

Lawton City Council Minutes

August 5, 2014

The Lawton City Council met in Regular session on Tuesday, August 5, 2014, at the Lawton City Hall. The meeting was called to order at 5:00 p.m. by Mayor Pro-tem Terry Masching. Council members answering roll call were Terry Masching, Will Wollesen, Perry Ludwig, and Mike Frolkey. Also present were City Clerk Patricia Washburn, Janet Hasche, Public Works Director Mark Vault, City Attorney Glenn Metcalf, Todd Wieck, City Engineer Jerry Steffen and others from the public.

Motion by Ludwig, second by Frolkey, to approve the tentative agenda. Motion carried on roll 4-0. Councilman Matt Otto entered the meeting at 5:03 p.m.

Major Todd Wieck, from the Sheriff's office introduced himself. The Council considered the continuance of the 28E Agreement with Woodbury County, IA for provision of Law Enforcement Services.. Moved by Ludwig, second by Wollesen, to approve **Resolution #2014-15 continuing the 28E Agreement**. Motion carried on roll 5-0.

Hasche presented information on an accounting and utility billing software package proposal for the City from Data Technologies. The council inquired about the cost to also upgrade the computer hardware at this time. Cost information will be furnished to the council before the next meeting.

The council next considered a resolution to waive their right to review the Fauth Subdivision plat located within 2 miles of the city limits. Motion by Masching, second by Frolkey, to enter the **Resolution# 2014-16 to waive the City's right to review**. Resolution #2014-16 approved on roll call vote: 5-0.

Don Grigg presented information on the new electronic sign. He donated cash to the City to purchase the sign, and stated the old sign is the City's to sell or reuse as they see fit. Ludwig entered a motion to accept generous cash donation for the sign, Otto seconded. Motion carried unanimously.

Attorney Metcalf updated the council on his follow up of previously sent nuisance letters. Masching and Metcalf will view properties after meeting.

At 5:26 Mark Vault, Public Works Director, turned in his keys and debit card and indicated that he was done.

Attorney Metcalf reviewed the court ruling on the CHN Garbage Services Inc. vs. the City of Lawton Lawsuit. A judgment for \$50,012.04 plus interest and court costs was awarded in favor of CHN Garbage Services, Inc. Attorney Metcalf did not advise filing an appeal with the Iowa Supreme Court. Motion by Ludwig, second by Otto, to pay the judgment. Motion passed on roll call vote 5-0.

Discussion was held on renewing the SIMPCO membership. The consensus of the council was not to renew the City's membership for this coming year.

Masching indicated that he and Frolkey drove around town and reviewed the condition of streets, water tower, and sewer lagoons. He encouraged other council members to review areas around town. In the future, the council will be working to develop a 5 year plan to address these items by priority.

Dick Morgan, 116 Cedar St., addressed the council about the natural waterway that crosses his property. He presented a petition signed by concerned citizens requesting some help with maintenance of the ditch. Attorney Metcalf indicated that since portions of the waterway are located on private property, if the City were to take over responsibility for maintenance of the land adjacent to the waterway, it would have to exercise its right to condemn private property for storm water drainage infrastructure. Engineer, Jerry Steffen, will review three options presented earlier, and after updating them will present them to the council. He will also check the elevation of the waterway in the West Creek Addition where residents complain of standing water. Mayor Pro-Tem Masching thanked the public for expressing their concerns.

July building permits approved: 315 E. Oak, garage; 207 E. Maple, garage; 205 Cedar, concrete; 509 E. Oak, garage stall addition, concrete & shed; 319 E Birch, sidewalk. Hasche also reminded council that the ball field lease payment is coming up in August, and will be the 4th year of 5 year agreement.

Wollesen gave the Fire Department report as the Fire Chief was unable to attend. The Fire Department has entered into a mutual aid agreement with Merville for daytime calls.

Motion by Wollesen, second by Frolkey, to approve items on the consent agenda. Motion carried.

Jerry Steffen reported that Sioux City Engineering is planning to start the Elm Street replacement project on Sept. 1st. Updates will be given to the public to keep them informed as more information becomes available.

Motion by Otto, second by Frolkey to table items 12 & 13. On roll call vote motion carried.

Wollesen made motion to adjourn, second by Masching, motion carried. Meeting adjourned at 7:08 p.m.

REVENUES BY FUND

DISBURSEMENTS BY FUND

Interest Earned	826.89	TIF-Housing	-
TIF	-	TIF-West Creek	-
Local Option Sales Tax	9,044.82	Local Option Sales Tax	-
General	16,743.36	General	28,735.84
Road Use Tax	7,005.55	Road Use Tax	3,806.19
Water	16,157.97	Water	8,473.12
Sewer	4,597.49	Sewer	5,776.73
Garbage	5,582.52	Garbage	5,016.00
Fire Revenue	18,945.28	Fire Disbursements	12,975.14
TOTAL REVENUE	78,903.88	JULY DISBURSEMENTS	64,783.02

WARRANTS APPROVED

June Employee compensation	9,213.70
Analytical & Consulting Services, Inc	109.50
Banner Township- Cemetery upkeep	1,250.00
Bekins Fire & Safety Services - FD Equip testing	102.50
City of Lawton - FD utilities	52.10
Fireguard, Inc - multi gas detector	500.00
IA League of Cities - FY '15 dues	638.00
Midwest Breathing Air LLC- FD testing	604.67
Midwest Wheel Companies - air chuck & tire gauge	14.36
Novak Sanitary Service - sanitation contract	5,001.00
Robertson Implement Co - 3 blades	56.85
Sewer-Matic -cleaned 3 manholes on Main St	350.00
Sooland Bobcat - parts	418.40
Stan Houston Equip Co., Inc - Perma patch	107.70
Western IA Telephone- June City and June FD	355.49
City of Lawton - refund & apply unused water deposit	44.24
First Trust & Savings, FD Emer. CD	11,450.09
USPS, 2,000 PSA envelopes	1,196.55
McAfee antivirus for Fire Dept laptop	19.99
Walmart, office supplies	31.88
Staples, office supplies	111.59
Acco Unlimited Corporation - chemicals	962.00
Colonial Research Chemical Corp - disinfectant wipes	110.98
Lawton Pronto - fuel	343.72
Iowa One Call - locates	10.00
Metering & Technology Solutions	103.73
The Merville Record - legals	715.94
July Employee compensation	7,568.54
EFTPS, Fed, Med, SS	2,780.02
IPERS, employee retirement	1,592.03
Aflac, employee contribution	32.30
Ace Sign Displays, Inc., down payment	6,312.50
Barco, handicap sign	29.81
Barkley Asphalt, repairs on Oak St	240.88
Bomgaars, shop tools	79.83
Central IA Dist., supplies	220.80
City of Lawton, utilities	49.00
Federal Signal Corp., siren	12,741.00
GCC Alliance Concrete, replace drive at 216 Ash	1,047.50
HTM Sales, sewer pump	2,260.89
IDNR, sewer NPDES annual fee	210.00
Menards, misc supplies	151.97
MidAmerican Energy, gas & electric	1,878.43
Steves Bean Plumbing Co., repair water line	2,822.00
Mark Vaul, cell phone reimbursement	40.00

Patricia Washburn, cell phone reimbursement	10.00
Floyd River Materials, fill sand	54.24
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JULY DISBURSEMENTS	64,783.02

Respectfully submitted,

Janet Hasche, Recording Secretary

ATTESTED BY: _____
Patricia L Washburn, City Clerk