

**Regular City Council Meeting
City Hall, Cherokee, Iowa
August 11, 2015 – 7:00 P.M.**

A regular meeting was called to order on this date by Mayor Pro-Tem Pingel. Present: Council members Johnson, Brown, Miller, Peck, City Attorney Herbold, Administrator Eikmeier, Clerk-Treasurer Taylor. Absent: Mayor Murphy.

David Tallman, 412 E. Cedar, presented a petition to revoke the recently approved ordinance prohibiting parking on the north side of E. Cedar St. between Roosevelt and Saratoga. The petitioners feel that out of several city blocks with similar street widths, E. Cedar St. was the only block addressed. They also feel that the incident, which triggered the ordinance, was due to improperly parked vehicles, which should be addressed by the enforcement of traffic laws. Betty Harman, 423 E. Cedar, said there are 4 driveways on the south side, leaving less area for parking. If parking has to be prohibited, it should be on the south side allowing for more parking spaces on the north side. The council will take this under consideration.

As part of the flood program, a resident will move his house, rather than sell it through the program. The City-owned lot at 345 E. Cedar has been surveyed and found compatible for this house. A motion by Brown, seconded by Johnson, adopted Resolution No. 15-15, declaring the lot at 345 E. Cedar as surplus property and set a public hearing on the sale for 7:00 p.m. on August 25, 2015. Roll call was: AYES: All. NAYS: None.

A motion by Miller, seconded by Peck, unanimously approved the following under "Consent Business". City council minutes of July 28th.

Approved bills totaling \$378,400.35.

ACCO	LIQUID CHLORINE	2,863.60
ACE ENGINE & PARTS	COIL; REGULATOR	188.13
ALEX WATTERSON	BALANCE OF DEPOSIT	48.82
ALLIANT ENERGY	NATURAL GAS	1,528.42
ALLOY SPECIALTY, INC.	ADDITIONAL ASBESTOS SURVEYS	1,684.70
ALPHA WIRELESS	RADIO REPAIR	372.03
ANDREW STOUT	BALANCE OF DEPOSIT	6.11
AQUA PRODUCTS, K.C.	DRIVE BELT FOR UNDERWATER VAC	184.80
ARAMARK UNIFORM SERVICES	SHOP RAGS, RUGS, MOPS	49.47
ARMOND RIDER	AUG. CELL PHONE	50.00
ASCAP	ANNUAL LICENSE FEE	337.92
ATIRA CREDIT MASTERCARD	BUSINESS CARDS FOR OFFICERS	79.92
BLAINE'S WATER CONDITIONING	WATER; COOLER RENT; SOFTENER SALT	359.74
BOLTON & MENK, INC.	ROOSEVELT PLAN REVIEW	865.00
	WATER SYSTEM MODELING	1,179.00
	PROSPECT MEETING	474.00
	CDBG SEWER ABANDONMENT	9,212.00
BOMGAARS	OPERATING SUPPLIES	1,851.11
BROWN SUPPLY CO.	MANHOLE CASTING	2,900.00
BUGH WELDING	METAL BOX FOR STORAGE IN VEHICLE	115.00
BUILDERS SHARP. & SERVICE	PARTS; SUPPLIES; REPAIRS	608.54
CARROLL DISTRIBUTING	DARBY; EDGER	42.66
CARUS CORPORATION	CALCIQUEST LIQUID	1,659.50
CENTRAL BANK	REFUND - YACHT CLUB DEPOSIT	35.00
CHAMPION ELECTRIC, INC.	CORD REEL; REPAIRS; LOCATER	417.02
CHEROKEE AUTO PARTS	VEHICLE MAINTENANCE SUPPLIES	516.97
CHEROKEE AVIATION AUTH.	JULY TAX DRAW	186.78
CHEROKEE CO. CLERK/COURT	CITY CASE DISMISSED	65.00
CHEROKEE CO. ENVIR. HEALTH	POOL & WATER SLIDE INSPECTION	493.00
CHEROKEE CO. SOLID WASTE	DEBRIS REMOVAL - STREET SHED	145.00
	DEBRIS - FLOOD DEMOLITIONS	5,181.12
	AUG. LANDFILL FEE	29,688.51
CHEROKEE CO. TREASURER	PRO-RATED TAXES-115 UNION	1,066.72
CHEROKEE CO. WORK SERVICE	SHOP TOWELS; RUGS	32.80
CHEROKEE COMM. FOUNDATION	TRANSFER-CHAMBER TOURISM GRANT	500.00

