Legals are your right to know

LEGAL NOTICE

ORDINANCE NO. 725

AN ORDINANCE ESTABLISHING

THE STREET GRADES FOR

THE 2024 CITY OF CHEROKEE

WILLOW ST CURB AND GUTTER

IMPROVEMENTS PROJECT.

CITY COUNCIL OF THE CITY OF

elevations of West Willow Street, from

the intersection of North 9th Street to

the intersection of North 6th Street,

totaling approximately 1419 feet, are

hereby established about the datum

plane as follows: All grades are

established and described in feet and

decimals of feet with respect to the

horizontal plane known as the datum

plane. The horizontal datum plane is

Iowa Regional Coordinate System

(NRCS) Zone 4 and the coordinate

values are derived from the lowa

Department of Transportation's RTN

network. The vertical datum plane is

Street from Station 0+80.2 to Station

The Centerline of West Willow

CHEROKEE, IOWA that:

BE IT ORDAINED BY THE

Section 1. The new grades and

LEGAL NOTICE

CITY COUNCIL MINUTES **BUDGET WORKSHOP TUESDAY,** JANUARY 23, 2024, 4:30 P.M. CHEROKEE CITY HALL

A budget workshop was called to order on this date by Mayor Schmidt. Roll call: Present: Councilpersons Loughlin, Nitz, Pingel, Wilberding, Wych, City Administrator Letsche, and City Clerk-Treasurer Lucas. Absent None.

Department heads presented their

14+99.4 as the centerline of West

Willow Street Stationing increases

1276 88

1276.68

1276.09

1275.11

1274.20

1273.26

1272.32

1271.35

1270.31

1268.95

1266 46

1263.62

1260.30

1256.77

1253.10

1249 49

1246.10

1244.01

1242.75

1241.93

1241.18

1240.36

1240.52

1240.35

Centerline Elevation

from 0+00 to 15+00

Station

0+80.2

1+00

1+50

2+00

3+00

3+50

4+00

4+50

5+50

6+00

6+50

7+00

8+00

8+50

9+00

9+50

10+00

10+50

11 + 00

11 + 50

12+00

budget requests for Fiscal Year 2024-25.

Dave Ellis. Recreation Director reviewed his budget requests for Recreation, Community Center and Swimming Pool. He stated that there is not any major changes in the Community Center budget for next year. Ellis will be providing an estimate to help in the stage remodel. Loughlin would like to see a master plan for Community Center updates

1240.27

1240.16

1239.99

1239.82

1239 69

1239.51

ordinance are hereby repealed.

3.

REPEALER.

SEVERABILITY

ordinances or parts of ordinances

in conflict with the provisions of this

adjudged invalid or unconstitutional

whole or any section, provision or

Section 4. WHEN EFFFCTIVE

and publication as required by law.

ATTEST: Sara Lucas, City Clerk

23rd day of January, 2024.

Craig Schmidt, Mayor

(CT01-26/L#

All

12+50

13+00

13 + 50

14+00

14+50

14 + 99.4

Section

Section

unconstitutional.

Mummert, Duane Superintendent, included an increase for ash tree removal and the replacement of mowers. Mummert is earmarking \$15,000 in the FY 24-25 budget towards the cost of replacing

Telephone install Wi-Fi.

so that we don't just piece it together.

In the Recreation budget, not much

changed, Ellis added a little to help

will supplying the new Wescott Park.

The Pool budget increases include

an increase to have the open slide

repaired and also to have C-M-L

playground equipment in the future. Tyler Hahn, Library Director, explained his budget request which included updating the lights to LED's and replacing some of the internet cables. Hahn also stated that he is down a full time employee, Council would like that position to be filled so the current staff does not get burnt

Nate James, Police Chief, is requesting an increase to purchase CLAUSE. If any section, provision a Side by Side and a new Patrol or part of this ordinance shall be Vehicle. James has a quotes for the side by side, roughly \$33,000 once equipped, he has received several such adjudication shall not affect donations to help lower the cost. the validity of the ordinance as a James is also earmarking \$20,000 to

part thereof not adjudged invalid or send officers to the Police Academy. Carpenter, Fire Chief, Casey reviewed the Fire and Building Inspection budgets, there is a This ordinance shall be in effect from not much change in the Building and after its final passage, approval Inspection. Carpenter would like PASSED AND APPROVED this to increase the volunteers pay to include \$10 per fire call and \$10 for each certified training they attend Carpenter also would like to replace

3 exterior doors on the Fire Station. Carpenter is earmarking \$14,000 in the FY 24-25 budget towards the cost of replacing air packs in the future. Carpenter would like to replace the 1987 Brush Truck and upgrade the Building Inspection pick up in the near future. Carpenter would like to request a 5% increase in wages.

