	\$257.64

Flood Insurance Renewal – 420 Reddington

Terri Brown, insurance agent with Perspective Ins. explained that the premium for flood insurance coverage on the city's sewer lift station located at 420 Reddington has risen from \$2,091 in FY10-11 to \$8,980 for FY17-18. The policy renews on September 22. Terri requested some quotes for different coverage amounts and deductible options which she provided to the council. Terri noted that the currently coverage of \$345,100 with a \$2,000 deductible does not fully insure the building and contents, as its estimated value is \$1.5 million. Therefore in the case of a claim a co-insurance penalty cost would be factored in. Decreasing the coverage amount would further increase the co-insurance penalty. Miller stated he doesn't see any reason to continue with flood insurance coverage on this facility as it has been through numerous floods and water has never gotten into the building. He recommends canceling the policy and saving the money. Terri noted that the city could re-apply for coverage but there will be a 30-day waiting period. Kooiker noted that the city is commissioning a survey to determine the site relationship to the 100 and 500-year flood plains. The survey will be submitted to FEMA and could potentially lower premium cost. Motion by Miller, seconded by Pingel, to not renew the NFIP coverage at its renewal date of Sept. 22, 2017. Roll call was: AYES: All. NAYES: None.

Discussion on SIMPCO Dues

Michelle Bostinellos, Executive Director of Siouxland Interstate Metropolitan Planning Council, our Council of Governments, gave an update on recent activities of their organization. Since 2008 the City has reduced their payment of SIMPCO's membership fees to half of the formulated, requested amount. Michelle is asking that the city resume paying the total billed amount of \$4,977.70 for FY17-18. She stated membership in the organization gets you a seat at the SIMPCO table and also discounted costs for services. Agnitsch feels that membership in SIMPCO is a real asset for the city. Motion by Agnitsch, seconded by Miller to pay the remaining half of the billed dues for FY17-18. Roll call was: AYES: All. NAYES: None.

Appeal of Utility Bill – 215 N. Roosevelt

Dan Brown of Jeffersonville, NY, is requesting that the council waive the amount of \$322.33 he incurred as a result of minimum utility charges at 215 N. Roosevelt. Brown (participating by phone) purchased the property in January of 2017 and says he wasn't aware that the curb stop/valve was inoperable, even though a HUD buyer disclosure statement issued January 12, 2017, states that the curb stop is broken. Brown stated that this paperwork was not provided to him. Brown has had the curb stop/valve repaired and water is now shut off and the meter is pulled. Motion by Pingel, seconded by Johnson, to waive the charges of \$322.33 and charge Brown a \$50 disconnection fee and a \$50 reconnection fee when the meter is re-installed. Roll call was: AYES: All. NAYES: None.

Quote for Biosolids Application – AEP Pumping

Motion by Brown, seconded by Miller, to approve an expense in the amount of \$10,000 from AEP Pumping of Laurens IA based on a quote obtained from them for biosolids application. Roll call was: AYES: All. NAYES: None.

Adjournment

On a motion by Miller, seconded by Agnitsch, the meeting was adjourned at 8:31 p.m.

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

Mark Murphy, Mayor

ATTEST:

Diane Cargin
City Clerk Treasurer