CHEROKEE COMMUNITY SCHOOL	CONCESSIONS	66.70
CHEROKEE COUNTY RECORDER	TRANSFER TAX - 115 UNION	53.60
CHEROKEE FIRE DEPARTMENT	VOLUNTEER ALLOWANCES	760.00
CHEROKEE LUMBER, INC.	FORM BOARDS FOR CURB	146.66
CHEROKEE REG. MED. CENTER	PRE-EMPLOYMENT SCREENINGS	262.00
CHEROKEE STATE BANK	PAYMENT #2 - PARK MOWER	2,378.15
	PAYMENT #2 - STREET LOADER	30,228.09
CHESTERMAN COMPANY	POP; CONCESSIONS	798.80
CHRONICLE TIMES	SUBSCRIPTION; MINUTES; ORDINANCES; ADS	741.79
CITY OF ORANGE CITY	ONE CLICK DIGITAL SUBSCRIPTION	223.00
CONTROL SYSTEM SPECIALISTS	MECHANICAL SYSTEM SERVICE	280.88
COUNTRY TIRE & SERVICE	TIRES; TIRE REPAIRS	963.34
CRESCENT ELECTRIC	4 WALL SCONCES	473.09
DAVE ZELLE	TENNIS INSTRUCTION	498.00
DIANE CARGIN	MILEAGE TO CLERK'S INSTITUTE	189.75
DPC INDUSTRIES, INC.	CHLORINE & POTASSIUM PERMANG.	953.45
EMERGENCY APPARATUS MAINT.	NFPA PUMP TEST-PUMPERS & LADDER TRUCK	2,347.02
ENVIRON. RESOURCE ASSOC.	QTRLY QUALITY CONTROL SAMPLES	327.55
EVERTEK, INC.	INTERNET	36.30
FAREWAY STORES, INC.	CONCESSIONS; SUPPLIES	139.44
FARNER-BOCKEN COMPANY	CONCESSIONS	3,275.50
FELD FIRE	EXTINGUISHERS; SCBA TANKS; VALVE	12,420.00
FOUNDATION ANALYTICAL LAB	SAMPLE TESTING	701.00
FREDERICK WELDING & SALES	CABLE, BELT, PULLY	152.75
GANGER PAINT & BODY	2003 GMC DOOR HANDLE	85.05
GREGG COMPUTER SERVICE	COMPUTER HOOKUP/PASSWORD RESET	75.00
	INTERNET BROWSER REPAIR	75.00
GROUND EFFECT, LP	MULCH	280.00
HACH CO.	POLYVINYL; CHLORINE	202.34
HALLETT MATERIALS	FILL SAND; LIMESTONE; ROAD GRAVEL	640.03
HARTFORD FIRE INSURANCE CO.	FLOOD INS. - BEECH STREET LIFT	5,891.00
HD SUPPLY WATERWORKS, LTD.	FIRE HYDRANT & PARTS	7,266.08
HILLYARD	VACUUM CLEANER	710.44
HOLZHAUER MOTORS, LTD.	NEW 2014 CHEV. TAHOE	14,260.00
	OIL CHANGE/SERVICE	150.72
HY-VEE, INC.	GAS; CONCESSIONS; 1ST AID SUPPLIES	169.70
INSTRUMENT CONTROL SYSTEMS	TRANSDUCER	880.00
IOWA CODIFICATION, INC.	CITY CODE UPDATE	857.00
IOWA D.N.R.	ANNUAL FEE FOR NPDES PERMIT	1,275.00
IOWA LAKES ELECTRIC COOP	ELECTRICITY	53.35
IOWA LIBRARY SERVICES	EBSCO DATABASE SUBSCRIPTION	2,222.65
IOWA ONE CALL	JUNE LOCATES	64.80
IOWA RURAL WATER ASSOC.	FALL CONFERENCE REGISTRATION	130.00
JANITOR'S CLOSET, LTD.	TISSUE; ROLL TOWELS; GARB. BAGS	673.83
JERRY'S TREE SERVICE	TREE TRIMMING/REMOVAL	1,300.00
JIM GANO	US & STATE FLAGS	41.00
JIM PECK	MILEAGE-SIMPCO MTG.-6/25/15	69.00
JOHN MEIS	UPDATE PLANS- N/ ROOSEVELT PROJ.	685.25
K-MART #9222	CLEANING SUPPLIES; SHOWER CURTAINS	105.94
KRISTIN BOOTHBY	REFUND SWIM LESSONS-PD. TWICE	45.00
LAWRENCE POUH	BALANCE OF DEPOSIT	38.57
LUNDELL CONSTRUCTION CO.	GRAVE DIGGING; TV POOL LINE & LABOR	1,153.00
	2 PAILS OF QSR; STORM SEWER WORK	1,813.75
	FLOOD PROPERTY DEMOLITIONS	52,704.73
MAUREEN PETERSEN	PURCHASE OF 115 UNION-FLOOD BUYOUT	25,724.03
MES-MIDAM	STRUCTURAL GLOVE	115.68
MID AMERICAN ENERGY	ELECTRICITY	1,868.67
MODERN HEATING & COOLING	REPAIR DRINKING FOUNTAIN & A/C	597.63
MOTOR PARTS SALES	VEHICLE MAINTENANCE SUPPLIES	137.35
MUNICIPAL SUPPLY, INC.	METERS; REPAIR CLAMP; PARTS FOR SHOP	5,762.59
NATE JAMES	AUG. CELL PHONE	50.00
NELSON'S LOCKSMITH SHOP	RE-KEYED LOCK	57.00

