

City of Tipton City Council Regular Meeting Minutes  
(Unabridged version)  
Council Chambers  
March 21, 2005

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, Starr and Stonerook, absent McGlaughlin. Also present Schrad, Fletcher, Boldt, Hakeman, Hembry, Michael Kramer, Mike Cook, Jim Rohlf, Ray Eserhaut, Gerri Scherer, Don and Mary Ferrin, Scott Dietrich, Klay Johnson and the press.

**Agenda:**

Motion by Starr, seconded by Stonerook to accept agenda as presented. Motion carried by following vote:

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

**Communications:**

Michael Kramer addressed the council on behalf of Gerri Scherer regarding the use of metal roofing materials. Ms. Scherer wants to use the same material on her garage that is on her home. Presently the Planning & Zoning code does not allow metal roofing on accessory buildings. Boldt suggested Mr. Kramer and Ms. Scherer attend a Planning & Zoning Board meeting where the issue could be re-addressed.

**Consent Agenda**

Motion by Kepford, seconded by Stonerook, to approve the consent agenda. Motion carried by the following vote:

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

AFLAC	REMAINING BALANCE DUE	6.52
ALBAUGH PHC	2003 UPC BOOK WATER	64.00
ALEXIS FIRE EQUIPMENT	LIGHT BAR & SIREN SPEAKE	727.26
ALLIANCE WATER RESOURCES	MARCH SERVICE WATER/WAS	6,496.34
ALLIANT ENERGY	NON-METER EXCESS FAC EL	193.34
ARAMARK	BLDG MAINT SUPP GENERAL	34.06
BATTERIES PLUS	BATTERY BACKUP ADMIN SE	67.59
	BATTERY & CHARGER AMBUL	32.98
BLUE CROSS/BLUE SHIELD	HEALTH INS. PAYMENT	364.84
BP CANADA ENERGY MARKETI	GAS PURCHASE	180,091.77
BROMELL, COURTNEY	CLEANING CITY HALL	166.25
BURBACH AQUATICS LLC	COMPENSATION, PHASE III	16,641.05
CBE GROUP INC, THE	COLLECTION SERVICES AMB	7.13
CEDAR COUNTY CO-OP	OIL CENTRAL GARAGE	62.00
	FUEL CREDIT CENTRAL GAR	22.37CR
	745.4650 GL UL CENTRAL	1,355.81
CEDAR COUNTY SOLID WASTE	TRANSFER FEES GARBAGE	1,680.00
CEDAR RAPIDS WELDING SUP	CYLINDER RENT ELECTRIC	8.99
CITY CARTON CO INC	RECYCLING MATERIALS	577.50
CITY OF TIPTON FUNDS	HEALTH INSURANCE RESERVE	4,855.26
	TRANSFERS OTHER FINANCIN	141,798.42
	ADM. SERVICES REPAYMENT	1,395.61
CITY OF TIPTON-REVOLVING	MONTHLY REPAYMENT SCHEDU	9,962.44
CITY UTILITIES	CITY UTILITIES	12,818.64
CONTRACTORS TOOL & SUPPL	CHOKER CABLE CENTRAL GA	45.56
DAVIS FARM EQUIPMENT CO	PART FOR SWEEPER CNTRL	11.72
EASTERN IOWA LIGHT & PWR	UTILITIES CEMETERY	22.48
	UTILITIES LAGOON	735.63
ECIA	PRE-DISASTER MITIGATION	1,187.43
ELLIOTT EQUIPMENT CO	SPROCKET FOR SWEEPER-CNT	72.45
	PARTS FOR SWEEPER-CNTRL	281.40
EMP INC	MEDICAL SUPPLIES AMBULA	578.99
EMSLRC - UNIVERSITY OF	AMB. TRAINING	10.00
FARM PLAN CORPORATION	FUEL CEMETERY	3.95
	OPERATING SUPP TRAFFIC	44.32
	OPER SUPP GARBAGE	35.90

