

The City Council of the City of Tipton, Cedar County Iowa, met in regular session. Mayor Young called the meeting to order at 5:30 p.m. Upon roll being called the following named council members were present: Eaton, Kepford, McGlaughlin, Starr and Stonerook. Also present City Manager Boldt, Fletcher, Spangler, Nash, Packwood, Hakeman, Klay Johnson, Justine Reynolds, Monte Gaul, Warren Wethington, John Miller, Kevin Kofron, Ken Paul, Brad Peck, Dave Hill, Don Kovach and the press.

Agenda: Motion by Starr, seconded by Kepford to accept the agenda as presented. Motion carried by following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Consent Agenda: Motion by Stonerook, seconded by Mc Glaughlin to approve the consent agenda with the deletion of paragraph two under Fire Station Symposium, September 26, 2005, special meeting minutes. Consent agenda items; Beer license renewal, September 19 and September 26, 2005, minutes.

Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Old Business – Fire station symposium: Council person Starr stated the council made the decision to approve sending Kevin Kofron to the fire symposium. Because of the decision, travel plans were made. Then the council reversed the motion. Starr stated the council either needs to fulfill the directive or if they feel the directive was wrong the council shares the responsibility. Starr felt more discussion was needed to clarify the reasoning. Council person Eaton wanted clarification from where the trip expenses would be paid. Eaton was not in favor of using fire department property acquisition funds for this trip and questioned why the decision was being made by the council and not the fire department. It was explained because the trip was an unbudgeted expenditure, it would need council approval. Mc Glaughlin felt the situation wasn't handled properly. He didn't feel the council had all the facts at the prior meetings, but now the building committee has given their support for the trip. Kepford said the full fire department building committee should have met and brought their decision to the council. Stonerook said he wasn't against the trip but questioned the timing, and where the new station was on the Capital Improvement plan. A motion was made by Eaton, seconded by Stonerook to approve an internal loan to the fire department for symposium attendance if the department chooses to use it. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

K. Motions for Approval

Claims List: Motion by Starr, seconded by McGlaughlin to approve claims list as presented.

ARAMARK	BUILDING MAINTENANCE-GEN	40.16
	BLDG MAINTENANCE -FAC	84.39
BATTERY PRODUCTS INC	36 BATTERIES- FIRE	51.72
BURMEISTER ELECTRIC COMP	UNDERGROUND SUPPLIES-ELE	4,926.67
	UNDERGROUND SUPPLIES-ELE	1,487.30
CITY ELECTRIC SUPPLY	SUPPLIES- ELECTRIC	9.11
	SUPPLIES - ELECTRIC	49.93
CUSTOM BUILDERS INC	PHONES-ADMN SERVICES	54.94
	POLICE PHONES - 2	29.96
	PW GEN ADMIN	24.99
	REC PHONE	12.49
	GAS PHONES	31.24
	ELECTRIC PHONES	88.65
	GARBAGE PHONES	37.49
	STREET PHONES	37.49
	PARK PHONE	12.49
DENDINGER ATTORNEY AT LAW	MEYER PROPERTY-ELECTRIC	737.00
	ST PRJCT/SIDEWALK	1,035.00
EASTERN IOWA LIGHT & PWR	LAGOON UTILITES	674.56
	CEMETERY UTILITIES	18.35
FARNER-BOCKEN COMPANY	BLDG MAINTENANCE SUPPLIE	112.58
FLETCHER-REINHARDT CO.	UNDERGROUND SUPPLIES -EL	854.46
	4 METERS ELECTRIC	342.40
	OVERHEAD SUPPLIES-ELECTR	531.79
	METER SUPPLIES ELECTRIC	1,027.14
G&K SERVICES	SUPPLIES CENTRAL GARAGE	85.13
	SUPPLIES ELECTRIC	36.64
GORTON COMMUNICATIONS	WEBSITE MAINT-LOCAL ACCE	120.00
GRAINGER INC, WW	GAS SUPPLIES	75.34
HARCROS CHEMICALS INC	POOL CHEMICALS - FAC	197.63
HARVEY'S PUMP SERVICE	WORK ON ST PROJECT	8,277.13

