

Lawton City Council Minutes

August 7, 2007

The Lawton City Council met in Regular session on Tuesday, August 7, 2007, at Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Tony Bengford, Don Grigg and Perry Ludwig. Rick Schorg arrived later. Terry Masching was absent. Others attending included City Clerk Patricia Washburn, City Maintenance Lowell Anderson, Jerry Steffen, Todd Roerig and Steve King.

Mayor Nitzschke welcomed guests.

Council considered special events permit application from Maxine's Restaurant and Lounge for street dance to be held September 21, 2007. Overflow parking will be allowed on city property behind fire station. Motion to approve application made by Ludwig, seconded by Bengford. Motion carried 3-0 on roll. Masching and Schorg absent.

Considerable discussion was held on concerns with 300 block of Cedar Street. Engineer delivered cross section printout of improvements that could be made. Improvements would require removal of new concrete at street level on east side of block. Engineer is proposing 6" curb, relocating new drain and installing additional drain. It was noted recent rains did not all drain away. City crew could remove concrete with help of local contractor. Mayor will discuss pouring concrete with various contractors. Handicap access on north side of block was discussed.

Rick Schorg arrived at 5:15.

Regarding final payment to Concrete Complete for work on this portion of Cedar Street, Council preferred having Attorney present for guidance. It was determined Council's intent of widening street for purpose of allowing larger travel area between parked vehicles was explained to contractor but was not accomplished. Vehicles now park even further into the street to avoid hitting bumper on high curb. Due to absence of legal counsel, motion made by Ludwig, seconded by Grigg to table payment to Concrete Complete until September meeting. Motion carried on roll 4-0. Masching absent.

Steve King presented Council with copies of Development Agreement and Assessment Agreement regarding West Creek Development being designated a Tax Increment Finance area. Discussion ensued. King will revisit Council in September after Council has time to review handouts. Mayor expressed desire for Ash Street to intersect Birch Street without curves which would mean loss of Lot #130 to developer. Box culvert will be installed under Ash Street near Birch. Lift station currently in use for West Creek Development seems to be inadequate. Constant repairs are being made by City Maintenance. Councilman Bengford has discussed concerns with King. Engineer will discuss purchase of new pumps with developer Davis.

Council determined drainage ditch running through center of block 16 will be responsibility of each property owner to maintain and keep mowed. City can haul dirt, etc., but will not be responsible for constant upkeep.

Tara Way playground equipment is scheduled to ship after Labor Day. Set up is scheduled for September 14 & 15. Miracle equipment will provide supervisor those two days. Councilman Grigg would like to donate free-standing swing. Council thanked Grigg for donation and will possibly order matching swing at later time. One belt swing and one tot swing will be installed on new frame. Twing will be 8' tall with 5" top rail.

City Maintenance Anderson discussed utilities to 219 Ash Street. Preliminary plat was to develop area into four lots with cul-de-sac. At this time owner will be only installing single dwelling. Council approved taking utilities to property line only as is done for all property owners.

Information was distributed on REAP Grant. City is not ready to apply for grant at this time.

Council acknowledged Grigg for donating lights, and installation of such, on water tower.

Building permits have been approved for L.O., address on file, chain link fence; LB School, concession stand by track; David Bendt, 429 E Main, fence and cement slab; Dieter Hampf, 208 Linden, concrete patio; Patty Henry 427 E Main, sunroom; Richard & Phyllis Burkhart, 219 Ash, dwelling; Creekside Builders, dwelling at 103 West Creek Dr.

Clerk reported on several locations that have weed concerns. List will be given to Mayor. Letters will be sent if need be.

Mayor shared concerns with door left open on stall next door housing fire department grass rig. Door was left open much of this past weekend.

Mayor also stated he had received draft from Woodbury County Area Solid Waste Agency regarding new contract. Draft was left at City Hall for Council to peruse.

Fire Advisory Board representative Bengford questioned fire agreement city attorney was to have completed. Attorney was not present. Matter tabled until September meeting. At this time City will continue paying fire portion of MidAmerican Energy bill in the same manner as has been done in past.

Grigg moved to approve Consent Agenda consisting of July 3, 2007 minutes, disbursements of \$45,446.33, approval of Fiscal Year 2007 Annual Financial Report, and July financial statements. Ludwig seconded motion. Motion carried on roll 4-0. Masching absent.

Motion to approve **Resolution #2007-12, FISCAL YEAR 2007 STREET FINANCE REPORT** as presented to Council was made by Bengford, seconded by Schorg. Motion carried on roll 4-0. Complete text of resolution is on file at City Hall.