	OPER SUPP STREET	14.95
	MOUSE POISON CENTRAL GA	4.97
	SUPP FOR SERVICE LINES	38.83
	REPAIR PARTS GAS	12.47
	MAINT SUPP ELECTRIC	28.16
	ANTIFREEZE ELECTRIC	93.60
	OPER SUPP ELECTRIC	14.43
	OPER SUPP ELECTRIC	28.49
	REPAIR PARTS CENTRAL GA	79.39
	WELDING SUPPLIES GAS	58.95
FINANCIAL ADJUSTMENT BUR	COLLECTION EXP EL/WA/GS	70.00
G&K SERVICES	OPER SUPP ELECTRIC	30.93
	OPER SUPP CENTRAL GARAG	83.73
GALLS INC	OPER SUPP POLICE	44.96
GARDEN & ASSOCIATES INC	2005 STREET IMPROVE PROJ	4,144.61
	EAST ST WA MAIN - DESIGN	297.25
GORTON COMMUNICATIONS	TROUBLE SHOOTING CHARACT	100.00
GROUP SERVICES INC	THIRD PARTY ADM. HEALTH	5,592.36
HAWKEYE INTERNATIONAL TR	REPAIRS TO GARBAGE TRUCK	1,632.63
IA-IAAI	MEMBERSHIP RENEWAL FIRE	20.00
IOWA ASSOCIATION OF	DUES & L & R ASSESSMENT	5,725.00
	FIRST AID, CPR, EIASSO D	651.41
IOWA NETWORK SERVICES IN	MARCH SERVICE LOCAL ACC	12.99
IOWA PRISON INDUSTRIES	CULVERT WARNING SIGNS T	79.33
IPERS	UNDER PAYMENT	28.29
KUNDE OUTDOOR EQUIPMENT	OPER SUPP FIRE	15.73
	REPAIR PARTS CENTRAL GAR	56.14
LAWSON PRODUCTS INC	NITRILE DISP GLOVES PAR	30.57
MATT PARROTT & SONS CO.	DELINQUENT NOTICES EL/W	68.20
MC MASTER-CARR	PROTECTIVE LENSES FOR WE	46.73
MECHANICAL INCORPORATED	PAYMENT NO.5 AQUATIC CEN	95,428.80
MIRON CONSTRUCTION CO.,	PAYMENT NO.6 AQUATIC CEN	345,738.00
MOES, MIKE	EXPENSE REIMBURSEMENT	50.00
NEW HORIZON FS INC	43.483 GL UL CENTRAL GA	78.96
	8.593 GL UL CENTRAL GAR	15.03
	105.354 GL UL CENTRAL G	187.26
NORTHERN MUNICIPAL	GAS ASSESSMENT	1,910.70
PES INC	CARD READING SYSTEM AIR	12,108.47
	CARD READING SYSTEM AIR	1,343.75
	CARD READING SYSTEM AIR	5,221.29
QUILL CORPORATION	OFFICE SUPP ADMIN SERV/	274.16
RK DIXON CO	COPIER CONTRACT AMBULAN	24.20
	COPY USAGE 5/10/04-8/9/0	14.67
	COPY USAGE 8/10/04-11/9/	14.67
	COPY USAGE 11/10/04-2/9/	14.69
ROAD MACHINERY & SUPPLIE	GUTTER BROOMS FOR THE SW	170.00
STOLTE, LEROY	GAS WELDING SCHOOL EXPEN	200.00
TERRY DURIN COMPANY	STREET LIGHTS ELECTRIC	1,806.00
	METER SEALS ELECTRIC	262.50
	SUPP FOR UNDERGROUND EL	119.70
THEIN MOTOR SALES	VEHICLE REPAIRS CNTRL G	382.55
TIPTON CHAMBER OF COMMER	CHAMBER DUES ADMIN SERV	375.00
TIPTON CONSERVATIVE	BUDGET HEARING, MINUTES	288.29
	METAL ROOFING ORD, ANNEX	43.65
	ZONING HEARING GENERAL	16.00
TIPTON TIRE & AUTO SERVI	TIRE REPAIR CENTRAL GAR	47.00
	TIRE REPAIR CENTRAL GAR	35.00
	TIRE REPAIR CENTRAL GAR	12.00
	TIRES CENTRAL GARAGE	523.14
	TIRE AMBULANCE	167.24
WASTE MANAGEMENT OF IOWA	FEBRUARY SERVICE GARBAG	1,365.00
	FEBRUARY SERVICE GARBAG	8,514.00
WOOD, KEITH	CEMETERY LABOR	2,696.45
XEROX CORPORATION	BASE CHARGE ADMIN SERVI	676.07
GRAND TOTALS		891,644.60

### **Public Hearing: Pre-Disaster Mitigation Plan**

Mayor Young opened the public hearing for the Pre-Disaster Mitigation Plan. With no written or oral objections received, and no further comments Mayor Young closed the public hearing for the Pre-Disaster Mitigation Plan.

