

# Lawton City Council Minutes

**September 4, 2007**

The Lawton City Council met in Regular session on Tuesday, September 4, 2007, at the Lawton Friendship Center. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Perry Ludwig, Tony Bengford and Rick Schorg. Terry Masching and Don Grigg were absent. Others attending included City Clerk Patricia Washburn, City Maintenance Lowell Anderson, City Attorney Glenn Metcalf, Jerry Steffen, Todd Roerig, Steve King, Attorney Dan Moore, Chad Sitzman and Richard Burkhart.

Mayor Nitzschke welcomed guests.

Concerning the proposed Lawton Urban Renewal District and Renewal Plan for West Creek Development, notices were sent inviting taxing entities to consultation with Council on this date. Those notified were: Lawton-Bronson Community School District, Woodbury County Board of Supervisors, Woodbury County Extension Service and Western Iowa Tech Community College. No representatives were present and no written or oral comments were received by taxing entities.

Attorney Metcalf informed Council of Low to Moderate Income (LMI) obligations in regards to establishing the proposed West Creek Development Tax Increment Financing (TIF) District. The LMI guidelines will be measured at 33.1% of total project cost. Metcalf explained different ways to meet these obligations. Metcalf stressed "moderate" income for a family of four is approximately \$57,000 per year in Woodbury County. Expended LMI funds could be recouped through TIF. Metcalf also explained a residential TIF is for ten years, however the City could solicit consent from the other taxing entities to extend that option an additional five years once TIF district is established.

After much consideration, Schorg moved to set date for Public Hearing. for purposes of reviewing West Creek Development Urban Renewal Plan and Tax Increment Financing District on Tuesday, September 25 at 5:00 p.m. Bengford seconded motion. Motion carried on roll 3-0. Masching and Grigg absent. Mayor expressed his concerns regarding a TIF area within this district.

Chad Sitzman, property owner of 120 West Birch St, spoke to Council about his desire not to trade a small section of his property for a small section of property owned by city as proposed. He would consider selling. Council explained if Ash Street is extended into West Creek Development, it will cross over a small section of Sitzman's property. A new concrete street abutting his property will significantly increase the value of his property. No action was taken at this time.

Council discussed correcting 300 block of Cedar Street regarding inadequate street widening project. Options for repairs have been investigated. Mayor stated local contractor could remove concrete with city assistance. City could then set different inlets for drainage and redo concrete to acquire desired outcome. Alley and driveway into Post Office will be changed to lessen severity of dip, correct drainage, and to round curb corners. Motion by Ludwig, seconded by Schorg for city to repair concrete work recently done on east side of 300 block of Cedar Street as discussed above. Motion carried on roll 3-0. Masching and Grigg absent.

Council gave approval to accepting donation of two ceiling fans in Friendship Center. Donation was made by Dancing Grannies and Grandpas.

Richard Burkhart discussed change in development plan on his property at 219 Ash Street. He also discussed installing possible fenced 100'x100' retention pond on his property. Council took no action. Attorney will investigate legal aspects of proposal.

City Maintenance Supervisor Lowell Anderson reported on West Creek lift station. It is possible pumps were installed incorrectly by contractor and have been running backwards, thereby causing problems of getting plugged. Anderson reversed the rotation of impellers. Seem to be working better, but may have worn wear-plates due to incorrect installation in beginning. Engineer Steffen will contact developer King regarding replacing worn parts.

Anderson stated new Tara Way Park playground equipment is scheduled to arrive Thursday morning. He will need help to unload truck.

Water tower is scheduled to be cleaned Wednesday morning by Maguire Iron. With water filtration plant in place, need to clean tower has been less frequent than in past years.

Anderson also stated agreement with County regarding chip-seal for streets is being considered at County meeting tonight. County will notify City if agreement is approved. Council approved Anderson go forward with chip-seal if County gives approval.

Springs on shop overhead door need to be replaced. Spring cost is approximately \$400. Council instructed Anderson to get two bids on replacement of entire door as door has been damaged on several occasions. Council then told Anderson to compare bids and order door based on best offer.

Anderson questioned Council about possibility of giving paid vacation time to part-time employee based on average number of hours worked per week. The option of giving a bonus based on performance was also discussed. Council understands request and appreciates work done by Howard, however decided paid vacation time remain as is available to full-time employees only.