NORTHWEST COMMUNICATIONS	INTERNET SERVICE	84.90
O'HALLORAN INTERNATIONAL	VALVE INVERSION; SWEEPER REPAIRS	2,426.70
O'REILLY AUTOMOTIVE STORES	WIPER BLADES	23.99
OFFICE ELEMENTS	COPIER LEASES	409.89
OFFICE OF VEHICLE SERVICES	11 SALVAGE AUTO CERTIFICATES	160.00
OVERHEAD DOOR CO.	OVERHEAD DOOR AT STREET SHED	2,089.86
PEOPLE SERVICE, INC.	JULY & AUG. SERVICES	9,400.00
PERKINS OFFICE SOLUTIONS	OFFICE SUPPLIES	423.22
PETERSEN MFG. CO., INC.	BENCH REPAIR	208.50
PETTY CASH - LIBRARY	SUPPLIES; POSTAGE; SUNDAY PAPERS	126.10
PITNEY BOWES GLOBAL	JULY POSTAGE METER RENT	35.00
PITNEY BOWES	POSTAGE FOR METER	1,008.50
PLUNKETT'S PEST CONTROL	ANNUAL PEST CONTROL CONTRACT	308.26
R.J. THOMAS MFG. CO., INC.	BENCH; FIRE RING; SIGNS FOR TRUCKS	676.00
RANDY KANE	PLANTS FOR NODES	101.62
RASMUSSEN'S CORP.	OIL CHANGE	20.84
RECREONICS, INC.	POOL LADDER REPAIRS; TELESCOPING POLE	745.20
REINERT MACHINE SHOP	PUMP SUPPORT & INSTALLATION	601.68
RON'S REPAIR, INC.	REPAIR REC. TRUCK	362.00
SANITARY SERVICES	JULY GARBAGE PICKUP	25,525.20
SCHOON CONSTR. & EXCAV.	REPLACEMENT PUMP – PARK LIFT STATION	2,209.24
	REPLACE CURB/GUTTER W. BLUFF	601.19
	DEMOLISH - 222 E. CEDAR	9,965.00
	PAY. #1 - INDUSTRIAL RD. WATER MAIN	30,872.81
	WATER LEAK - GILLEASE	2,271.00
SCHUMACHER ELEVATOR CO.	ANNUAL ELEVATOR CONTRACT	1,498.65
SIMPCO	ANNUAL MEMBERSHIP	2,732.00
STACI BRADI	REFUND POOL ADMIN. FEES	24.00
SUBWAY	SUMMER READING SUPPLIES	74.90
SYNCHRONY BANK/AMAZON	BOOKS & DVDS	495.66
TCY MACHINE	MANHOLE RISERS	373.08
THE ACCURATE COURT REPORTER	AUG. SUBSCRIPTION	13.00
THREE RIVERS BENEFIT	AUG. ADMIN. FEE; CLAIMS THRU 8/7/15	878.94
TODD LARSEN	AUG. CELL PHONE	35.00
TRAVONOUS KRETLOW	BALANCE OF DEPOSIT	42.59
TREASURER, STATE OF IOWA	JULY SALES TAX	4,979.06
TREAT AMERICA	ACADEMY MEAL PLAN-J. DYSLIN	1,306.87
TYLER TECHNOLOGIES	ANNUAL SOFTWARE MAINTENANCE	6,994.00
UNITED STATES CELLULAR	CELL PHONES	228.00
USA BLUE BOOK	FIBERGLASS & ALUMINUM POLE	208.94
USPS	POSTAGE FOR UTILITY BILLS	677.74
VALLEY GLASS & FRAMING	REPAIR GLASS ON MOTORHOME	521.72
VALLEY VETERINARY CENTER	IKE CHECK UP; BOARD CAT	315.75
VERIZON WIRELESS	CELL PHONES	71.04
WALDNER'S LAWN SERVICE	LAWN CARE;SPRINKLER HEAD;FERTILIZER	690.00
WATCHGUARD VIDEO	HOLSTERS FOR MIC & CAMERA	115.00
WEX BANK	FUEL	3,993.64
WIESE OIL & SUPPLY CO., LTD	GAS & DIESEL	3,522.35
WINDSTREAM	PHONE SERVICE	1,093.44
WITTGRAF LAW FIRM	JULY LEGAL SERVICES	4,718.30

Reviewed Library Board minutes of July 8th.

