

Lawton City Council Minutes

March 4, 2014

The Lawton City Council met in Regular session on Tuesday, March 4, 2014, at the Lawton City Hall. Meeting called to order at 5:00 pm by Mayor Rick Schorg. Council members answering roll: Terry Masching, Will Wollesen, Don Grigg, Matt Otto, and Perry Ludwig. Others attending included City Clerk Patricia Washburn, Public Works Director Mark Vaul, City Attorney Glenn Metcalf, Record Editor Kent Baker, City Engineer Jerry Steffen, MidAmerican Energy representative Tony Bengford, Brian Smith, Bill Krohn, Collin Meister and Howard Smith.

Motion by Ludwig, second by Otto, to approve Consent Agenda as presented. Motion carried on roll 5-0.

At 5:01 p.m. a Public Hearing was opened to hear concerns or comments regarding the proposed FY15 Budget for the city. No written or oral comments were received. Masching moved to close Public Hearing at 5:03 p.m., seconded by Wollesen. Motion carried on roll 5-0.

Motion by Ludwig, second by Grigg to approve **Resolution #2014-07 Adopting Fiscal Year 2015 City Budget**. Motion carried on roll 5-0. Complete text of resolution is on file at City Hall.

Tony Bengford was present to present City with MidAmerican Energy Trees Please! Grant in the amount of \$1,000. Grand funds will be used to purchase trees in public areas.

Woodbury County Sheriff's Office had contacted City Hall to state there would not be a written report for the Council meeting. The monthly report will be issued mid-month instead.

The L-B Summer League presented Council with a Special Events application regarding an upcoming fundraiser to be held in the 300 block of Cedar Street on May 17th, 2014. After discussing the application, motion made by Wollesen, second by Ludwig, to give group approval for fundraiser. Clerk will provide documentation as needed. Motion carried on roll 5-0.

After considerable discussion, Wollesen made motion to purchase Whelen Vortex R2 rotating electronic outdoor warning siren at cost of \$17,078.00. Motion died for lack of second. Motion by Otto to purchase Federal 2001 AC/DC electro-mechanical rotating siren at cost of \$18,141.00. Motion seconded by Wollesen. On roll call vote, voting aye: Wollesen & Otto. Voting nay: Masching, Grigg, Ludwig. Motion failed. Further discussion held on possibility of getting grants to assist with funding. Motion by Otto, second by Wollesen, to purchase Federal 2001 AD/DC electro-mechanical rotating siren at cost of \$18,141.00 contingent on 10% of the cost to come from grants. Discussion followed regarding potential grant sources. On roll call vote, voting aye: Wollesen & Otto. Voting nay: Masching, Grigg, Ludwig. Motion failed.

Clerk stated Automatic Systems has issued credit memo of \$1,172.50 for amount overbilled last June, 2013. Motion by Masching, second by Ludwig, to approve payment of balance of \$1,172.50. Motion carried on roll 5-0.

No discussion held on fire building.

With no verbal or oral comments or objections, motion by Grigg, second by Otto to approve second reading of **Snow Emergency Ordinance Amendment. Section 3-16-3** of the Lawton City Code shall be modified to read as follows: ***SNOW EMERGENCY DECLARATION. When, in the opinion of the mayor OR mayor pro tem, sufficient accumulation of snow exists, whether caused by direct accumulation or "drifting" that snow removal must be accomplished, the mayor shall issue a snow emergency declaration which shall be posted at City Hall, the United States Post Office and such other locations designed to attract the public's attention. Further it shall be conclusively presumed that any snowfall of two inches or more as officially measured at Sioux City, Iowa, creates a snow emergency.*** Motion carried on roll 5-0.

Motion by Grigg, second by Masching to approve **RESOLUTION #2014-08 DISPENSING WITH RULE REQUIRING THREE READINGS OF ORDINANCE OR AMENDMENT THERETO BEFORE ADOPTION**. Motion carried on roll 5-0. Thereafter the proposed ordinance entitled "An Ordinance Amending Section 3-16-3 – Community Protection – Snow Emergency" set out above, was again read and Councilman Grigg moved the adoption of the ordinance. Councilman Otto seconded the motion. Motion carried on roll 5-0. This ordinance shall be effective upon publication. The clerk is directed to publish this ordinance amendment as required by law. Complete text of Resolution and Ordinance available at City Hall upon request.

With no verbal or oral comments or objections, motion by Grigg, second by Otto to approve second reading of **AN ORDINANCE AMENDING SECTION 6-5-11 – UTILITIES – BILLING CHARGES – SEWER RENT. Section 6-5-11** of the Lawton City Code shall be amended to read as follows:

- 1. Sewer rates shall be charged to each residential user in the amount of twelve dollars (\$12.00) per month.***
- 2. Sewer rates shall be charged to each commercial user in the amount of one dollar and fifty cents (\$1.50) per one thousand (1,000) gallons of water used with a minimum charge of twelve dollars (\$12.00) per month.***

3. ***The rent shall be paid with the water bill at the same time as payment of the water bill is due, and under the same condition as to penalty for late payment at the office of the City Clerk, beginning with the next payment after the enactment of this Ordinance, or, if connection has not been made, after the connection to the sewer system is made.***

Motion carried on roll 5-0.

