

## **Lawton City Council Minutes**

**May 5th, 2015, 5:00 p.m.**

The Lawton City Council met in regular session on Tuesday, May 5th, 2015 at the Lawton City Hall. The meeting was called to order by Mayor Rick Schorg at 5:00 pm. Council members answering roll call were: Masching, Ludwig, Frolkey, and Saunders, Absent: Matt Otto. Also present were Janet Hasche, Nick Lahrs, Attorney Glenn Metcalf, and Engineer Jerry Steffen and others from the public.

Motion by Masching, second by Folkey to approve the agenda after removing Agenda Item #2 per Developers request, and to add Gill Hauling invoice for \$5058.50 to bills list for approval. Motion carried 4-0. The Clerk informed the council that Pat Saunders was sworn in as councilman and took the Oath of Office on April 27th, 2015.

The Mayor opened the Public Forum and asked if any members of the public wished to address items not on the agenda. Clerk reported that Jeff Thelander was not here yet, but had wanted to address the council and voice the School's intent to gratefully accept the donation of the old electronic message sign. Jennifer Nelson informed the Council that the Community Garden was nearly completed and ready, and that a ribbon cutting ceremony was scheduled for June 2nd at 4:45 p.m. She invited the council to attend the ceremony, and expressed thanks for their help launching this community project.

Officer Wieck presented the Sheriff's report for April.

Item #3 was postponed until later in the meeting as the City Attorney had not yet arrived with the proposal.

Jeanine Chartier presented a plan for expansion of the Char-Mac facilities. In Phase I, a building is proposed to house a 20 bed Memory Care Unit, and 12 Assisted Living Apartments, with underground parking. Phase II would be for 5 multifamily condominium buildings. Chartier requested City assistance with the extension of streets to provide access to the proposed building. Attorney Metcalf suggested that the first thing that the City needs from Char-Mac is a plat of Phase I and Phase II, showing street locations and lot pins. The City can only make commitments to paving something that is platted. The City would put together a developer agreement that would hinge around only the Memory Care Unit/Independent Living Facility, if it's not there by a certain date, it would be taxable at a certain value. The Attorney will do the calculations on the TIF revenue that could be generated for payback. The original TIF only has 3 years left. A new TIF with a 10 year life would have to be created.

Elm Street Residents presented their concerns about the condition of the Right of Way and their adjacent property after the Elm St. Paving Project was completed. Complaints were made of rocky, poor top soil in inadequate quantities, being used to replace topsoil before seeding, the grass seeding being inadequate. The contractor (Sioux City Engineering) stated at the beginning of the project that things would be returned to as good as or better than the property owner had it before. The Council would like to have the contractor come back and remove the rocky soil and replace it with good topsoil, as the condition it was left in is not acceptable. Steffen engineering was instructed to notify Sioux City Engineering of the problems. The Attorney will prepare a form letter to have property homeowners give permission for the contractor or City to go beyond the sidewalk if needed for repair. Damage to trees also needs to be evaluated and cleaned up. The form should include a section for comments from the homeowner about the problems they need to have addressed on their property.

### **RESOLUTION 2015-11**

#### **RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON THE ADOPTION OF THE PROPOSED "CODE OF ORDINANCES OF THE CITY OF LAWTON, IA"**

Motion by Ludwig to approve the resolution to direct publication of the Notice of Hearing for the Adoption of the Code of Ordinances, second by Frolkey. Ayes: Masching, Ludwig, Frolkey, Saunders. Absent: Otto

Jeff Thelander was invited by the Mayor to speak at this time. Mr. Thelander expressed that the school would be very honored and pleased to accept the donation of the sign. He expressed gratitude on behalf of the district and the community and stated that the school will make good use of it.

### **RESOLUTION 2015-12**

#### **RESOLUTION NAMING SECURITY NATIONAL BANK AS OFFICIAL DEPOSITORY**

Motion by Masching, second by Saunders to approve resolution 2015-12. Ayes: Masching, Ludwig, Frolkey, Saunders. Absent: Otto

Clerk asked direction from the Council on obtaining garbage service beyond June 30, 2015. The council directed the Clerk to do Requests for Proposals from area vendors, with the same criteria as before. Council will review at the June 2nd meeting.

Motion by Saunders, second by Frolkey to purchase the Case Backhoe, with 3 buckets, concrete breaker and frost hook from Mike Rudder for \$25,000. Ayes: Masching, Frolkey, Saunders. Nays: Ludwig. Motion carried.

Erin Nelson and Jennifer Nelson representing the FAMILY Group updated the council on the events planned throughout the City on June 27th for Summerfest. The council approved use of the Friendship Center and Tara Way Park at no charge for the events.

Clerk reported building permits issued in April for 116 Cedar, fence; 138 West Creek Dr. paver patio & deck stairs; 501 Erin's Cove fence; 206 Ash St in-ground pool & concrete surround; 204 West Creek Dr. fence & storage shed. The City's website is up and running. IMWCA will be here to do a walk-through of City facilities May 14th at 1 pm. with the Mayor & Public Works director.

Public Works Director Lahrs gave his report to the council.