Building permits have been approved for Richard & Phyllis Burkhart, 219 Ash, dwelling; Creekside Builders, 103 West Creek Dr., dwelling; Pronto, 91 Cedar St., concrete slabs; Martin Shorman, 519 Pine, dwelling; Jack Schroeder, 111 West Creek Dr., storage shed.

Electrical service has been shut off at the ball fields at the request of the League.

Clerk reported playground equipment is scheduled to be installed September 14 & 15. Several donations have been offered for food and drink. After much discussion, Bengford moved that Clerk purchase additional food and drink items as needed from General Fund. Motion seconded by Schorg. Motion carried on roll 3-0. Masching and Grigg absent.

Mayor reminded Council to help enforce trailer parking ordinance as amended.

Attorney Metcalf reported he does not have fire protection agreement completed.

Ludwig made motion to approve consent agenda consisting of approval of minutes from August 7 and August 21 meetings, approval of disbursements of \$18,866.64 and financial statements for August, 2007. Motion seconded by Bengford. Motion carried on roll 3-0. Masching and Grigg absent.

Regarding **RESOLUTION #2007-16, RESOLUTION TO ACCEPT THE WOODBURY COUNTY SOLID WASTE AGENCY AMENDED AND SUBSTITUTED 28E AGREEMENT**, motion was made by Schorg, seconded by Ludwig to approve said resolution. Motion carried on roll 3-0. Complete text of Resolution is on file at City Hall.

Council discussed option of opening meetings with General Discussion by Council members only. This session would be open to public attendance, but would not be open to public discussion.

With no further business to come before the meeting, meeting was adjourned at 7:50 pm.

**REVENUES BY FUND**

**DISBURSEMENTS BY FUND**

Interest Earned	7,205.81	General	5,739.66
General	5,685.27	Local Option Sales Tax	0.00
Local Option Sales Tax	5,584.05	Road Use Tax	1,150.64
Road Use Tax	5,103.08	Water	4,138.24
Water	18,843.72	Sewer	2,766.09
Sewer	3,830.87	Garbage	2,408.95
Garbage	4,523.55	Fire Disbursements	312.38
Fire Revenue	126.76		
<b>TOTAL REVENUE</b>	<b>50,903.11</b>	<b>AUGUST DISBURSEMENTS</b>	<b>16,515.96</b>

**WARRANTS APPROVED**

Lowell Anderson, salary	549.47
Jack Howard, wages	327.28
Alex Air Apparatus, gas shut-off for Jaws	26.19
Lawton Pronto, fuel	220.01
Moville True Value, misc. supplies	14.07
Western IA Telephone, July	282.66
Lowell Anderson, salary	549.46
Jack Howard, wages	300.78
Miracle Rec. Equip., Twing	1091.00
ACCO, chlorine	244.80
Colonial Research, marking paint, etc	125.13
Iowa DNR, water supply fee	84.92
Menard's, supplies	102.30
MidAmerican Energy, July	1767.51
Siouxland Dist. Health, lab fees	78.00
Stan Houston, coupler	9.00
US Bank, July	1269.60
US Postal Service, 2,000 stamped env.	924.60
US Postal Service, stamps	164.00
Clerk's Academy, meals	9.90
Holiday Inn, Ames, Clerk's Academy	171.10
Iowa DNR, NPDES Annual Fee	210.00
Lowell Anderson, salary	549.46
Jack Howard, wages	323.97
Ed M Feld, helmet decals	30.00
Mangold Env. Testing, lab fees	140.00
Metcalf, Thompson & Phipps, legal fees	70.00
Midwest Office Automations, copier maint. Fee	228.18
Lowell Anderson, salary	549.47
Jack Howard, wages	327.28
Barkley Asphalt, hot mix	146.02
Bomgaars, misc. supplies	312.53

Colonial Research Chem. Corp, carb cleaner	72.80
Tri-State Electronic Service, PC repair	114.95
Patricia Washburn, expense statement	212.92
Lowell Anderson, salary	549.46
Jack Howard, wages	237.52
Patricia Washburn, salary	1982.03
CHN Garbage	2408.95
EFTPS, Fed, Med, SS	2393.18
IPERS, payroll liabilities	874.24
Aflac, employee contributions	91.50

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

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