

May 7, 2007
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 call the following named council members were present: Wethington, Kepford, Johnson, McGlaughlin, Anderson. Also present: Bodt, Foley, Nash, Hakeman, Hembry. Visitors: Jeanne Maher. Ray Eserhaut, Ed Mellecker, Troy Peters, Timm Wynkoop and the press.

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

Aye: Anderson, Johnson, Kepford, McGlaughlin, Wethington
Nay: None

COMMUNICATIONS:

Unscheduled – Jeanne Maher of 906 Lynn Street addressed the council regarding some concerns she had about the property located next to her residence. Maher listed the following concerns:

1. Barking dogs day and night.
2. Dogs left unattended.
3. Yard looks like a junkyard.
4. Open burning and fires left unattended.
5. Woken by loud voices during the night.

Maher wanted to know why Nuisance Ordinance No. 492 was not being enforced. Council member Anderson said he had been contacted by the owner of the Dairy Queen who had similar concerns. Council informed Maher they would contact Police Chief Hakeman and have the situation looked into.

CONSENT AGENDA: Motion by Anderson and seconded by Johnson to approve consent agenda which included minutes from the previous meetings. Motion carried by the following vote:

Aye: Anderson, Johnson, Kepford, McGlaughlin, Wethington
Nay: None

PUBLIC HEARING: Mayor Young opened the Public Hearing for Development Agreement for Tipton Structural Fabrication Expansion Project. There were no oral or written comments noted. With none being noted, Mayor Young closed the Public Hearing. After a brief discussion, motion was made by Kepford and seconded by Anderson to approve Resolution No. 050507A, which is Approving Development Agreement with Tipton Structural Fabrication, Inc., Authorizing Tax Increment Payments and pledging Certain Tax Increment Revenues to the Payment of the Agreement. Motion carried by the following vote:

Aye: Anderson, Johnson, Kepford, McGlaughlin, Wethington
Nay: None

MAYORAL PROCLAMATION: Mayor Young of the City of Tipton, by virtue of the power and authority vested in him by the laws of the State of Iowa and the City of Tipton, does hereby proclaim May 13 – 19, 2007, to be Iowa School Board Recognition Week 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.

CLAIMS LIST: Motion by Anderson and seconded by Johnson to approve the following list of claims:

ALBAUGH PHC	3.40
ALL STAR TURF	600.00
AMERICAN RED CROSS	37.50
ARAMARK	217.60
ARROW QUICK	700.00
CEDAR RAPIDS WELDING	135.36
CENTRAL IA. TRAINING	25.00
CHEMSEARCH	788.31
CITY ELECTRIC SUPPLY	1405.44
CLARENCE LOWDEN SUN NEWS	133.88
CUSTOM BUILDERS	57.78
ECIA	446.70
FARM PLAN CORPORATION	510.73
FINANCIAL ADJUSTMENT	134.36
FLETCHER-REINHARDT	1320.38
FOSTER COACH	71.14
FOX VALLEY SYSTEMS	236.55
G&K SERVICES	148.21
GENERAL PEST CONTROL	95.68
GRAINGER	297.09
GREAT WESTERN SUPPLY	60.66
GROEBNER & ASSOCIATES	3198.33
HAWKEYE INTERNATIONAL	602.72
HOLIDAY INN	154.08
INDUSTRIAL TOOL BOX	286.32
IOWA ASSOCIATION	1120.00
IOWA DEPT. PUBLIC HEALTH	175.00
IOWA IAAI	20.00
IOWA ONE CALL	43.20
IOWA WELDING	4900.00
JOHN'D LOCK & KEY	52.50
JOHNSON COUNTY AMBULANCE	300.00
KELLER'S	10.00
KING'S MATERIAL	236.25
KUNDE OUTDOOR EQUIP.	31.00
MATT PARROTT	935.32
MC MASTER CARR	61.19
MIDWEST RADAR	75.00
NATIONAL FLAGPOLE	154.00
P&E ENGINEERING	3647.06
PITNEY BOWES	163.10
PRAXAIR DISTRIBUTION	112.77
PRICE/WILTON OIL	499.40
RESCO	318.00
S&W HEALTHCARE	163.96
SHERMAN NURSERY	417.25
SPAHN & ROSE	479.22
STONEBRAKER, RYAN	10.00
STRYKER MEDICAL	2161.95
T&M CLOTHING	869.44
TERRY DURIN CO.	90.56

TIPTON BAKERY	20.60
TIPTON ELECTRIC MOTORS	10.70
TIPTON STRUCTURAL FAB.	77.40
TIPTON TIRE & AUTO	65.00
TYLER TECHNOLOGIES	1275.00
WENDLING QUARRIES	1684.24

Motion carried by the following vote:

