

## **Lawton City Council Minutes**

**December 1, 2015, 5:00 p.m.**

The Lawton City Council met in regular session on Tuesday, December 1, 2015 at the Lawton City Hall. Prior to the meeting starting, the location of the meeting was moved into the Friendship Center to accommodate the audience. The meeting was called to order by Mayor Rick Schorg at 5:00 pm. Council members answering roll call were: Otto, Frolkey, Saunders, Ludwig and Masching. Also present were Janet Hasche, Nick Lahrs, Engineer Jerry Steffen, Jeanine Chartier, Jackie Nor of SEDC, David Gleiser, and others from the public.

Motion by Otto, second by Ludwig 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. The Public Works department was commended on having done a tremendous job with snow removal this year.

The Sheriff's report for November was presented by Todd Wieck. Discussion was held on the status of complaints of barking dogs over the last three months. He explained the process involved in writing a citation and court proceedings. Wieck reviewed how they handled various complaints in the past without writing citations, and were successful. Wieck asked the council how they wanted the situation handled at this point. Masching indicated they had numerous complaints, and that the barking dog incident was captured on video tape the night of November 24th. Wieck will get together with the city clerk to gather the information and complaint documentation.

Jeanine Chartier addressed the council concerning the Char-Mac Expansion Project and the use of TIF. Some of the concerns of the council were discussed. Mayor directed clerk to place back on agenda next month, for reviewing a draft of the developers agreement, the minimum assessed value and a preliminary plat of the project.

The council next considered the adoption of the Char-Mac Addition Phase 2 Urban Renewal Area. Attorney Metcalf explained that the resolution defines the geographic boundaries of the new TIF area.

### **RESOLUTION 2015-30**

Council Member Otto then introduced the following Resolution No. 2015-30 entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE CHAR-MAC ADDITION PHASE 2 URBAN RENEWAL PLAN" and moved that the same be adopted. Council Member Saunders seconded the motion to adopt. The roll was called and the vote was AYES: Otto, Frolkey, Saunders, Masching, and Ludwig. NAYS:none.

Whereupon, the Mayor declared the resolution duly adopted. Complete Resolution on file at the Lawton City Clerk's Office.

### **ORDINANCE NO. 2015-05**

AN ORDINANCE AMENDING ORDINANCE NO. 111, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED CHAR-MAC ADDITION URBAN RENEWAL AREA, IN THE CITY OF LAWTON, COUNTY OF WOODBURY, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF LAWTON, COUNTY OF WOODBURY, LAWTON-BRONSON COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED CHAR-MAC ADDITION URBAN RENEWAL AREA (AMENDMENT NO. 1 TO THE CHAR-MAC ADDITION URBAN RENEWAL PLAN)

Motion by Otto, second by Saunders to waive the second reading of Ordinance 2015-05 amending Ordinance No. 111. Roll Call Vote Ayes: Frolkey, Otto, Saunders, Masching, and Ludwig. Nays: none. Motion carried.

The council considered the third reading of Ordinance 2015-05 amending Ordinance No. 111 for the Division of Revenues under Iowa Code Section 403.19 for the Char-Mac Urban Renewal Plan, as amended. Motion by Frolkey to approve the third reading of the ordinance and its adoption, second by Masching. Roll Call Vote Ayes: Frolkey, Otto, Saunders, Masching; Nays: none. Ordinance duly adopted and effective upon publication. Full text on file at City Hall.

Motion by Otto, second by Saunders, to allow the FAMILY group to place a kiosk sign for displaying information about their group, sponsors and events in Veteran's Park parallel to the fence or on the south side of the Friendship Center. Motion carried 5-0

Motion by Saunders, Second by Frolkey to approve the contract with Wellmark for group health insurance and to authorize the Mayor to execute the documents on behalf of the City. Motion carried 5-0. Full time employees working a minimum of 30 hours per week are eligible to participate. Employees become eligible the first of the month following date of hire. The employee share of the insurance premium shall be deducted  $\frac{1}{2}$  from each paycheck 24 times per year (2 paychecks without insurance deductions) with the deduction in the month of coverage. Eligibility for rehires will be treated the same as new hires. The City will contribute \$250 per month toward the group health insurance premium if coverage is elected by the employee.

Motion by Saunders, second by Otto to authorize the mayor to execute the Section 125 plan documents. Motion carried 5-0.

Ludwig made a motion to approve the newly elected Fire Chief, Kory Eyres, second by Masching. Motion carried 5-0.

Samples of formats of reports from the Fire Department were given to the council by Assistant Fire Chief Kurt Miene, the council is to decide by the January meeting which format they prefer.

#### **RESOLUTION 2015-31**

##### **RESOLUTION APPROVING THE EXPENDITURE OF \$1,000 TOWARD THE INITIAL COSTS OF FIRE STATION FUTURE PLANNING**

Motion by Otto, second by Masching to adopt Resolution 2015-31 approving the expenditure of \$1000 towards the Initial Costs of Fire Station Future Planning to come from the General Fund Fire Department Building Maintenance Account 001-150-6310. Motion carried 5-0.

Motion by Otto, second by Frolkey to approve the updated Contract for Services with the Siouxland Humane Society. Motion carried 5-0.

Motion by Masching, second by Ludwig, to approve Data Technologies, Inc. for Summit Software License fee & Software Support fee for 2016. Motion Carried 5-0

#### **RESOLUTION 2015-32**

##### **RESOLUTION APPOINTING CITY CLERK**

Motion by Masching, second by Frolkey to appoint Douglas Furlich to the Office of City Clerk to assume duties after being bonded, and to be paid \$17.00 per hour, 1 week vacation available immediately in the first year, 6 sick leave days, \$50 per month compensation for city use of personal cell phone, and is eligible for the employers contribution of \$250 per month toward health insurance if elected through the City's Group health Plan; and that Janet Hasche will fulfill the position of Deputy City Clerk for the remainder of her tenure with the City. Roll Call Vote: Ayes Frolkey, Otto, Saunders, and Masching' Nays: Ludwig. Motion carried, resolution adopted.

