

April 1, 2013  
Council Chambers  
City Hall  
Tipton, Iowa

The City Council of the City of Tipton, Cedar County, Iowa, met in regular session at 5:33 p.m. Mayor Kepford called the meeting to order. Upon roll being called the following named council members were present: Fry, Siech, Anderson, Spear and Zearley. Also present: Nosbisch, Fletcher, Nash, Penrod, Holub, Wild, Kisling, Hudson, Honts, Goerd, Woode, other visitors and the press.

Mayor Kepford led the meeting in the Pledge of Allegiance.

**Agenda:**

Motion by Anderson, second by Zearley to approve the agenda with three corrections. Under Communications, the auditor from CliftonLarsonAllen will not be attending tonight, L-4 should read Tipton rather than Norwalk, L-18 should read 521 Cedar Street. Following the roll call vote the motion passed unanimously.

**Consent Agenda:**

Motion by Siech, second by Fry to approve the consent agenda which include the minutes from March 18, 2013, council meeting and a new Cigarette/Tobacco permit for Dollar General. Following the roll call vote the motion passed unanimously.

**Mayoral Proclamation:**

Mayor Kepford read the proclamation recognizing the month of April as Keep Iowa Beautiful Month.

**Motion for Approval:**

1. Claims List

A M E SERVICES	3 APPLIANCES PICKED UP	30.00
ALLIANT ENERGY	NONMETER EXCESS FACILITIES	192.41
AUS WATERLOO MC LOCKBOX	SCRAPER MAT - FAC	166.99
CEDAR COUNTY CO-OP	7304 GL DSL FOR GENERATORS	22825.00
CENTRAL PETROLEUM EQUIPMEN	PUMP PAPER - AIRPORT	15.00
CONTROL INSTALLATIONS OF I	HVAC REPAIRS - FAC	1876.80
CORTEZ TRUCK EQUIPMENT	HEAD LIGHT #15	116.80
ELECTRIC PUMP	'13 SERVICE AGREEMENT-WASTE WA	1192.75
ELECTRICAL ENGINEERING & E	5 ELECTRIC BALLASTS - LIBRARY	884.03
G & K SERVICES	OPERATING SUPPLIES - CNTRL GRG	279.64
GRASSHOPPER LAWN CARE DBA	SNOW REMOVAL AT 801 MULBERRY	35.00
GRAYBILL COMMUNICATIONS	PARTS & SUPPLIES #52	8143.17
HERMSEN AUTOMOTIVE LLC	REPLACE BATTERY CABLE #182	89.32
IOWA BUSINESS SUPPLY LLC	NOTARY STAMP - AMY	19.00
L L PELLING CO INC	8.78 TN COLD MIX - STREETS	921.90
MEDIACOM LLC	MONTHLY SERVICE - POLICE	59.95
MIDWEST WHEEL COMPANINES	PARTS #5	156.40
MISC. VENDOR	JO ANN CROCK:GRANTWRITING SRVC	500.00
MUNICIPAL PIPE TOOL CO LLC	JET CLEANING & ROOTSAWING-SWRS	4520.59

NEWCOM TECHNOLOGIES INC	SERVICE AGREEMENT - CEMETERY	1600.00
PERFORMANCE SYSTEMS JANITO	NEUTRAL CLEANER - FAC	908.48
RECREONICS	OPERATING SUPPLIES - FAC	405.06
SPAHN & ROSE LUMBER CO	OPER & BLDG MAINT-EL,GAS,ARPRT	820.43
SPEEDCONNECT	WIRELESS SERVICE - AIRPORT	60.45
SPEER FINANCIAL INC	GO BONDS SERVICE SERIES 2013	6077.59
T & M CLOTHING CO.	445 SOCCER SHIRTS	6109.49
THOMAS HEATING & AIR	BLDG MAINT SUPPLIES - ELECTRIC	72.00
TIFFINY'S TIPTON BAKERY	SUPPLIES FOR SAFETY MTG	45.20
WALMART COMMUNITY	SUPPLIES - NEW FIRE STATION	240.71
WHITFIELD & EDDY PLC	PROFESSIONAL SERVICES FOR FAC	1440.00
XEROX CORPORATION	10 CASES PAPER	475.50
ZEP SALES & SERVICE	OPERATING SUPPLIES - CNTRL GRG	210.76
TOTALS		60490.42

