

## Lawton City Council Minutes

**June 6, 2006**

The Lawton City Council met in Regular session on Tuesday, June 6, 2006, at Lawton City Hall. Mayor Jeff Nitzschke called meeting to order at 5:00 p.m. with the following Council members answering roll: Rick Schorg, Don Grigg, Terry Masching and Tony Bengford. Perry Ludwig arrived at 5:02 p.m. Also present: Attorney Glenn Metcalf, Clerk Washburn, W/WW Supt. Anderson, Engineer Jerry Steffen, Engineer Neal Kuehl, Kent Baker, Shelley Doenhofer, Todd Roerig, Carol & Dick Schoening, Ron Washburn, Loraine Washburn, Wilma Moore, Robert Doenhofer, Rocky DeWitt, Virgil Bremer, Gary Peters, Katie Husk, Karen Dutler, Eric Hanson, Roger Beck, Bill Krohn, Deb Brown, Don Feldhacker and Kurt Miene.

Guests were welcomed. Public Hearing for Maple Street Replacement Project was opened at 5:00. Notice had been published and posted according to legal requirements. Attorney stated reason for Public Hearing was to hear comments in favor of or opposed to the bids, plans, specifications, form of contract and engineers cost estimate to replace 400 block of Maple Street. Oral comments were heard regarding plans for replacing sod, mailboxes, sprinklers, driveways, etc. Those questioning assessment plans were told no decision had been made, and were reminded this particular hearing was not being held for purpose of discussing assessments. Difference between street replacement and street overlay was explained. City Code calls for street construction of 6" PCC concrete. This section of Maple was constructed prior to City Code requiring concrete and was constructed using asphalt. Engineer stated expected completion date of project would be 40 days from onset. With no written comments to bring before the hearing, Grigg moved to close hearing at 5:20 p.m. Masching seconded motion. Carried on roll 5-0.

As deadline to receive bids for Maple Street Replacement Project was 1:00 p.m., council immediately opened bids for project. Notice had been published and posted according to legal requirements. Bids were received from Sioux City Engineering of Sioux City, and from Gill Construction of Jackson, Nebraska. Bengford moved to table awarding of contract until engineer Steffen has time to review bids. Schorg seconded motion. Motion carried on roll 5-0. Mayor tentatively set special meeting for June 20, 2006 at 5:00 pm.

Building permit applications were approved for Bob Henningsen, 208 Pine, chain-link fence; Ron Kueny, 322 Oak, chain-link fence; Lawton-Bronson CSD, Elm & Larimer, equipment storage shed; Blake Miller, 120 Maple, steps; Louie Sager, 319 Oak, deck, storage shed.

Neal Kuehl was present to discuss water treatment plant. Start up date could be Monday, June 19. Minor finish work is yet to be completed. FCC license has not been received to operate using radio frequency as yet. Council would prefer using concrete rather than asphalt in finishing work.

Motion made by Masching, seconded by Bengford, to approve paying Christiansen Construction Co., Pay Request # 8 in the amount of \$88,401.18. Motion carried on roll 5-0.

Steffen presented Council with proposed re-plat of West Creek Development. Proposal included cul-de-sac to run south toward Hwy 20. After considerable discussion, Schorg moved to give preliminary acceptance to the proposed re-plat as presented. Developer must come before Council again for final approval. Grigg seconded motion. Carried on roll 5-0.

Fire Chief Kurt Miene spoke to Council regarding bill of \$1,080.70 from Rogers Electric for electrical supplies used at Fire Station. Miene asked City to pay bill since building is city-owned. Council denied request and stated bill should come out of Fire Department budget shared by City, Banner Township and Concord Township.

Motion to table employee compensation discussion until June 20 meeting was made by Schorg, seconded by Masching. Motion carried on roll 5-0.

Motion to extend City Hall hours to eight per day rather than current six per day was made by Schorg, seconded by Masching. Motion carried on roll 5-0.

As attorney had to leave meeting early, discussion was held regarding "dangerous animals". Attorney will check on Iowa code. City code currently lists certain breeds that are prohibited within city limits.

No decision was made regarding lease on ball field west of city. Council will discuss situation with Summer League prior to making final decision.

Council gave approval for city to purchase new playground equipment at Veteran's Memorial Park. Councilman Grigg then stated he would like to donate the new equipment. He asked city to make arrangements and place order. Council expressed gratitude to Grigg for his generosity. Mayor and various Council will assist City Maintenance with set-up when equipment arrives.

Grigg noted three Spruce trees had been relocated from lot at corner of Maple and Linden Streets to north edge of water tower lot at 507 E Main Street. Rocky DeWitt agreed to sell trees for \$200 each.

MidAmerican Energy Trees Please! grant will be used to purchase these trees. Lansink Tree Service was hired to relocate. Council thanked Grigg for work he did on this project.

Council discussed several complaints of individuals blocking alleys. Council instructed City Maintenance Anderson to get signs and install them in alley east of Fire station. Council also spoke to Fire Chief requesting members not park in alley during meetings or times of other non-emergencies.

Anderson presented specs on used street sweeper. No action was taken. Anderson also presented proposal from Utility Service Company for inside and outside cleanings of water tower. No action was taken.

Clerk informed Council 1996 Water Revenue Bonds on water tower had been called on this day. General Obligation Bonds on water tower are callable in 2007.

