

Lawton City Council Minutes

December 2, 2014, 5:00 p.m.

The Lawton City Council met in regular session on Tuesday, December 2, 2014 at the Lawton City Hall. The meeting was called to order by Mayor Pro-Tem Terry Masching at 5:00 pm. Council members answering roll call were: Terry Masching, Matt Otto, Will Wollesen, Perry Ludwig, and Mike Frolkey. Also present were Janet Hasche, Nick Lahrs, Attorney Glenn Metcalf, and Engineer Jerry Steffen and others from the public.

Mayor asked for any additions or deletions to the agenda. Motion by Frolkey, second by Wollesen to amend the agenda by removing item 11. Motion carried unanimously. Motion by Ludwig, second by Frolkey to approve the agenda, motion carried 5-0.

The Mayor opened the Public Forum and asked if any members of the public wished to address items not on the agenda. Jim Gries, 95 Walnut St. presented two estimates as requested by the council to replace the plantings that were destroyed during the Elm St. Paving project. Council directed him to have the nursery contact the City clerk for billing.

Motion by Will and second by Matt to table item # 1, Ordinance amending placing stop sign at Birch and Elm, until further evaluation. Motion carried unanimously.

Change Order # 1 for Sioux City Engineering was presented by Engineer Jerry Steffen. Motion by Otto, second by Frolkey to approve Change Order #1 for final quantities in the amount of \$638.40, bringing the contract total to \$320,690.40. Steffen clarified that this did not include the driveway, tree removal, or retaining wall discussed at last month's meeting, as these items can be done by the City or hired since these items were not included on the bid. Motion carried 5-0.

Motion by Ludwig, second by Otto, to approve final pay estimate #2 for Sioux City Engineering, \$24,860.45, which still provides for a 5% retainage to be held for 30 days. Motion carried 5-0.

Motion by Wollesen, second by Otto, to approve final engineering bill of \$4582.50 on the Elm St. Paving Project. Motion carried 5-0

Officer Todd Wieck presented the Sheriff's report for November. Officer Wieck suggested that they could bring the radar speed sign and set upon Elm St in an effort to slow the traffic down and to collect data.

ORDINANCE AMENDING CHAPTER 2-4-3 REGARDING MEETING PAY FOR CITY EMPLOYEES OR OFFICERS

Motion by Wollesen, second by Frolkey to approve the first reading of Ordinance 2014-07 providing for compensation to the Clerk or any employee of the City required to be present at a meeting of the City council to be compensated the greater of \$35 per meeting or their regular hourly rate. Ayes: Masching, Otto, Wollesen, Ludwig and Frolkey. Nays: none. Motion carried.

Motion by Otto, second by Frolkey to waive the 2nd and 3rd readings. Ayes: Masching, Otto, Wollesen, Ludwig, and Frolkey. Nays: none. Motion carried.

Motion by Frolkey, second by Otto to adopt Ordinance 2014-22, Ayes: Masching, Otto, Wollesen, Ludwig and Frolkey. Nays: none. Ordinance duly adopted.

Discussion regarding snow emergency vehicle parking and possible options was held. An Ordinance amendment regarding when vehicles will be tagged and towed will be presented at the January meeting for consideration. Possible locations may be identified for people to park during snow emergencies.

Motion by Otto, second by Frolkey to post 4 signs in the vicinity of Birch and Elm intersection indicating a "blind child area". Motion carried 5-0.

Discussion was held on setting the date for the January 2015 meeting. Motion by Otto, second by Frolkey that the January regular meeting shall be moved from Tuesday, January 6th, to Wednesday, January 14, 2015 at 5:00 p.m. Motion carried 5-0.

The Christmas Lighting contest will be held again this year, with judging to take place on the 20th of December. Three prizes will be awarded for first, second & third places. Bernie Gill, owner of Gill Hauling will be donating the prize money. The council thanked Gill Hauling for their donation.

The draft of the re-codification is back for review. Copies will be available in the City office for council members to review and comment on.

Bernie Gill requested the signed copy of the assignment of contract from Novak Sanitation to Gill Hauling. He filled the council in on the change from Novak and how things will go forward. A concern was brought up by the council about getting one color of cans in the town, so everyone would be using the same color.

Clerk reported that we have started the conversion of software and data entry. There were no new building reports for the month of November.

