

Lawton City Council Minutes

January 5, 2010

The Lawton City Council met in Regular session on Tuesday, January 5, 2010, at the Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Rick Schorg, Perry Ludwig, Don Grigg, and Reed Burson. Terry Masching was absent. Others attending included City Clerk Patricia Washburn, Public Works Director Lowell Anderson, Attorney Glenn Metcalf, Engineer Jerry Steffen, Fire Chief Nick Lahrs, Dave Schweder, Paul Pierre and others from Hillside Water Works

Mayor Nitzschke welcomed guests.

Motion by Grigg, second by Schorg to approve agenda as presented. Motion carried 4-0.

Paul Pierre from Hillside Waterworks Association spoke to Council regarding possibility of city providing water to fifteen homes located on Skyview East and Skyview West on south side of Highway 20. Homes are currently on their own well, but looking at other options due to increasing costs of maintenance. Item will be addressed at February meeting.

Martin Shorman contacted Councilman Schorg regarding concerns with wording of building permit ordinance amendment. After brief discussion, motion by Grigg, second by Ludwig to approve 3rd reading and give final approval to said ordinance amendment. In short, fences placed on the property line will require signatures of adjoining property owners. Building permit guidelines will be listed more clearly and will include a penalty clause for failure to obtain building permit prior to any work being done. Motion carried on roll 4-0. Complete text of ordinance amendment is on file at City Hall.

Dave Schweder spoke to Council regarding health insurance through Farm Bureau Financial Services. After considerable discussion, motion by Grigg, second by Ludwig to change coverage to Alliance Select Silver 3000 policy through Farm Bureau. Schweder informed Council of need to be Farm Bureau member at cost of \$40 annually. Motion carried on roll 4-0.

Motion by Ludwig, second by Grigg to name Family Health Care Clinics, namely Menville Clinic and South Sioux Clinic, as well as Dr. Thomas Wentz as the Designated Physician for the City for purposes of work comp incidents. Motion carried on roll 4-0.

Fire Chief Nick Lahrs presented Council with proposed budget of \$36,100 for next fiscal year. Lahrs explained increases and decreases with each line item.

Lahrs also requested means of purchasing without Clerk having to get involved with pickup of items. Motion by Schorg, second by Ludwig, to approve debit card for Fire Chief Lahrs with \$500 limit for routine purchases. Limit may be changed upon phone call to bank from Clerk. Motion carried on roll 4-0.

Discussion held on need to clear snow from fire hydrants. Mayor and PWD will attempt to take care of problem.

ICAP is requiring City to have Safety Manual. Outline was presented to Council and will be discussed again in February.

Motion by Schorg, second by Burson, to approve pay request of \$4,335.00 from Steffen Engineering for additional work done on 2008 Ash Street Paving project. Motion carried on roll 4-0.

After brief discussion regarding lack of completion, motion by Grigg, second by Schorg to deny pay request of \$160.00 from Steffen Engineering regarding repairs to Maple Street. Motion carried on roll 4-0. Steffen was told to resubmit bill after repairs have been completed.

Council questioned Steffen on pump upgrade that was to have been done several months ago on new wells. Steffen will send letter to Dakota Drilling regarding matter.

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

FEMA Flood Maps have been received by the City for review. Changes have been made as requested. However boundary on map does not include Grigg or Peterson Annexations. Steffen will notify FEMA of boundary changes needed.

Motion by Schorg, second by Grigg to approve passage of **Resolution #2010-01, Appointment of City Clerk, City Attorney and Director of Public Works**. In short, resolution approves appointments to Patricia Washburn, Glenn A Metcalf and Lowell Anderson in each respective office. Motion carried on roll 4-0. Complete text of resolution on file at City Hall.

Lowell Anderson commented on boiler problems in water treatment plant. Problems have been repaired. Anderson also has checked on 5 cy bucket to be used with Cat loader. Quote on used bucket was \$9,800, quote on new was \$12,500. Anderson will investigate further options. Anderson discussed need to possibly replace McCormick tractor for something more useful in the future. Council directed Anderson to see what might work better for the City. Council questioned getting chains for city trucks to use during snow removal. Anderson said they are difficult to use and keep in repair on Caterpillar.

Mayor Nitzschke commended Anderson and Jack Howard on great work they have done with snow removal this past month during extremely difficult conditions. Council and Clerk also expressed gratitude for job well done.

Building permit has been approved for fence at 208 Pine St.