Letter has been sent to Lawton-Bronson school requesting voluntary assessment to help pay for replacement of 400 block of Maple Street. City has requested to be on school's June 12<sup>th</sup> agenda.

F.A.M.I.L.Y. will hold annual picnic at Tara Way Park Sunday, June 11<sup>th</sup>, 2006. Council agreed to offer two certificates for free rentals of shelter house at park for F.A.M.I.L.Y. fund raiser. Group also was given permission to unload sand onto tarp located on cement parking for purpose of children's game.

Mayor discussed concerns with tall weeds and grasses on properties. Council will gather list of addresses for Clerk to send abatement notices to.

Consent Agenda consisted of Minutes from May 2, 2006, disbursements of \$204,294.90, May 2006 financial statements, approval of Maxine's Restaurant Liquor License and approval of Lawton Pronto's Cigarette / Tobacco permit. Motion to approve Consent Agenda was made by Schorg, seconded by Masching. Motion carried on roll 5-0.

Regarding **Proposed Ordinance Amending Sec. 1-3-2(2a) VIOLATIONS, PENALTIES, AND ALTERNATIVE RELIEF** to allow for Civil Penalties of \$250 for first offense and \$350 for all other repeat offenses, motion to approve second reading was made by Grigg, seconded by Ludwig. On roll voting aye: Ludwig, Grigg, Masching, and Bengford. Voting nay: Schorg. Motion carried on roll 4-1. Complete text of this proposed ordinance amendment is on file for inspection at City Hall.

Regarding **Proposed Ordinance Amending Section 6-5-11 UTILITIES – BILLING CHARGES for Sewer** allowing the billing cycle to be changed from quarterly to monthly, with the rate remaining the same, motion to approve second reading was made by Ludwig, seconded by Masching. Motion carried on roll 5-0. Complete text of this proposed ordinance amendment is on file for inspection at City Hall.

Regarding **Proposed Ordinance Amending Section 6-8-2 (4, 5) CONSTRUCTION AND YARD REQUIREMENTS** allowing approval of permit applications by a Building Permit Committee rather than requiring approval by three of five Council members, motion to approve second reading was made by Masching, seconded by Schorg. The Committee shall consist of the Mayor, the City Maintenance Supervisor and any one Council person. Motion carried on roll 5-0.

With no further business to come before the meeting, motion by Schorg, seconded by Bengford to adjourn at 7:45 p.m. Carried 5-0.

**REVENUES BY FUND**

**DISBURSEMENTS BY FUND**

Interest Earned	3,107.05	General	9,603.23
General	9,335.32	Local Option Sales Tax	18,056.25
Local Option Sales Tax	4,484.18	Road Use Tax	2,550.32
Road Use Tax	4,314.33	Water	166,450.09
Water	11,421.94	Sewer	4,247.41
Sewer	5,226.96	Garbage	23.35
Garbage	5,081.24	Special Assessment	0.00
Special Assessment	692.79	Fire Disbursements	3,364.25
Fire Revenue	0.00	MAY DISBURSEMENTS	204,294.90
<b>TOTAL REVENUE</b>	<b>43,663.81</b>		

**WARRANTS APPROVED**

Holiday Inn Airport, ½ lodging IMFOA Conf	77.04
JP Cooke, Co, 200 pet tags, mis.	46.27
Lansink Repair & Hardware, stump grinding	60.00
MJM Diesel Serv. & Rep., truck repair	706.91

Moville J&J Motor., Unit 2 repairs	870.55	
Moville True Value, bolt cutters, etc.	163.00	
Jeff Nitzschke, reim. Park sign supplies	140.48	
S & S Equipment, tractor repairs	176.68	
Western Iowa Telephone, April	221.37	
Christiansen Construction, pay request #7	157,218.76	
Lowell Anderson, salary	474.02	
Jack Howard, wages	252.19	
Ahlers & Cooney, bond attorneys	4217.06	
Iowa One Call, locates	33.40	
Lawton Pronto, fuel, misc	604.05	
Mangold Env. Testing, WW grab	86.00	
Mark Nicolls, reim. Boots, drop cords	176.66	
Siouxland Humane Soc., cat	37.00	
Stan Houston Equip., supplies	22.92	
Lowe's, grinder	39.97	
Lowell Anderson, salary	474.02	
Jack Howard, wages	276.22	
Ryan & Leah Schwery, deposit refund	43.35	
ACCO, chlorine, etc.	244.80	
Barco Muni Products, buckle assemblies	143.97	
Central Iowa Distributing, Barren, paint	152.20	
IMFOA, work comp.	3767.00	
MidAmerican Energy, April	1343.76	
US Bank	410.40	
Perkins, Des Moines		11.55
Menard's, shop supplies		352.33
TAPCO, pole brackets		36.51
4-Way Stop Shop, Moville, fuel		10.01
Utility Equip. Co., supplies	1867.32	
Lowell Anderson, salary	474.03	
Jack Howard, wages	265.92	
Barkley Asphalt, Inc., hot mix	34.04	
First Trust & Savings, GO & Water bonds	24695.00	
Lawson Products, Inc. shop supplies	54.08	
Town & Country Lawn Services, 2 outlots	72.00	
Lowell Anderson, salary	474.02	
Jack Howard, wages	309.44	
Patricia Washburn, salary	1209.77	
EFTPS, Fed, Med, SS	1518.98	
IPERS	548.75	
Aflac, employee deduction	91.50	
Speedy Rooter, camera sewer main	200.00	

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

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