

March 9, 2009
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 Kepford called the meeting to order. Upon roll call the following named council members were present: Fry, Klemme, Anderson, McGlaughlin, Johnson. Also present: Boldt, Foley, Packwood, Nash, Penrod, Fletcher, Hembry, Hakeman, Dietrich. Several visitors and the press were also in attendance.

AGENDA: Motion by McGlaughlin and seconded by Johnson to amend the agenda to discuss an email concerning the Police Department. Upon roll call the vote was:

Aye: McGlaughlin, Johnson, Klemme
Nay: Anderson, Fry

COMMUNICATIONS: **Unscheduled – None, Scheduled – Mike Boyle – Introduction of Hardacre Community Garden.** Boyle introduced Kaylen Gilbert who is the 4-H Expansion Coordinator for Cedar County. Gilbert talked about the Community Garden Club and the ongoing activities that 4-H is involved with. Those being a Mentor program for young kids and a beautification project for all the communities within Cedar County. Council thanked both Boyle and Gilbert for the update of the Hardacre Community Garden.

CONSENT AGENDA: Motion by McGlaughlin, seconded by Anderson to approve the Consent Agenda which included the following:

1. City council minutes, both Regular and Special Session.
2. Liquor License Renewal – Wal-Mart.
3. Garbage Exemption at 332 West South Street.
4. Garbage Exemption at 615 East 6th Street.
5. Accept February Library Board Minutes.
6. Accept March CCEDCO Minutes.

Upon roll call the vote was:

Aye: McGlaughlin, Johnson, Klemme, Fry, Anderson
Nay: None

PUBLIC HEARING: Mayor Kepford opened the Public Hearing for the City of Tipton Fiscal Year 2009-2010 Proposed Budget. No written or oral comments were heard. With none being heard, Mayor Kepford closed the Public Hearing.

RESOLUTION 030909: Motion by Anderson, seconded by Fry to approve Resolution No. 030909, which is a Resolution Approving The City Of Tipton Fiscal Year 2009-2010 Annual Budget. Upon roll call the vote was:

Aye: Johnson, Klemme, Fry, Anderson, McGlaughlin
Nay: None

CLAIMS LIST: Motion by Fry, seconded by Johnson to approve the following list of claims:

AME SERVICES	20.00
ADVANCED DRAINAGE SYSTEMS	26.55
ALLIANT ENERGY	196.54
ARAMARK	151.55
ARROW QUICK	425.75
BARTON SOLVENTS	462.90
CEDAR COUNTY ENGINEER	895.10
CITY ELECTRIC SUPPLY	35.44
CLARENCE LOWDEN SUN NEWS	284.80
CLIFTON GUNDERSON	5910.00
COMMSPEED	29.95
CONTROL INSTALLATIONS	110.22
CUSTOM BUILDERS	174.07
EXPRESS AUTO GLASS	194.50
FAMILY FOODS	61.83
FARM PLAN CORPORATION	351.30
G&K SERVICES	190.96
GENERAL PEST CONTROL	161.03
GREAT WESTERN SUPPLY	90.93
IOWA ASSOCIATION	7916.85
IA. DEPT. PUBLIC HEALTH	175.00
IOWA PRISION INDUSTRIES	836.88
KIEFER & ASSOCIATES	103.15
KOCH ELECTRIC	941.03
L.L. PELLING CO.	530.19
M&K ELECTRIC	40.00
MIDWEST SAFETY COUNSELORS	95.40
MUNICIPAL PIPE TOOL	4642.88
NCHS	225.00
NORTHWEST MECHANICAL	3525.06
ORTIVUS NORTH AMERICA	825.00
POOL CLEANER SERVICES	222.50
POOL TECH	654.22
PRAXAIR DISTRIBUTION	253.32
RADIO COMMUNICATIONS	96.60
REPUBLIC COMPANIES	1080.62
SENSUS METERING SYSTEMS	1320.00
SPAHN & ROSE	1076.35
STAATS	53.55
STUELAND CHEVROLET	127.35
TIPTON ELECTRIC MOTORS	18.25
TIPTON STRUCTURAL FABRICATION	234.73
TRANSWORLD SYSTEMS	89.36
TREASURER, IOWA STATE	75.00
UNIFORM DEN	360.46
UNITED RENTALS NA	42.80
UTILITY SUPPLY OF AMERICA	284.45
WALMART COMMUNITY	363.83
WENDLING QUARRIES	92.82
WASTE MANAGEMENT	10354.65
XEROX CORPORATION	1690.15
ZEE MEDICAL	149.85
CITY ONE CARD PURCHASES	5046.01

Upon roll call the vote was:

Aye: Klemme, Fry, Anderson, McGlaughlin, Johnson

PAY APPLICATION NO.1: Motion by Klemme, seconded by Anderson to approve Pay Application No.1 in the amount of \$13891.38 to Tri-City Electric Company for work completed on the 2400 V Breaker Project. Upon roll call the vote was:

Aye: Fry, Anderson, McGlaughlin, Johnson, Klemme
Nay: None

ESCO ENERGY SERVICES: Electric Superintendent Packwood told the council he received an Engineering Proposal for the 2MW Diesel Generation for standby and peak shaving purposes from Carroll Schlemmer of ESCO. Packwood said their proposal is basically at a cost of 10% of the project, initially estimated at about \$800,000. The proposal includes (A Conceptual Design, (B Equipment Procurement, (C Construction Services Procurement – Specifications & Plans, (D Construction Supervision, (E Commissioning of the installation.

