

May 4, 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: Anderson, McGlaughlin, Johnson, Klemme, Fry. Also present: Boldt, Foley, Nash, Penrod, Peck, Todd, Fletcher. A few visitors and the press were also in attendance.

AGENDA: Motion by Anderson, seconded by Johnson to approve the agenda as presented. Upon roll call the vote was:

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

COMMUNICATIONS: Unscheduled – Ray Eserhaut and Dave Larson.

Ray Eserhaut addressed the council concerning the big pool of water in the area west of the Middle School and Country Estates. Eserhaut said there were 4 kids wadding around last Friday night. He said he was concerned for their safety. City Manager Boldt advised Eserhaut that the city is aware of the situation and that he and Public Works Director Nash and City Engineers have addressed the issue of the water several times. Boldt said they are still addressing the situation, but have not yet arrived at a solution.

Dave Larson addressed the council stating that he is in the process of starting to build a new house in Tipton. He wants to install Geothermal heating and stated that Alliant Energy offers rebates to their customers and that the current rebate plan the city has in place does not offer a rebate for installing Geothermal heating. City Manager Boldt told Larson that the city just started their rebate program last July. He said the city offers rebates for energy efficient appliances and light bulbs. Boldt said the city may consider adding energy efficient windows and doors in the near future and that Geothermal heating might be in further future plans.

CONSENT AGENDA: Motion by McGlaughlin, seconded by Fry to approve the consent agenda which included the following:

1. City council minutes from the last meeting.
2. Liquor license renewal for VFW.
3. Accept April Library Board 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 first reading of an Amendment to the Natural Gas Ordinance. With no oral or written comments received, the mayor closed the public hearing and asked the council to either approve or have the second reading at the next council meeting. After a short discussion, motion was made by Anderson and seconded by Fry to waive the second and third readings and approve Ordinance No.503 which is An Ordinance To Amend Title II, Public Service, Chapter 3, Natural Gas Meters And Rates, Of The Municipal Code Of The City Of Tipton By Amending Title II, Chapter 3, Section 6, Section 7, Section 8, Section 9, And Section 10. Upon roll call the vote was:

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

PUBLIC HEARING: Mayor Kepford opened the Public Hearing for the first reading of an Ordinance to amend Water Service and Rates. With no oral or written comments being received, the mayor closed the public hearing. The mayor asked the council if there was to be any discussion. Council member McGlaughlin stated he was not in favor of a water adjustment, but had no problems allowing a sewer adjustment. Council member Johnson was also not in favor of allowing an adjustment, but felt there needed to be some kind of an ordinance allowing some kind of adjustments. Council member Klemme had no problems allowing the adjustments, but felt the proposed ordinances for water and sewer adjustments needed to be revised. He would like the ordinances to say that both water and sewer adjustments need to be used at the same time when requested, and that one or the other could not be used at a future date. After further discussion, City Manager Boldt said he would revise the proposed ordinances to include the changes presented by the council.

Motion by Klemme, seconded by Anderson to hold a Public Hearing on May 18th at 5:30 p.m. for the first readings of an ordinance to amend Water Service and Rates, and an ordinance to amend Sewer Regulations and Rates. Upon roll call the vote was:

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

PUBLIC HEARING: Mayor Kepford opened the Public Hearing for the first reading of an Ordinance to amend Sewer Regulations and Rates. The mayor closed the public hearing because this ordinance was addressed in the public hearing on the ordinance to amend Water Service and Rates. This ordinance will be presented in the public hearing set for May 18th.

MAYOR PROCLAMATION: NOW, THEREFORE, I, Shirley Kepford, 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 declare our appreciation to the members of the Tipton Community School District School Board and proclaim May 10-16, 2009, to be IOWA SCHOOL BOARD RECOGNITION WEEK.

IN TESTIMONY WHEREOF, I, have hereunto signed my name and have officially caused the Seal of the City to be affixed this 4th day of May, 2009, and urge all citizens to join in recognizing the dedication and hard work of the Tipton School Board members in recognition that they are local leaders working to help students succeed.

MAYOR PROCLAMATION: NOW, THEREFORE, I, Shirley Kepford, 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 the month of May 2009 as Bike Month and also hereby proclaim May 15th as Bike to Work Day in the City of Tipton.

IN TESTIMONY WHEREOF, I, have hereunto signed my name and have officially caused the Seal of the City to be affixed this 4th day of May, 2009.