HIGH VOLTAGE	EST/REPLACE RUBBER GOOD	842.21
IOWA DEPARTMENT OF NATUR	PERMIT RENEWAL-WATER	25.00
IOWA NETWORK SERVICES IN	SEPT SERVICE-LOCAL ACCES	12.99
IOWA ONE CALL	LOCATES - WATER,ELECTRIC,GAS	45.90
KLUESNER CONSRUCTION INC	ASPHALT PATCHING-STREET	9,076.30
KUNDE OUTDOOR EQUIPMENT	PUMP REPAIRS-CENTRAL GAR	89.15
	PUMP REPAIR-CENTRAL GARA	133.35
	REPAIRS-CUT SAW/CENTRAL	27.25
	PARTS-CENTRAL GARAGE	35.90
	PACKER REPAIRS-CENTRAL G	99.11
	TOOLS/PARTS-CENTRAL GARA	47.32
	PARK MOWER REPAIRS	152.08
	SUPPLIES - CENTRAL GARAG	23.39
	SAFETY SUPPLIES-GEN ADMN	10.95
	MOWER PARTS-CENTRAL GARA	53.10
	SAW SERVICED-CENTRAL GAR	36.77
	SAW OIL-CENTRAL GARAGE	9.96
LAWSON PRODUCTS INC	GLOVES - CENTRAL GARAGE	31.97
M & K ELECTRIC	CLOCK INSTALL INDOOR POOL	71.20
MANATTS INC.	.5 YD CONCRETE-CURB REPA	90.00
MATT PARROTT & SONS CO.	UTILITY BILLS	581.83
	DELINQUENT NOTICES-WA/EL/GS	68.20
MC MASTER-CARR	LEN COVERS-GAS	73.24
MSC INDUSTRIAL SUPPLY CO	MISC SUPPLIES GAS	148.49
NEWTON HOME OIL CO INC	AUGUST SERVICE-AIRPORT	30.00
NEWTON MANUFACTURING CO	GARBAGE STICKERS	220.82
NFPA	CODE BOOKS - ELECTRIC	436.45
OMB POLICE SUPPLY	PISTOL-POLICE	472.18
P & E ENGINEERING CO	SERVICES-ELECTRIC	266.25
POOL CLEANER SERVICES LL	VACUUM REMOTE-FAC	89.00
PRAXAIR DISTRIBUTION INC	OXYGEN - AMBULANCE	39.61
	CYLINDER RENT AMBULANCE	65.70
QUILL CORPORATION	OFFICE SUPPLIES-	29.40
	MISC SUPPLIES-FAC/ADMN S	79.67
	INK TONER-FAC	32.99
RADIO COMMUNICATIONS CO	6-PAGERS REPAIRED/BATTER	186.80
RESCO	UNDERGROUND SUPPLIES-ELE	2,389.95
REXCO EQUIPMENT INC	SUPPLIES-CENTRL GRG	47.92
RICH'S AUTO REPAIR	REPAIRS-#9 CENTRAL GARAG	115.33
SWICK CABLE	BORE SERVICE-ST PROJECT	400.00
T & M CLOTHING CO.	UNIFORM/EQPT-YOUTH REC/ 4 SHIRTS-PW/GRB/ST	1,511.73 1,093.60
TERRY DURIN COMPANY	UNDERGROUND SUPPLIES-ELE	653.89
TIPTON BAKERY	SUPPLIES-SAFETY MTG	14.85
TIPTON TIRE & AUTO SERVI	TIRE REPAIRS-CENTRAL GAR	42.00
TRI CITY EQUIPMENT CO	FREIGHT CHRGS-EQPT-FAC	40.00
UTILITY EQUIPMENT COMPAN	WHITE MARKING PAINT-STRE	35.16
UTILITY SUPPLY OF AMERIC	WATER SUPPLIES	199.00
WALMART COMMUNITY	BLDG MTN SUPPLIES-GENERA	32.97
WASTE MANAGEMENT OF IOWA	AUGUST SERVICE-GARBAGE	9,270.25
	XERXES-SEPT GARBAGE	1,190.00
WENDLING QUARRIES	ASPHALT-13.15 STREET REPAIR	532.58
	6.05 TN ASPHALT-STREET	245.03
WESCO RECEIVABLES CORP	UNDERGROUND SUPPLIES-ELE	64.20
WOOD, JERRY	REPAIRS-#20 CENTRAL GARA	778.00
GRAND TOTALS		<u>\$53,495.16</u>

Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Set Public Hearing: At the September meeting P & Z drafted an ordinance amendment for residential swimming pool fences. The city attorney had recommended this portion of the code be amended to make it read more clearly with specific benchmarks. Motion by Eaton, seconded by Starr to set a public hearing on October 17, 2005, at 5:30 p.m. for the proposed ordinance amendment for residential pool fences. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Pay Request #3 –Horsfield Construction: Motion by Stonerook, seconded by Kepford to approve pay request #3 for Horsfield Construction in the amount of \$313,700.07. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Outdoor Lighting-FAC: Boldt stated the City received a quote from Superior Electric for the installation of the lights and MUSCO Lighting is still honoring the quote for the materials from the May change order. Superior Electric has agreed to run this change order through their portion of the contract, as Miron Construction did not want to take on the additional work. Motion by McGlaughlin, seconded by Starr to authorize the preparation of the change order for the installation of the outdoor lights at the Family Aquatic Center. Motion passed by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Gas Contract Renewal with BP: Upon review of the contract by the City attorney and Gas Superintendent Penrod, it is recommended to renew the proposed three year contract with BP. Motion by Kepford, seconded by Eaton to approve the gas contract renewal with BP. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Gas Contract Amendment with Northern Natural Gas: Thomas Gorak, attorney for the Northern Municipal Distributors Group (NMDG), has approved some contract language amendments that were recommended by the Northern Natural Gas legal department and Federal Energy Regulatory Commission (FERC). Both the city attorney and Penrod reviewed the changes and recommend the contract amendment. Motion by Eaton, seconded by Starr to approve the contract amendment with Northern Natural Gas. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Resignation-Board of Adjustment: Motion by Starr, seconded by Eaton to accept Marvin Miller's resignation from the Board of Adjustment. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Resignation – Planning & Zoning Administrator: Motion by Eaton, seconded by Starr to accept Doug Boldt's resignation as Planning & Zoning Administrator, effective October 4, 2005. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Appointment – Zoning Administrator: Motion by Eaton, seconded by Stonerook to approve Mayor Young's recommendation to appoint Marvin Miller as Planning & Zoning Administrator, effective October 4, 2005. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Computer Server Upgrade: City manager Boldt explained to the council that while working on network maintenance, Brent Gorton of Gorton Communications, reported the server in running very low on memory. Gorton is recommending an immediate server upgrade. The server upgrade was anticipated and is included in the 2005-2006 budget. After further discussion a motion was made by Starr, seconded by Kepford to accept Elite Data Systems bid of \$4299.00 for the city's computer server replacement. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook
Nay: None

Animal Ordinance: Council person Kepford introduced report forms she would like incorporated into the animal control ordinance. During the discussion, Chief Hakeman explained they use similar forms when they criminally investigate animal bites, but are not actually incorporated into the ordinance. Kepford went on to say she felt information needed to be shared more timely with the animal owner. Chief Hakeman explained emotions run high in these cases. That and pending litigation may determine when facts are shared with the animal owners. Council person Starr expressed concerns regarding the bite victims and their right to protection and due process. Mayor Young said he had received no communication from the Friends of the Animals (FOTA) regarding ordinance changes. Chief Hakeman had spoken to the FOTA president and they do not wish to make any changes to the ordinance. Council persons Kepford and McGlaughlin concurred.

Basic Service Charge Temporary Waiver: Council discussed what could be done to help citizens this heating season with the predicted high gas costs. Waiving basic service charges short term was discussed. City Manager Boldt suggested putting more emphasis on the Project Share Program. This is a customer contribution program where residents can add a donation to their utility bill to help the needy in the community. These funds are matched with funds from the gas and electric departments and sent to the local Iowa East Central T.R.A.I.N. office. The City is required to advertise for the program in the spring and fall, and Boldt suggested using the ad as a utility bill stuffer to bring more attention and hopefully more donations to the program.

City Manager Report: City Manager Boldt updated the council on the progress of the Aquatic Center punch list and 2005 street improvements program.

Boldt also noted the completion of the landscape project in front of City Hall. Boldt explained the city would be responsible for material costs only, with the exception of the day lilies donated by Mike Boyle. Boyle and RVM Landscaping donated their labor to the beautification project.

A countywide special election has been set for January 17, 2006, for the purpose of calling a Local Option Sales & Service Tax Election.

The DOT traffic study had been completed for both the north/south ends of Tipton. At this time the study does not warrant any changes.

Boldt has received a memo from Garden & Associates with the soil boring results on the potential water tower and fire station sites. Hard copies should arrive soon.

Adjournment: With no further business to come before the council, motion to adjourn was made by Kepford, seconded by Starr. Motion carried by the following vote:

Aye: Eaton, Kepford, McGlaughlin, Starr, Stonerook

Nay: None

Meeting adjourned at 7:19 p.m.

Mayor

ATTEST: _____
Deputy City Clerk