

Lawton City Council Minutes

March 7, 2006

The Lawton City Council met in Regular session on Tuesday, March 7, 2006, at Lawton City Hall. Council members answering roll: Perry Ludwig, Terry Masching, Don Grigg, Rick Schorg, and Tony Bengford.

Building permit application approved for Martin Shorman, dwelling at 506 N Pine.

Council gave approval to Roger Wilson, 302 E. Oak to permanently remove East/West sidewalk across his property. It is badly damaged and dead-ends with his property.

Neal Kuehl was not present to discuss Water Treatment Plant Progress. Grigg moved to approve Pay Request # 5 from Christiansen Construction Co. in the amount of \$11,777.86. Bengford seconded. Motion carried on roll 5-0.

Attorney Metcalf joined the meeting at 5:10 p.m.

Jerry Steffen with Steffen Engineering spoke to council regarding requirements by DNR to provide proof of legal control of land immediately surrounding new wells, and notice that the sanitary sewer be constructed of water main material. Steffen also informed Council that north well would be moved just south of test well rather than original location. This is to keep in line with DNR requirements. Masching moved to approve 1st Reading of **Special Ordinance No. 2006.01 Adopting Regulations for the PROTECTION OF PUBLIC WATER WELLS**. This ordinance explains terms of "Deep Public Well". It also uses DNR guidelines for distance requirements. This Ordinance, in its entirety, may be examined at City Hall. Motion to approve was seconded by Ludwig. Motion carried on roll 5-0.

After considerable discussion, Masching moved to accept property easement from West Creek Development for utilities, including sanitary sewer, as presented by engineer, subject to execution of recordable document. Schorg seconded motion. Engineer stated city could erect building over lift station as part of the agreement. Motion carried on roll 5-0. Attorney will proceed as necessary.

Grigg moved to approve **Resolution # 2006-06 RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$525,000 WATER REVENUE CAPITAL LOAN NOTES, SERIES 2006, OF LAWTON, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF**, setting the date of such meeting for March 21, 2006 at 6:00 p.m. to be held in Lawton City Hall Chambers. Schorg seconded motion. Motion carried on roll 5-0. Notice will be published March 16.

Water and garbage rate discussion was moved down on agenda to allow current garbage hauler time to get to meeting to make presentation on his rates.

Council will meet with Banner Township and Concord Township Trustees to discuss Fire Protection agreement with City. Meeting will be held in Friendship Center at 6:30 on March 21, 2006.

A public hearing was called to order at 6:00 p.m. on the proposed 2006-2007 budget. Councilman Grigg asked for verification of proposed expenditures in the Public Safety program. Clerk Washburn explained breakdown. With no other discussion, hearing was closed at 6:10 p.m.. Motion to approve budget as presented was made by Schorg, seconded by Grigg. Motion carried on roll 5-0. Clerk was instructed to forward budget information to County Auditor.

Rollie Clark with CHN Garbage gave Council presentation on garbage rate increases. His proposed increases bring the cost to the city of \$9.07 for small cans, \$10.63 for large cans. Council instructed Clark to provide new Contract for consideration at April meeting.

After careful consideration, Ludwig moved to approve 1st Reading of **Proposed Ordinance Amending Section 6-5-10 UTILITIES – BILLING CHARGES for Garbage**. In part, this proposed ordinance will allow for charges consisting of \$11.00 per month per garbage can. As the Woodbury County Area Landfill Agency has increased their per-capita charge from \$9.50 up to \$19.50, this proposed ordinance also allows for charging an additional \$4.00 per month for a "Landfill Fee" for each garbage can a resident or business uses. Bills will be sent on the 1st of each month and will be delinquent after 20 days. A 10% late fee will be assessed on all past due accounts. This ordinance shall be effective upon passage of three readings, and will begin with the usage cycle starting on or about July 1, 2006 and billed August 1, 2006. Schorg seconded motion. Carried on roll 5-0. Complete text of this proposed ordinance amendment is on file for inspection at City Hall.

After considerable discussion, Masching moved to approve 1st Reading of **Proposed Ordinance Amending Section 6-5-8 UTILITIES – BILLING CHARGES for Water (Incorporated)**. In part, this proposed ordinance will allow for charges consisting of \$20.00 per month for the first 1,000 gallons of water used. Each additional 1,000 gallons of water used will be billed at \$2.55. City may estimate two of three months for convenience of readers, however each meter will be manually read at least once each quarter. Bills will be sent on the 1st of each month and will be delinquent after 20 days. A 10%

late fee will be assessed on all past due accounts. This ordinance shall be effective upon passage of three readings, and will begin with the usage cycle starting on or about July 1, 2006 and billed August 1, 2006. Schorg seconded motion. Carried on roll 5-0. Complete text of this proposed ordinance amendment is on file for inspection at City Hall.