Chris Horton, Cemetery Sexton, would like to increase the fee for winter burials and add gutter guards to the Cemetery building. Horton is earmarking \$10,000 in the FY 24-25 budget towards building a crematorium.

At 5:52 p.m. motion by Loughlin, seconded by Nitz to pause the Budget Workshop meeting and hold the Regular City Council meeting. Roll call: AYES: All. NAYES: None.

At 6:15 p.m. motion by Pingel, seconded by Loughlin to resume the Budget Workshop. Roll call: AYES: All. NAYES: None

City Hall budget has an increase due to needing to replace the retaining wall and some parking lot repairs.

Mayor/Administrator and City Council Budgets do not have any large changes. We will need to budget roughly \$5,000 to help Historic Preservation with the Fountain House Pillars restoration.

Financial Administration budget does not have any changes. Loughlin proposes raising the City Clerk's salary to \$70,000 with an additional \$1,000 per month to continue to help train Administrator Letsche effective February 1, 2024, with monthly

reviews

Luke Gravenish, Public Works Director, reported on Streets, Water, and Wastewater budget request Street department request include replacing a snow plow truck and we will need to look into replacing the Tool Cat due to multiple repairs, but that has been cut from this budget year. Loughlin wants to see a universal logo on all City owned vehicles. Wilberding commented on the excellent work the Street department did during the recent snow storm.

Water Department proposed budget includes a large order of new water meters and a new truck. Gravenish also requested earmarking \$25,000 to prepare for the rehab of Well 12

Wastewater Department budget request include a new truck with an electric crane winch. They will also be installing a new SCADA system. Paper work will be submitted to the State for the Beech St. Lift Station Relocation, this project will hopefully begin in 2024. Gravenish would like to request a 5% increase in wages.

Motion by Pingel, seconded by Nitz to approve a 3% wage increase effective July 1, 2024 and no change to other health benefits. Roll call: AYES: All. NAYES: None.

On a motion by Loughlin, seconded by Pingel, the meeting was adjourned at 7:38 p.m.

Media Present: Kate Kealey, Cherokee Chronicle Times Craig Schmidt, Mayor ATTEST: Sara Lucas City Clerk-Treasurer (CT01-26/L#150)

LEGAL NOTICE

NAVD 88.

FOR THE YEAR 2024 **BOARD OF SUPERVISOR'S** MINUTE BOOK **CHEROKEE COUNTY, IOWA JANUARY 16, 2024**

The Cherokee County Board of Supervisors met in regular session on Tuesday, January 16, 2024 with Rick Mongan, Bryan Petersen, Duane Mummert, Cheryl Ellis and Dave Skou present. Erin Rydgren, Chronicle Times, represented the press. Tom Kohn, Laura Jones, Sarah Tracy, Kelly Puhrmann, Kenny Schlenger and Stu Hogg were also in attendance. Unless otherwise indicated, all votes were offered as follows: Ayes - Ellis, Skou, Mummert, Petersen, Mongan; Nayes none; Abstentions - none.

Chairman Mongan called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

Motion by Skou, seconded by Mummert to approve the agenda. Motion carried.

Motion by Petersen, seconded by

Mummert to approve the minutes of the previous meeting. Motion carried. There were no comments from the

Tom Kohn. Veteran Affairs Director. provided a detailed summary of his activities during the 2023 year. Kohn stated that Cherokee County Veterans receive 19.35% more in pensions and medical care than lowa counties with similar Veteran populations. The applications approved during the 2023 year equate to \$513,117.93 of additional tax free benefits in Cherokee County. An Annual Veterans Appreciation Day will be held in Aurelia in June 2024.