Motion by Eaton, seconded by Starr to accept the pre-disaster mitigation plan as presented.

**RESOLUTION # 032105A**

**Purpose:** A resolution to approve and adopt the Tipton Pre-Disaster Mitigation Plan.

**WHEREAS,** the Tipton Pre-Disaster Mitigation Plan was presented to Tipton City Council on March 21 2005; and **WHEREAS,** the Tipton Pre-Disaster Mitigation Plan was prepared in compliance with the Pre-Disaster Mitigation Planning Requirements of the Pre-Disaster Mitigation Act of 2000 provided by the Iowa Homeland Security and Emergency Management Division; and

**WHEREAS,** the Tipton Pre-Disaster Mitigation Plan identifies the City's potential hazards in the community; and

**WHEREAS,** the Tipton Pre-Disaster Mitigation Plan includes a profile of hazard events, a vulnerability assessment, evaluation of mitigation goals and a plan maintenance process.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Tipton does hereby approve and adopt the Tipton Pre-Disaster Mitigation Plan this 21<sup>st</sup> day of March, 2005.

Motion carried by the following vote:

Aye: Eaton, Kepford, Starr, Stonerook

Nay: None

Absent: McGlaughlin

**Mayoral Proclamation - Donald Griffith Jr.:**

Motion by Eaton, seconded by Stonerook to accept into the official minutes the mayoral proclamation for Donald Griffith Jr.



Proclamation  
by the  
Mayor of the City of Tipton

**WHEREAS,** the United States of America has resolved to promote freedom and prevent terrorist attacks on American soil; and,

**WHEREAS,** this resolve has brought American troops to the Country of Iraq to defend this freedom; and,

**WHEREAS,** one of these American troops from Mechanicsville has given the ultimate sacrifice for this Country; and,

**WHEREAS,** Donald Griffith Jr's., patriotism and dedicated service to his country make him a hero and a true role model for all Americans; and,

**WHEREAS,** it is appropriate and fitting for the City of Tipton to mark his passing and honor his memory:

**NOW, THEREFORE,** I, Donald G. Young, Mayor of the City of Tipton, by virtue of the power and authority vested in me by the laws of the State of Iowa and the City of Tipton, do hereby proclaim March 18 through the day of interment, as a memorial period for Donald Griffith Jr., and hereby order the following:

The flags of the United States and of the State of Iowa shall be flown at half-staff at City Hall and the Public Library during this time. Individuals, businesses, and other political subdivisions are urged to fly the flag at half-staff for the same length of time as a sign of respect and in memory of this occasion.

**IN TESTIMONY WHEREOF,** I have hereunto signed my name and have officially caused the Seal of the City to be affixed this 18th day of March, 2005.

\_\_\_\_\_  
Donald G. Young  
Mayor of Tipton, Iowa

ATTEST: \_\_\_\_\_  
John Foley  
City Clerk of Tipton

Motion carried by the following vote:

Aye: Eaton, Kepford, Starr, Stonerook

Nay: None

Absent: McGlaughlin

**Reserve Police Officers:**

As required by Iowa Code, Chief Hakeman presented a resolution for approval authorizing a Reserve Police Force. Motion by Eaton, seconded by Starr to approve the resolution authorizing reserve police officers for the City of Tipton.

**RESOLUTION NO. 032105B**

**RESOLUTION AUTHORIZING THE TIPTON POLICE DEPARMENT RESERVE OFFICER FORCE**

**WHEREAS**, the City of Tipton, Iowa and its residents recognize that citizens want to volunteer their time for the betterment of their community, and

**WHEREAS**, the City of Tipton, Iowa and its residents recognize that maintaining a volunteer Reserve Police Force is of benefit to all of the Citizens of Tipton, and

**WHEREAS**, the City of Tipton, Iowa and its residents recognize that the Code of Iowa Section 80D.1 allows for the governing body of a city to establish a force of reserve officers,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TIPTON, IOWA**, that City of Tipton authorizes a Reserve Police Force to be organized and administered by and under the command the Chief of Police in conformance with the laws of the State of Iowa and the ordinances of the City of Tipton.

