

# Lawton City Council Minutes

**August 2, 2005**

The Lawton City Council met in Regular session on Tuesday, August 2<sup>nd</sup>, 2005, at Lawton City Hall. Council members answering roll: Don Grigg, Terry Masching, Rick Schorg and Tony Bengford. Perry Ludwig was absent. Mayor Jeff Nitzschke called the meeting to order at 5:00 p.m. and welcomed guests.

A Public Hearing was called to order regarding the plans, specifications, form of contract and estimate of costs for construction of two drinking water wells. No oral or written communication was received regarding the construction of new wells. Grigg moved to close hearing. Schorg seconded. On roll motion carried 4-0.

Masching moved to approve plans, specifications, form of contract and estimate of costs for construction of two drinking water wells as presented. Grigg seconded. Motion carried on roll 4-0.

Building permit applications were approved for Robert Doenhofer, 401 E Maple, fence; Dave Drew, 425 E Birch, cement slab, shed; Patty Henry, 427 E Main, fence; Dale Mitchell, 115 W Birch, driveway, deck; Chad Moseman, 303 Tara Way, fence; and Jimmy Petersen, 432 E Main, fence, deck.

Neal Kuehl of Kuehl & Payer, stated public hearing and bid opening on water filtration plant could be held on August 16, 2005. Jerry Steffen stated bid opening on new drinking water wells should be held same date, and could be opened on August 16, 2005.

Steve Wilks spoke to Council regarding possibility of installing Cingular Wireless antennae on water tower. Co-location lease would be similar to proposed AT&T lease in recent years. Lease would include 5 year term with four 5-year renewal options beginning with rent of \$1,000/month, increasing 3% per year. Attorney informed Council of need to notify neighbors and invite to public hearing. Letters will be sent out. Schorg moved to pass **Resolution # 2005-09 PROPOSING CO-LOCATION LEASE WITH CINGULAR WIRELESS WHEREBY ALSO SETTING DATE OF PUBLIC HEARING FOR TUESDAY, SEPTEMBER 6, 2005 AT 6:00 PM.** Motion seconded by Grigg. Carried on roll call vote 4-0. Complete text of Resolution #2005-09 is on file at City Hall.

Attorney Metcalf provided Council with proposed Ordinance Amendment to Sec. 3-3-35A of the Code of Ordinances dealing with Parking and Standing of Vehicles. Council asked Metcalf to amend and resubmit proposal at later meeting.

Peter Widman of Widman Fencing and Seeding was present to discuss landscaping options around north edge of Western Iowa Telephone Association building which abuts Lawton Memorial Park. Damage occurred in park during erection of WITA building. Council approved consideration of Widman's proposal, as well as two other proposals presented without representation, and instructed Mayor Nitzschke to provide all proposals to WITA's General Manager.

Grigg stated City Maintenance has done a nice job with repairing streets this summer. Anderson said nearly 25 tons of hot mix has been used for patching.

Attorney informed Council city does own 20' width extending Main Street west to the lagoon area.

City Clerk informed Council of attending City Clerk's Academy in Ames July 20-22. Also informed Council the pet licensing of dogs and cats is going smoothly. Nearly 90 animals within the city limits have been licensed. More tags will be ordered.

Office of Mayor and two Council positions will be on the City Election Ballot November 8, 2005. Nomination papers may be picked up at City Hall. Public notice will be posted on informational sign. County and State election officials have moved polling location from Friendship Center to Lawton-Bronson High School. Council would prefer it stay in Friendship Center.

Complaints have come in regarding properties with excessive weed growth. Council instructed Clerk to send notices as required by City Code and to also put reminder on informational sign in park.

Draft from Sign Pro was received regarding enlargement of sign at north entrance into town. Council approved size of 6'x8', and asked that eagle on draft be replaced with eagle used by school as mascot. Mayor will contact Sign Pro.

Mayor will investigate delay of work on Cedar Street widening project.

Attorney informed Council the Lawton Fire Department is creating a Fire Association. This Association will handle all donations not associated with the Fire Budget. Budget funds will continue to be handled through the City.

Grigg moved to approve Consent Agenda as presented to include approval of July 5, 2005 minutes, approve disbursements totaling \$22,794.79, and approve financial statements for June and July, 2005. Bengford seconded motion. Carried on roll, 4-0.

Motion was made by Masching, seconded by Bengford to modify **Resolution 2005-07: RESOLUTION ORDERING CONSTRUCTION OF A PUBLIC WATER WELL, AND FIXING A DATE FOR HEARING THEREON AND TAKING OF BIDS THEREFORE.** Resolution was modified to

change dates and shall read, in part, "...*BE IT FURTHER RESOLVED, that the Clerk shall publish notice to bidders twice in The Menville Record, a legal newspaper in, and for, Woodbury County, Iowa and having general circulation in this City. First publication shall be at least fifteen (15) days prior to the date established for bid opening and the Second Publication shall be not less than four clear days prior to **August 16, 2005**, which is established for receiving bids. Said bids are to be filed with the City Clerk prior to 5:00 p.m. on said date.*

*Bids shall be received and opened at a public meeting as provided in the public notice and the results of said bids shall be considered at the meeting of this Council on **August 16, 2005** at 5 p.m."*

Motion carried on roll 4-0. Complete text is available for review at City Hall.