Sarah Tracy, County Engineer, presented a spreadsheet projecting future Secondary Road budgets and Five Year Construction Plan implications if the F Avenue project is not fully or partially bonded. Tracy stated that if the supervisors don't issue bonds to pay for the project, it would drain all remaining dollars in the Secondary Road Fund which would severely limit major payement/ bridge maintenance activities and critical infrastructure projects down the road. Tracy and her staff have determined their course of action. if the board does not issue bonds: 1. No contracted bridge maintenance would happen; 2. No grading projects; 3. No contracted pavement maintenance activities including thin overlays, concrete patching, crack filling, slurry leveling or chip sealing; 4. Less contracted pavement marking maintenance; 5. Reduced new equipment budget which puts a strain on maintaining old equipment needing to be replaced

Tracy provided a listing of bridge replacements currently included in the locally funded Five Year Construction Plan and cautioned that all local projects would need to be pushed back two to three years

The consensus of the supervisors was to look for ways to reduce operating expenses, spread F Avenue project costs across two budget cycles and not bond unless it is absolutely When asked how much of the total project would need to be bonded. Tracy didn't have those figures, but questimated a minimum of three million dollars. The supervisors requested actual cost figures before any funding decisions are made and asked for an update on appraisals right of way purchases and relocation of utilities. Tracy responded that she and her staff are still reviewing appraisal data and preparing to work with landowners. Mongan asked for specifics on the utility relocations and if there would be a cost savings from Tracy's first prediction of a million dollar expense. Tracy replied that she thinks it will still be expensive and she can get figures from Beck Engineering. Skou asked if engineering staff can get moving on the utility move and Tracy said it was a matter of reaching

that started. No action was taken and the supervisors will review further financial information as it is provided by the County Engineer and staff.

Schlenger, Roads Kenny Superintendent, reported that his crews have been out for several days in a row and they are doing their best to open up roads for confinements. The roads department is trying to keep the public informed about road conditions through social media.

Cindy Nelson, Deputy Treasurer presented a revenue report for consideration.

Motion by Mummert, seconded by Skou to accept the Treasurer's December 31, 2023 Semi-Annual Cash Settlement Report as presented. The County's Motion carried. December 30, 2023 total cash on hand was \$15,808,657.54 which includes a \$9,435,769.69 balance in the Secondary Roads Fund.

Motion by Skou, seconded by Ellis to authorize the chairman to sign a

Service Agreement with Iowa Health and Human Services for Medicolegal Death Investigator Training. Motion

provided supervisors The committee reports and reviewed meeting schedules.

Budget worksheets were reviewed for departments falling under the responsibility supervisors' consensus was to set their own board salaries with no increase and look for other areas to reduce expenditures. The county's total budget will need to be trimmed to fall within property tax limitations.

There being no further business, Chairman Mongan called for a motion to adjourn the meeting.

Motion by Petersen, seconded by Ellis to adjourn the meeting at 11:05 a.m.

All board agendas and minutes are available online at cherokeecounty. iowa.gov . Rick Mongan, Chairman

Attest: Kris Glienke, County Auditor (CT01-26/L#155)

\$1,345.00

\$195.26

\$40,000.00

WOODALL ELECTRIC MISC.

YOUR FLEETCARD PROGRAM

ZOUL PROPERTIES CATALYST

Motion by Loughlin, seconded by

Pingel to adopt the revised Procure-

ment Policy to Include Applicable Pro-

visions for Federal Funding. Roll call:

the Army Reserve Center, 1841 Indus-

trial Road, expiring in February 2024.

Motion by Wilberding, seconded by

Nitz to renew the lease with the Army

Reserve Center for an additional 49

vears ending February 2073. Roll call:

rector presented a quote from Hi-Way

Truck Equipment to replace a broken

snow plow sander for \$24,000. Motion

by Wilberding, seconded by Loughlin,

to approve the quote from Hi-Way

Luke Gravenish, Public Works Di-

Currently the City has a lease with

AYES: All. NAYES: None.

AYES: All. NAYES: None.

REPAIRS

GRANT

PARK FUEL

LEGAL NOTICE

CITY COUNCIL MINUTES TUES-DAY, JANUARY 23, 2024, 6:00 P.M. CHEROKEE CITY HALL

A regular meeting was called to order on this date by Mayor Schmidt. Roll call: Present: Councilpersons Loughlin, Nitz, Pingel, Wilberding, Wych, City Administrator Letsche, and City Clerk-Treasurer Lucas. Absent

Motion by Loughlin, seconded by Wilberding to approve the agenda. Motion carried.