**RESOLVED**, this 21<sup>st</sup> Day of March, 2005.

\_\_\_\_\_  
Donald G. Young,  
Mayor of Tipton, Iowa

ATTEST: \_\_\_\_\_  
John Foley  
City Clerk of Tipton

Motion carried by the following vote:

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

**Preliminary Plat Approval, Walnut Ridge Addition:**

The Planning and Zoning Board recommends approval of the preliminary plat for the Walnut Ridge Addition. The plat has also been reviewed by the City Engineer. Motion by Eaton, seconded by Kepford to approve the preliminary plat for Walnut Ridge Addition

**RESOLUTION NO. 032105C**

**RESOLUTION APPROVING PRELIMINARY PLAT  
WALNUT RIDGE ADDITION IN THE CITY OF TIPON, CEDAR COUNTY, IOWA**

WHEREAS, a Preliminary Plat of Walnut Ridge Addition in the City of Tipton, Cedar County, Iowa, containing eighteen (18) lots, has been filed with the City Clerk, and after consideration of the same, is found to be correct and in accordance with the provisions of the laws of State of Iowa, and the ordinances of the City of Tipton, Iowa, in relation to Plats and Additions to Cities,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TIPTON, IOWA, that the said Preliminary Plat and dedications of said Walnut Ridge Addition in the City of Tipton, Cedar County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Tipton, Iowa, and the Mayor and City Clerk are hereby directed to certify this Resolution of Approval and affix the same to said Plat as by law provided.

Dated this \_\_\_\_\_ day of March, 2005

\_\_\_\_\_  
Donald G. Young, Mayor

Attest: \_\_\_\_\_  
John Foley, City Clerk  
STATE OF IOWA )  
) SS  
CEDAR COUNTY )

We, \_\_\_\_\_, Mayor and \_\_\_\_\_, Clerk of the City of Tipton, Iowa, do hereby certify that the above and foregoing resolution is a true and correct copy of the resolution passed by the City Council of Tipton, Iowa on this \_\_\_\_\_ day of March, 2005

WITNESS our hands this \_\_\_\_\_ day of March, 2005

\_\_\_\_\_  
Donald G. Young, Mayor

\_\_\_\_\_  
John Foley, City Clerk

Motion carried by the following vote:

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

**Payment Request #5, Mechanical Inc:**

Motion by Stonerook, seconded by Eaton, to approve payment request #5 from Mechanical Inc. for the Family Aquatic Center in the amount of \$95,428.

Motion carried by the following vote:

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

**Payment Request #6 Miron Construction:**

Motion by Kepford, seconded by Starr to approve payment request #6 from Miron Construction for the Family Aquatic Center in the amount of \$345,738.

Motion carried by the following vote:

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

**Fire Zone Permit Ordinance Amendment:**

At the March 7, 2005 council meeting a request was submitted for a council waiver of construction requirements for a residential garage in a Fire Zone. The zoning requirements and the National Fire Protection Association Code has been reviewed with regards to separation or fire protection for buildings in commercial districts and have determined that a residential garage, conforming to existing code requirements for side or rear yards clearance would exceed the NFPA standard (3 feet or 1 hour protection) for such a structure. Fire Chief Miller has indicated that if a residential structure meets the NFPA standard, he would have no problem issuing a permit. The current code does not allow this alternative. This would require an amendment of Title VI, Chapter 9. Motion by Eaton, seconded by Starr to set a date for public hearing on April 4, 2005, at 5:30 p.m. to amend the fire zone permit ordinance. Motion carried by the following vote:

Motion carried by the following vote:

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

**Handicapped Parking Designation, Steinke's Barber Shop:**

The city has received a request from Harley Steinke that the handicapped parking designated stall be moved back to its original location as the diagonal stall is proving unsuitable for use. Steinke also indicated that a majority of users are passengers and are exiting the right side of the vehicle. Public Works and the Police concur that this designated location would better serve the public if it were relocated to its original location on the south side of 4<sup>th</sup> street. Motion by Eaton, seconded by Kepford to set the date of public hearing for April 4, 2005, at 5:30 p.m. to amend Title IV, Chapter 9, section 4h of the Municipal code to accommodate this request for relocation of handicap parking designation.

Motion carried by the following vote:

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

**Family Aquatic center rate schedule:**

Recreation Director Adam Spangler and Director of Public Works Doug Boldt have put together a proposed rate schedule for the Family Aquatic Center. They based this on information received from surrounding facilities to be competitive in the market area and based on revenue projections. The schedule has been broken into two categories, in school district and out of school district. Motion by Eaton, seconded by Starr to approve the proposed rate schedule for the Family Aquatic Center.