Clerk informed Council rebate on fire station furnace has already been received from MidAmerican Energy. Clerk also distributed letter from Doyle Smith regarding his intention to increase annual lease on ball field property to \$2,220 compared to current \$1,665. Clerk will notify Smith current five-year term will expire after 2010 payment, rather than after 2009 payment as Smith had indicated. Letter has been sent to IMWCA requesting removal of "high risk" classification, but nothing has been heard back. Discussion ensued on potential budget considerations.

Attorney Metcalf read bankruptcy notice regarding Mueller Pallets. It appears Mueller still intends to grind trees for City.

Motion by Grigg, second by Schorg, to approve Consent Agenda consisting of December 1, 2009 minutes; December financial statements including disbursements of \$30,910.40; **Resolution #2010-02, DEPOSITORY RESOLUTION** designating First Trust and Savings Bank of Merville as the City's official depository; **Resolution #2010-03, RESOLUTION ADOPTING A POLICY FOR THE INVESTMENT OF PUBLIC FUNDS**; and **Resolution #2010-04, RECORDS CUSTODIAN RESOLUTION** designating Patricia Washburn custodian of all City records except water and wastewater records designated to Lowell Anderson, fire department records designated to Nick Lahrs and ambulance records designated to Ken Eyres. Motion carried on roll 4-0. Complete text of resolutions are on file at City Hall.

City Attorney Metcalf called attention to the need to discuss the matter of Sitzmann versus the City of Lawton. He advised that this was a matter suitable for consideration in closed session and requested the Council to consider moving to closed session. Councilman Schorg moved for Council to meet in closed session. Being advised upon the matter, Ludwig seconded motion pursuant to Iowa Code §21.5(1)(c). Upon roll call vote: Ayes – Schorg, Ludwig, Grigg, Burson. Nays – none. Absent - Masching. Mayor Jeff Nitzschke declared that the affirmative vote was two-thirds of the duly-elected councilmen and therefore carried. Council went into closed session at 6:30 p.m.

Council returned to open session at 6:40 p.m..

With no further business to come before the meeting, meeting adjourned at 6:40 pm.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	935.09	TIF-West Creek	0.00
TIF	682.68	General	11,671.06
General	5,270.86	Road Use Tax	4,743.58
Road Use Tax	4,502.51	Local Option Sales Tax	0.00
Local Option Sales Tax	0.00	Water	6,261.51
Water	10,503.26	Sewer	2,251.30
Sewer	2,994.20	Garbage	5,762.98
Garbage	4,623.51	Fire Disbursements	219.97
Fire Revenue	12,412.50		
TOTAL REVENUE	41,924.61	DEC. DISBURSEMENTS	30,910.40

WARRANTS APPROVED

Tracy Pearson, deposit refund	30.39
ACS, lab fees	93.50
Barkley Asphalt, hot mix	73.60
CHN Garbage	2863.99
City of Lawton, utilities	43.26
LG Everist, Inc., crushed quartzite	115.52
US 20 Ass'n, 2009 dues	100.00
Utility Equipment, 2 hydrant extensions	750.00
Lowell Anderson, meeting pay	184.91
Donald Grigg, meeting pay	193.93
Perry Ludwig, meeting pay	193.93

Terrence Masching, meeting pay	164.94
Jeff Nitzschke, mayoral pay	1371.25
Todd Roerig, meeting pay	193.94
Rick Schorg, meeting pay	193.94
Patricia Washburn, meeting pay	184.90
QuickBooks, enhanced payroll	349.00
ACCO, pumping tube, housing	343.24
EGR Ins. Surety bond	100.00
Lawton Ambulance, donation	1000.00
Menard's, pothole patch, concrete	34.76
O'Reilly Automotive, filter & motor oil	29.79
Tri-State Electronic Serv., on site support	162.50
Lowell Anderson, cell phone reim.	120.00
Intuit, monthly backup	4.95
Barco Muni. Products, street signs	192.20
Lawton Pronto, fuel	150.40
MidAmerican Energy	1634.68
West. IA Telephone	277.48
Ziegler Cat, lamp repairs	23.56
Bomgaars, supplies	17.43
Day's Door Co., door remotes	70.00
Grainger, FD thermostadt cover	29.00
Metcalf Law Office, City Code dog	61.15
Utility Equipment, 2 risers	290.18
Woodbury Co. Office of Elections	914.18
Anderson Heating & Cooling, FD furnace	1800.00
WalMart, thank you cards	7.97
CHN Garbage	2863.99
Patricia Washburn, expense statement	252.45
EFTPS, Fed, Med, SS	2689.62
IPERS	1025.20
Aflac, employee contrib.	91.50
State of IA, withholding	1110.00
State of IA, sales tax	2198.00

SIGNED BY: _____
Patricia L Washburn, City Clerk