At 6:01 p.m., Mayor Schmidt opened the public hearing on the Willow St. Curb and Gutter Improvement Project. Josh Keck, 115 N. 8th St. wanted to verify that the original preliminary assessment and interest charges were going to be the same, Letsche stated at they would be. The hearing was closed at 6:02 p.m.

Motion by Wilberding, seconded by Nitz, to approve Resolution #2024-03, a Resolution Adopting Plans, Specifications Form of Contract and Estimated Cost for the Willow St. Curb and Gutter Improvements Project. Roll call: AYES: All. NAYES: None.

The City received 5 bids for the Willow St. Curb and Gutter Improve-

Beck Excavating ments Proiect. \$435,851.70, De Loss Construction, Inc. \$462,414.55, Vander Pol Excavating, LLC \$506,959.13, Ten Point Construction Co. Inc., \$525,074.39, Hul-

Motion by Loughlin, seconded by

Wilberding, to approve Resolution #2024-04, a Resolution Making Award of Contract for the Willow St. Curb and Gutter Improvements Project to the low bid from Beck Excavating of \$435,851.70. Roll call: AYES: All. NAYES: None.

stein Excavating, Inc. \$609,699.05.

Motion by Pingel, seconded by Wilberding, to approve the 1st reading and waive the 2nd and 3rd readings of Ordinance 725, an Ordinance Establishing the Street Grades for the 2024 City of Cherokee Willow St. Curb and Gutter Improvements Project Roll call: AYES: All. NAYES: None.

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

City Council Minutes of January 9, 2024. Approve Class E Retail Alcohol License for Fareway Stores, Inc.

Darla Struck and Hank Hayes to the

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.00

Mayor appointment of Joann Reed,

Hotel/Motel Committee for a 3 year term.

Approve Application for Tax Abatement for 407 Centennial Dr.-Michael & Jennifer Hart Bills totaling \$123.895.09

AGRIVISION EQUIPMENT GROUP JOHN DEERE MAINTENANCE \$490.72

ALEX AIR APPARATUS, INC. VEHICLE MAINTENANCE \$183.75 ALLIANT ENERGY NATURAL GAS \$3,415.98

ALYSSA A. HERBOLD PLC. 11/23 & 12/23 LEGAL SERVICE \$2,520.00 AURELIA LUMBER COMPANY MAINTENANCE SUPPLIES \$104.19 BLAINE'S WATER CONDITIONING WATER AND SOFTENER RENT \$88.90

BOMGAARS OPERATING SUPPLIES \$1,211.33 BUILDERS SHARP. & SERVICE TOOL CAT REPAIRS \$2,073.87 C-M-L TELEPHONE TELEPHONE & INTERNET \$383.54

CARROLL CONSTRUCTION SUPPLY STREET SUPPLIES \$300.00 CENTRAL IOWA DIST. INC. CLEANING SUPPLIES \$422.00 CHAMPION ELECTRIC. INC.

ELECTRICAL REPAIRS \$429.65 CHEM-SULT, INC. CHEMICALS

\$1,805.60 CHEROKEE AVIATION AUTHORITY 1/24 PROPERTY TAX DRAW \$518.64 CHEROKEE CHRONICLE TIMES LEGAL PUBLICATION \$412.43 CHEROKEE ROTARY CLUB

out to the utility company and getting

MEALS/DUES \$174.35 COUNTRY TIRE & SERVICE VEHICLE MAINTENANCE \$160.55 FELD FIRE STRYKE PANTS \$488.00 FIRE SERVICE TRAINING BUREAU **CERTIFICATION FEES** \$100.00 FOUNDATION ANALYTICAL LAB WATER & WASTEWATER SAMPLES

\$402.00 HAWKINS, INC. WATER SUPPLIES HOLZHAUER MOTORS, LTD. VEHICLE MAINTENANCE \$160 HY-VEE, INC. DRINKING WATER \$160.00