**In-school District****Summer (Memorial Day-Labor Day)**

Single-\$50  
Family-\$100

**Indoor Season (Labor-Memorial Day)**

Single-\$150  
Family-\$250

**Full Season (2005-2006)**

Single-\$200  
Family-\$350

**Senior Citizen (Ages 65 & up) Summer**

Single-\$35  
Family-\$75

**Senior Citizen Indoor Season**

Single-\$135  
Family-\$235

**Senior Citizen Full Season**

Single-\$185  
Family-\$335

**Monthly Pass**

Single-\$25  
Family-\$50

**Single Day**

6 & up-\$3  
Child 3-5-\$2

**Children 2 & under FREE****Out-School District****Summer (Memorial Day-Labor Day)**

Single-\$75  
Family-\$150

**Indoor Season (Labor-Memorial Day)**

Single-\$200  
Family-\$300

**Full Season (2005-2006)**

Single-\$250  
Family-\$400

**Senior Citizen (Ages 65 & up) Summer**

Single-\$60  
Family-\$125

**Senior Citizen Indoor Season**

Single-\$185  
Family-\$285

**Senior Citizen Full Season**

Single-\$235  
Family-\$385

**Monthly Pass**

Single-\$40  
Family-\$80

**Single Day**

6 & up-\$4  
Child 3-5 \$3

**Children 2 & under FREE**

Motion carried by the following vote:

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

**Request Street Closing, Orange Street:**

The City received a request to close Orange Street on Saturday April 23, 2005, beginning at 6:00 a.m. Wears Auctioneering will be conducting the Don and Dorothy Stout real estate and personal property auction. Orange Street would be closed from its intersection at 7<sup>th</sup> south to about mid block. The street would be reopened immediately following the auction. The Police and the Public Works departments have reviewed this and have no problem with the temporary street closure. Motion by Starr, seconded by Stonerook to authorize the temporary closure of Orange St. on Saturday, April 23, 2005, for real estate and personal property auction of Don & Dorothy Stout.

Motion carried by the following vote:

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

**Collective Bargaining Agreement - Language Clarification:**

City Manager Schrad explained that there is a language problem in the collective bargaining agreement with Local 893, Iowa United Professional of the United Electrical Radio & Machine Workers of America. Article 7, overtime/standby/callback, paragraph A, overtime, section 1 provides that: "Overtime shall be defined as any time properly authorized by the Employer in excess of the employee's normal forty (40) hour week and in excess of the employee's normal eight (8) hour work day." When this language is considered with requirements of Section 4 of the paragraph that entitlement of overtime for "only hours actually worked shall be counted in determining whether an employee is entitled to overtime. Vacation, sick leave, holiday leave, jury duty, military leave and compensatory time off shall not be counted as hours actually worked" has created a situation that when an employee is called into work a weekend after a holiday during a week, would not be entitled to overtime pay. Schrad explained this was not the intent and would like to clarify this language. Motion by Eaton, seconded by Kepford to re-pen contract negotiations for the clarification of Article 7, paragraph a, section 1, overtime pay.

Motion carried by the following vote:

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

**Airport Hay Ground - Bid Award:**

City Manager Schrad said 4 bids had been received ranging from \$90 to \$120 per acre. Schrad's recommendation would be to accept Oldham Incorporated's bid of \$120 per acre for three (3) years.

Motion by Starr, seconded by Stonerook to approve renting the airport ground to Oldham Inc. for \$120 per acre for three years.

Motion carried by the following vote:

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

**Appointment of City Representatives to Tipton Development Group:**

Council Persons Starr and Kepford have represented the City on this ad-hoc committee and have indicated their willingness to continue to serve in this capacity. Mayor Young has indicated his willingness to appoint them. Motion by Eaton, seconded by Stonerook to authorize the Mayoral appointments of Council Persons Starr and Kepford to the Tipton Development group.

Motion carried by the following vote:

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

**Monthly Water Report:**

A motion by Kepford, seconded by Starr to accept Alliance's monthly water report.

Motion carried by the following vote:

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

**City Manager Report:**

City Manager Schrad showed before and after pictures of the tile floors at City Hall. Better Way Cleaning stripped and sealed the floors March 19, 2005. Schrad also shared pictures on the progress of the outdoor facilities at the Family Aquatic Center.

**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, Starr, Stonerook  
 Nay: None  
 Absent: McGlaughlin

Meeting adjourned at 6:07 p.m.

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Mayor

ATTEST: \_\_\_\_\_  
 Deputy City Clerk