Mayor reported a contact he had received about a drainage issue on Oak. Attorney Metcalf had nothing new to report. The Fire Advisory Board report was noted.

The Council took up Agenda Item #3. Attorney Metcalf reviewed the proposal from DA Davis Co, Inc. for repair the manhole & piping in West Creek. Motion by Ludwig, second by Masching, to accept the proposal from DA Davis, and to have Steffen Engineering do inspections once the old lines, manhole and lift station are exposed prior to removal and again after the new work is done, before the ditch is filled. Motion carried 4-0.

Motion by Masching, second by Ludwig, to approve the consent agenda consisting of the Minutes of the April 7th, and April 27th, 2015 council meetings, to approve the April disbursements of \$9,953.44, and approve May claims of \$62,597.28 for payment, and the Financial Statements for April. Motion carried 4-0.

There being no further business, motion to adjourn by Masching, second by Ludwig. Motion carried 4-0. Meeting adjourned at 7:12 p.m.

Revenues: Gen. Fund \$80,054.24, Fire \$330.38, RUT \$6,524.33, LOST \$8,397.80, TIF \$52,635.24, Water \$11,856.75, Water Trust & Agency \$100.00, Sewer \$4,723.94. Expenditures: Gen Fund \$12,394.91, Fire \$2,580.40, RUT \$4,611.55, LOST \$1,672.21, Water \$7,490.09, Water Trust & Agency \$100.00, Sewer

**APRIL PREPAID CLAIMS FOR APPROVAL:**

Debit Card: BOMGAARS	2 CYCLE OIL - FIRE DEPT	\$11.94
Debit Card: STAPLES - SIOUX CITY	PRINTER INK-FIRE DEPT	\$93.06
Debit Card: US POSTMASTER	PKG TO IA CODIFICATION	\$9.00
Debit Card: US POSTMASTER	POSTAGE- FIRE DEPT	\$5.95
EPAY 941 DEPOSIT	FED/FICA TAX	\$1,797.82
EPAY IA DEPT OF REV-SALES TAX	SALES TAX DEP 1ST QTR	\$2,299.00
EPAY IPERS	REGULAR IPERS	\$1,201.10
GREG SILVA	WATER DEPOSIT REFUND	\$57.80
IOWA LEAGUE OF CITIES	REGISTRTION IMFOA CONFR	\$105.00
MIDAMERICAN ENERGY COMPANY	UTILITIES	\$2,338.44
MIDAMERICAN ENERGY COMPANY	UTILITIES	\$1,888.10
WINWHOLESALE COMM. CHARGE	(REISSUE OF VOIDED CHECK)	\$56.96
WIATEL	PHONE&INTERNET FIRE DEPT	\$89.27
	TOTAL PAID	\$9,953.44

**CLAIMS FOR APPROVAL OF PAYMENT:**

ACCO UNLIMITED CORP	CHLORINE	\$159.80
ANALYTICAL& CONSULT	TESTS	\$198.00
BARKLEY ASPHALT INC	BLACKTOPPING	\$33,195.00
BOMGAARS	WEED&PEST CONTROL	\$304.49
C.A.P. RECYCLING	CRUSHED CONCRETE	\$119.70
CITY OF LAWTON	UTILITIES FIRE DEP	\$111.40
GILL HAULING, INC	GARBAGE SERVICE	\$5,058.50
HAKA, LLC	GAS & SUPPLIES	\$1,344.47

I&S GROUP, INC	MARCH SERVICES	\$791.77
IOWA CODIFICATION, INC	RECODIFY ORDINANCES	\$3,900.00
L.P. GILL, INC	2ND QTR 2015 LANDFILL CHGS	\$3,997.47
MAGUIRE IRON, INC	CLEAN & INSPECT TOWER	\$1,905.00
MANGOLD	WATER TESTS	\$22.00
MENARDS - SIOUX CITY	PARTS FOR FAUCET	\$75.51
METERING TECH SOLUTIONS	METER PARTS	\$46.82
MIDWEST BREATHING AIR	ANNUAL AIR TEST	\$346.52
MOVILLE RECORD	LEGAL PUBLICATIONS	\$139.45
OFFICE SYSTEMS CO	COPIER CONTRACT	\$110.54
ROBERTSON IMPLEMENT C	PARTS	\$28.62
SANDRY FIRE SUPPLY	TESTING & CERT	\$954.45
SIOUXLAND HUMANE SOCIETY	SERVICES MARCH	\$35.00
SOOLAND BOBCAT	PARTS	\$21.36
STAN HOUSTON EQUIPMENT	ALTAIR 4x GAS DETECTOR	\$1,140.72
STEFFEN ENGINEERING	SERVICES DRAINAGE DITCH	\$1,107.50
TRI-STATE ELECTRONIC SERV	IT SERVICES	\$80.00
TRIPLE D CONTRACTING, INC	DRAINAGE DITCH WORK	\$7,170.00
USABLUEBOOK	SUPPLIES	\$233.19
	Total Claims Approved for Payment	\$62,597.28

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Rick Schorg, Mayor

Attested by \_\_\_\_\_

Janet Hasche, City Clerk

Posted 5-7-2015