\$14.00

I & S GROUP, INC. NUTRIENT REDUCTION IMP. \$31,500.00 I & S GROUP, INC. WATER SYSTEM \$1,485.00 IOWA FIRE CONTROL, LLC FIRE ALARMS/YACHT CLUB \$90.00 IOWA INSURANCE DIVISION OAK

HILL ANNUAL REPORT FEE \$151.00

IOWA LAKES ELECTRIC COOP#190 ELECTRICITY \$90.33 K & M TREE SERVICE TREE REMOVAL \$1,560.00 M.O.C.I.C. 2024 ANNUAL **MEMBERSHIP** \$100.00 MARX TRAILER VEHICLE

MAINTENANCE \$27.75 MID AMERICAN ENERGY \$23,057,08 **ELECTRICITY** MID-AMERICAN BENEFITS. INC 1/24 HRA ADMIN FEE & CLAIMS

\$1,389.35 MOTOR PARTS SALES VEHICLE MAINTENANCE \$228.26 NOGGIN WATER COOLER RENT \$25.00 NORTHSIDE TIRE VEHICLE

MAINTENANCE \$27.70 ONE OFFICE SOLUTION OFFICE SUPPLIES. \$117.29 SCE, LLC JETTER & BACKHOE RENT \$495.00 TOM MUMMERT HAUL SNOW

\$1,532.00 TRIVISTA - IOWA TRUCK MAINTENANCE \$696.00 U.S. BANK MISC. CHARGES

\$2,266.16 USPS UTILITY BILL POSTAGE

\$473.60

Truck Equipment for \$24,000 Boll call: AYES: All. NAYES: None. On a motion by Loughlin, seconded by Wilberding, the meeting was ad-

journed at 6:08 p.m. Media Present: Kate Kealey, Cherokee Chronicle Times Craig Schmidt, Mayor ATTEST: Sara Lucas

LEGAL NOTICE

Date - 1/17/24 Time - 8:11:10

80 Monies & Credits

Certification Date December 31, 2024

CHEROKEE COUNTY - Accounting Semi-Annual Report

ROSWITHA BRANDT, TREASURER-CHEROKEE COUNTY, CHEROKEE, IA For the period from July - December, Inclusive Statement of Account By Fund

