

Lawton City Council Minutes

January 4, 2007

The Lawton City Council met in Regular session on Thursday, January 4, 2007, at Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Perry Ludwig, Don Grigg, and Terry Masching. Rick Schorg, Tony Bengford were not present during roll call. Others attending included: City Maintenance Supt. Lowell Anderson; City Clerk Patricia Washburn; City Attorney Glenn Metcalf; City Engineer Jerry Steffen; Daniel Sanford; Doug Furlich; Pat Rogers; Rob White; Dale Petersen; Jeanine Chartier; Richard & Carol Schoening; and Kent Baker. Guests were welcomed.

Resident Daniel Sanford spoke to Council about possible addition to his home concerning roof line height. Council stated height would not be problem on home. Sanford was also reminded to get building permit.

Pat Rogers and Rob White, EGR Insurance agents spoke to Council regarding proper valuations for city property. Several items were amended, added or removed from current policy. After some discussion, city will stay with \$2,000,000 liability coverage.

Bengford arrived at 5:05 pm and Schorg arrived at 5:10 pm.

Traffic counters were monitored by SIMPCO during the week of Dec. 7-14, 2006. Results showed 73% of school traffic uses Birch St., 13.5% uses Maple St., and 13% uses Tara Way north of Maple. Of the traffic that uses Maple Street, 89.6% was determined to be school-related traffic.

Jeanine Chartier presented preliminary plat for possible Char-Mac expansion. Chartier also discussed possibility of city accepting Char-Mac Drive with parking stipulations. Attorney recommended no parking stipulation in deed, however temporary parking restrictions could be placed on street until ordinance is amended. After much discussion, Grigg moved that Council ask Chartier for final plat after examining preliminary plat. He stated he agrees in principal to use TIF bonding as requested by Chartier. Motion died for lack of second. As this was first Council had seen preliminary plat, Bengford moved to hold special meeting on Thursday, January 11, 2007 at 5:00 p.m. in Council Chambers in order to study and review Char-Mac Preliminary Plat. Masching seconded. Motion carried on roll 5-0.

No further information was available on the Equestrian Center placement.

Murphy Construction provided proof of proposed memorial stone for Michael Allen Broughton, the man killed at the water tower on May 2, 2006. Council approved and instructed Clerk to notify Murphy asking them to proceed with plans.

Grigg had gotten bid of \$1,600 from Murphy Construction regarding light on top of water tower. Steffen had contacted Iowa DOT, but hadn't gotten response back.

Regarding abandoned vehicles and citizen complaints, Councilman Schorg will contact property owner at 404 E Maple. Council will proceed accordingly after that time.

City Maintenance Anderson reported check valves at Water Treatment Facility are defective and are not holding. About one gallon of water per minute is leaking through. Anderson has spoken with Neal Kuehl, project engineer. Kuehl stated problem is under warranty and would be repaired within 30 days. Council ordered Christiansen Construction bond not be released until problem is tended to.

Date for an Open House for the Water Treatment Facility will be set after all repairs are made.

Mayor Nitzschke reported Lawton-Bronson Schools will take possession, from the City, of old water wells located in 100 block of Linden Street just east of softball complex. City will maintain possession until Spring.

Mayor asked for clarification regarding curb and gutter placement at 409 Elm. Council stated cost would be property owner's responsibility if they felt need for curb and gutter.

Jerry Steffen of Steffen Engineering presented Council with bid plans, specifications, form of contract and engineers cost estimate of \$275,000 to replace 400 block of Maple Street. Grigg made motion for preliminary acceptance of Steffen's presentation and to set date of February 6, 2007 at 5:00 p.m. for Public Hearing on such project. Sealed bids for Maple Street Replacement Project will be received at Lawton City Hall until 5:00 p.m. on February 6, 2007, and will be opened at such time. No bid will be considered unless sealed and accompanied, in a separate envelope, by bidder's security of at least five percent of the amount of the base bid. Completion date will be 40 working days from start of project. Motion seconded by Ludwig. Carried on roll 5-0.

Council discussed 300 block of Cedar Street regarding repairs and completion of project. Mayor will discuss repairs with Concrete Complete.

Clerk reported no building permits had been approved since December meeting. MidAmerican Energy has notified City Hall Lawton has been approved to receive \$1,000 Trees Please Grant. Two other grants have been applied for: Mildred Anderson Community Grant and INS. Both grants would be

used toward new playground equipment at Tara Way Park. INS Grant must be resubmitted as outdated form was used.

Ludwig moved to pay 2007 dues of \$100 to U.S. 20 Association. Masching seconded. Motion carried on roll 5-0.

Clerk also informed Council of address change on recently approved building permit. Permit for new dwelling was approved 10/3/06 for Chris Aakhus at 407 Elm St. Aakhus sold house as 409 Elm St. County will be notified.

Attorney Metcalf stated nothing further had been done on fire contract this month.