Motion by Masching, second by Wollesen to approve **RESOLUTION #2014-09 DISPENSING WITH RULE REQUIRING THREE READINGS OF ORDINANCE OR AMENDMENT THERETO BEFORE ADOPTION.** Motion carried on roll 5-0. Thereafter the proposed ordinance entitled "An Ordinance Amending Section 6-5-11 – Utilities – Billing Charges" set out above, was again read and Councilman Grigg moved the adoption of the ordinance. Councilman Otto seconded the motion. Motion carried on roll 5-0. This ordinance shall be effective beginning for the usage cycle starting on or about April 1, 2014 and billed to the consumer May 1, 2014. Complete text of Resolution and Ordinance available at City Hall upon request.

Motion by Grigg, second by Ludwig to approve entering contract with Iowa Codification regarding updating city Code of Ordinances at cost of \$6,500 based on current Code. Down payment due is \$2,600. Motion carried on roll 5-0.

Motion by Otto, second by Wollesen to approve advertising for full-time city clerk position in Movable Record and via ClerkNet with deadline for receiving applications to be March 28, 2014. Motion carried on roll 5-0.

Public Works Director Mark Vaul displayed saddle used to tap water mains and asked for clarification regarding installation of water lines in city Code of Ordinances. Council stated installation of service lines is the responsibility of the property owner after the saddle. Plumbers are to be licensed and bonded before they attach to the tap. Ordinance will be amended to specify more clearly who is responsible for costs involved with installing water lines.

Vaul also stated City had recently repaired water line by Fire Station.

Clerk reported no building permits were issued this month. Clerk also reported Woodbury County Library brought a book shelf into Friendship Center for use by our residents. They may take the books on the honor system and return them as they finish with them.

Regarding service contract with Badger Meter, motion by Wollesen, second by Grigg to renew Trimble hand-held meter portion of contract, but not software portion due to current billing software not interfacing with ReadCenter software. Discussion held. Motion carried on roll 5-0.

A credit has been received from ICAP and will be used against next premium notice.

Attorney Metcalf updated Council on pending litigation.

Motion by Grigg, second by Masching, to approve consent agenda including February 4, 2014, minutes, February, 2014, disbursements of \$23,728.16, financial statements from February, 2014, and HAKA, aka Lawton Pronto, Liquor License. Motion carried on roll 5-0.

With no further business to come before the meeting, meeting adjourned at 6:45 pm.

| REVENUES BY FUND | | DISBURSEMENTS BY FUND | |
|------------------------|------------------|---------------------------|------------------|
| Interest Earned | 804.86 | TIF-Housing | - |
| TIF | 529.59 | TIF-West Creek | - |
| Local Option Sales Tax | 9,559.00 | Local Option Sales Tax | - |
| General | 4,823.78 | General | 4,015.63 |
| Road Use Tax | 8,620.21 | Road Use Tax | 5,491.84 |
| Water | 12,852.47 | Water | 2,834.38 |
| Sewer | 3,246.16 | Sewer | 1,697.46 |
| Garbage | 4,982.22 | Garbage | 8,345.22 |
| Fire Revenue | - | Fire Disbursements | 1,343.63 |
| VOIDED CHECKS | - | RETURNED CHECK | - |
| TOTAL REVENUE | 45,418.29 | FEB. DISBURSEMENTS | 23,728.16 |

WARRANTS APPROVED

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|---|---------|
| City of Lawton, utilities | 46.32 |
| Murphy Power Plan, Toolcat cutting edge | 158.52 |
| LP Gill, Inc., 1st Qtr Assessment, landfill | 3997.47 |
| Novak Sanitary Service, garbage contract | 4347.75 |
| Robertson Implement, mower repairs | 211.29 |
| US Post Office, postage | 66.34 |
| Ed M Feld, 16" Bullet chain | 338.00 |
| Fire Service Training Bureau, 5+1 FF2 Cert. | 300.00 |
| Lawton Pronto, fuel, misc. | 443.83 |
| Metcalf Law Office, legal fees | 410.00 |
| PowerPlan, Toolcat brush | 564.26 |
| Siouxland Dist. Health, lab fees | 101.00 |

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|------------------------------------|-----------------|
| Western IA Telephone | 340.52 |
| IAWEA Region 3, WW Training | 30.00 |
| MidAmerican Energy, gas & electric | 2637.24 |
| Staples, ink, paper | 149.60 |
| Staples, paper cutter, envelopes | 62.70 |
| Employee Compensation | 6013.71 |
| EFTPS, Fed, Med, SS contributions | 2207.60 |
| IPERS, retirement contributions | 1269.71 |
| Aflac, employee contribution | 32.30 |
| <u>FEBRUARY DISBURSEMENTS</u> | <u>23728.16</u> |

ATTESTED BY: _____
Patricia L Washburn, City Clerk