

Lawton City Council Minutes

February 5, 2008

The Lawton City Council met in Regular session on Tuesday, February 5, 2008, at the Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Rick Schorg, Tony Bengford, Don Grigg and Perry Ludwig. Terry Masching was absent. Others attending included City Clerk Patricia Washburn, Public Works Director Lowell Anderson, City Attorney Glenn Metcalf, Engineer Jerry Steffen, Todd Roerig, Kent Baker, Chris Aakhus, Nick Lahrs, Steve King and several contractors regarding paving improvements bid opening.

Mayor Nitzschke welcomed guests. Grigg moved to approve agenda as presented. Ludwig seconded. Motion carried 4-0.

Public Hearing was opened at 5:00 p.m to hear comments on plans, specifications, form of contract and engineer's cost estimate on project known as 2008 Paving Improvement Projects. No written or oral comments have been received by City Hall or any Council members. Upon motion of Grigg, second by Schorg, Public Hearing was closed at 5:05 p.m. Motion carried 4-0. Masching absent.

Eight bids were received regarding 2008 Paving Improvement Projects. Attorney opened bid bonds, Engineer opened bids. Submitting bids were Cedar Valley Corp of Waterloo Iowa, Concrete Specialty Inc. of South Sioux City Nebraska, Gill Construction of Jackson Nebraska, Godberson-Smith Construction of Ida Grove Iowa, Steve Harris Construction of Homer Nebraska, Knife River Midwest of Sioux City Iowa, Sioux City Engineering Company of Sioux City Iowa, and Smith Concrete Service Inc of Storm Lake Iowa. After receiving bids, Ludwig moved that Engineer review bids and report back to Council by Monday, February 11, 2008. Grigg seconded. Motion carried on roll 4-0.

Motion made by Schorg, seconded by Grigg to enter into contract with Town & Country Lawn Services for four-step application on Veterans' Memorial Park and Tara Way Park, as well as a spring and a fall application on water tower lot. Motion carried on roll 4-0.

Clerk discussed tenant deposit concerns with Council regarding two homes in town. Attorney stated if either current concern is not rectified, City can file small claims action against parties involved. All new tenants will be required to have deposit on file regardless of past history of home ownership within city. New tenants will not be allowed to have other party responsible for bill unless deposit is on file at City Hall.

Clerk reviewed preliminary Fiscal Year 2009 budget. With bid opening tonight, more accurate numbers can be entered into budget regarding upcoming expenditures. Motion by Schorg, seconded by Ludwig to hold Special meeting Monday, February 11, 2008 at 5:00 p.m. with purpose of reviewing bids, possibly awarding contract and discussion of budget items. Council discussed possible street sealing next year. Council also directed Public Works Director to get bids on truck to replace 1-ton truck currently in use.

Anderson reported on drainage problem near Tara Way Park. Steffen stated 12" pipe could possibly be installed under new street during replacement project with inlet on east side of Tara Way. Council agreed this was needed.

Anderson questioned replacing south well with 15 HP while ramping up north 10 HP well. Steffen felt this was good solution. Larger well will then handle bulk of load.

Bills have been received for work on old furnace and for new replacement furnace. Council instructed Clerk to hold bill for repairs at this time.

No building permit applications were received during this past month. Old sepia photo was received in mail of downtown area of Lawton. Photo appeared to be taken from intersection of Cedar and Main Streets. Speculation of date taken is early 1900's.

Mayor questioned Attorney about licensing K-9 dogs. Attorney is unaware of stipulations in Iowa Code excluding K-9's from being licensed. Clerk will send letter notifying owner.

Attorney updated Council on Sitzman property near Ash Street. No further action needed from City at this time.

