

April 4, 2005
Council Chambers
City Hall
Tipton, Iowa

The City Council of the City of Tipton, Cedar County, Iowa met in Regular Session at 5:30 p.m. Mayor Young called the meeting to order. Upon roll being called the following named council members were present: Eaton, Kepford, McGlaughlin, Starr, Stonerook. Also present Schrad, Foley, Packwood, Boldt, Dietrich, Hakeman, Spangler. Visitors: Phil LaRue, Clay Johnson, Mark Fincel and the press.

AGENDA: Motion by Starr, seconded by Stonerook to approve the agenda as presented. Council Member Kepford said she would give a brief update from the Friends of Animals concerning the status of the new animal shelter. Motion carried by the following vote:

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

GARDEN & ASSOCIATES: Mark Fincel, engineer for Garden & Associates thanked the council for allowing his Firm the opportunities to serve Tipton on various engineering projects over the past several years. Fincel said he is preparing for the upcoming street projects which are scheduled to take place this summer. Council thanked Fincel for the work well done and looked forward to working with Garden on future projects.

CONSENT AGENDA: Motion by Kepford, seconded by Stonerook to approve the following:

1. Minutes from the previous meeting.
2. Following List of Claims:

ALBUAGH PHC	11.00
ALEXIS FIRE EQUIPMENT	55.48
ARAMARK	34.06
BATTERY PRODUCTS	72.23
BETTER WAY CLEANING	1548.55
CITY ELECTRIC SUPPLY	161.00
CUSTOM BUILDERS	13.40
DAVIS FARM EQUIPMENT	7.13
DITCH-WITCH-IOWA	1350.00
ELLIOTT EQUIPMENT	274.53
EMBLEM ENTERPRISES	331.05
EMP INC.	331.46
FLETCHER-REINHARDT	471.29
FRIENDS OF ANIMALS	300.00
G&K SERVICES	34.24
GALLS INC.	95.95
GORTON COMMUNICATIONS	110.00
GRITTON GARAGE DOORS	45.00
GROEBNER & ASSOCIATES	676.08
HEATH CONSULTANTS	800.22
MOORE, MRS. CHANCY	175.00
NASH TREE SERVICE	95.00
NATIONAL WATERWORKS	2524.79
OFFICE DEPOT	100.96
OMB OFFICE SUPPLY	47.79
PRAXAIR DISTRIBUTION	96.72

QUAD CITY TESTING	200.00
QUILL CORPORATION	210.37
RADIO COMMUNICATIONS	1260.62
RESCO	307.40
SPAHN & ROSE	47.54
STAPLES CREDIT PLAN	449.20
TIPTON TIRE & AUTO	19.00
UNIFORM DEN	147.75
VERIZON WIRELESS	398.16
VONACHEN SERVICES	495.25
WALMART COMMUNITY	65.76
WASTE MANAGEMENT	595.00
WENDLING QUARRIES	15309.04

Motion carried by the following vote:

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

FIRE ZONE PERMIT ORDINANCE AMENDMENT: Mayor Young opened the Public Hearing for the first reading of Fire Zone Permit Ordinance Amendment. With no oral or written comments, Mayor Young closed the Public Hearing. Motion by Eaton and seconded by Stonerook to waive the second and third reading of this ordinance amendment and approve the following ordinance:

An Ordinance Amending Title 6, Chapter 9 Of The Tipton Municipal Code By Deleting Sections 6-9-3 And 6-9-4 From the Chapter.

Be It Ordained By The City Council Of The City Of Tipton, Iowa

SECTION 1. Title 6, Chapter 9 is amended by deleting Section 6-9-3, RESIDENCES AND PRIVATE GARAGES IN THE FIRE ZONE. It shall be unlawful for any person to erect or place within the limits of said fire zone any residence or private garage, unless the entire outer walls are constructed of cement blocks, brick or frame construction covered with brick veneer, slate or asphalt shingles. Wood cornices, window and door frames are permitted in the construction of private garages. Any material variations by applicant from the original application or permit may be enjoined, and the council may revoke said permit.

SECTION 2. Title 6, Chapter 9 is amended by deleting Section 6-9-4, SPECIAL PERMIT FOR RESIDENCES AND PRIVATE GARAGES. Notwithstanding the provisions of Section 6-9-3, the City Council may issue a permit for the construction of a residence or garage in an area zoned C-1 or C-2 without regard to the construction requirements of Section 6-9-3 if the City Council finds that the location of a proposed residence or garage is not in an area of present or potential fire hazard.

SECTION 3, Title 6, Chapter 9, is amended by renumbering Sections 5,6,7 and 8, to 3,4,5, and 6 respectively.

Motion carried by the following vote:

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

HANDICAPPED PARKING ORDINANCE AMENDMENT: Mayor Young opened the Public Hearing for the first reading of Handicapped Parking Ordinance Amendment. With no oral or written comments, Mayor Young closed the Public Hearing. Motion by Starr and seconded by McGlaughlin to waive the second and third reading of this Ordinance Amendment and approve the following Ordinance:

An Ordinance Amending Title IV, Of The Tipton Municipal Code By Establishing Chapter 9, Parking For Persons With Disabilities In The Downtown Business District Of Tipton, Iowa

Be It Ordained By The City Council Of The City Of Tipton, Iowa:

SECTION 1. PURPOSE. The purpose of this amendment is to amend a designated parking space for persons with disabilities within the Downtown Parking District.

