

**CITY COUNCIL MINUTES
TUESDAY, MARCH 10, 2020, 7:00 P.M.
CHEROKEE CITY HALL**

A regular meeting was called to order on this date by Mayor Schmidt. Roll call: Present: Councilpersons Brown, Johnson, Loughlin, Pingel, City Administrator List, City Clerk-Treasurer Cargin. Absent: Councilperson Miller.

Approve Agenda

Motion by Pingel, seconded by Brown to approve the agenda. Roll call was: AYES: All. NAYES: None.

Public Forum

John Snapp, representing the Cherokee Historic Preservation Commission, presented the commission's annual report of activities to the council. He stated their biggest success in 2019 was the listing of three historic homes on the National Register of Historic Places, the Boughton House at 736 W. Cedar, the Seaman House at 400 Magnetic and the Gillette House at 111 N. 11th St.

Consider Bid for Repairs to E. Main Bridge

Jason Eygabroad with Beck Engineering stated that he was not surprised that there was only one bid for the repairs to the E. Main Bridge. The engineer's estimate was \$160,552 with an additional \$32,100 for alternative #1. The bid from Christensen Bros. was \$270,047 with an additional \$45,060 for alternative #1. Brown asked what replacing the bridge would cost as compared to repairing it and Eygabroad replied that a rough estimate would be \$600,000 - \$700,000. He said the bridge is in pretty decent shape although the approaches are pretty rough and not up to current ADA standards. The deck is in good shape but something needs to be done in the next few years about the painting as there is corrosion starting and over time this will undermine the structure. Pingel said he is inclined to reject the bid and re-let the project sometime in the future. Brown would like to see more than one bid, and possibly re-let the project at a later date in conjunction with replacement of one or more of the other city bridges in order to attract more bids. Eygabroad cautioned that it is likely the city will end up spending the same amount of money if the repair is re-let. Normally bids received after a second letting are similar or a little higher. Brown feels it is hard to go forward with only one bid, it would be more acceptable if there were at least two similar bids. Motion by Pingel, seconded by Brown, to not award the project at this time and plan to re-let it at a later date. Roll call was: AYES: All. NAYES: None.

Public Hearing – Water Main Improvements Project

At 7:22 p.m. Mayor Schmidt opened the Public Hearing on the Water Main Improvements Project. As there were no oral or written comments, the Public Hearing was closed at 7:22 p.m.

Consider Bids for the Water Main Improvements Project

Jason Eygabroad with Beck Engineering reported that three bids were received for the Water Main Improvements Project. This project consists of increasing the size of the water main on Hillcrest Drive and looping the water main near the National Guard Armory along Industrial Rd.

which is now a dead-end line. The engineer's estimate for this project was \$127,188.00. Bids received are as follows: SEC, LLC, Cherokee, \$119,998; Bainbridge Const. Kingsley, IA \$154,198.96; Vander Pol Excavating, Orange City IA, \$154,266.89. Eygabroad recommends awarding the low bid. Motion by Brown, seconded by Pingel to award the low bid of \$119,998 to SCE, LLC. Roll call was: AYES: All. NAYES: None.

Public Hearing – S. 1st St. Reconstruction

At 7:25 p.m., Mayor Schmidt opened the Public Hearing on the S. 1st St. Reconstruction Project. As there were no oral or written comments, the Public Hearing was closed at 7:26 p.m.

Consider Bids for S. 1st St. Reconstruction

List advised that the cost for reconstruction of S. 1st St. will be funded by FEMA (75%) and State (10%) funds since the street was torn out to replace the water main after the March, 2019, flood. The city will be responsible for 15% of the costs. Jason Eygabroad, Beck Engineering, reported that the engineer's estimate was \$309,309.50 and that five bids were received for the project as follows: DeLoss Const., Spencer IA, \$296,266.15; Bainbridge Const., Kingsley IA \$337,830.50; Reding's Gravel & Excavating, Algona IA, \$344,781.00; Smith Concrete Services, Storm Lake IA, \$356,236.00 and Godbersen-Smith Const., Ida Grove IA, \$390,943.00 Eygabroad recommends awarding the low bid. Motion by Brown, seconded by Loughlin to award the low bid of \$296,266.15 to DeLoss Const. Roll call was: AYES: All. NAYES: None.

Public Hearing – FY2020-21 Annual Budget

At 7:28 p.m., Mayor Schmidt opened the Public Hearing on the fiscal year 2020-21 proposed budget. As there were no oral or written comments, the Public Hearing was closed at 7:29 p.m.