No action was taken on the request to renegotiate the lease with AT&T for the tower space for their antennas.

Motion by Ludwig, second by Masching to approve the revised Building Permit Form. Motion carried 5-0.

The council discussed the need to add a 100 Watt street light at the west end of Eagle Court. It was the consensus of the council to proceed.

The Clerk reported there were no building permits for the month of November. The Safe Routes/Complete Streets coalition will meet on Friday Dec. 4<sup>th</sup> at 10 am here at City Hall. The Mayor, Councilman Frolkey, the Clerk and Public Works Director will attend.

The Public Works Director stated that the time has passed for the deadline for those receiving a letter from the city to trim their trees. Council directed the Public Works department to trim the trees as they get time, starting with the most problematic first. The property owners will be billed for the work. Lahrs was given the go-ahead to purchase a Schonstedt water line locator for \$2310. The sweeper used on the Tool Cat is in need of replacing. A new one from Bob Cat was quoted at \$4135 and allows \$1000 trade in of the old sweeper, and is eligible for the IA Discount of \$992, for a net trade in price of \$2192. Public works was directed to proceed with the transaction.

Neither the Mayor nor the Attorney had anything further to report. No report was received from the Fire Advisory Board.

Motion by Masching, second by Saunders, to approve the consent agenda consisting of the Minutes of the Nov 3<sup>rd</sup>., 2015 council meeting and minutes of Nov. 16<sup>th</sup>, 2015 Special Council meeting with a correction to the resolution numbering from 2015-28 to 2015-29; Nov. disbursements of \$17045.11, December claims for payment of \$15,718.82 (total includes additional amounts for Dakota Sanitation and City bill for Fire Dept.) Motion carried 5-0.

Perry Ludwig was recognized and thanked for his many years of service to the City in the roles of both councilman and mayor.

There being no further business, motion to adjourn by Masching, second by Saunders. Motion carried 5-0. Meeting adjourned at 7:21 p.m.

November Pre-paid claims for approval:

Epay EFTPS	FED/FICA TAXES	\$1,716.74
Epay IPERS	REGULAR IPERS	\$1,159.44
MIDAMERICAN ENERGY CO	UTILITIES	\$1,812.96
NICK LAHRS	GRADE II LICENSING EXP REIMBR	\$ 225.75
SECURITY NATIONAL BANK	INTEREST 2008 PAVING IMPR BOND	\$4,972.50
WESTERN IOWA TELEPHONE	TELEPHONE & INTERNET	\$ 385.84
Debit Card: US Postmaster	POSTAGE FOR PKG TO AHLERS	\$ 5.75
Debit Card: Staples	Paper & office supplies	\$ 86.32
Debit Card: USPS	STAMPED ENVELOPES	\$ 606.60
PAYROLL CHECKS		\$6,073.21
***PAID TOTAL***		\$17,045.11

CLAIMS FOR APPROVAL OF PAYMENT:

ACCO UNLIMITED CORP	CHLORINE	\$ 139.00
AMERICAN UNDERGROUND	SUPPLIES	\$ 111.29
ANALYTICAL & CONSULT SERV INC.	WASTE WATER TESTING	\$ 477.25
BOMGAARS	SUPPLIES	\$ 128.80
CITY OF LAWTON	UTILITIES @ FIRE STATION	\$ 40.00
DAKOTA SANITATION	NOV. SERVICES	\$4,998.85
DANKO EMERGENCY EQUIPMENT	ANNUAL PUMP TEST FIRE DEPT	\$ 550.00
DATA TECHNOLOGIES	2016 LICENSE FEE &SUPPORT	\$2,265.00
ED M FELD EQUIPMENT CO, INC	EQUIP REPLC HELMET	\$ 11.50
FLOYD RIVER MATERIALS, INC	SURGE ROCK	\$ 181.68
HAKA, LLC	GAS & FUEL & SUPPLIES	\$ 409.58
HEALY WELDING	REPAIR SNOW BUCKET,	\$ 449.32
IOWA RURAL WATER ASSOCIATION	DUES 2016 CAL YR	\$ 225.00
INDEPENDENT PUBLIC ADVISORS LL	2ND HALF TIF PLAN SER	\$2,000.00
IOWA ONE CALL	LOCATES	\$ 26.10
L.G. EVERIST, INC	EROSION STONE	\$ 518.81
MENARDS - SIOUX CITY	HOLIDAY LIGHTING SUPPLIES	\$ 548.59
O'REILLY AUTOMOTIVE	SUPPLIES, OIL & FILTERS	\$ 177.47
RICHARDSON TRUCKING LLC	HAULING ROCK	\$ 150.00
ROBERTSON IMPLEMENT COMPANY	MOWER TIRE REPAIRS	\$ 45.82

SOOLAND BOBCAT	SUPPLIES	\$ 35.56
STAN HOUSTON EQUIPMENT CO, INC	PERMA PATCH	\$ 323.00
STEINHOFF LANDSCAPE&CONSTR,INC	RENTAL STUMP GRINDER	\$ 175.00
THE RECORD	PUBLISH LEGALS	\$ 497.02
U.S. 20 ASSOCIATION	DUES 2016	\$ 100.00
USABLUEBOOK	INJ VALVE ASSMBY	\$ 99.95
WOODBURY CTY AUDITOR	ELECTION COSTS	\$1,034.23
**** SCHED TOTAL ****		\$15,718.82

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

Rick Schorg, Mayor

Janet Hasche, City Clerk