

Lawton City Council Minutes

September 4, 2012

The Lawton City Council met in Regular session on Tuesday, September 4, 2012, at the Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Don Grigg, Perry Ludwig, Terry Masching and Rick Schorg. Others attending included Public Works Director Mark Vaul, City Clerk Patricia Washburn, Attorney Glenn Metcalf, City Engineer Jerry Steffen, Blake Stubbs, Jeanine Chartier and Kevin Heiss.

Motion to approve tentative agenda made by Masching, seconded by Grigg. Motion carried on roll, 4-0.

Kevin Heiss discussed possibility of renaming a street. No homes other than his own would be affected. Heiss stated he does not want to deed Heidi's Trail cul-de-sac to city and will maintain area on his own. Considerable discussion followed. Attorney will investigate steps needed to potentially make change.

Reed Burson arrived at 5:03 pm.

Regarding hydrant relocation on Heidi's Trail, DNR will be contacted regarding need for permit since hydrant is located on private lot. Heiss stated he is still willing to pay for relocation if cost is within reason.

Item #3 on agenda was tabled as Rob Marqusee was not in attendance.

Clerk will contact SIMPCO about possible special meeting on September 18 to discuss city Urban Renewal Low to Moderate Income Plan. Tentative start time is 6:30 pm.

Jeanine Chartier spoke to Council regarding approval of subdivision of Char-Mac development. After considerable discussion, Council gave preliminary approval of request.

Attorney gave update on junk vehicles.

Council reviewed City Code Sections 6-3 and 6-4. Several minor changes were ordered.

Council reviewed citizen complaint about a barking dog. Attorney will pursue.

Regarding the final invoice from CHN Garbage, motion by Ludwig, second by Grigg, to decline payment. Motion carried on roll 5-0.

Motion by Burson, second by Schorg, to pay Kneifl Electric Inc. invoice for hard-wiring water meter at the high school building. Motion carried on roll 4-0 with Masching abstaining due to personal involvement with project.

Mayor stated he has contacted an electrician regarding hard-wiring water meter at Char-Mac also.

Public Works Director Vaul stated display at lift station has still not been repaired. Steffen has been in contact with DA Davis on matter. Vaul also stated new STOP signs and poles have been installed around city at locations needing replacements. These were all acquired through a grant from the Iowa DOT at no cost to the city. New street name signs should also be considered as most are not reflective. Council directed Vaul to get prices.

Steffen indicated he has been in touch with Vern Vakoc of Dakota Drilling & Backhoe regarding the water wells. Work on replacing pump should begin shortly.

Clerk stated the Lawton Painters had completed their painting project at City Hall and the Friendship Center. Council appreciates the work performed by Ken Eyres, Tom Lang and Jack Schroeder and appreciates their donation of time on this project.

Building permits were approved for the following: 119 W Maple, relocate dwelling to site; 306 West Creek Dr., dwelling; 301 West Creek Dr., gazebo and concrete slab. Council felt need to visit site before approving building permit at 108 Pine St. Mayor will discuss concerns with home owner, then make decision on permit application.

Council gave direction to Clerk regarding paying hourly employees wages, travel time and mileage when attending meetings and workshops.

Clerk stated a floodplain management workshop will be held in Correctionville on September 11. She and Vaul will attend.

Council approved Jodi Stender to attend IRWA Conference in Okoboji Sept. 11 & 12 paying for lodging on Sept. 11.

Regarding contact from Arlen Zenor about saplings growing in the drainage ditch north of properties located on north side of Oak Street, Attorney confirmed the problem was property owner's responsibility rather than the city responsibility.

Motion by Masching, second by Grigg, to approve Consent Agenda consisting of August 7, 2012 minutes and August 2012 disbursements of \$128,535.37. Motion carried 5-0.

City Attorney Metcalf called attention to the need to discuss a legal matter where litigation is imminent and disclosure would likely prejudice or disadvantage the position of the City or which if disclosed would facilitate disregard of requirements imposed by the law. He advised that this was a matter suitable for consideration in closed session and requested the council to consider moving to closed session. Councilman Ludwig moved for the council to meet in closed session. Being advised upon the matter, Councilman Grigg seconded the motion that the council hold a closed session pursuant to Iowa Code §21.5(1)(c) and 21.5(1)(h). A roll call vote was taken. Voting aye: Burson, Grigg, Ludwig, Masching and Schorg. Voting nay: None. Mayor Nitzschke declared that the affirmative vote was the unanimous vote of those councilmen now present and was therefore passed at 7:15 p.m..

Motion by Masching, second by Grigg, to come out of closed session at 7:29 p.m. A roll call vote was taken. Voting aye: Burson, Grigg, Ludwig, Masching and Schorg. Voting nay: None. Motion carried.

With no further business to come before the meeting, meeting adjourned at 7:29 pm.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	1,492.57		
TIF	156.51	TIF-West Creek	-
Local Option Sales Tax	17,231.07	Local Option Sales Tax	-
General	4,510.80	General	48,308.22
Road Use Tax	9,541.23	Road Use Tax	50,330.74
Water	20,718.44	Water	7,394.48
Sewer	3,390.65	Sewer	1,448.33
Garbage	5,224.77	Garbage	8,511.22
Fire Revenue	-	Fire Disbursements	12,189.61
TOTAL REVENUE	62,266.04	AUGUST DISBURSEMENTS	128,182.60

WARRANTS APPROVED

City of Lawton, utilities	43.00
Metcalf Law Office, legal fees	100.00
Servpro of Sooland, sewer cleanup	215.00
Iowa League of Cities, 2012 Conf., Washburn	185.00
Iowa League of Cities, 2012 Conf., Grigg	185.00
Acco, chlorine, carusol	1184.28
Flewelling Sand & Gravel, river rock	43.86
Fouk Bros., install meter	352.97
Lawton Pronto, fuel, FD pizza	704.46
Iowa DNR, WW permit fee	210.00
Iowa DNR, PWS fee	112.80
Novak Sanitary Service, garbage	4513.75
O'Reilly Automotive, air filter	7.77
Robertson Imp., mower repairs	98.59
Sioux City Journal, generator ad	105.40
Doyle Smith, ballfield lease	2475.00
Jodi Stender, reim. Mileage	124.32
Triple D Contracting, digging	190.00
Ziegler, 924H Cat loader	84138.25
Western IA Telephone	293.79
Feld Equipment, supplies, helmets	1183.95
Siouxland District Health, lab fees	65.00
Sooland Bobcat, Toolcat repairs	672.20
Nick's Garage, repairs	113.56
Nick's Garage, repairs	211.29
Lawton Fire Ass'n, 2008 Chev. Truck	10000.00
Bomgaars, misc supplies	675.73
LP Gill, Inc. 3rd Qtr. Landfill assm't	3997.47
MidAmerican Energy, August	2419.33
Midwest Office Automations, copier contract	300.00
Stubbs Construction, trench water line	900.00
Barco, sign brackets	129.68
Iowa DNR, Stender certifications	80.00
Menard's, supplies	523.20
Metcalf Law Office, legal fees	924.59
O'Reilly Automotive, pump	14.99
Stan Houston Equip., rent jackhammer	76.70
Utility Equipment, 100' polytube	34.00
Aflac, employee contrib	32.30
Employee Compensation	7137.54
IPERS, employee retirement	1417.43
EFTPS, Fed., Med, SS	2343.37
AUGUST DISBURSEMENTS	128535.57

ATTESTED BY: _____, Patricia L Washburn, City Clerk