

Lawton City Council Minutes

September 5, 2006

The Lawton City Council met in Regular session on Tuesday, September 5, 2006, at Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members present: Perry Ludwig, Terry Masching and Tony Bengford. Absent: Don Grigg and Rick Schorg. Others attending: City Maintenance Supt. Lowell Anderson; City Clerk Patricia Washburn; City Attorney Glenn Metcalf; City Engineer Jerry Steffen; Neal Kuehl; John Sehnert, Bernard Zenor, Sterling Loftus, Kent Baker, Todd Roerig and Chris Aakhus.

Sterling Loftus was present to discuss Ordinance with Council that bans Pitbull dogs from living within city limits due to the classification of "dangerous animal". Loftus presented documents supporting his request. After consideration, Council chose not to amend ordinance at this time.

Neal Kuehl discussed water treatment plant "punch list" with Council. Repairs and adjustments asked to have been made at August meeting are, for the most part, still not done. Kuehl will set up meeting with contractors and Council to go over needed changes.

John Sehnert, Franchise Energy Manager with MidAmerican Energy spoke to Council regarding need to renew gas franchise. Generally this franchise is renewed for 25 years. Sehnert asked Council to renew for 16 years in order for gas franchise to come due same time as electric franchise. Motion made by Ludwig, seconded by Masching to hold Public Hearing at 5:00 pm on October 3, 2006 in Lawton City Hall regarding renewing Gas Franchise with MidAmerican Energy for 16 years. Motion carried on roll 3-0. Grigg and Schorg absent.

Jerry Steffen reported West Creek Development re-plat was not ready for Council inspection yet.

Clerk Washburn informed Council of presentation by Silver Spurs 4-H Club. Club carried a special-made Centennial flag in Centennial Parade in June 2004. This flag, along with flag pole and bracket, has been presented to Council for display. A smaller version of flag has been framed by Silver Spurs and presented to City Hall. Council feels outside elements might endanger flag life. Therefore large flag will be displayed in Friendship Center. The City thanks the Silver Spurs for their generosity.

Todd Roerig explained to Council the Centennial Committee has been reminded of a shortfall with the Lawton Centennial Scholarship Trust. As the Committee had originally given \$1,000 to the city to use as needed with future celebrations, but no guidelines were given for those funds, Council may consider donating part of those funds to be used to make up the shortfall with the Scholarship Trust. No action was taken at this time.

Clerk had provided Council with possible "special event notification" packets. Council will review.

Regarding Western Iowa Telephone Ass'n ballot, motion for City to vote "Yes" on Articles of Amendment was made by Ludwig, seconded by Masching. On roll, motion carried 3-0. Grigg and Schorg absent.

NIMS study guide was given to each Councilman. Tests will be entered online. Mayor, Clerk and Public Works director have passed all necessary tests. At recommendation of Gary Brown, Woodbury County Emergency Management Director, motion made by Bengford, seconded by Masching to appoint Mayor, Public Works Director and Fire Chief as three contacts able to send or request help in the event of a city emergency. Motion carried on roll 3-0. Grigg and Schorg absent.

Anderson discussed pay request of \$2,015.38 from Christiansen Construction regarding outside work done at filtration plant. After discussing cost with Christiansen representative, contractor agreed to deduct \$325.00 for work City did on project bringing total to \$1,690.38.

The '94 Chevy truck needs repairs of nearly \$1,000. This does not include additional work needed on 4-wheel drive. Council asked Mayor and Public Works Director to look into finding replacement vehicle.

Council instructed Anderson to order steel siding for new shed on West Creek lift station. For easy access, a second garage door may also be installed.

Anderson also discussed problems with West Creek lift station. Pump wasn't working properly due to sludge build-up. Pump had to be pulled, but would not drop back into place as engineer had stated it should do. Roto-Rooter was called to get rid of sludge. Engineer will contact developer, D. A. Davis, regarding lift station problems.

Chris Aakhus spoke to Council regarding possible plans for lots on Elm Street, near Main.

Jerry Steffen stated Dakota Drilling has been contacted regarding pumps. Steffen will also contact someone to check on integrity of stainless steel used in water filtration tank.

Clerk reported building permits had been approved for Darrell Bruning, 325 Maple, concrete drive; Rod Hamm, 146 West Creek Drive, dwelling; Lynn Olesen, 509 Pine, concrete drive; Wallace Sorensen,

100 Cedar, dwelling; Verlyn Bomgaars, 321 Pine, porch overhang; Kory Eyres, 209 Main, privacy fence, patio. Council denied one permit due to proposed location of fence.

Correspondence was read from: Richard Uhl thanking Council for taking action relating to concerns with special events on Cedar Street; Annette Custer for improved water quality; Eric Hansen for weed concerns on a property within city limits.

Clerk informed Council of line-item adjustments made to requested Fire Department budget to account for Council-approved budget. Largest decrease was insurance.

Council instructed Clerk to send weed abatement letters to residents in violation of Ordinance. Council also discussed large amounts of grass clippings slowing drainage on some streets. Clerk will post notice on informational sign.

Mayor has spoken to contractor regarding low spots in new cement work on Cedar Street, specifically in front of TJ's Bar & Grill and the Post Office. Contractor will fix the problem.

Trailers, campers, boats, other non-motorized vehicles and such continue to appear on city streets. Attorney was asked by Council to prepare an ordinance that could be used to prevent street parking of these types of vehicles.

