

Lawton City Council Minutes

February 7, 2012

The Lawton City Council met in Regular session on Tuesday, February 7, 2012, at the Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Reed Burson, Terry Masching, Rick Schorg, Perry Ludwig, and Don Grigg. Others attending included Water Superintendent Mark Vaul, City Clerk Patricia Washburn, Attorney Glenn Metcalf, City Engineer Jerry Steffen, Movable Record Editor Kent Baker, Fire Chief Kory Eyres, township trustees Chuck Hoelker and Ken Gard, Gary and Pat Peters, Judy Bradley, Ken Eyres, Ray Peters, Mark Nicolls and Murphy Tractor Supply representative Troy Groves.

Motion by Masching, second by Schorg, to approve agenda. Motion carried on roll 5-0.

Mayor Nitzschke welcomed guests.

The Peters' and Judy Bradley were present to express concern about water run-off into alley west of West Cedar Court. Engineer reaffirmed "four feet of dirt" was not brought in to the new development as stated. An old farm fence was removed at the time of development that may have caught water previously and held it in the field. Engineer offered suggestions to those present on what they might do to remedy the problem.

Councilman Schorg is City representative on Fire Advisory Board (FAB) and briefed Council on February 1 meeting of FAB. FAB representatives discussed proposed fire budget at length and agreed to make recommendation to City to approve budget as presented. Considerable discussion took place on potential purchase of 1994 F350 Rescue truck. Fire Chief will explore situation further. Township trustees requested updated fire protection agreement. Clerk will provide. Discussion also ensued regarding \$3,000 increase in budget each year to fund Emergency Equipment. Due to misunderstanding at time of original presentation, this will be reviewed annually.

Mark Vaul has received his water Treatment 1 certification. Motion by Burson, second by Masching, to approve \$1.00/hour raise to Vaul for meeting this certification requirement. Motion carried 5-0.

Ken Eyres spoke to Council regarding a neighborhood dog running loose. Matter has been brought to owner's attention numerous times. Attorney stated a Municipal Infraction will be filed if owner continues to allow dog to run.

Vaul stated new lift station was put into service today and appears to be working well.

No pay requests from DA Davis or Steffen Engineering.

Clerk presented Fiscal Year 2011 audit findings, proposed responses, and potential press release to Council. Motion by Masching, second by Grigg, to approve responses as presented, to give approval to Hunzelman, Putzier & Co., PLC to submit audit to the Auditor of State, and to approve the news release associated with the findings of the audit. Motion carried on roll 5-0. Complete audit report will be available for review in the office of the Auditor of State and the City Clerk's office upon finalization by auditors.

Changes were recommended during review of City Code. Council asked Attorney to submit those changes in writing so they can be incorporated into the Code.

Clerk reported response from residents in favor of using the larger recycle carts is about 89%. Motion by Burson, second by Grigg, to order three hundred 65-gallon carts in light grey color and to distribute them to residents that have not responded with a "no" on the survey sent out by City Hall. Carts will be stamped with "City of Lawton", a serial number and "Recyclables Only". Motion carried on roll 5-0.

Council discussed matters involved with budget for FY2013. After making minor changes to preliminary budget, motion by Grigg, second by Ludwig to set Public Hearing on budget for March 6, 2012 at 5:00 pm. Motion carried on roll 5-0.

After discussion on matter of lawn service for the parks and water tower lot, motion by Schorg, second by Ludwig to enter into contract with Town & Country Lawn Service with 4-step application on Tara Way Park and Veterans' Memorial Park, and a Spring and Fall application of broadleaf control on the water tower lot. Annual cost on water tower lot remained the same and cost of parks increased \$5 per park. Motion carried on roll 4-1 with Burson voting no.

Correspondence from concerned citizens regarding possible passage of ATV/Golf Cart ordinance was distributed to Council. After second reading of ATV/Golf Course Ordinance, motion by Schorg, second by Burson to approve. Motion carried on roll 3-2 with Ludwig and Grigg voting no.

Clerk informed Council garbage contract is up for renewal June 30. Motion by Grigg, second by Masching to go out for bids using same basic verbiage as was used in past. Motion carried on roll 5-0.

Council gave approval for Center for Siouxland to use Friendship Center to offer free tax help.