SECTION 2. AMENDMENT. Title IV Streets, Chapter 9, Section 4 of the Tipton Municipal Code is hereby amended by deleting subsection “h” and substituting the following:

SECTION 4, Designation of Persons with Disabilities Parking Spaces. Only persons with a disabilities parking permit, as defined by Title VIII, Chapter 321IL.4 of the Iowa Code, shall be allowed to park in the following places:

h. The marked parallel parking space along the south side of the 4th Street directly in front of 113 East 4th Street.

Motion carried by the following vote:

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

SUNRISE ESTATES PRELIMINARY PLAT: Motion by Eaton, seconded by Starr to approve Resolution No. 040405A which is a Resolution Approving Revised Preliminary Plat Sunrise Addition In The City Of Tipton, Cedar County ,Iowa. Motion carried by the following vote:

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

WAIVER OF SIDEWALK REQUIREMENT: Motion by Eaton, seconded by Kepford to approve Resolution No. 040405B which is a Resolution Approving Temporary Waiver Of Requirements Of Title VI, Chapter 6, Section 1, Minimum Improvements Required, Fraseur’s Millennium First Addition In The City Of Tipton, Cedar County, Iowa. The property owners listed in the Resolution will be allowed six months before sidewalks must be installed. Motion carried by the following vote:

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

STREET CLOSING REQUEST: Motion by Starr, seconded by McGlaughlin to approve the closing of East 5th Street between Cedar and Meridian Streets on Sunday, April 24th for an auto show sponsored by Tavern on the Square. Motion carried by the following vote:

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

ELECTRICAL COST OF PURCHASED POWER INDEX: In a letter to City Manager Schrad, Electric Superintendent Packwood advises that the State mandates a review of the cost of Purchased Power Index (PPI) at this time each year with any Purchase Price Adjustment (PPA) to become effective with the first billing cycle in April.

Packwood said the rate structure includes a PPI of \$0.0240 per kWh. The PPI calculated for 2004 was \$0.03508 or a difference of \$0.01108, which indicates the new PPA, should be \$0.01108, an increase of \$.00557 over the April 1, 2004 PPA.

Packwood said the primary reason for this increase was the \$210,490.39 back billed by RPGI for 2004 expenses. He said the city is disputing this action and should any of these dollars be recovered, the 2005 PPA would be reduced accordingly. Prior to this back billing by RPGI, the April 2005 PPA for 2004 expenses had been calculated at \$0.00327, or a reduction of 41% from the April 1, 2004 PPA. He said the effect of this increase in the PPA to the average residential customer ranges from \$3.75 per month in the spring to \$3.82 per month in the summer.

Motion by Starr, seconded by Eaton to approve the required PPA to be implemented April 1, 2005 at \$0.01108. Motion carried by the following vote:

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

REQUEST FOR PROPOSALS, PURCHASE OF ELECTRICAL ENERGY: City Manager Schrad explained to the council that the City of Tipton owns 0.5% of Louisa Generating Station (LGS), which is currently 3.5 MW of generation capacity, and 5 MW capacity in 345 kV transmission facilities from LGS to Substations T and 92. He said the city would like to solicit proposals for the purchase of the City's 3.5 MW share of LGS energy production commencing January 1, 2006 and continuing for a period of one, two or three years. Schrad said the City will evaluate all proposals that are received by due date, and would select one Proposer with which to negotiate a final agreement. The Agreement will be between the City (Seller) and the selected Proposer (Purchaser).

Motion by Kepford, seconded by McGlaughlin to approve the Solicitation of proposals for the purchase of the City's 3.5 MW shares of LGS. Motion carried by the following vote:

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

ANNUAL 1% ADJUSTMENT OF ELECTRIC RATE: At the recommendation of Electric Superintendent Packwood, motion was made by Eaton and seconded by Stonerook to allow the automatic 1% rate increase to be implemented as provided in the City ordinance. This will allow Tipton's base rates to stay somewhat in pace with increasing costs for labor, materials, and equipment, and avoid significant increases in the future. The effect of the 1% increase to the average residential customer ranges from \$0.57 per month in the fall to \$0.67 per month in the summer. Motion carried by the following vote:

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

PAY REQUEST, FAMILY AQUATIC CENTER: Motion by Starr, seconded by Stonerook to approve Pay Request No.6 in the amount of \$35,592.40 to Mechanical Inc. for work completed on the Family Aquatic Center. Motion carried by the following vote:

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

FRIENDS OF THE ANIMALS: Council Member Kepford asked City Manager Schrad what the status was concerning the new Animal Shelter. Schrad said he had been in contact with Garden & Associates and that they are in the process of drawing of Plans & Specifications. He said he should have something in the near future.

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

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

Mayor

ATTEST: _____
City Clerk