Consent Agenda consisted of Minutes from August 1, 2006, disbursements of \$28,523.95, August 2006 financial statements, 2006 City Street Financial Report and 2006 Annual Financial Report. Motion to approve Consent Agenda was made by Masching, seconded by Bengford. Motion carried on roll 3-0. Grigg and Schorg absent.

Motion to pass **Resolution #2006-11 Approving and Adopting Fiscal Year 2006 City Street Financial Report** made by Masching, seconded by Bengford. Motion carried on roll 3-0. Complete text of Resolution is on file at City Hall.

Motion to pass **Resolution #2006-12 Adopting NIMS (National Incident Management System) Concept of Emergency Planning and Command** made by Bengford, seconded by Ludwig. Motion carried on roll 3-0. Complete text of Resolution is on file at City Hall.

Motion to pass **Resolution #2006-13 Adopting the Statewide Mutual Aid Compact** made by Ludwig, seconded by Masching. Motion carried on roll 3-0. Complete text of Resolution is on file at City Hall.

After discussion of billing ordinance, Ludwig moved to adopt amendment to **City Code Sec. 6-5** allowing utility bills to be due and payable in twenty days.

Section 6-5-4(1) presently calls for utility bills being due and payable in thirty days following the period for which service is billed. It also states bills shall become delinquent after thirty days.

This Section shall be amended to call for utility bills being due and payable in twenty days following the period for which service is billed. It also shall state bills shall become delinquent after twenty days.

Section 6-5-5 presently states service can be discontinued on any account not paid within thirty days from the end of any given period.

This Section shall be amended to call for discontinuance of service on any account not paid within twenty days from the end of any given period.

Motion seconded by Masching. On roll, motion carried 3-0.

The matter being of immediate importance, Masching moved to waive the requirement of reading the proposed Ordinance at three consecutive meetings, Bengford seconded. On roll, motion carried 3-0. Council proceeded to give final consideration to okay proposed Ordinance. Masching moved to adopt, Ludwig seconded. All council members present voted aye. This ordinance shall be effective beginning for the usage cycle starting on or about September 1, 2006 and billed to the consumer October 1, 2006. Complete text of this Ordinance amendment is on file at City Hall.

With no further business to come before the meeting, meeting was adjourned at 7:30 p.m.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	4,861.92	General	5,603.82
General	4,442.68	Local Option Sales Tax	
Local Option Sales Tax	5,183.54	Road Use Tax	2,358.25
Road Use Tax	4,991.79	Water	8,667.17
Water	17,450.89	Sewer	3,291.30
Sewer	4,176.40	Garbage	4,854.05
Garbage	5,082.20	Fire Disbursements	3,749.36
Fire Revenue	9724.59		
TOTAL REVENUE	55,914.01	AUGUST DISBURSEMENTS	28,523.95

WARRANTS APPROVED

CHN Garbage	2445.10
Ed M Feld, 5 pr fire boots	1250.00
Heiman Fire Equipment, hose washer	440.55
Knoepfler Chevolet, repair '90 fire truck	210.74
Moville True Value, tire cleaning supplies	30.63
Stan Houston Equip., traffic paint	5.95
Western Iowa Telephone, city & FD	411.07
Jack Howard, wages	200.71
Bryce Meyer, wages	120.99
Lowell Anderson, salary	491.32
Dan Grau, reim. Shoes	90.00
IDNR, annual fee	210.00
Lawton Ambulance, reim. Cell phone	288.88
Kurt Miene, reim. Boots	132.00
Doyle Smith, ball field lease	1665.00
Dennis Uhl, reim. Shoes	50.00
IDNR, water supply annual fee	84.52
Lowell Anderson, salary	491.31
Jack Howard, wages	173.66
Bryce Meyer, wages	104.03
Colonial Research Chem. Corp., Dissolve	150.00
Hydro Metering, 6 meters, connections	534.86
Lawton Pronto, fuel	370.42
Share Corp, herbicide	142.20
Stan Houston Equip., flags	28.52
US Bank	444.49
K-Mart, telephone	30.77
USPS, stamps	78.00
Clerks Academy meals, Ames	17.51
Quality Inn, Ames, lodging	154.00
Staples, chair, paper	65.90
Menards, paint, supplies	98.31
Utility Equipment Co., supplies	269.16
Lowell Anderson, salary	491.32
Jack Howard, wages	221.31
Bryce Meyer, wages	161.19
ACCO, chlorine, supplies	322.58
Concrete Products, retaining wall supplies	189.00
MidAmerican Energy, July	1694.79
Rogers Electric Supplies, fuses	16.67
UpBeat Inc., 3 pole trash cans	451.32
WESCO Distribution, Inc., fuses	21.20
Lowell Anderson, salary	491.31
Jack Howard, wages	249.98
Patricia Washburn, salary	1670.88
Aflac, employee contrib	91.50
IPERS, August payroll	636.52
EFTSP, Fed, Med, SS	1793.12
Bomgaars, key	7.45
Christiansen Const., Pay Request #10	4806.62
IMFOA, Clerk State Certification	75.00
Metcalfe, Thompson & Phipps, legal fees	312.50
Midwest Office Auto., copier maint. Agree.	152.43
Rees Mack Sales & Service, tanker repairs	1055.90
Sioux City Ready Mix, concrete	304.00
CHN Garbage	2408.95
Concrete Products, retaining wall supplies	40.60
Rogers Electric Supplies, fuses	21.70

SIGNED BY: _____
Jeff Nitzschke, Mayor

ATTESTED BY: _____
Patricia L Washburn, City Clerk