

Lawton City Council Minutes

September 6, 2011

The Lawton City Council met in Regular session on Tuesday, September 6, 2011, at the Lawton City Hall. Meeting called to order at 5:01 pm by Mayor pro tem Perry Ludwig in Jeff Nitzschke's absence. Council members answering roll: Don Grigg, Rick Schorg, Perry Ludwig, and Reed Burson. Terry Masching was absent. Others attending included Public Works representative Mark Vault, City Clerk Patricia Washburn, Attorney Glenn Metcalf, Engineer Jerry Steffen, Chad Sitzmann, Rodney Sitzmann and Movable Record editor Kent Baker.

Motion by Schorg, second by Grigg, to approve agenda. Motion carried on roll 4-0.

Clerk stated most of the Assessment Agreements from Hillside Waterworks residents have been signed and returned. Motion by Grigg, second by Ludwig to approve agreements as presented and to authorize Clerk to sign and forward agreements to the Woodbury County Board of Supervisors. Motion carried on roll 4-0.

Mayor Nitzschke joined meeting at 5:10 pm.

Chad Sitzmann was present to discuss concern of neighbor's fence being built around tree rather than straight as was applied for on building permit. Due to tree growing over property line, box was built around tree on neighbor's side. After considerable discussion, Attorney stated matter is not city problem as construction of fence is substantially compliant with the application. Mayor stated he would discuss with neighbor and suggest they install gate to tend to tree issues without coming onto Sitzmann property.

Councilman Schorg spoke to Martin Shorman regarding need to install back-flow meter on special hydrant Shorman was requesting on North Pine Street. Cost would be at Shorman's expense. Shorman will consider and get back to Council.

Discussion of City Code pages 20-29 was tabled until October meeting. Clerk will send next section to Council for consideration at October meeting also.

After further discussion of the intent to delete Special Ordinance 97 and replace same with **Special Ordinance 97A, dealing with the National Flood Plain Management**, Ludwig moved to approve second reading and to waive third reading of said ordinance. Motion seconded by Grigg. Motion carried on roll 4-0. Councilman Grigg then moved to adopt Special Ordinance 97A as presented. Motion seconded by Schorg. Motion carried on roll call vote. Ordinance will become effective after publication. Complete text of resolution is on file at City Hall.

Council directed Attorney Metcalf to prepare new ordinance dealing with licensing and regulations of using special vehicles within City limits. Such vehicles to include golf carts and four-wheelers.

Matter of allowing fences to be built over utility easements was brought to Council's attention. Fence permit applicants will be told the possible consequences of building over a utility easement. If the utility needs to access their lines, they may remove the fence. It will be up to the property owner to replace the fence if he/she desires. No change in ordinance deemed necessary.

Jerry Steffen stated lift station project is on schedule.

Mark Vault stated he passed his Water Distribution test and is now certified. Vault also stated only 33 meters in the city still need to be upgraded or replaced. New tires are needed for the F250 before winter sets in. All other equipment seems to be in good repair and ready for winter.

Clerk Washburn stated nomination papers for Mayor and Council positions need to be filed at City Hall prior to 5:00 pm Thursday, September 22, 2011. Clerk also informed Council the roof has been replaced over City Hall and the Friendship Center. Winkler Roofing was the contractor. A sample of the material was available for Council to inspect. Replacement includes 15-year warranty.

Building permits were approved for the following: 433 Birch, shed; 201 West Creek Dr., fence; 219 Linden, deck & driveway and 175 West Creek Dr., fence.

Statement was presented to Council regarding outstanding balance. Residents have moved from the City and have sold their home privately. After discussion of the matter, Council directed Attorney Metcalf to send letter stating failure to bring the account up to date would result in City going to Small Claims Court with issue.

Clerk informed Council auditors are here this week.

Schorg stated the Fire Advisory Board met in August to discuss concerns and upcoming plans. Fire Chief will get call report to FAB quarterly. Clerk will get budget report to FAB quarterly. Schorg stated Sgt. Bluff has Polaris Ranger they have offered to Lawton Fire Department for reasonable price. Both

township representatives are on board with purchase. Council gave verbal approval also, with funds coming from Fire budget.

Councilman Grigg stated six trees have been ordered from Earl May and will be planted within next few days. Two will be replaced on Ash Street and four will be planted by new lift station.

Clerk informed Council the City has been notified of a Class Action settlement regarding purchase of Ready-Mix Concrete from Alliance Concrete, Inc. and GCC Alliance. No action is required by the city at this time.

GASB-54 was explained by City Clerk in regards to the Annual Financial Report and how it affects the city reporting to the State.

Motion by Burson, second by Schorg, to approve Consent Agenda as presented including the following: approval of minutes from July 19 and August 2; approval of August disbursements of \$28,004.56; approve financial statements from August 2011; proclamation declaring September 17-23 as constitution Week; approve FY 2011 City of Lawton Annual Financial Report and **Resolution #2011-16**, FY 2011 Street Finance Report. Motion carried on roll, 4-0.

With no further business to come before the meeting, meeting adjourned at 6:55 pm.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	2,325.18		
TIF	-	TIF-West Creek	-
General	1,859.53	General	8,548.27
Road Use Tax	9,082.90	Road Use Tax	5,458.30
Local Option Sales Tax	15,123.61	Local Option Sales Tax	-
Water	14,735.61	Water	4,704.23
Sewer	3,111.65	Sewer	1,559.07
Garbage	4,890.70	Garbage	3,094.13
Fire Revenue	20.00	Fire Disbursements	4,640.56
TOTAL REVENUE	51,149.18	AUGUST DISBURSEMENTS	28,004.56

WARRANTS APPROVED

Inuit, monthly backup	4.95
Staples, flash drive	24.99
CHN Garbage, July	3094.13
City of Lawton, July utilities	45.30
Concrete Connections, LLC, curb & gutter	2385.00
Emer. Serv. Mktng Corp., Inc., annual fee	350.00
Lawton Pronto, fuel & pizza	809.39
Iowa DNR, annual supply fee	113.17
Inland Truck Parts & Service, repairs	1940.66
Metcalf Law Office, legal fees	963.88
Pro Hydro-Testing, Inc., testing	300.00
Doyle Smith, ball field lease	2475.00
Mark Vaul, phone reim.	120.00
Patricia Washburn, phone reim.	30.00
West. IA Tel., phone service	352.03
USPS, postage	3.70
Menard's	63.17
Barkley Asphalt, hot mix	213.45
Dakota Supply Group, 4-1" radio tops	581.16
Ed M Feld Equip., adjustamount kit	250.80
Flewelling Sand & Gravel, fill sand	62.55
IDNR, sewer permit fee	210.00
Midwest Office Auto., copier contract	276.27
MY-LOR, Inc., ID tags, misc	422.28
Pomp's Tire Service, 2-tires	585.00
Stan Houston Equip, blade	92.50
WITCC, books	72.75
Bomgaars, service, paint, mis.	27.56
Menard's, misc. supplies	143.40
MidAmerican Energy	1948.76
Siouxland Dist. Health, lab fees	244.00
Employee Compensation	6646.92
EFTPS, Fed, Med, SS	2029.53
IPERS	1089.96
Aflac	32.30
AUGUST DISBURSEMENTS	28004.56

ATTESTED BY: _____
 Patricia L Washburn, City Clerk