Clerk informed Council of Class Action Lawsuit that was filed against several local concrete companies regarding cost of concrete. Clerk has already submitted info on checks written by city to concrete companies in question, however, Attorney recommended follow up to contractors that city used to complete two street projects during lawsuit time frame. Response has been received from one contractor and Clerk was directed to submit additional information to proper authorities regarding additional concrete purchases.

Council briefly reviewed Lawton's Urban Renewal Plan and directed Attorney to take initial steps to extend the plan an additional five years as allowable by Iowa Code. Attorney will also get specifics on Low and Moderate Income Housing Project.

Troy Groves was present to discuss 72" John Deere street sweeper that had been demonstrated to Public Works employees. After brief discussion, motion by Grigg, second by Burson to purchase street sweeper from Murphy Tractor & Equipment Co. for \$3,899.00. Purchase price includes 12-month Unlimited Hour Warranty. Motion to purchase carried on roll 5-0.

Vaul reported a contractor had contacted him about a sewer service line being plugged. The city does not maintain service lines. Vaul also asked about a vacant home that has recently been put up for sale. This home still needs to have water meter replaced. It was not done earlier due to old meter being located behind shower stall. Attorney will file paperwork with County stating job must be done before house is sold.

Discussion was held on new water meters recently purchased for two high-end users in city. The meters that were sent require an electrical hook-up. Council directed Vaul to return those meters and order something equivalent that does not require an electrical hook-up.

Clerk stated one building permit had been issued for a privacy fence at 429 E Main St.

Mayor appointed Councilman Perry Ludwig as the Mayor pro tem for this term.

Motion by Ludwig, second by Grigg, to approve Consent Agenda consisting of January 3, 2012, minutes, January 2012 disbursements of \$178,238.15, financial statements from January 2012 and wage compensation **Resolution #2012-05**. Motion carried 5-0. Complete text of resolution is on file at City Hall.

With no further business to come before the meeting, meeting adjourned at 7:55 pm.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	1,770.76	TIF-West Creek	168.75
TIF	1,398.48	General	4,082.23
General	4,858.90	Road Use Tax	3,055.41
Road Use Tax	6,757.95	Local Option Sales Tax	-
Local Option Sales Tax	8,959.40	Water	2,997.10
Water	11,878.74	Sewer	157,067.21
Sewer	3,065.04	Garbage	7,121.60
Garbage	4,823.79	Fire Disbursements	3,815.73
Fire Revenue	11,189.25		
TOTAL REVENUE	54,702.31	JAN. DISBURSEMENTS	178,308.03

WARRANTS APPROVED

Staples.com, paper, envelopes	53.96
WalMart.com, weekly planner	14.87
Mid-States Utility Trailer Sales, 2" ball, misc	63.88
Certified Testing, soil testing Lift Station	155.00
CHN Garbage, contract	3094.13
City of Lawton, utilities	43.77
DA Davis Co., Inc, Lift Station proj	151598.50
IMFOA, dues	30.00
LP Gill, 1st Qtr Assm't, landfill	3997.47
McArthur Sheet Metal Co., fabricate ladder bx	2500.00
Steffen Engineering, lift station	1936.25
Austin Clarys, deposit refund	51.62
Lawton Pronto, fuel, pizza/soda	801.95
Moville Record, legal pubs.	566.69
West. IA Tele. Assn. telephone	290.74
Western Iowa Co-op, propane tank	750.00
First Trust & Savings Bank, safe dep. box	17.00
Ed M Feld, supplies	282.95
International Ins. Muni. Clerks, dues	135.00
Nick's Garage, repairs	374.31
Suburban Supply, backhoe	168.75
Iowa One Call, locates	9.90
Martin's Flag Co., 6 pole brackets	106.06
Mark Vaul, exp. Statement	111.00
Batteries Plus, 2-batteries	75.58
Iowa DNR, WW1 Cert. Testing	30.00
MidAmerican Energy, gas/electric	2026.01
Steffen, snow plow parts	150.15
Menard's, shop supplies	189.79
Employee Compensation	5715.33
Aflac, employee contrib.	32.30
IPERS, retirement plan	1035.51
EFTPS, Fed, Med, SS	1769.68
Iowa DNR, Vaul WT1 Certification	60.00
JANUARY DISBURSEMENTS	178238.15

ATTESTED BY: _____ Patricia L Washburn, City Clerk