Public Works Director distributed his monthly report. He reported that a valve was inoperable that he was attempting to shut off and it broke, and resulted in an emergency water leak repair. The Water Tower service contract with McGuire Iron provides cleaning every 2 years. The cost is expected to be in the \$2000 range for 2015. The tree pile needs grinding and the expected cost will be in the \$1,000 to \$3,000 range to grind and haul away. The West Creek Lift is fully functional now as several issues have been resolved, and maintenance has been done.

Fire advisory board report, Mark Nicolls is the new Fire Chief. Mark would like to get together in the early part of January to work on budgeting for the Fire Dept. Mark had several questions on the Fireworks Permit process.

Motion by Ludwig, second by Wollesen to approve the consent agenda items: Minutes of the Nov. 4th 2014 meeting, and approve Nov. 2014 disbursements of \$340,708.57. Motion carried 5-0.

Attorney Metcalf asked the council to consider going into closed session as provided by Iowa code sections 21.5 (c) and 21.5(1)(h) of the Open Meetings Law regarding Litigation Matters. Motion by Wollesen, second by Otto to go into closed session. Roll Call vote: Masching, Aye, Ludwig, Aye, Frolkey, Aye, Otto Aye, Wollesen Aye. Motion carried.

Council went into closed session at 6:35 p.m.

Motion by Masching, second by Otto to come out of closed session and back into regular session at 7:10 p.m. Roll call vote: Ayes: Masching, Ludwig, Frolkey, Otto and Wollesen. Nays: none. Motion carried.

Motion by Otto, second by Frolkey to authorize insurance company to negotiate settlement. Motion carried 5-0.

Motion by Otto, second by Frolkey, to adjourn. Motion Carried. Meeting adjourned at 7:12 p.m.

November Expenditures for Approval

EFTPS IPERS	\$	1,679.16
Ace Signs - final payment electronic sign	\$	7,196.25
Brown Supply Co -pipe	\$	287.50
Certified Testing Services - Elm St. Paving Project	\$	3,683.00
City of Lawton - Fire Dept Utilities	\$	49.81
EPS Lawnworks mowing Oct	\$	670.00
Floyd River Materials - crushed concrete	\$	75.04
Mike Frolkey- reimburse bookcase purchase	\$	27.05
HAKA LLC- gas & fuel	\$	272.18
Janet Hasche - cell phone reimbursement Nov	\$	40.00
ISG Group- October services	\$	675.00
IA League of Cities - Budget Mtg Registration	\$	35.00
Nick Lahrs - Nov cell phone reimbr	\$	40.00
LP Gill Inc - 4th Qtr landfill fee	\$	3,997.47
Mangold Environmental Testing - water & waste water testing	\$	540.00
Menards - hole saw	\$	7.19
Nitschke Constr - help install water line@duplex	\$	17.00
Novak Sanitary Serv - Oct	\$	5,029.40
O'Rielly Auto Parts - tools& supplies	\$	53.06
Office Systems Co - copier & cable	\$	2,337.00
	\$	
Sioux City Engineering - Elm St Paving Proj		288,360.20
Steffen Engineering - Elm St Proj & Cedar-Pine drainage	\$	7,675.00
USA Bluebook - Motor	\$	320.82
Western Ia Telephone City & Fire Dept	\$	438.61
Staples st shop office supplies & cable for CityClerk computer	\$	126.73
Intuit (Quick Books) payroll monthly fee	\$	30.34
Employee compensation	\$	5,602.88
UPS shipping	\$	26.72

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Galco- Duplex Pump controller @WC sewer lift	\$	64.54
Check form voided	\$	-
Acco - chlorine	\$	181.38
Bomgaars- supplies	\$	270.51
EGR Ins- surety bond renewal	\$	100.00
First Trust & Savings Bank- bond interest	\$	5,850.00
Floyd River Materials - washed sand	\$	46.92
Inland Truck Parts - work on Fire Truck	\$	1,692.74
Iowa One Call -locates Oct	\$	38.80
Jackson Pumping Service Corp- pump lift station	\$	125.00
Mangold Environmental Testing -waste water testing	\$	219.00
Menards - pipe&fittings	\$	35.14
MidAmerican - utilities	\$	1,717.12
Moville Record - publications	\$	285.74
Office Systems Co -qtrly copier maint contract	\$	71.78
S&S Equipment - repair hyd hoses	\$	228.32
Sign Pro- uniform shirts PW, sign & decals	\$	462.00
Tri-State Electronic Service, Inc webpage assistance	\$	20.00
		\$
November Disbursements		<u>340,708.57</u>

Attested by: _____

Janet Hasche, City Clerk