

Lawton City Council Minutes

May 6, 2014

The Lawton City Council met in Regular session on Tuesday, May 6, 2014, at the Lawton Friendship Center. Meeting called to order at 5:00 pm by Mayor Rick Schorg. Council members answering roll: Don Grigg, Will Wollesen, Terry Masching and Perry Ludwig. Matt Otto was absent. Others attending included City Clerk Patricia Washburn, Public Works Director Mark Vault, City Attorney Glenn Metcalf, Record Editor Kent Baker, City Engineer Jerry Steffen, Tyler Manker, Verna & Howard Smith, Dale Erickson, Deb Boetger, Jim Griese, Mr. & Mrs. Bill Harrison, Myrtie Allen, Gary Munson, Troy Groves, Jeff Nitzschke, Cindy Klunker, Bernie & "Toots" Evers and Judi Meyer-Ogden.

Motion by Grigg, second by Wollesen, to approve Tentative Agenda as presented. Motion carried on roll 4-0.

At 5:02 p.m. a Public Hearing was opened to hear concerns or comments regarding the proposed 2014 Elm Street reconstruction project. No written comments were received, however clerk reported several residents have come in to ask about the project. They were encouraged to attend meeting tonight. Concerns expressed included access to residents living on Walnut Street. Steffen stated it may be dirt and rock for a short time, but access would remain open for those residents. Council was asked why street was going to be widened. Mayor explained City Ordinance calls for new or replacement streets to be 36' wide with 6" concrete. Other concerns cited were excessive speed by drivers, water run-off, possible damage to trees during reconstruction, etc.. Grigg moved to close Public Hearing at 5:25 p.m., seconded by Ludwig. Motion carried on roll 4-0.

Bids were opened regarding Elm Street Reconstruction Project. Low bid on the project was approximately 25% higher than estimated. Council directed Steffen to investigate matter to see if bid should be awarded at this time or if it should be postponed. No other decision was made at this time.

Motion by Ludwig, second by Masching to approve pay request from Steffen Engineering for \$12,855 for engineering work done on Elm Street Reconstruction Project. Motion carried on roll 4-0.

No report received from Woodbury County Sheriff's Department.

Judi Meyer-Ogden updated Council on housing projects currently in process. Attorney reminded everyone the City is providing funds, SIMPCO is administering those funds, and the homeowners have the actual agreement with the contractors regarding work done. If there is an issue to resolve, it should be handled between the homeowner and his/her contractor. Motion by Grigg, second by Masching, to pay SIMPCO \$10,319 for administrative work on housing project and to pay Ed Madison Construction, Inc. \$10,150 and \$11,500 for work on two housing projects. Motion carried on roll 4-0.

Troy Groves spoke to Council regarding his intentions on drainage ditch on his property south of his home. Council stated work would be at his discretion as this is not city issue.

No action was taken regarding early warning sirens.

Motion by Masching, second by Grigg, to approve second reading of amended **City Code Section 6-3-10** to read connection fees for ¾" and 1" services lines will both be at a cost of \$325.00. Motion also included adding Section 6-3-14 to specify provisions or practices regarding the responsibility to maintain and repair water lines. Second Reading passed on roll count vote 4-0 with Otto absent. Complete text of proposed changes is available for review at City Hall.

Councilman Wollesen brought to Council's attention he questions whether current "late fee" of 10% on utility bills is enough to encourage customers to have payments in on time. After considerable discussion, motion by Wollesen, second by Masching, to direct Attorney Metcalf to draft ordinance to reflect a late fee of \$25 on delinquent accounts with one grace period per fiscal year. Motion carried on roll 3-1 with Ludwig dissenting.

Interview Committee of Mayor Schorg, Councilman Wollesen and Clerk Washburn made recommendation to Council regarding City Clerk position. Mayor stated applicant requested time to consider offer. She will get back with Mayor by noon on Thursday. Motion by Wollesen, second by Ludwig, to accept recommendation and to allow applicant until noon on Thursday to consider. Motion carried on roll 4-0.

City Hall hours of operation were discussed. With new city clerk, office hours may be adjusted slightly. No action taken at this time however.

Public Works Director Vault gave Council quotes regarding jetting the sewer lines. Some contractors also offered televising lines. Motion by Masching, second by Grigg, to contact Cherokee Rehab and have them clean about 1/3 of the city. Motion carried on roll 4-0.