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

A M E SERVICES	80.00
ABC FIRE PROTECTION	41.40

ADVANCED DRAINAGE SYSTEMS	56.16
AIR FILTER SALES & SERVICE	340.00
ALEXIS FIRE EQUIPMENT	1642.71
ALLIANT ENERGY	196.52
AMERICAN RED CROSS	113.00
ARAMARK	140.33
ARROW QUICK	58.21
BURMEISTER	3290.25
CEDAR COUNTY ENVIRONMENTAL	964.00
CERTIFIED LABS	403.45
CHEMSEARCH	1201.58
CITY ELECTRIC SUPPLY	130.68
CUSTOM BUILDERS	59.90
ESCO ENERGY SERVICES	4000.00
FARM PLAN CORPORATION	769.61
FARNER-BOCKEN	513.70
FINANCIAL ADJUSTMENT BUREAU	312.90
FLETCHER-REINHARDT	3210.54
G&K SERVICES	59.89
GRAINGER	21.76
GREAT WESTERN SUPPLY	403.56
HOLIDAY INN	308.00
IOWA ASSOCIATION	10.00
IOWA LAW ENFORCEMENT	530.00
IOWA UTILITIES BOARD	1005.00
KUNDE OUTDOOR EQUIPMENT	13.63
MATT PARROTT	2081.64
NORTHWEST MECHANICAL	4642.66
OFFICE DEPOT	98.96
POOL CLEANER SERVICES	236.00
PRAXAIR DISTRIBUTION	58.02
RADIO COMMUNICATIONS	130.95
RPGI	3798.38
REXCO EQUIPMENT	600.00
SPAHN & ROSE	580.21
STAPLES BUSINESS ADVANTAGE	97.99
T&M CLOTHING	114.00
TIPTON TIRE&AUTO	89.50
UNITED RENTALS NA	59.92
UTILITY EQUIPMENT	277.51
UTILITY SUPPLY OF AMERICA	50.33
VERMEER SALES, SERVICE	500.00
WALMART COMMUNITY	60.11
WENDLING QUARRIES	739.90
ZARNOTH BRUSH WORKS	723.90

Upon roll call the vote was:

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

CHAMBER-REQUEST FOR RAFFLE: City Manager Boldt said he had received a letter from Tipton Chamber of Commerce President Paul Stueland requesting to partner with the City for its use of tax-exempt status in order to have a raffle during the 1st annual ‘Taste of Tipton’ event this summer. After a brief discussion, motion was made by McGlaughlin and seconded by Anderson to allow the Chamber to partner with the city for a gambling license. Upon roll call the vote was:

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

DETOUR AGREEMENT: City Manager Boldt supplied the council with a Detour Agreement with the Iowa Department of Transportation (IDOT) that formalizes the use of city streets or 'local roads' during the highway 130 reconstruction project. Boldt said this is a required process/agreement with the IDOT for construction projects within a city's corporate limits. Boldt, along with Public Works Director Nash and city engineer Jack Pope recommend the council to authorize the Mayor's signature. After a brief discussion, motion was made by Fry and seconded by Anderson to authorize mayor signature to Detour Agreement with IDOT. Upon roll call the vote was:

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

DRAFT OF COOPERATING AGREEMENT WITH IDOT: City Manager Boldt supplied the council with a draft of the Cooperating Agreement with the Iowa Department of Transportation (IDOT) for the Highway 38 and 130 reconstruction projects. Boldt explained that the agreement is in draft form because it has not met final approval of the IDOT's District Engineer. Boldt went on to say that if there is a consensus from the council for the agreement, that Garden & Associates will send out the bids next week. He said this way the project can be started in June and should be completed before winter sets in. After a long discussion, there was a consensus among the council on the Cooperating Agreement with the IDOT. Final approval from the council can take place at the May 18th council meeting if so desired.

DOWNTOWN REVITALIZATION INCENTIVE PROGRAM: Tipton Development Commission received an application from Among Friends (403 Cedar Street) requesting a Façade Improvement Grant in the amount of \$1894.50. After review by the Development Commission, they recommend total funding in the amount of \$1894.50 to Among Friends. Motion by McGlaughlin, seconded by Anderson to approve the recommendation from the Development Commission. Upon roll call the vote was:

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

BID AND PUBLIC HEARING DATE: Motion by Johnson, seconded by Fry to set a bid date for May 28, 2009, at 10:00 a.m. and a Public Hearing date for June 1, 2009 on the proposed plans, specifications, form of contract and estimate of cost for the Highway 38 and Highway 130 Reconstruction Projects. Upon roll call the vote was:

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

PUBLIC HEARING DATE – BUDGET AMENDMENT: Motion by Anderson, seconded by Klemme to set a date of Public Hearing on May 18, 2009 at 5:30 p.m. at City Hall for an amendment to the 2008-2009 City Budget. Upon roll call the vote was:

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

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

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

Mayor

ATTEST: _____
City Clerk