Packwood went on to say that one facet of this project already under discussion involves constructing a generation and control building with local suppliers and contractors to house the generators rather than purchasing them in containers. After a brief discussion between Packwood, Schlemmer and the council, motion was made by Klemme and seconded by McGlaughlin to approve the Engineering Proposal for the 2MW Diesel Generation from ESCO. Upon roll call the vote was:

Aye: Anderson, McGlaughlin, Johnson, Klemme, Fry
Nay: None

1000 kW CAT DIESEL GENERATOR: Electric Superintendent Packwood advised the council that in talking with Carroll Schlemmer of ESCO, that Schlemmer had run across a new/used 1000 kW Diesel Generator with zero hours on it. Packwood said this would be a great opportunity to purchase an engine for about half the cost (\$150,000) of a new one. Schlemmer said this engine is very similar, if not a little better, than the one ESCO would specify for the project. After some discussion between Packwood, Schlemmer and the council, they thought it would be best to send out plans and specifications for the Diesel Generator and compare those to the Generator that was presented to the council. Motion by Klemme, seconded by Johnson to allow ESCO to send out plans and specifications for the solicitation of bids. Upon roll call the vote was:

Aye: McGlaughlin, Johnson, Klemme, Fry, Anderson
Nay: None

2008 POLICE DEPARTMENT ANNUAL REPORT: Police Chief Hakeman and Assistant Chief Dietrich highlighted some of the accomplishments the police department achieved during the past year. Hakeman had previously emailed the report to mayor/council. Hakeman said the report can be viewed on the City's web sight. Mayor/Council thanked Hakeman and Dietrich and the entire police department for a job well done for the year 2008.

E-MAIL – POLICE CHIEF HAKEMAN: At the request of Council Member McGlaughlin, he wanted to discuss the e-mail that was sent to his staff and Mayor Kepford and City Manager Boldt. Mayor Kepford stated that the matter of the e-mail had been presented to the city attorney and was closed to her satisfaction. She said the matter had been handled by the chain of command.

McGlaughlin said he continued to have concerns about the e-mail on how OWI's were being handled and wanted to discuss it between the council and Hakeman. Hakeman said he was bothered about where the discussion might go and added he had nothing in writing to indicate where the discussion would be about. He also went on to say he felt the discussion should take place in closed session, noting it was a personnel issue. McGlaughlin said he would be willing to have a closed session at the first meeting in April because he cannot attend the March 23rd meeting. Hakeman said he did not want the matter hanging over his head and said it should be addressed at the next council meeting.

Hakeman again said he has not received anything in writing from McGlaughlin and did not know what he was addressing. McGlaughlin said it was a policy issue in enforcing OWI law that he wanted to talk about, not a personnel issue about Hakeman. Mayor Kepford said when she had talked with the city attorney, that he said it was not a policy issue for the city. Council member Johnson said there had been much discussion about the e-mail and felt it was not a policy issue for the city.

Lastly, McGlaughlin said he would prepare something in writing that he would like it discussed in closed session on the 23rd since he would not be in attendance. If a closed session is to be held, it has to be requested by Hakeman.

MAYOR REPORT: Mayor Kepford said she has received some concerns about parking on 9th and Lemon Street during school hours. Said she would like to discuss this at the next council meeting.

CITY MANAGER REPORT: City Manager Boldt discussed the following issues:

1. Highway 38 and 130 reconstruction projects. Boldt said the city continues to proceed with the project and are waiting for the sharing agreement from the DOT.
2. Issues from Dave Annen. Boldt said he and Public Works Director Nash have met with Rodney Laucamp and Engineer Jack Pope about the frozen waterline. He said Finance Officer Fletcher has contacted other communities on what their deposit policies are. Council members Klemme and Johnson said they would serve on a committee to discuss the two issues.
3. Boldt said he would be willing to meet with the manager of Walmart and discuss the issue about certain movie rentals. The issue was brought to the attention of the city from a letter written by Jim Orr, President of Movies America. Council gave the go ahead to Boldt.
4. Boldt said the Development Commission offered the Community Development position to John Todd and he has accepted and will start March 23rd. Todd is from Fisher, Illinois and has seven years of experience in the field.
5. Boldt presented a draft of the Final report and proposed Capital Improvements Plan (CIP) from the Goal Setting Session. He asked the council to review the report for clarity and correctness. If no changes are necessary and he gets Pat Callahan's final comments, he will have the report on the agenda for council approval.

PURCHASE OF DUMP TRUCK: Public Works Director Nash presented the following information on a 2000 International Navistar dump truck that he would like to purchase from the City of Clive. The terms of the sale from Clive are hereby noted:

1. Sale price is \$50,000.
2. Sale of unit will be as-is with no warranty.
3. Tipton shall receive vehicle after the City of Clive receives replacement vehicle.
4. Tipton will be invoiced for the truck after the truck is received.
5. Clive agrees not to use the truck unless it is necessary.
6. The City of Tipton shall provide the City of Clive with confirmation of council approval to purchase truck no later than April 1, 2009

Unit description – 33,000 miles, 37,000 lb GVW, 230hp, 6 cylinder turbocharged diesel DT 466, MT 653 Allison 5 speed auto transmission.

Additional equipment – 12’ reversible Monroe plow with in-cab controls, Fixed mount underbody scraper 10’ with in-cab controls, 6cu. Yd Heil Spread and Dump, w/ mid mount material spreader.

After a brief discussion, motion was made by Fry, seconded by Klemme to approve a notice of intent with the City of Clive. Upon roll call the vote was:

Aye: Johnson, Klemme, Fry, Anderson, McGlaughlin
Nay: None

City Manager Boldt gave his power point presentation of the FY 2009-2010 Tipton City Budget.

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

Aye: Anderson, McGlaughlin, Johnson, Klemme, Fry
Nay: None

Mayor

ATTEST: _____
City Clerk