Grigg moved to approve 1st Reading of **Proposed Ordinance Amending Section 6-5-9 UTILITIES – BILLING CHARGES for Water (Unincorporated)**. In part, this proposed ordinance will allow for charges consisting of \$20.00 per month for the first 1,000 gallons of water used. Each additional 1,000 gallons of water used will be billed at \$2.55. In addition, an “Annual Fee” of \$30 shall be charged to any resident outside of the incorporated area of the city receiving water on a monthly basis. City may estimate two of three months for convenience of readers, however each meter will be manually read at least once each quarter. Bills will be sent on the 1st of each month and will be delinquent after 20 days. A 10% late fee will be assessed on all past due accounts. This ordinance shall be effective upon passage of three readings, and will begin with the usage cycle starting on or about July 1, 2006 and billed August 1, 2006. Masching seconded motion. Carried on roll 5-0. Complete text of this proposed ordinance amendment is on file for inspection at City Hall.

Tony Bengford, MidAmerican Energy representative, presented \$1,000 check to Mayor Nitzschke as the City of Lawton had once again been awarded one of MidAmerican Energy’s “Trees Please!” Community Grants. Funds will be used to purchase additional trees for water tower lot.

Bengford also informed Council of progress with changing lighting fixtures on Cedar Street. New poles and heads will be installed with downtown area increasing wattage from 100 watts to 250 watts.

Clerk reported problems with hard drive on PC in her office. Council instructed her to check with Tri-State Electronics on cost of repairs. City FAX machine is also jamming quite often. As it is nearing 10 years old, Clerk is to get prices together for new FAX machine and present such to Council at April meeting.

Grigg informed Council of desire of Lawton residents Bill and Millie Kisting to purchase two park benches for the Veterans’ Memorial Park in memory of family members.

Attorney Metcalf updated Council on Municipal Infraction dealing with Animal Control Ordinance. Resident has pleaded guilty and fine has been imposed. Attorney also updated Council on Nuisance Abatement issue at 215 E Oak.

The Consent Agenda consisted of Minutes from February 7, 2006, disbursements of \$68,299.94, February, 2006 financial statements and the Liquor License renewal for TJ’s Sports Bar & Lounge. Agenda was amended to remove Liquor License renewal. Motion to approve Consent Agenda as amended was made by Ludwig, seconded by Grigg. Motion carried on roll call vote 5-0.

Council instructed Steffen Engineering to proceed with possible street maintenance program.

With no further business to come before the meeting, motion by Schorg, seconded by Ludwig to adjourn at 8:00 p.m. Carried 5-0.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	4,246.95		
General	3,561.99	General	3,884.01
Local Option Sales Tax	5,714.64	Local Option Sales Tax	0.00
Road Use Tax	5,286.45	Road Use Tax	2,582.01
Water	3,366.37	Water	55,380.48
Sewer	1,306.41	Sewer	1,945.82
Garbage	1,267.56	Garbage	2,140.25
Special Assessment	57.10	Special Assessment	0.00
Fire Revenue	0.00	Fire Disbursements	2,367.37
TOTAL REVENUE	24,807.47	FEB. DISBURSEMENTS	68,299.94

WARRANTS APPROVED

Kuehl & Payer, water treatment planning	1515.96
Acco Unlimited, supplies	341.79
Alex Air Apparatus, Inc., "Jaws" shut-off	11.50
CHN Garbage	2140.25
Tom's Wholesale, leather gloves	196.00

Western Iowa Telephone	134.85
Jack Howard, wages	141.49
Lowell Anderson, salary	474.02
Christiansen Construction, pay request 4	44464.78
Ed M Feld Equip., nozzles, batteries, brackets	1279.80
IIMC, Washburn membership	100.00
Kuehl & Payer, water treatment planning	3097.79
Lawton Pronto, fuel, misc	248.70
Moville True Value, fire supplies	45.84
Steffen Engineering, new well engineering	3900.00
Patricia Washburn, expense statement	196.26
Western Iowa Telephone, Fire Dept.	86.77
Lowell Anderson, salary	474.02
Jack Howard, wages	199.71
BAK Honda Suzuki Kubota, JAWS repair	12.79
Indust. Design Fab. & Install, tool box	419.39
Share Corp, Natraklene	117.20
Siouxland Dist. Health., lab fee	10.00
US Bank, shop supplies, etc.	45.02
Lowell Anderson, salary	474.02
Jack Howard, wages	238.47
American Legion #718, flag	20.00
Bomgaars, paint, gloves	31.16
Colonial Research Chem., mop, wax, blk.top	244.53
Ed M Feld Equip., batteries	118.00
Iowa State University, fire training	155.10
Metcalf, Thompson & Phipps, legal fees	856.06
MidAmerican Energy	1916.57
Stan Houston Equip., tar blade	22.92
Town & Country Lawn Serv., parks, water tower	635.08
Lowell Anderson, salary	474.02
Jack Howard, wages	246.54
Patricia Washburn, salary	1207.77
EFTPS, Fed., Med., SS	1403.44
Aflac, employee deduct.	91.50
IPERS, payroll liabilities	510.83

SIGNED BY: _____
Jeff Nitzschke, Mayor

ATTESTED BY: _____
Patricia L Washburn, City Clerk