FUND TOTALS

001 GENERAL GOVERNMENT	18025.18
305 GO ST IMPROVEMENT 08	2266.03
310 NEW FIRE STATION	240.71
314 WETLAND MITIGATION PRJCT	746.63
600 WATER OPERATING	211.40
610 WASTEWATER/AKA SEWER REVE	1392.75
630 ELECTRIC OPERATING	24026.65
640 GAS OPERATING	800.39
660 AIRPORT OPERATING	155.64
670 GARBAGE COLLECTION	12.26
750 CEMETERY ENTERPRISE	400.00
810 CENTRAL GARAGE	11683.28
835 ADMINISTRATIVE SERVICES	529.50
GRAND TOTAL	60490.42

**City - Check-out card**

Operating Supplies (Police) - Galls	9.35
Building Maintenance & Repair - Menards	191.83
Building Maintenance & Repair - Menards	191.83
Rpr Prts - Kum & Go, Carquest, Dewey Ford #45	491.97
Trvl Training - Ankeny Diner	
Arbys, McDonalds Best Western	677.12
<b>Total Charges</b>	<b>1562.10</b>

**Ambulance - One Card**

Operating Supplies - EMP, Theisen's, Tipton Pharmacy	102.03
<b>Total Charges</b>	<b>102.03</b>

**Fire - One Card**

Buildings - Wal-Mart, Casey's	313.65
<b>Total Charges</b>	<b>313.65</b>

**Library - One Card**

Postage/Shipping - USPS	57.52
Training - Groupon Inc	69.00

**Credit Card Statement**

Program Supplies - Family Foods, Highsmith	41.54	
Office Supplies - Wal-Mart, Demco	177.16	
Materials - Wal-Mart	310.70	
Building Maintenance & Repair - Wal-Mart, Amazon	3.88	
Fuel - Ce Co Coop	43.45	
<b>Total Charges</b>		<b>703.25</b>
<b>JKFAC/Recreation - One Card</b>		
Operating Supplies - Barton, Wal-Mart, Staywell	1,441.85	
<b>Total Charges</b>		<b>1441.85</b>
<b>Electric - One Card</b>		
Dues/Fees - IAEI	102.00	
Training - Int'l Code Council	1,377.00	
<b>Total Charges</b>		<b>1479.00</b>
<b>Gas - One Card</b>		
Building Maintenance & Repair - Menards	26.08	
Building Maintenance & Repair - Menards	26.07	
<b>Total Charges</b>		<b>52.15</b>
<b>City Clerk - One Card</b>		
Dues/Fees - Int'l Code Council	213.00	
<b>Total Charges</b>		<b>213.00</b>
<b>Comm Dev - One Card</b>		
Computer Supplies - Filemaker	179.00	
Miscellaneous - Tiffany's Tipton Bakery, Wal-Mart	32.19	
Fuel - Kum & Go	40.00	
Training - Central Iowa Tourism, Kirkwood	199.00	
Travel Training - Stoney Creek, Prairie Meadows	337.91	
Office Supplies - Day Timers Inc	104.27	
<b>Total Charges</b>		<b>892.37</b>
<b>City Manager - One Card</b>		
Training - UI Ctr for Conferences	380.00	
<b>Total Charges</b>		<b>380.00</b>
<b>Statement Total</b>		<b>7139.40</b>

Motion by Siech, second by Spear to approve the claims list as presented. Following the roll call vote the motion passed unanimously.