Resolution 2020-06 Adopting FY2020-21 Annual Budget

Motion by Pingel, seconded by Loughlin to adopt Resolution 2020-06, a Resolution Adopting the FY2020-21 Annual Budget. The proposed levy rate is \$15.59159, down from \$15.89347 in FY20. Roll call was AYES: All. NAYES: None

Public Hearing – Application for Voluntary Annexation (Lopez Foods)

Mayor Schmidt opened the Public Hearing on the Application for Voluntary Annexation (Lopez Foods) at 7:30 p.m. Gary Lundquist, Cherokee County Supervisor, expressed gratitude to Lopez Foods and stated we are very fortunate to have them located in Cherokee County. He has reviewed tax receipts over the past 30 years and feels the impact of the annexation to the county will be minimal. The County Supervisors' goal is to work with the City of Cherokee to promote economic development and keep property taxes low, developing a good city/county relationship. With mutual coordination he sees only good things happening in Cherokee and Cherokee County. No other oral or written comments were received, and the Public Hearing was closed at 7:32 p.m.

Resolution 2020-07 Approving Application for Voluntary Annexation

Motion by Loughlin, seconded by Johnson to adopt Resolution 2020-07, A Resolution Approving Application for Voluntary Annexation of Certain Land to the City of Cherokee, Iowa. Roll call was: AYES: Brown, Pingel, Johnson, Loughlin. NAYES: None.

Resolution 2020-08 Transferring Funds

List explained the S. 5th Street Reconstruction Project to take place this spring had been budgeted out of the Local Option Sales Tax/Other Street Monies Fund. Instead a capital improvements project fund has been set up to facilitate tracking revenue and expenses for the project, and funds that had already been appropriated to be transferred to LOST from Water Utility and Storm Water Utility will instead now be transferred to the S. 5th St. Reconstruction Project CIP, including a transfer out of LOST to the fund for the remaining portion of the costs. Motion by Loughlin, seconded by Pingel to adopt Resolution 2020-08, a Resolution Transferring Funds. Roll call was: AYES: All. NAYES: None.

Resolution 2020-09 Setting Dates of Consultation & Public Hearing – South Indust. URA

List explained that included within the boundaries of the proposed South Industrial Urban Renewal area is property owned by Adam Timmerman (previously annexed) as well as property belonging to Lopez Foods and some nearby area south of town. This URA is necessary to allow for future development and to provide State required matching economic development incentives for Lopez Foods. Local government is also required to provide a match in securing the economic development incentives for Lopez Foods, which we will do through the utilization of Tax Increment Financing. Only the Lopez Foods property will be included in a TIF district at present, although there may be TIF utilized on other areas if economic development occurs on those sites. Motion by Brown, seconded by Pingel to adopt Resolution 2020-09, a Resolution Determining the Necessity and Setting Dates of a Consultation and a Public Hearing on a Proposed South Industrial Park Urban Renewal Plan for a Proposed Urban Renewal Area in the City of Cherokee, Iowa. Roll call was: AYES: Pingel, Johnson, Brown, Loughlin. NAYES: None.

Consent Agenda

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

City Council Minutes of February 25, 2020.

Review Park and Rec Advisory Board Minutes of March 2, 2020.

Street Closing for Rodeo Parade on May 30, 2020.

Class C Liquor License – Cherokee Country Club.

Class E Liquor License – A to Z Liquor.

February Treasurer's Report and Receipts as follows: General \$36,029.57; Police Forfeiture \$221.13; County Library \$2.79; Road Use \$64,806.86; Employee Benefits \$4,205.23; Emergency \$197.97; Other Street Monies/Local Option Sales Tax \$40,628.53; Hotel/Motel Tax \$23,409.51; Wilson School Reserve \$0; Revolving Loan \$1.27; Library Memorial \$3,257.74; Park & Rec Capital Improvement \$6.46; Cemetery Special Care \$5.65; Debt Service \$2,839.09; 2016 Capital Projects \$0; Floods of 2018/19 \$21,112.19; Emergency Set-Aside \$25.90; Oak Hill Perpetual Care \$0; Water Utility \$59,183.85; Water Utility – Industrial \$805.31; Water Main Project Bond & Interest \$5,344.00; Water System Maintenance \$9,694.51; Sewer Utility \$105,195.34; Sewer Utility – Industrial \$3.88; Sewer Facility Bond & Interest \$31,686.67; Sewer System Maintenance \$8,969.53; Aviation Authority \$109.96; Solid Waste \$30,881.11; Landfill \$29,550.59; Storm Sewer Utility \$6,778.11; Self-Insurance \$1,063.71; Police Dept. Special Acct. \$.0

