

## Lawton City Council Minutes

May 7, 2013

The Lawton City Council met in Regular session on Tuesday, May 7, 2013, at the Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Jeff Nitzschke. Council members answering roll: Rick Schorg, Don Grigg and Terry Masching. Reed Burson and Perry Ludwig arrived later. Others attending included Public Works Director Mark Vault, City Clerk Patricia Washburn, City Attorney Glenn Metcalf, City Engineer Jerry Steffen, SIMPCO representative Judi Meyer-Ogden, Wayne and Arlene Henriks, Bruce Jackson, Wally Sorensen, Dave Arens, Woodbury County Sheriff Dave Drew, Major Greg Stallman and Chris Aakhus.

Motion by Schorg, second by Grigg, to approve tentative agenda as presented. Motion carried 3-0.

Public Hearing was opened at 5:01 p.m. for the purpose of hearing comments regarding proposed Fiscal Year 2013 City Budget Amendment. Clerk Washburn explained error regarding line numbers referenced in explanation. Ted Nellesen at Iowa Department of Management had been contacted and stated no need to republish. No comments orally or written had been received regarding the proposed amendments. No one in attendance voiced any concerns. Motion by Masching, second by Schorg, to close Public Hearing at 5:03 p.m.. Motion carried on roll 3-0.

Motion by Grigg, second by Schorg, to approve **Resolution #2013-02 TO AMEND FISCAL YEAR 2013 CITY BUDGET** as presented. Motion carried on roll 3-0. Complete text of resolution on file at City Hall.

Motion by Masching, second by Grigg, to approve **Resolution #2013-03 TO PROVIDE FOR THE TRANSFER OF \$180,000 FROM THE WEST CREEK DEVELOPMENT TIF PROJECT FUND TO THE GENERAL FUND FOR THE PURPOSE OF PAYING COSTS ASSOCIATED WITH LOW TO MODERATE INCOME HOUSING REPAIR AND REHABILITATION PROGRAM.** Motion carried on roll 3-0. Complete text of resolution on file at City Hall.

Dave Arens spoke to Council regarding LB Summer League. Regarding question on mowing, Council stated City is not involved with mowing. Arens asked if City would consider financial help with purchase of new mower. Item will be on June agenda. Council gave verbal approval for Clerk to post fundraiser on electronic sign at no cost to Summer League.

Wayne Henriks spoke to Council about drainage from the street into his driveway at 93 Pine St. Council will investigate situation to see if it is a city issue or a private matter.

Wally Sorensen shared pictures with Council regarding his concern about neighboring properties. No action was taken by Council.

Judi Meyer-Ogden with SIMPCO reviewed monthly report regarding housing repair and rehabilitation program. Work has started on several projects within city limits. SIMPCO also presented invoices pertaining to project. Motion by Masching, second by Grigg to pay Hirsch Specialized Contracting \$8,800.00 for work completed. Motion carried on roll 3-0. Motion by Schorg, second by Masching to pay SIMPCO \$11,192.00 for administrative services for February - April. Motion carried on roll 3-0. Meyer-Ogden will hold vendor checks until inspections are completed and work has been approved.

Reed Burson and Perry Ludwig entered meeting at 5:30 p.m.

Sheriff Drew and Major Stallman were present to discuss potential 28E Agreement for police protection. After some deliberation, motion by Masching, second by Grigg, to approve signing of Contract with Woodbury County Sheriff's Department at cost of \$35/hr. for time spent enforcing ordinances within the city limits. Payments will be due quarterly to Woodbury County. Motion included approval of **Resolution # 2013-04 APPROVING 28E AGREEMENT BETWEEN WOODBURY COUNTY, IOWA, AND THE CITY OF LAWTON, IOWA, FOR PROVISION OF LAW ENFORCEMENT SERVICES.** Motion carried on roll 4-0 with Burson abstaining. Complete text of contract and resolution are available for review at City Hall.

Bruce Jackson was present to discuss relocating lot lines affecting Lots 8 and 9 in Zenor's Valley View East 1<sup>st</sup> Filing. Current city ordinances do not prohibit this change.

Chris Aakhus spoke to Council about a possible variance request on Westcreek Court due to close proximity of buildings if he is allowed to erect duplexes on two or more of the lots. Clerk will investigate Urban Renewal Plan verbiage to see if multi-family dwellings are allowed. The number of sewer connections that will be required was also discussed. No action was taken by Council.

Council gave verbal approval of City Code Sec. 6-9.