The Council reviewed a decision of the Board of Adjustment at their July 29th meeting. The Board, on a 3-2 vote, approved a variance to allow Gary and Barb Bowers, 617 N. Sherman, to leave a pergola/carport that was built this summer without a permit. The structure is within 1' of the north property line and the City Code requires a 5' setback. As Gary will most likely need a motorized scooter or wheelchair in the near future, the Bowers want some form of protection adjacent to the north side of the house where no steps exist. Gary passed out information from Wheelchair Dynamics regarding the space needed to accommodate a van and ramp system. The minimum needed would be 14' in order to enter or exit with a wheelchair. Leaving the carport as is provides 15.5'. Barb indicated that because the alley is abandoned,

some of the neighbors have built over it so there is no way to open it up for access to their property from the rear. The pergola/carport is the best solution they could find in order to remain in their house. Mayor Pro-tem Pingel asked the Bowers whether there are any adjustments they are willing to make, such as leaving the supporting posts and header as is, but removing the 2 northern most rafters, which would shorten the roofline. Barb said they are trying to keep the rain and snow off the area where the van would be entered and exited. Administrator Eikmeier agreed that Wayne's suggestion would offer the greatest flexibility while keeping as much of the structure as possible. On a motion by Miller, seconded by Peck, the council unanimously asked the Board of Adjustment for a second review of this matter.

Dick Sievers, Executive Director of Mid Sioux Opportunity, was present to explain that they are planning to construct a new building for a Head Start facility. This will be located on the east side of N. Roosevelt north of Bow Dr. Future plans may include adding offices for their outreach program. On the recommendation of the Planning & Zoning Commission, a motion by Miller, seconded by Brown, approved a conditional use permit for the construction of the Head Start building. Motion carried.

The council reviewed two bids for utility services to relocate one flood house: Lundell Construction-\$6,262; Schoon Construction & Excavation-\$8,995. A motion by Brown, seconded by Johnson, awarded the contract to Lundell Construction for \$6,262, subject to council's approval to sell the lot. Motion carried.

Only one bid was received for the foundation to relocate one flood house: Bob Hatch Masonry-\$5,860. Harman Masonry chose not to bid because of the federal guidelines and his workload. A motion by Peck, seconded by Brown, awarded the contract to Bob Hatch Masonry for \$5,860, subject to council's approval to sell the lot. Motion carried.

On a motion by Brown, seconded by Miller, the council authorized the purchase of 250 tons of road salt at \$63/ton from Mills and Miller. Motion carried.

1. July Clerk-Treasurer's report and receipts as follows: General-\$145,539.77; Police Forfeiture-\$440.08; County Library-\$1.56; Road Use-\$60,316.32; Employee Benefits-\$7,642.36; Emergency-\$336.40; LOST-\$89,586.62; Hotel/Motel Tax-\$15.70; T.I.F.-\$15.97; Revolving Loan-\$517.45; Library Memorial-\$1,193.64; Park & Rec. Cap. Impr.-\$4.90; Debt Service-\$7,748.14; Road Use Equipment-\$4,799.78; Flood Buyout Program-\$233,831.70; Emergency Set-Aside-\$5.46; Oak Hill Perpetual Care-\$30.28; Water Utility-City-\$60,407.85; Water Utility-Industrial-\$32.65; Water System Maint.-\$9,168.59; Sewer Utility-City-\$104,054.22; Sewer Utility-Industrial-\$21.65; Sewer Bd./Int.-\$29,959.17; Sewer System Maint.-\$5,750; Aviation Authority-\$186.78; Solid Waste-\$26,283.28; Landfill-\$32,035.35; Storm Sewer Utility-\$6,902.86; Self Insurance-\$21.67.

2. July Police reports.

3. Gary Chase, Fire Chief, presented his quarterly report to the council. Since July 1st there have been 18 calls; all trucks have been ISO tested; the Kodiak has yet to be repaired; 15 new SCBA bottles have been purchased, with 8 more to be replaced; 3 firefighters have completed the Firefighter 1 course; added one new person to the volunteer roster; sponsored a kid's water fight at the fair; and provided support services at the fair's demolition derby.

On a motion by Peck, seconded by Brown, the council went into executive session at 7:45 p.m. to discuss possible litigation as per Iowa Code Chapter 21.5(c). Roll call was: AYES: All. NAYES: None.

On a motion by Brown, seconded by Peck, the council returned to regular session at 8:25 p.m. Roll call was: AYES: All. NAYS: None.

No action was taken as a result of the executive session.

The meeting was adjourned at 8:26 p.m.

News media – Ken Ross, *Chronicle Times*.

Wayne Pingel – Mayor Pro-Tem

ATTEST:

Debra Taylor
City Clerk-Treasurer