Bills totaling \$88,960.80

AHLERS & COONEY P.C.	LOPEZ URBAN RENEWAL AREA	\$2,192.00
AHLERS & COONEY P.C.	ANNEXATION	\$885.50
AL'S CORNER OIL CO.	PARK FUEL	\$23.73
ALLIANT ENERGY	NATURAL GAS	\$1,412.78
ARCHITECTURAL DIGEST	SUBSCRIPTION RENEWAL	\$69.99
ARMOND RIDER	3/20 CELL PHONE REIMBURSEMENT	\$50.00
AURELIA LUMBER COMPANY	LUMBER & SCREWS	\$26.25
BLAINE'S WATER CONDITIONING	COOLER RENT & WATER	\$46.00
BLOOMBURG BUSINESS WEEK	SUBSCRIPTION RENEWAL	\$170.00
BOMGAARS	OPERATING SUPPLIES	\$889.52
BUILDERS SHARP. & SERVICE	OIL & FILTERS	\$274.58
C-M-L TELEPHONE	TELEPHONE & INTERNET	\$778.01
CENTER SPORTS, INC.	WINCH FOR VOLLEYBALL NETS	\$145.20
CHAMPION ELECTRIC, INC.	REPLACE LIGHT BULBS	\$32.00
CHEROKEE CO. SOLID WASTE	2/20 ASSESSMENT	\$29,688.51
CHEROKEE COUNTY EXTENSION	ORNAMENTAL TURF CLASS	\$35.00
CHEROKEE COUNTY RECORDER	RECORD EASEMENT	\$22.00
CHRONICLE TIMES	2/20 LEGAL PUBLICATIONS	\$823.87
CONTROL SYSTEM SPECIALISTS	FILTERS	\$185.40
COUGHLAN COMPANIES LLC	STATES BOOKS	\$1,065.48
COUNSEL	COPY OVERAGE	\$107.72
COUNTRY SUBSCRIPTION	SUBSCRIPTION RENEWAL	\$20.00
COUNTRY TIRE & SERVICE	OIL CHANGE & BRAKE REPAIRS	\$233.76
DUANE MUMMERT	3/20 CELL PHONE REIMBURSEMENT	\$35.00
ERIC LIST	3/20 CELL PHONE REIMBURSEMENT	\$50.00
GEORGE SCHMIDT	3/20 CELL PHONE REIMBURSEMENT	\$35.00
GREAT AMERICA FINANCIAL SV	COPY CONTRACT	\$89.00
GREG EATON, FIRE CHIEF	VOLUNTEER FIREMAN PAYROLL	\$560.00
HY-VEE, INC.	FUEL	\$49.94
IMFOA	CERTIFICATION	\$125.00
IOWA DIVISION OF LABOR	ELEVATOR PERMIT	\$175.00
IOWA INSURANCE DIVISION	FILING FEE	\$46.00
JAMIE HODGDON	3/20 CELL PHONE REIMBURSEMENT	\$35.00
JERRY'S TREE SERVICE	TRIM TREES AT CAMPGROUND	\$700.00
JUDY GRIENKE-MILLER	MILEAGE TO/FROM SHELDON	\$52.90
KISTLER CRANE & HOIST	INSPECTION	\$660.00
L-TRON CORPORATION	REPLACEMENT CABLE	\$30.00
LAWRENCE H. SCHLICHTING	PROPERTY PURCHASE OPTION	\$1,500.00
LEAF	COPY CONTRACTS	\$183.83
MID AMERICAN ENERGY	ELECTRICITY	\$900.21
MID-AMERICAN BENEFITS, INC	CLAIMS	\$1,081.89
MIKE SPROUSE	PAINT HALLWAYS AT C. CENTER	\$1,250.00
MITINET INC.	LEGACY BESTMARC RENEWAL	\$250.00
MOTOR PARTS SALES	SKID LOADER SUPPLIES	\$45.38
NATE JAMES	3/20 CELL PHONE REIMBURSEMENT	\$50.00