Motion was made by Grigg, seconded by Schorg to modify **Resolution 2005-08: RESOLUTION ORDERING CONSTRUCTION OF WATER FILTRATION FACILITY AND FIXING A DATE FOR HEARING THEREON AND TAKING OF BIDS THEREFOR.** Resolution was modified to change dates and shall read, in part, "...*BE IT FURTHER RESOLVED, that the Clerk shall publish notice to bidders twice in The Menville Record, a legal newspaper in, and for, Woodbury County, Iowa and having general circulation in this City. First publication shall be at least fifteen (15) days prior to the date established for bid opening and the Second Publication shall be not less than four clear days prior to **August 16, 2005**, which is established for receiving bids. Said bids are to be filed with the City Clerk prior to 5:00 p.m. on said date.*

*Bids shall be received and opened at a public meeting as provided in the public notice and the results of said bids shall be considered at the meeting of this Council on **August 16, 2005** at 5 p.m.*

*BE IT FURTHER RESOLVED, that the Clerk shall publish notice of hearing once in said newspaper, said publication to be not less than four clear days nor more than twenty days prior to the date hereinafter fixed as the date for a public hearing on the plans, specifications, form of contract and estimate of costs for said project, said hearing to be at 5:00 p.m. on **August 16, 2005.**"*

Motion carried on roll 4-0. Complete text is available at City Hall.

Grigg moved to approve Second Reading of Ordinance Amendment Sec. 2-4 pertaining to increase in Mayoral pay from \$800 in June and \$800 in December to \$900 in June and \$900 in December of each year. Bengford seconded motion. On roll, motion carried 4-0.

Mayor brought issue to table of activity chairmen being responsible to notify neighboring property owners when an activity within the City may interfere with the neighbor's normal daily activities. Council concurred that this should fall onto the shoulders of the activity organizers.

Clerk was asked to put notice on informational sign reminding residents that garbage can lids are to be closed when cans are sitting at curbside awaiting pick up. Hinges on lids must not face the street as garbage may not entirely empty out of the can when mechanical arm lifts can to dump it.

With no further business to come before the meeting, motion by Schorg, seconded by Masching to adjourn at 7:25 p.m. Carried 4-0.

**REVENUES BY FUND**

**DISBURSEMENTS BY FUND**

Interest Earned	3,402.04	General	9,160.65
General	2,077.43	Local Option Sales Tax	0.00
Local Option Sales Tax	4,395.26	Road Use Tax	5,291.22
Road Use Tax	4,535.52	Water	3,524.68
Water	14,381.23	Sewer	2,184.55
Sewer	6,665.64	Garbage	2,240.25
Garbage	6,333.01	Special Assessment	0.00
Special Assessment	154.66	Fire Disbursements	393.44
Fire Revenue	3297.00	<b>JULY DISBURSEMENTS</b>	<b>22,794.79</b>
<b>TOTAL REVENUE</b>	<b>45,241.79</b>		

**WARRANTS APPROVED**

Lowell Anderson, salary	454.92
Heath Horsley, wages	134.60
Jack Howard, wages	201.41
Lowell Anderson, salary	476.16
Heath Horsley, wages	206.36
Jack Howard, wages	206.38
Banner Township, cemetery upkeep	1250.00
Lawton Ambulance, donation	5000.00
Robertson Implement Co., mower supplies	37.99

Stan Houston Equip. Co., ground pounder	2250.00
Lowell Anderson, salary	476.15
Heath Horsley, wages	145.56
Jack Howard, wages	108.81
Lawton Pronto, fuel	317.77
Metcalf, Thompson & Phipps, legal fees	70.00
MidAmerican Energy, June	1458.73
Perkins Office Solutions, fire proof file cabinet	839.00
US Bank, supplies	65.63
Staples, flash drive	41.41
Wal-Mart, office supplies	24.22
Western Iowa Telephone Assn, June	140.73
Lowell Anderson, salary	476.16
Heath Horsley, wages	152.54
Jack Howard, wages	176.59
Hillary Lucas, deposit refund	30.28
Acco Unlimited, chlorine	244.80
Barkley Asphalt, hot mix	156.27
Central Iowa Dist., Barren	96.99
Colonial Research Corp, Dissolve	138.00
FireGuard, boots, gaskets	325.50
Flewelling Sand & Gravel	36.06
Chuck Hinds, labor	25.00
Hy-Vee, water	23.94
Iowa One Call, locates	28.00
Siouxland Dist. Health Dept., lab fees	10.00
Utility Equipment Co., old tower supplies	279.00
Lowell Anderson, salary	476.15
Heath Horsley, wages	149.55
Jack Howard, wages	172.16
Patricia Washburn, salary	1292.76
EFTPS, fed., med., SS	1778.08
IPERS	666.51
CHN Garbage, inc. clean-up day	2220.25

SIGNED BY: \_\_\_\_\_  
Jeff Nitzschke, Mayor

ATTESTED BY: \_\_\_\_\_  
Patricia L Washburn, City Clerk