Vault also reviewed results of latest Sanitary Survey from DNR. Lawton now requires Grade 2 certifications for Water Distribution and Water Treatment. Additional testing will also be required. Vault has submitted data to DNR regarding large water user coming off the system recently to see if city can remain Grade 1.

Loss of water pressure in lines during April which resulted in DNR issuing "boil water advisory" was discussed. Vault stated some valves in city do not work. Council would like to see all valves get exercised so an isolated area can be shut off rather than the entire town.

Building permits approved were: 409 E Maple St., storage shed; 215 E Maple St., sidewalk; 159 West Creek Dr., privacy fence, 138 West Creek Dr., chain link fence.

Clerk stated several questions came into City Hall after May water bills were sent out regarding "high bills". Clerk explained sewer rates had increased \$4 this month, and those whom had yard waste carts were billed \$10 for the first time this year.

City received notice from INS of a \$200 grant to be used toward early warning siren.

Clerk also discussed manner of obtaining alcoholic beverages permits. Business owners must first file online. Their permit must then be approved by their insurance agent. After that time, the State will notify the City Clerk than an endorsement by the "Local Authority" is needed. The City Council must authorize that endorsement.

Attorney Metcalf updated Council on pending litigation.

Item #4 was taken off the Consent Agenda for discussion.

Motion by Ludwig, second by Wollesen, to grant approval to Memories Bar & Grill for Temporary Outdoor Service Area Permit for May 17, 2014, provided they first receive approval from State Alcoholic Beverages Division and their insurance company. Motion carried on roll 4-0. Clerk will endorse application as soon as notified by State ABD.

Motion by Grigg, second by Masching to approve consent agenda including: April 1 & April 15, 2014, minutes; April 2014 disbursements of \$45,727.47; and financial statements from April, 2014. Motion carried on roll 4-0.

Council directed Attorney to send certified letter to business owner regarding vehicles parked on public right of way. Attorney also stated resident is littering that has placed ladders and other objects in public alley.

With no further business to come before the meeting, meeting adjourned at 7:35 pm.

REVENUES BY FUND		DISBURSEMENTS BY FUND	
Interest Earned	835.46	TIF-Housing	-
TIF	47,847.87	TIF-West Creek	-
Local Option Sales Tax	8,392.39	Local Option Sales Tax	-
General	68,866.72	General	15,814.55
Road Use Tax	5,777.04	Road Use Tax	3,996.96
Water	11,773.79	Water	8,034.03
Sewer	3,159.30	Sewer	3,959.11
Garbage	5,016.27	Garbage	8,384.97
Fire Revenue	647.66	Fire Disbursements	5,537.85
TOTAL REVENUE	152,316.50	APR. DISBURSEMENTS	45,727.47

WARRANTS APPROVED

Wal-Mart, batteries	15.94
ICAP, annual premium	15,329.93
Automatic Systems, service on control panel	4,033.10
Brown Supply, supplies	297.79
Electronic Engineering, pager clip	12.80
Ed M Feld Equipment, name tags	102.00
Floyd River Materials, Inc., crushed concrete	58.38

Lawton Pronto, fuel	1,063.17
HTM Sales, sewer pump	2,119.00
Moville Record, publications	668.72
MY-LOR, Inc., ID tags	70.25
Novak Sanitary Service, garbage	4,387.50
Sandry Fire Supply, testing & certifying	826.42
Mark Vaul, reim. Mileage	53.76
WITCC, cancellation fee	20.00
Western IA Telephone Assn	341.62
Staples, stapler	13.99
City of Lawton, utilities	49.63
Barco, yellow paint	87.40
Bomgaars, batteries	25.47
Goodland Pump & Supply, draw down gauges, service	284.80
LP Gill, Inc., 2nd Qtr. Landfill assessment	3,997.47
Menard's, supplies	112.58
MidAmerican Energy, gas, electric	2,155.73
Employee Compensation	6,059.02
EFTPS, Fed, Med, SS	2,228.94
IPERS, retirement contribution	1,279.76
Aflac, employee contrib.	32.30
<hr/> APRIL DISBURSEMENTS	<hr/> 45,727.47

ATTESTED BY: _____
Patricia L Washburn, City Clerk