NORTHWEST IOWA LEAGUE OF CITIES	LEAGUE MEETING	\$15.00
ONE OFFICE SOLUTION	OFFICE SUPPLIES	\$350.52
PEOPLE	SUBSCRIPTION RENEWAL	\$50.00
PETTY CASH - LIBRARY	PIZZA & POSTAGE	\$122.70
POWERPLAN	YELLOW & GREY PAINT	\$152.60
RAPID AMERICAN PRESS	WATER RECEIPTS	\$198.00
REAL SIMPLE SUBSCRIBER	SUBSCRIPTION RENEWAL	\$43.00
SANITARY SERVICES	2/2020 GARBAGE PICK UP	\$28,581.70
SCE, LLC	DIG GRAVE	\$770.00
STEVE'S WINDOW SERVICE	CLEAN LIBRARY WINDOWS	\$210.00
SYNCHRONY BANK/AMAZON	BOOKS	\$455.00
THE ACCURATE COURT REPORTER	SUBSCRIPTION RENEWAL	\$39.00
TODD LARSEN	3/20 CELL PHONE REIMBURSEMENT	\$35.00
TODD MILLER	3/20 CELL PHONE REIMBURSEMENT	\$35.00
TOM MUMMERT & SON CONSTRUCTION	BLADE	\$89.76
TREASURER, STATE OF IOWA	SALES & WET TAX	\$4,893.00
TYLER HAHN	MILEAGE & SUPPLIES	\$204.31
U.S. BANK	OPERATING SUPPLIES	\$1,753.43
USPS	UTILITY BILL POSTAGE	\$318.06
VALLEY VETERINARY CENTER	BOARD DOG	\$119.00
VERIZON WIRELESS	HOT SPOTS & CELL PHONES	\$398.07
WEX BANK	FUEL	\$2,667.48
WIESE OIL & SUPPLY CO., LT	PROPANE	\$150.00
WINDSTREAM	EMAIL	\$3.03
YOUR FLEETCARD PROGRAM	PARK FUEL	\$139.78
ZACH FREKING-SMITH	SUPPLIES & FACEBOOK AD	\$85.91

Consider Request to Close W. Maple Parking Lot Rodeo Weekend

Rich Hinkhouse, owner of the Bright Side Lounge, is requesting the closure of the W. Maple St. public parking lot in order to hold a Parking Lot Party (dance) during rodeo weekend. Motion by Brown, seconded by Johnson to approve the closure of the parking lot from Friday, May 29th to noon on Sunday, May 31, 2020. Roll call was: AYES: All. NAYES: None

Set Public Hearing Date for FY20 Budget Amendment

Motion by Loughlin, seconded by Pingel to set the Public Hearing date and time for an amendment to the FY20 Budget for 7:00 p.m. on March 25, 2020, at Cherokee City Hall. Roll call was: AYES: All. NAYES: None.

ICAP Renewal

Terri Brown, Perspective Insurance, reviewed the invoice for ICAP property and liability insurance coverage in the amount of \$133,366 for the April 2020 - 21 renewal period. There is a slight increase of approximately 1% in premium cost and a decrease in the credit voucher over last year. Motion by Brown, seconded by Loughlin to approve the renewal of coverage with ICAP with the same level of coverage as the current year. Roll call was: AYES: All. NAYES: None.

Utility Bill Adjustment

Alexander Windle & Trinity Storm are requesting an adjustment to their utility bill at 711 W. Elm St. A broken water pipe in their basement resulted in a sewer charge of \$1,091.17 on their Jan. 15 bill. Since the water was pumped out and did not go down the drain and therefore was not treated, they are requesting a reduction. Motion by Brown, seconded by Pingel approved a reduction of \$1,076.00 to the sewer charge. The entire charge for the water overage will be paid by the residents.

Hotel/Motel Advisory Grant Recommendation

Motion by Loughlin, seconded by Pingel approved a grant request recommendation from the Hotel/Motel Tax Advisory Board for \$10,000 for the replacement of 48 snowflake Christmas lights. \$5,000 will be designated as grant funds and the other \$5,000 will be funded by the City, all to be expended from Hotel/Motel Tax revenue. Roll call was: AYES: All. NAYES: None.

MidAmerican Energy Pole Lease

MidAmerican Energy has been using a section of land that is owned by the city and located next to the airport as a pole storage yard. There was approval of a lease with MidAmerican Energy for this purpose as the November 24, 1987, city council meeting but a copy of the lease has not been located. This updated lease will allow the continued use of the .56 acre area as a pole storage yard at a price of \$250 per year. The lease will automatically renew annually but can be cancelled by either party with a 60 day notice prior to the renewal of the lease. Motion by Brown, seconded by Johnson to approve the pole yard lease with MidAmerican Energy.

Reports

List reported that a \$600,000 CDBG grant has been awarded to the city for the installation of new sanitary sewer mains and other related work in the vicinity of the intersection of E. Spruce & Euclid Streets.

Adjournment

On a motion by Pingel, seconded by Brown, the meeting was adjourned at 7:52 p.m.

Media Present: None.

Craig Schmidt

Mayor

ATTEST:

Diane Cargin
City Clerk-Treasurer