## 2. July 4<sup>th</sup> Fireworks Launch

Motion by Zearley, second by Anderson to approve the change in the fireworks launch site. Following the roll call vote the motion passed unanimously.

## 3. Service Agreement, Kids Again Inflatable Fun Shows

Motion by Spear, second by Zearley to approve the service agreement with Kids Again Inflatable Fun Shows to rent the inflatable items for the July 4<sup>th</sup> Celebration. Following the roll call vote the motion passed unanimously.

4. 5K Firecracker Road Race and Kids Fun Run Route, Time

Motion by Siech, second by Fry to approve the 5K Firecracker Road Race and Kids Fun Run route to be held on July 4<sup>th</sup> at 7:30 for the runners and 8:30 for the walkers. Following the roll call vote the motion passed unanimously.

5. Set Public Hearing Date to Amend Title II, Chapter 2, Section 19, Water Service

Motion by Zearley, second by Anderson to set a public hearing date of April 15, 2013, at 5:30 p.m., to amend Title II, Chapter 2, Section 19, Water Service and Rates. Following the roll call vote the motion passed unanimously.

6. Set Public Hearing Date to Amend Title II, Chapter 4, Section 5, Sewer Regulations, Rates

Motion by Fry, second by Spear to set a public hearing date of April 15, 2013, at 5:30 p.m. to amend Title II, Chapter 4, Section 5, Sewer Regulations and Rates. Following the roll call vote the motion passed unanimously.

7. Set Public Hearing Date to Amend Title IV, Chapter 9, Section 6, Green Alternative Route

The amendment would include a two year extension to allow the gas carts to be replaced with electric carts. Motion by Fry, second by Spear to set a public hearing date of April 15, 2013, at 5:30 p.m., to amend Title IV, Chapter 9, Section 6, Green Alternative Route. Following the roll call vote the motion passed unanimously.

8. Set Public Hearing Date to Amend Title II, Chapter 3, Section 6, 7, 8, 9, Natural Gas Delivery Rates

The amendment would include a capital charge for capital improvements only, specifically for the new meter change outs for the automated meter reading system. Motion by Zearley, second by Siech to set a public hearing date of April 15, 2013, at 5:30 p.m., to amend Title II, Chapter 3, Section 6, 7, 8, 9, Natural Gas Delivery Rates. Following the roll call vote the motion passed unanimously.

9. Pay Application No. 3, Tri City Electric

Motion by Anderson, second by Spear to approve pay application No. 3, in the amount of \$180,664.60, to Tri City Electric, for the Substation Project. Following the roll call vote the motion passed unanimously.

10. Purchase Order No. 71397, PowerTech Inc.

Motion by Siech, second by Zearley to approve Purchase Order No. 71397, to PowerTech Inc., in the amount of \$ 6,643.00, for the Substation Project. Following the roll call vote the motion passed unanimously.

11. Purchase Order No. 71398, Shermco Industries

Motion by Spear, second by Anderson to approve Purchase Order No. 71398, to Shermco Industries, in the amount of \$33,080, for the Substation Project. Following the roll call vote the motion passed unanimously.

12. Change Order No. 2, Tri City Electric

Motion by Fry, second by Zearley to approve change order No. 2, to Tri City Electric, in the amount of \$1,523.00, for the Substation Project. Following the roll call vote the motion passed unanimously.

13. Invoice No. 110.0146.01-25, Snyder and Associates

Motion by Spear, second by Zearley to approve payment of invoice no. 110.0146.01-25, to Snyder and Associates, in the amount of \$5,940.52, for the Airport Environmental Assessment. Following the roll call vote the motion passed unanimously.

14. Service Agreement, WTI

Motion by Anderson, second by Zearley to approve the service agreement with WTI, with a proposal amount of \$4,400.00, for the James Kennedy Family Aquatic Center. Following the roll call vote the motion passed unanimously.

