

June 18, 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: Anderson, Johnson, Kepford, McGlaughlin, Wethington. Also present Boldt, Foley, Nash, Hakeman, Alden, Hembry. Several visitors and the press were also in attendance.

AGENDA: Motion by Anderson, 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 again addressed the council about the lack of abatements being issued to property owners who violate the Nuisance Ordinance. She said nothing has been done to the property located next to hers. Police Chief Hakeman briefly said his department is following up on her concerns. Hakeman said there are legal guidelines his department must follow to stay within the State laws relating to issuing abatements. Hakeman and Mayor Young told Maher they are staying on top of her concerns.

Scheduled – Kelley Deutmeyer of East Central Intergovernmental Association (ECIA) addressed the council. Deutmeyer said she was not present because of Tipton's withdraw from Cedar County Economic Development Corporation (CCEDCO). She said she wanted to let the council know of CCEDCO's participation and connection to ECIA's regional marketing effort, Prosperity Eastern Iowa, and ECIA Business growth.

Deutmeyer said Prosperity Iowa is a six county regional marketing effort focusing on collaboration, partnership and sharing of ideas and information. She said Prosperity Eastern Iowa is a membership supported organization matched with funds from IDED. She went on to say with Tipton leaving CCEDCO, the vision of partnership and collaboration is compromised for both CCEDCO and Tipton. After a brief discussion, mayor/council thanked Deutmeyer for discussing her concerns.

ANNUAL FIRE REPORT: Fire Chief Miller presented his Annual Fire Report for council approval and inspection reimbursement of \$5320.00 to the Tipton Fire Department and reimbursement of \$125.00 to Chief Miller for inspection of fire zone building permit inspections. After a short presentation, motion was made by Kepford and seconded by McGlaughlin to approve annual fire report and both reimbursements. Motion carried by the following vote:

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

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

1. Minutes from the previous meeting.
2. Clerks/Investment Report.
3. Beer License Renewal – Pizza Hut.
4. Annual Cigarette Permits.

Motion carried by the following vote:

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

PUBLIC HEARING: Mayor Young opened the Public Hearing on the Proposed Resolution of Necessity for the Downtown Sidewalk Project. No written comments were received in the clerk's office. The mayor asked for comments from anyone in attendance. The following comments were noted:

1. Keith Fields said he has two perfect sidewalks in front of his two properties already in place and was concerned that they had to be torn up and replaced.
2. John Barnum was concerned about lack of parking in front of his Business when construction begins.
3. Helen Jennings feels the project will not attract new Business to the community.
4. Phil LaRue was concerned about the liability issues the property owners might face.
5. Gary Freeman was in favor of the project and supported it fully.

City Manager Boldt addressed the above concerns, and most in attendance found his response to be favorable. After a short discussion period, Mayor Young closed the Public Hearing and asked the council for action on the proposed resolution.

RESOLUTION NO. 061807A

Motion by Anderson, seconded by Wethington to approve Resolution No. 061807A, which is a Resolution of Necessity in accordance with Section 384.42 of the Code of Iowa, covering the 2007 Downtown Sidewalk Project. Upon roll call the vote was:

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

RESOLUTION NO. 061807B

Motion by Kepford, seconded by McGlaughlin to approve Resolution No. 061807B that the City Clerk be directed to file certified copies of the Resolution of Necessity and Preliminary Plat and Schedule of Assessments with the County Treasurer and the detailed plans and specifications and the preparation of notice of hearing and notice to bidders and form of contract covering the 2007 Downtown Sidewalk Project. Upon roll call the vote was:

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

RESOLUTION – WITHDRAW FROM CCEDCO: Mayor Young asked for any comments from the audience. Several in attendance were against the City withdrawing from CCEDCO and expressed their reasons why. After further discussion with the council and those who were in attendance, the mayor asked for action on the Resolution being presented. Motion by Kepford, seconded by Anderson to approve Resolution No. 061807C, which is a Resolution Stating City of Tipton Withdrawal from Cedar County Economic Development Joint Commission. Upon roll call the vote was:

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

The Resolution No. 061807C was defeated by the above roll call vote.

MEMORANDUM: Motion by Wethington, seconded by Johnson to recommend a protocol agreement between the city and CCEDCO be looked into or executed by TEDCO and brought back to the city council for their action. Motion carried by the following vote:

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

PROCLAMATION: 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 June 13, 2007, as Cedar Manor Nursing Home Recognition Day.