	Statement of Account by Fund							CHEROKEE COUNTY
Func	1	Balance	Revenues	Total to be	Disbursements	Fund Balance	Auditor's Warrants	IN THE MATTER OF
		July		Accounted for		December	Outstanding	THE ESTATE OF
01	General Basic	1,976,888.54	3,258,265.32	5,235,153.86	2,980,837.80	2,254,316.06	30,396.62	GEORGE H BREWER, DECEASED CASE NO. ESPR017138
02	General Supplemental	110,237.17	352,383.45	462,620.62	252,326.96	210,293.66	.00	NOTICE OF PROBATE OF WILL,
03	Reap	45,572.38	10,890.28	56,462.66	.00	56,462.66	.00	OF APPOINTMENT OF
10	MH DD Service Fund	.00	.00	.00	.00	.00	.00	EXECUTORS,
11	Rural Services Basic	347,024.32	1,827,790.54	2,174,814.86	1,504,605.39	670,209.47	3,775.39	AND NOTICE TO CREDITORS
15	Capitol Projects Fund	.00	.00	.00	.00	.00	.00	To All Persons Interested in the
16	County Attorney Recovery Fees	395,921.40	7,542.40	403,463.80	225,930.22	177,533.58	.00	Estate of GEORGE H BREWER,
20	Seondary Road	10,902,457.71	3,546,806.25	14,449,263.96	4,373,343.33	10,075,920.63	37,696.10	Deceased, who died on or about
21	Revenue Sharing	.00	.00	.00	.00	.00	.00	January 12, 2024:
	3	.00	.00	.00	.00	.00	.00	You are hereby notified that on
23	LGIF Drug Court Grant	53,303.83	.00	53,303.83	.00	53,303.83	.00	January 15, 2024, the Last Will and
	Homeland Security Region 3	.00	.00	.00	.00	.00	.00	Testament of GEORGE H BREWER,
25		16,226.97	1,344.55	17,571.52	.00	17,571.52	.00	deceased, bearing date of December
26	3	.00	.00	.00	.00	.00	.00	21, 2023, was admitted to probate in the above named court and that
27		66,420.93	108,324.91	174,745.84	89,382.00	85,363.84	.00	Judy Stowater and JoAnn Remington
28		.00	.00	.00	.00	.00	.00	have been appointed Executors of
							.00	the estate. Any action to set aside
29		3,834.00	.00	3,834.00	.00	3,834.00		the will must be brought in the district
30		40,032.27	8,297.57	48,329.84	.00	48,329.84	.00	court of said county within the later
31	Conservation Ed Donation	13,935.91	1,495.00	15,430.91	1,705.00	13,725.91	.00	to occur of four months from the
		.00	.00	.00	.00	.00	.00	date of the second publication of this
51		17,431.52	9,628.47	27,059.99	5,805.33	21,254.66	.00	notice or one month from the date of
52		.00	.00	.00	.00	.00	.00	mailing of this notice to all heirs of
53	County Tif -Pioneer/Sands/LSCP	.00	.00	.00	.00	.00	.00	the decedent and devisees under the
		.00	.00	.00	.00	.00	.00	will whose identities are reasonably
		.00	.00	.00	.00	.00	.00	ascertainable, or thereafter be forever
59	3 1 3	47,349.39	77,997.29	125,346.68	74,394.36	50,952.32	46.62	barred.
60		613,411.76	115,431.26	728,843.02	183,821.89	545,021.13	5,388.70	Notice is further given that all persons indebted to the estate
62	Property Tax Agency	2,635.07	1,161.72	3,796.79	1,139.23	2,657.56	.00	are requested to make immediate
63	Township Control	4,766.98	304,220.18	308,987.16	303,959.69	5,027.47	.00	payment to the undersigned, and
64	Corporation Control	38,347.26	2,245,694.41	2,284,041.67	2,215,828.04	68,213.63	.00	creditors having claims against the
65	School Control	131,113.99	7,869,946.09	8,001,060.08	7,847,469.87	153,590.21	.00	estate shall file them with the clerk
66	Area School Control	10,714.47	646,511.53	657,226.00	644,743.15	12,482.85	.00	of the above named district court, as
		.00	.00	.00	.00	.00	.00	provided by law, duly authenticated,
68	Co Cons Land Acquistion Trus	78,306.65	50,000.00	128,306.65	30,305.45	98,001.20	.00	for allowance, and unless so filed by
69	County Assessor	293,029.46	305,415.46	598,444.92	204,929.69	393,515.23	771.52	the later to occur of four months from
70	Co Ag Extension	1,923.91	123,668.51	125,592.42	123,213.06	2,379.36	.00	the date of the second publication
71	Special Appraiser	.00	.00	.00	.00	.00	.00	of this notice or one month from the
72	Postage	903.00	4,774.00	5,677.00	4,907.00	770.00	.00	date of mailing of this notice (unless
73	Motor Vehicle Trust	271,335.50	1,603,815.50	1,875,151.00	1,524,888.00	350,263.00	.00	otherwise allowed or paid) a claim is thereafter forever barred.
74	Use Tax Trust	202,389.66	1,160,358.32	1,362,747.98	1,191,538.33	171,209.65	.00	Dated January 15, 2024.
75	City Special Assess.Project C	6,453.79	32,625.98	39,079.77	39,079.77	.00	.00	Judy Stowater, Executor of Estate
76	Tax Redemption	.00	81,886.53	81,886.53	81,886.53	.00	.00	5532 River Road.
	-	.00	.00	.00	.00	.00	.00	Cherokee, IA 51012
78	Advance Tax	34,887.52	12,323.38	47,210.90	32,190.87	15,020.03	.00	JoAnn Remington, Executor of Estate
								17100 1 D 1 F0 0 1/0 07700

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LEGAL NOTICE

City Clerk-Treasurer (CT01-26/L#190)

THE IOWA DISTRICT COURT FOR CHEROKEE COUNTY IN THE MATTER OF THE ESTATE OF **GEORGE H BREWER, DECEASED** CASE NO. ESPR017138 NOTICE OF PROBATE OF WILL.

JoAnn Remington, Executor of Estate 1712 County Rd 52, Gove, KS 67736 Date of second publication: 2nd day

of February, 2024 (CT01-26,02-02/L#56)

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