Sunrise Manor, a.k.a. Sunrise Retirement Community, has contacted City regarding Conduit Financing. Attorney explained use of this financing as authorized by Chapter 419 of the Code of Iowa and stated it is a "win-win" situation for Sunrise and for Lawton. City will not be held responsible for any debt incurred by Sunrise. Sunrise will pay Attorney fees, publication costs, special meeting rates, etc. Public Hearing will have to be held for city to issue "conduit bonds". Bonds are issued by the City and sold to Bond purchasers. Proceeds of the sale are then loaned to Sunrise Manor. Once the City issues the bonds, the City steps out of the picture. The City would have no accounting or processing responsibilities with respect to payments by the Borrower. After discussion, motion by Grigg, second by Bengford to pass **RESOLUTION #2008-04 AUTHORIZING EXECUTION OF THE MEMORANDUM OF AGREEMENT BETWEEN CITY OF LAWTON AND SUNRISE MANOR, AND SETTING THE PUBLIC HEARING FOR TUESDAY, MARCH 4, 2008 AT 5:00 P.M. IN LAWTON COUNCIL CHAMBERS.** Motion carried on roll 4-0. Masching absent. Complete text of Memorandum is on file at City Hall.

Motion to approve Consent Agenda consisting of minutes of January 3 and January 23, 2008, January disbursements of \$41,763.05 and financial statements from December 2007 and January 2008 made by Ludwig, seconded by Grigg. Motion carried on roll 4-0.

Discussion followed regarding snowball tournament fundraiser scheduled for mid February. Mayor will check on need for lights at ball fields.

Councilman Bengford discussed fire budget with Council. Council is agreeable to leaving budget same as last year. Fire agreement needs to be signed by all parties.

With no further business to come before the meeting, Schorg moved to adjourn, seconded by Grigg. Meeting was adjourned at 6:45 pm.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	6,628.31	TIF-West Creek	1,611.43
General	2,890.77	General	25,355.83
Local Option Sales Tax	6,652.50	Local Option Sales Tax	0.00
Road Use Tax	5,761.91	Road Use Tax	4,762.92
Water	11,452.76	Water	3,807.00
Sewer	2,973.11	Sewer	3,376.52
Garbage	4,585.67	Garbage	2,481.25
Fire Revenue	20,569.00	Fire Disbursements	368.10
TOTAL REVENUE	61,514.03	JAN. DISBURSEMENTS	41,763.05

WARRANTS APPROVED

American Family Ins., premium	1033.10
CHN Garbage, fuel surcharge	36.15
Colonial Research, Dissolve	180.00
Mangold Environmental Testing, lab fee	28.00
Menard's, misc., pothole patch	109.83
Moville Record, publications	447.01
Moville True Value, tools, etc	164.17
Sioux Muffler, yellow truck	106.95
Siouxland Humane Society, 3 dogs	111.00
Smith Concrete, Maple St. retainage	21265.75
Triple D Contracting, haul brush & debris	642.50
Utility Equip. Co, riser, cover	301.00
Western IA Telephone	250.48
Frontier Consultants, Ash St. ROW Survey	979.00
Hach, test supplies	359.15
Iowa One Call, locates	20.80
Lawton Pronto, fuel, pop, fuses	1007.33
Mangold Environmental Testing, lab fee	230.00
Metcalf, Thompson & Phipps, legal fees	75.00
O'Reilly Automotive, supplies	19.47
Suburban Supply, labor, supplies	1242.12
Bomgaars, shop supplies	29.97
CID, shop/office supplies	158.09
Commercial Maintenance, degreaser	128.78
Linweld, supplies	32.89
Menard's, shop supplies	12.54
MidAmerican Energy, December	2444.04
Sioux City Foundry, blade	288.55
Tegra Corp, road salt	249.60
US Bank, ink, toner	125.48
EFTPS, Fed, Med., SS	1810.96
IPERS, payroll contrib	657.93
Aflac, employee contrib.	91.50
CHN Garbage, plus fuel surch.	2445.10

SIGNED BY: _____
 Jeff Nitzschke, Mayor

ATTESTED BY: _____
 Patricia L Washburn, City Clerk