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

A-L-L EQUIPMENT	73.91
ACS GOVERNMENT SYSTEMS	220.00
ADVANCED ELECTRICAL	106.48
ALLIANCE WATER RESOURCES	18664.75
ALTORFER	16.93
AMERICAN RED CROSS	77.00
APACHE HOSE	55.17
ARAMARK	123.85
ARROW QUICK	9.95
BAKER & TAYLOR	353.79
BUSINESS RADIO SALES	192.00
CADBURY SCHWEPPE	557.55
CEDAR COUNTY AUDITOR	2462.37
CEDAR COUNTY CO-OP	3439.15
CEDAR COUNTY ENGINEER	2516.62
CEDAR COUNTY SOLID WASTE	1883.00
CEDAR RAPIDS WELDING	4.98
CITY METER FUNDS	826.97
CLARENCE LOWDEN SUN NEWS	187.00
CONNIE KNOUSE	118.75
DEB LATARE	52.25
LOWELL DENDINGER	1422.00
DENEVE ENTERPRISES	920.00
EASTERN IA. LIGHT	757.56
ELECTRIC PUMP	873.50
FARNER-BOCKEN	1394.89
FLETCHER-REINHARDT	1358.26
G&K SERVICES	48.32
GARDEN & ASSOCIATES	11879.50
GENERAL PEST CONTROL	95.68
HEIMAN	100.95
IOWA ASSOCIATION	855.14
IOWA TELECOM	1733.00
JULIE COURTER	30.36
KELLER'S	1956.00
BOB KLEMME	358.33
CHARLES LINN	43.00
LONGLY TIME PRODUCTS	59.76
MANATTS	368.94
MIDAMERICAN ENERGY	30000.00
MINIMUS	23.88
NEWTON HOME OIL	5561.48

NILES CHIROPRACTIC	114.35
O'ROURKE MOTORS	356.48
OMJC SIGNAL	715.00
ORTIVUS NA	525.00
PRAXAIR DIST.	105.40
STAPLES BUSINESS	147.30
STAPLES CREDIT	149.49
STUELAND'S	35.84
T&M CLOTHING	21.84
T&R ELECTRIC	5425.00
TAYLOR TECHNOLOGIES	234.64
THE GALE GROUP	22.07
TIPTON CONSERVATIVE	920.03
TIPTON GREENHOUSE	129.90
TIPTON PHARMACY	3.07
TIPTON TIRE & AUTO	33.20
IOWA STATE UNIVERSITY	75.00
TRUCK COUNTRY	502.62
TYLER WORKS	5335.80
UTILITY EQUIPMENT	484.49
WENDLING QUARRIES	291.45
WEST BRANCH SUMMER LEAGUE	80.00
WEST LIBERTY SPORTS	150.00
XEROX	1160.21
ZEE MEDICAL	120.79

Motion carried by the following vote:

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

STREET CLOSURE: Motion by Kepford, seconded by McGlaughlin to approve request for street closure, East 4th Street from Plum to East 5th Street on July 15, for Block Party. Motion carried by the following vote:

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

PAY APPLICATION REQUEST: Motion by Wethington, seconded by Kepford to approve Pay Application #11C to Miron Construction in the amount of \$45,000 for repairs made on the FAC. Motion carried by the following vote:

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

WELLHEAD PROTECTION PLAN: Motion by Anderson, seconded by McGlaughlin to approve Wellhead Protection Plan for the City of Tipton. Motion carried by the following vote:

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

RETAINING WALL: Motion by Anderson, seconded by Wethington to approve Retaining Wall at adult ball diamond. Cost for the construction for the wall is \$14,720.00. Motion carried by the following vote:

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

28E AGREEMENT: Council briefly discussed the 28E Agreement that the City has with the Tipton Community School District and Kirkwood Community College for the Operation of a Community Education Program.

EXCESS PROCEEDS – LOSST: City Manager Boldt explained that the City's portion of excess proceeds left over from the 1% local option sales and service tax (LOSST) funds that were used to construct the Cedar County Law Enforcement Center equal about \$56,211. A special election has been scheduled for October 30, 2007 to see how the voters want the money to be spent. Council members felt the money could be used for either the construction of the new water tower or for the Downtown Sidewalk Project. After a brief discussion, motion was made by Johnson and seconded by McGlaughlin to spend the proceeds on the construction of the new water tower and this be identified on the October ballot. Motion carried by the following vote:

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

AUTHORIZATION CITY MANAGER: Jeff Meyer, president of TEDCO is recommending a development agreement utilizing tax increment financing incentives for another expansion of Tipton Structural Fabrication. Motion by Johnson, seconded by Wethington to authorize City Manager to contact Dorsey & Whitney to prepare resolution and development agreement for Tipton Structural Fabrication. Motion carried by the following vote:

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

DATE FOR PUBLIC HEARING: Motion by Anderson, seconded by Wethington to set a date of Public Hearing for the 2007 Street Improvements Project at 5:30 p.m. on July 2, 2007. Motion carried by the following vote:

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

MONTHLY WATER REPORT: Motion by Johnson, seconded by McGlaughlin to approve monthly water report for May. Motion carried by the following vote:

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

REPORTS: Council received the following monthly reports from department heads:

Community Development, Recreation, Library, Police.

MAYOR'S REPORT: Mayor Young reported he received a letter from the City of Harlan containing a Resolution of Sympathy for Spc. David Behrle.

CITY MANAGER'S REPORT: City Manager Boldt reported briefly on the following:

1. Engineer's opinion of Probable Cost for the 2007 Street Project.
2. Received a letter from Muscatine Power thanking the City's Electric Department for assisting in restoring power after storm damage from a tornado that swept through their community.
3. Gave the council a letter from Attorney Dendinger regarding compensated meetings.

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

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

REVENUE RECEIVED – MAY 2007

PROPERTY TAXES	109780.40
LOCAL OPTION SALES TAX	17226.98
LICENSES & PERMITS	284.50
USE OF MONEY & PROPERTY	28387.92
INTERGOVERNMENTAL	150503.92
CHARGE FOR SERVICES	566960.36
MISCELLANEOUS	136326.45
TOTAL	\$1009470.53