15. Service Agreement, WJE

Motion by Fry, second by Spear to approve the service agreement with WJE, with a proposal amount between \$4,500.00 and \$5,500.00, for the James Kennedy Family Aquatic Center. Following the roll call vote the motion passed unanimously.

16. Order No. 6101, Taylor and Associates

Motion by Siech, second by Fry approve order No. 6101, from Taylor and Associates, with a quote amount of \$6,815.14, for 72 lounge chairs for the James Kennedy Family Aquatic Center. Following the roll call vote the motion passed unanimously.

17. Impeller Purchase, POOLplaza

Motion by Spear, second by Anderson to approve the purchase of the impellers which are part of the pumps used to circulate water, from POOLplaza, in the amount of \$2,899.80, for the James Kennedy Family Aquatic Center. Following the roll call vote the motion passed unanimously.

18. One Time Sewer and Water Adjustment, 521 Cedar Street

Motion by Zearley, second by Spear to approve the one time water and sewer adjustment for 521 Cedar Street which will reduce the water portion of the bill from \$261.98 to \$11.98, and the sewer portion from \$209.76 to \$2.86, resulting in a credit amount of \$456.90. Following the roll call vote the motion passed unanimously.

19. Purchase Order No. 70402, Municipal Supply

Motion by Anderson, second by Siech approve purchase order No. 70402, for the electric department to purchase electric radio read meters from Municipal Supply, in the amount of \$10,884.00, for the radio read meter conversion project. Following the roll call vote the motion passed unanimously.

**Discussion Items (No Action)**

1. Animal Control, Protection, Prohibited Animals

Dogs, Pit Bulls

Chief of Police Holub discussed his views on Pit Bulls and is looking for direction. Holub suggested an ordinance be enacted that is breed specific.

Council Member Anderson would like to see options.

Council Member Spear doesn't like the breed specific.

Council Member Siech feels this should be looked into, is a very sensitive subject.

Council Member Fry said he runs and he has been barked at and chased by loose dogs because the owners don't leash their dogs. Fry would like to look at some ordinances.

City Manager Nobsch would like to give the public the option to offer constructive comments.

Holub is very concerned for the safety of the children in the community, stating if dog owners were responsible this wouldn't be an issue.

#### Chickens

There have been a number of citizens inquiring about keeping chickens in the city limits. Council Member Anderson said he would consider this if there were restrictions such as quantity of chickens limited, owner had permission from neighbors, restrictions of how they are sheltered, and inspected regularly.

### **Reports of Mayor/Council/Manager:**

#### **Mayor's Report**

Police received a letter from the Cedar County Foundation stating the department had been awarded a \$4,500.00 grant for video cam systems.

#### **Manager's Report**

Will miss the April 15<sup>th</sup>, council meeting because of a conference in Chicago but will try to be available by phone because of the number of ordinance changes.

Airport Committee met with the new consulting firm.

New street sweeper will be delivered tomorrow.

City staff has begun planning the July 4<sup>th</sup> celebration.

#### **Closed Session:**

Adjourn from Regular Session to Closed Session Pursuant to Chapter 21.5 (1) J, the City Council may enter into closed session, "To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property".

Motion by Spear, second by Anderson to adjourn from regular session to closed session pursuant to Chapter 21.5 (1) J, the City Council may enter in closed session, "To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property" at 6:50 p.m. Following the roll call vote the motion passed unanimously.

#### **Roll Call to return to regular session:**

The council reconvened to regular session from closed session at 7:08 p.m. The following Councilmember's were present when roll was called: Anderson, Spear, Zearley, Siech and Fry.

Motion by Siech, second by Zearley to make an offer as discussed for an easement. Following the roll call vote the motion passed unanimously.

#### **Adjourn:**

With no further business to come before the council a motion to adjourn was made by Anderson, second by Spear. Following the roll call vote the motion passed unanimously.

Meeting adjourned at 7:10 p.m.

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Mayor

Attest: \_\_\_\_\_

City Clerk/Finance Officer