Aye: Anderson, Johnson, Kepford, McGlaughlin, Wethington
 Nay: None

IOWA TENT THEATRE PROJECT: Motion by Anderson, seconded by McGlaughlin to allow Iowa Tent Theatre Project use of the city park for a performance on Sunday, June 24, 2007. Motion carried by the following vote:

Aye: Anderson, Johnson, Kepford, McGlaughlin, Wethington
 Nay: None

OVERRIDE MAYOR VETO: More discussion took place on Ordinance No. 494 - An Ordinance to Establish a Utilities Operations Review and Advisory Commission. This ordinance was approved by the council on April 16, 2007. In a letter dated April 19, 2007, Mayor Young announced that he was vetoing Ordinance No. 494. More discussion on this ordinance took place with council members. Council members Johnson, McGlaughlin and Kepford who approved this ordinance, once again expressed their concerns of why this ordinance is necessary. All council members feel some kind of backup to the department heads in the electric, gas and water utilities is necessary. However council members Wethington and Anderson feel a commission is not the answer. After more discussion, motion was made by Anderson and seconded by Kepford to Override Mayoral Veto of Ordinance No. 494. Upon roll call the vote was:

Aye: Kepford, Johnson, McGlaughlin
 Nay: Wethington, Anderson

The Mayoral veto of Ordinance No. 494 still stands as it takes a 4 to 1 vote to override the veto.

During the discussion of this issue, a comment was made by Council Member Wethington that council members were not paid for attending a Committee of the Whole meeting. Council Member Kepford disagreed and said they were paid, for not only attending a Committee of the Whole meeting but for all Workshops as well, at Regular council meeting pay.

City Manager Boldt also said they were not being paid for these sessions, but City Clerk Foley said they were and have been paid for these sessions since the Committee of the Whole was formed back in October 2004. Council Person Kepford said former City Manager Dick Schrad gave his approval for these sessions to be paid because city business was being discussed. Boldt said he was unaware of this and said this was illegal according to state regulations. Boldt went on to say that council members can only be paid for meetings attended where motions are being voted upon. After further discussion, Boldt said he would take this issue under review and report back to the council.

BUDGET AMENDMENT: Motion by McGlaughlin, seconded by Wethington to hold a Special Council meeting on Tuesday, May 29, 2007 at 4:30 p.m. The purpose of the Special Meeting is for a Budget Amendment of the current FY 2006-2007 City Budget. Motion carried by the following vote:

Aye: Anderson, Johnson, Kepford, McGlaughlin, Wethington
Nay: None

CITY MANAGER REPORTS: City Manager Boldt reported on the following:

1. Reduction in cost for Blue Cross Blue Shield Health Insurance coverage for city employees effective July 1, 2007.
2. Received a bid of \$50,100.00 for old Garbage Truck.
3. Presented council with rate increases for the FAC, will discuss at the next council meeting.
4. Letter from Dave Burbach stating that everything is on schedule between Miron and Burbach for repairs at the FAC.
5. Letter from Iowa Dept. of Aviation stating they are requesting that Mathews Memorial Airport be added to the National Plan of Integrated Airport System.
6. Council received 2006 Audit, will discuss at next council meeting if questions from the council.
7. Council received a letter from Dorsey & Whitney describing the steps needed for Special Assessments for Streetscape Project.
8. Presented the council with estimated costs from Garden & Associates for construction of curb & gutter on Hwy. 38 between 7th and 11th streets and Sidewalk Construction on Plum Street between 7th and 10th Streets. Further discussion will take place on these two issues.

CLOSED SESSION: Motion by Wethington, seconded by McGlaughlin to adjourn into Closed Session in Accordance with Iowa Code 21.5.j at 6:25 p.m. Upon roll call the vote was:

Aye: Wethington, Johnson, McGlaughlin, Anderson
Nay: None
Absent: Kepford

REGULAR SESSION: Motion by Anderson, seconded by McGlaughlin to adjourn from Closed Session back into Regular Session at 6:55 p.m. Motion carried by the following vote:

Aye: Wethington, Johnson, McGlaughlin, Anderson
Nay: None
Absent: Kepford

REAL ESTATE OFFER: During closed session an offer to purchase real estate located at 203 West 4th Street owned by Sherman and Shirley Kepford was discussed. Motion by Anderson, seconded by McGlaughlin to direct City Manager Boldt to keep the same offer of \$95,660.00 to the Kepfords. Upon roll call the vote was:

Aye: Johnson, McGlaughlin, Anderson
Nay: Wethington
Absent: Kepford

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

Aye: Anderson, Johnson, McGlaughlin, Wethington
Nay: None
Absent: Kepford

Mayor

ATTEST: _____
City Clerk