After considerable discussion, Schorg moved to approve 1st reading of **PROPOSED ORDINANCE AMENDING CHAPTER 3-3 OF CITY CODE LIMITING PARKING AND SIMILAR USES OF STREETS IN ALL RESIDENTIAL AREAS OF THE CITY.** In part, this amendment limits street parking by certain motor trucks, campers, roll-offs, etc. unless a permit costing \$50 per week has been issued by Council allowing such use for not more than six weeks. This amendment also limits any vehicle from standing in one place for a period of more than seven days. Other provisions also apply. Full text of proposed ordinance is available at City Hall for inspection. Mayor requested full text be sent to each resident with February and March water bills. Bengford seconded motion. Motion carried on roll 5-0.

Bengford also moved to approve 1st reading of **PROPOSED ORDINANCE AMENDMENTS of CHAPTERS 4-2-1(h) AND 4-2-2(g) ANIMAL LICENSING, IMPOUNDING, IMMUNIZATION AND KEEPING OF DOGS & CATS** striking section titled **PENALTY** and instead using General Provisions listed in Lawton City Code pertaining to Municipal Infractions. Motion seconded by Masching. Motion carried on roll 5-0. Complete text available for inspection at Lawton City Hall.

Masching moved to pass **Resolution # 2007-01**, waiving 2nd & 3rd readings of proposed ordinance amendment of Chapters 4-2-1(h) and 4-2-2(g). Motion seconded by Bengford. Carried on roll 5-0. Complete text available for inspection at Lawton City Hall.

Grigg moved to consider and give final approval to Ordinance amendments of Chapters 4-2-1(h) and 4-2-2(g) using General Provisions listed in Lawton City Code pertaining to Municipal Infractions. Schorg seconded motion. Carried on roll 5-0.

Council discussed TIF concerns regarding Petersen Annexation and West Creek Development in relation to Resolution # 2005-03. Attorney needs to complete work with this project.

Consent Agenda consisted of minutes from December 5 and December 7, 2006, disbursements of \$26,003.55 and December 2006 financial statements. Motion to approve Consent Agenda was made by Ludwig, seconded by Grigg. Motion carried on roll 5-0.

With no further business to come before the meeting, meeting was adjourned at 8:05 p.m.

REVENUES BY FUND		DISBURSEMENTS BY FUND	
Interest Earned	2,536.93	General	5,878.37
General (inc. TIF error)	1,085.00	Local Option Sales Tax	0.00
Local Option Sales Tax	13,295.00	Road Use Tax	3,085.38
Road Use Tax	4,680.71	Water	6,755.74
Water	10,524.82	Sewer	4,016.20
Sewer	2,975.24	Garbage	5,830.82
Garbage	4,356.58	Fire Disbursements	437.04
Fire Revenue			
TOTAL REVENUE	39,454.28	DEC. DISBURSEMENTS	26,003.55

WARRANTS APPROVED

Lowell Anderson, salary	491.31
Jack Howard, wages	230.39
ACCO, chlorine	214.80
AireTex Compressors, warranty work S & H	10.00
Day's Door Co., remote	35.00
EGR Ins, surety bond	100.00
IIMC, Washburn memb. Dues	115.00
IRWA, 2007 dues	175.00
Moville True Value, drop tank holder supplies	88.85
Rogers Elec., contact parts kit	82.63
Wayne Manufacturing, deco. Bulbs	55.80
Western IA Telephone, November	265.92
Woodbury Co. Solid Waste, 4th Qtr.	3397.87

Lowell Anderson, salary	491.32	
Jack Howard, wages	249.96	
Jeff Nitzschke, mayoral pay	831.15	
AgriDrain Corp, marker flags	28.79	
Lowell Anderson, cell phone reim.	120.00	
Hach Co., testing supplies	70.90	
HTM Sales, lift station parts	459.48	
Metcalf, Thompson & Phipps, legal fees	177.50	
Rees Mack Sales & Service, starter	255.62	
US Bank	25.82	
IA League of Cities, TIF workshop		15.00
Menard's, shop supplies		10.82
Lowell Anderson, meeting pay	186.17	
Tony Bengford, meeting pay	232.37	
Don Grigg, meeting pay	193.94	
Perry Ludwig, meeting pay	226.26	
Terrence Masching, meeting pay	232.37	
Rick Schorg, meeting pay	161.62	
Patricia Washburn, meeting pay	217.19	
Lowell Anderson, salary	491.31	
Jack Howard, wages	230.38	
Barco Muni. Prod., STOP signs	378.72	
MidAmerican Energy, November	1838.28	
Share Corp., Natraklene	104.79	
Lowell Anderson, salary	491.32	
Jack Howard, wages	257.84	
American Family Ins., health ins	719.50	
Bomgaars, supplies	18.50	
CHN Garbage	2408.95	
Central IA Dist., gloves	23.57	
Display Sales Co., banner brackets	460.00	
Hydro Metering, 6 meters	435.00	
Rogers Elec., contact parts kit	89.35	
Siouxland Concrete Co, raise manhole	128.00	
Utility Equip. Co, supplies	48.62	
Aflac, employee contrib.	91.50	
EFTPS, Fed, med, SS	2305.32	
State Sales Tax	2149.00	
Lowell Anderson, salary	491.31	
Jack Howard, wages	190.62	
Patricia Washburn, salary	1670.88	
IPERS	785.76	
State Withholding	772.00	

SIGNED BY: _____
Jeff Nitzschke, Mayor

ATTESTED BY: _____
Patricia L Washburn, City Clerk