Council instructed Clerk to notify Sheriff of pit bull within city limits. Owner of dog has not registered as tenant and dogs have not been licensed. Property owner has been notified this breed is not allowed under city ordinance.

After discussion to amend current Employee Handbook to include specific verbiage regarding vacation time, motion by Schorg, second by Ludwig, to approve **Resolution #2013-05 EMPLOYEE HANDBOOK AMENDMENT**. Motion carried on roll 5-0. Complete text of resolution on file at City Hall.

Pole banners are in need of replacement. Clerk has contacted two vendors regarding new banners. Council would like to see banners not only on Cedar Street, but also Elm Street and West Creek Lane. Motion by Burson, second by Ludwig, to purchase new banners from Sign Pro in Sioux City. Motion carried on roll 4-0 with Rick Schorg abstaining due to conflict of interest. Mayor and Councilman Grigg will look to see how many banners will be needed.

Clerk reported on electronic mail from neighboring deputy clerk regarding information on USAgain. Recycle bins have been used in neighboring city, but city officials have asked that they be removed due to concerns with company. Council decided not to go any further with request to place bins in Lawton.

Public Works Superintendent Mark Vault reported water tower had been cleaned and hydrants flushed this past month with only minor problems. He has received one bid for cleaning the outside of the tower, but will search for at least one more.

Discussion was held on residents leaving garbage carts, yard waste carts and recycle carts on the streets after they have been emptied. It leaves the town looking unkempt. A reminder will be posted in city newsletter.

City Clerk reported City has been denied MRHD grant this year.

Building permits have been approved for the following: 201 Cedar, concrete patio; 310 E Main St., deck; 138 West Creek Dr., dwelling; 309 West Creek Dr., dwelling; 99 Walnut, retaining walls, 427 E Maple St., deck and patio. Permit for 201 Cedar was denied for a fence due to property being in flood plain.

Clerk informed Council of former resident with delinquent utility bill. Bill will be assessed to this individual's property taxes.

Mayor expressed concern with building materials being unloaded onto the streets. A reminder will be posted in June newsletter.

Motion by Masching, second by Schorg, to approve Consent Agenda consisting of April 5, 2013, minutes, April, 2013, disbursements of \$25,013.07 and financial statements from March & April, 2013. Motion carried on roll 5-0.

With no further business to come before the meeting, meeting adjourned at 7:05 pm.

REVENUES BY FUND		DISBURSEMENTS BY FUND	
Interest Earned	1,113.50	TIF-Housing	-
TIF	39,604.86	TIF-West Creek	-
Local Option Sales Tax	7,951.19	Local Option Sales Tax	-
General	68,004.20	General	5,055.28
Road Use Tax	6,362.50	Road Use Tax	4,354.00
Water	11,290.68	Water	3,866.48
Sewer	3,493.53	Sewer	946.27
Garbage	4,819.98	Garbage	8,275.77
Fire Revenue	110.94	Fire Disbursements	2,515.27
<b>TOTAL REVENUE</b>	<b>142,751.38</b>	<b>APR. DISBURSEMENTS</b>	<b>25,013.07</b>

**WARRANTS APPROVED**

Allegiant Emer. Serv., supplies	70.00
City of Lawton, utilities	43.51
Lawton Pronto, fuel	495.19
Moville Record, publications	456.01
Novak Sanitary Service, garbage	4278.30
Stan Houston, perma-patch	145.00
Western IA Telephone, March	327.20
WITCC, book Niehus	50.00
Acco, chlorine	263.80
Ed M Feld Equipment, rescue equip	30.95
LP Gill, landfill assment	3997.47
Metcalf Law Office, legal fees	100.00
Midwest Breathing Air, equip. repair	956.46
Sandry Fire Supply, equip. test & cert.	983.48
Perkins, IMFOA lunch	12.59
American Legion Post #718, flag	18.50
Bomgaars, supplies	99.91
Colonial Research Chem. Corp, Count	132.60
Menards, supplies	467.68
MidAmerican Energy, gas & electric	1855.05
Murphey Tractor, toolcat brush	545.18
O'Reilly Automotive, oil filter	7.98
Sandry Fire Supply, equip. test & cert.	49.84
Employee Compensation, April	6083.29
EFTPS, Fed, Med, SS	2248.64
IPERS, retirement contrib	1247.22
Aflac, employee contrib	32.30
WalMart, Preen	14.92
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APRIL DISBURSEMENTS	25013.07

ATTESTED BY: \_\_\_\_\_  
Patricia L Washburn, City Clerk