

September 6, 2005
Council Chambers
City Hall
Tipton, Iowa

The City Council of the City of Tipton, 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 Boldt, Foley, Hakeman, Dietrich, Nash, Packwood, several visitors and the press.

AGENDA: Motion by Starr, seconded by Stonerook to approve the agenda as presented. Motion carried by the following vote:

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

COMMUNICATIONS AND REPORTS:

Unscheduled – None reported.

Scheduled – Friends of the Animals(FOA) – Betty Hepker, speaking on behalf of the FOA wanted to address the current contract between FOA and the City of Tipton. Hepker noted two areas of concern, one being that the contract is vague in certain areas and the other being the responsibilities of the independent contractor.

Police Chief Hakeman agreed that the contract needs to be more specific in these areas and said he would be willing to work with FOA and address their areas of concern. Both Hakeman and Hepker agreed that things need to be in black and white so that both parties involved know exactly where they stand.

Mayor Young suggested that Hakeman and the FOA get together and come to a compromise and present a revised contract that both the FOA and the City are comfortable with.

Judy Jenkins of FOA addressed the council about a confrontation she was involved with at the trailer court located on Lynn Street. It involved some chickens running wild at the trailer court and she was there to remove the chickens from the premises. An argument broke out between her and the owner of the chickens. Jenkins said City Police arrived there shortly after and she was not happy how the situation was handled by the police. Further discussion followed as Jenkins presented more details about the incident.

Other members in attendance wanted to discuss the current contract and the City Ordinance on animal control. Mayor Young suggested to those people to obtain a copy of the ordinance and if they had concerns that they could be discussed at the next council meeting.

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

1. Minutes from the previous meeting.
2. Liquor License Renewal, Reggie's.

Motion carried by the following vote:

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

REPEAL LOCAL OPTION SALES TAX: Motion by Eaton, seconded by Starr that as a result of the action taken by the County Board of Supervisors on August 29, 2005, did call for the tax to be repealed effective December 31, 2005. The City council of Tipton also wishes to repeal the tax as a result taken by the Board of Supervisors. Motion carried by the following vote:

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

RESOLUTION: Motion by Eaton, seconded by Kepford to approve Resolution calling for a Public Referendum to Authorize the Imposition of a Local Sales and Service Tax in the City of Tipton, Iowa, at the Rate of 1%.

The City Council of the City of Tipton declares its intent to participate in a special County-Wide election for the purpose of permitting the electorate to pass upon the proposition of imposing a one percent (1%) sales and service tax for the City of Tipton.

Section 1. The City Council of Tipton, Iowa, requests the Cedar County Commissioner of Elections to submit to the voters in Cedar County a proposition to authorize the imposition of a local sales and service tax in the City of Tipton, Cedar County, Iowa at the rate of one percent (1%) to be effective July 1, 2006.

Section 2. The revenue from the local option sales and service tax are to be allocated in the City of Tipton as follows:

50% of said local option sales and service tax to be allocated for Community Improvements to include Street/Sewer Improvements, Park/Recreation Improvements and Main Street Infrastructure Improvements.

25% of said local option sales and service tax to be allocated for property tax relief.

25% of said local option sales and service tax to be allocated for the budget of the Tipton Community Development Director.

Motion carried by the following vote:

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

CLAIMS LIST: Motion by Kepford, seconded by McGlaughlin to approve the following list of claims:

ALEXIS FIRE EQUIPMENT	136.00
ARAMARK	224.42
CITY ELECTRIC SUPPLY	616.12
COMMISSION ON ACCREDITAT	33.50
CONTROLL INSTALLATIONS	659.51
DR. PEPPER BOTTLING	336.93
ENERGY ECONOMICS	1139.30
FARNER-BOCKEN	676.79
G&K SERVICES	35.29
GREAT WESTERN SUPPLY	124.26
HARCROS CHEMICALS	134.19
HUGHES	2154.60
INTERSTATE BILLING	2491.53
IA. DEPT. COMMERCE	786.00
KUNDE OUTDOOR EQUIPMENT	13.80
MC NEILL'S TREE SERVICE	4392.00

NEWTON HOME OIL	7167.81
PRAXAIR DISTRIBUTION	65.70
QUILL CORPORATION	326.17
SADLER POWER TRAIN	347.25
SPAHN & ROSE	3.73
SPECTRUM PRODUCTS	19.02
SWICK CABLE	1350.00
THEIN MOTOR SALES	122.00
TIPTON TIRE & AUTO	1481.34
TRI CITY EQUIPMENT	510.00
UNIFORM DEN	42.77
UTILITY EQUIPMENT	2872.75
VONACHEN SERVICE	161.99
WALMART COMMUNITY	153.27
WASTE MANAGEMENT	1190.00
WENDLING QUARRIES	3504.06
ZEE MEDICAL	80.55

Motion carried by the following vote:

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

GROUNDWATER ANALYSIS SAMPLING: Motion by Starr, seconded by Stonerook to approve Groundwater Analysis Sampling Program in the area of the parking lot south of City Hall. The proposal for the sampling was submitted by Geotechnical Services Inc. in the amount of \$3020.00. The sampling is required by the Iowa Dept. of Natural Resources. Motion carried by the following vote:

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

RPGI SIDE AGREEMENT CONTRACT: Motion by Starr, seconded by Stonerook to authorize mayor signature to the Agreement Regarding Louisa Generating Station Between City of Tipton and Resale Power Group of Iowa. Motion carried by the following vote:

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

COPIER UPGRADE, CITY HALL: Motion by Eaton, seconded by Starr to approve Copier Upgrade from a Xerox DocuColor 2240 to a Xerox WorkCentre Pro C3545. Total monthly cost for the upgrade is \$1056.46 compared to current monthly cost of \$1079.19. Motion carried by the following vote:

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

PAY REQUEST NO.9, MECHANICAL INC.: Motion by McGlaughlin, seconded by Eaton to approve Pay Request No.9 to Mechanical Inc. in the amount of \$16,930.00 for work completed on the Family Aquatic Center. Motion carried by the following vote:

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

PAY REQUEST NO.10, MIRON CONSTRUCTION: Motion by Eaton, seconded by McGlaughlin to approve Pay Request No.10 to Miron Construction in the amount of \$88,208.50 for work completed on the Family Aquatic Center. Motion carried by the following vote:

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

PAY REQUEST NO.2, HORSFIELD CONSTRUCTION: Motion by Starr, seconded by Eaton to approve Pay Request No.2 to Horsfield Construction in the amount of \$129,491.18 for work completed on the 2005 Street Improvements Project. Motion carried by the following vote:

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

PROCLAMATION: Mayor Young advised that the City presented a Proclamation to Mike Herring for all his time and effort he has put forth in helping the Family Aquatic Center to be a success in its first season of operation.

CLOSED SESSION: Motion by Starr, seconded by Eaton to adjourn to Closed Session at 6:51 p.m. to discuss F & F Properties vs. City of Tipton, pending litigation in accordance with Iowa Code (21.5.c). Motion carried by the following vote:

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

REGULAR SESSION: Motion by McGlaughlin, seconded by Kepford to adjourn back to Regular Session at 6:56 p.m. No decision was made during closed session. Motion carried by the following vote:

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

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

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

Mayor

ATTEST: _____
City Clerk