Motion to approve **Resolution #2007-13, RESOLUTION DIRECTING MAYOR TO PARTICIPATE IN IOWA DEPARTMENT OF TRANSPORTION SMALL TOWN SIGN REPLACEMENT PROGRAM** regarding replacement of worn or faded STOP signs and sign posts within city made by Grigg, seconded by Ludwig. Motion carried on roll 4-0. Complete text of resolution and listing of signs is on file at City Hall.

The mayor called attention to the request that the city attorney draft a change to the ordinance limiting truck parking on residential streets, to address all types of accessory trailers. After discussing the proposed change as presented by the city attorney, Councilman Ludwig introduced and caused to be read the following proposed ordinance amending **CHAPTER 3-3 OF THE CITY CODE LIMITING PARKING AND SIMILAR USES OF STREETS IN ALL RESIDENTIAL AREAS OF THE CITY. Section 3-3-35A(b) is modified to restrict all types of trailers as follows: 3-3-35A (b) No person shall park a motorized or un-motorized camper, accessory trailer, including but not limited to: tool trailers, boat trailers, jet ski trailers, bike trailers, snowmobile trailers or such other device designed or intended to be pulled behind a vehicle, at any time upon any portion of any street except for such reasonable time as may be necessary prior to or immediately subsequent to its use. Such parking shall not exceed 18 continuous hours, nor shall such parking be permitted for more than 36 hours in any five day period at any location within the corporate limits of the City of Lawton.** Motion seconded by Bengford. Motion carried on roll 4-0. Masching absent.

Councilman Schorg moved to consider rule requiring three readings before passage be suspended by vote of this council and thereby approve passage of **RESOLUTION # 2007-14, A RESOLUTION DISPENSING WITH RULE REQUIRING THREE READINGS OF ORDINANCE OR AMENDMENT THERETO BEFORE ADOPTION.** Grigg seconded motion. On roll call vote, four council members voted aye. Councilman Masching was absent.

Schorg then moved that **Ordinance Chapter 3-3** once again be read and adopted as amended above. Grigg seconded motion. Motion carried on roll 4-0. Masching absent. Mayor declared this ordinance shall be effective upon publication.

Grigg mentioned desire to move city sign along Hwy 20 that is currently near school football field. He will discuss possible changes with Mr. Thelander at High School.

With no further business to come before the meeting, meeting was adjourned at 7:28 pm.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	7,128.47	General	23,281.70
General	10,445.28	Local Option Sales Tax	0.00
Local Option Sales Tax	5,584.06	Road Use Tax	3,903.02
Road Use Tax	4,772.40	Water	5,240.69
Water	14,257.93	Sewer	10,126.61
Sewer	3,004.81	Garbage	2,593.95
Garbage	4,385.10	Fire Disbursements	300.36
Fire Revenue	0.00		
TOTAL REVENUE	49,578.05	JULY DISBURSEMENTS	45,446.33

WARRANTS APPROVED

Concrete Complete, part. Pmt, Cedar St	12000.00
Lowell Anderson, salary	549.47
Jack Howard, wages	257.16
TWR Lighting, Inc., water tower light	1090.00
TWR Lighting, Inc., water tower light shipping	80.00
Ben & Alison Hertenstein, deposit refund	96.04
American Family Ins., employee ins	976.40
Hydro Metering, ¾" meters	572.55
Barb Joy, ½ mileage/SFR wkshop	17.46
Lawton Pronto, fuel, water, pop	498.60
Lowe's, shrubs, mulch	258.24
Mark Vos, beer permit refund, Pronto	200.00
Menards, mulch, supplies	88.22
Moville Record, publications	801.64
Quality Pump & Control, pump, frt.	7216.69
USEMCO, supplies	154.00
Utility Equip. Co., supplies	40.91
Western IA Telephone, June	275.15

Woodbury Co. Library, part pmt	5206.00
Lowell Anderson, salary	549.46
Jack Howard, wages	224.60
Acco, chlorine	789.80
Barkley Asphalt, hot mix	406.02
Metcalf, Thompson & Phipps, legal fees	152.50
US Bank, supplies, Academy reg.	387.69
Postage	41.00
Iowa One Call, locates	9.90
Lowell Anderson, salary	549.48
Jack Howard, wages	351.12
Bomgaars, supplies	70.29
MidAmerican Energy	1671.41
Lowell Anderson, salary	549.46
Jack Howard, wages	317.00
Patricia Washburn, salary	1982.02
Aflac, employee contrib	91.50
EFTPS, Fed, Med., SS.	2032.06
IPERS, contribution	745.60
Barkley Asphalt, hot mix	234.34
CHN Garbage, inc. city clean-up	2548.95
High Tech Electric, install tower light	850.00
Utility Equip. Co., supplies	513.60

SIGNED BY: _____
Jeff Nitzschke, Mayor

ATTESTED BY: _____
Patricia L Washburn, City Clerk