

July 20, 2015  
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 being called the following named council members were present: Fry, Siech, Anderson, Spear and Holub. Also present: Nosbisch, Fletcher, Holub, Nash, Taber, Wild, Becker, other visitors and the press.

Mayor Kepford led the meeting in the Pledge of Allegiance.

**Agenda:**

Motion by Holub, second by Anderson to approve the agenda with corrections, to table the two resolutions until all the bond paperwork has been received. Following the roll call vote the motion passed unanimously.

**Communications:**

Hardacre Theatre Preservation Association Board

Will Valet spoke on behalf of the Hardacre Theatre Preservation Association (HTPA) Board regarding the renovation project. Valet discussed the board's hope to receive donations and apply for the Vision Iowa and CAT grants which will require City and County participation. The current project cost estimate to complete the renovation is \$3.8 million. The HTPA would like to open the theatre for movies and such. That portion of the project will cost approximately \$2 million and with that completed they would then proceed with their vision. The HTPA board is asking assistance from the City to reduce utility costs for the services they are not currently using. Valet said the board would like to take a field trip with City Councilmembers and the Board of Supervisors visiting the Hardacre and other communities to see how the renovated theatres have affected their communities.

Larry Hodgden asked for clarification on the misleading headline in the Tipton Conservative regarding the airport project. Hodgden said he has over 600 signatures on a petition and feels the rural citizens should have a voice.

Deb Schwitzer asked why the City is continuing with the airport project when councilmembers change every two years.

Vicki Wailand and Denny Snow discussed placing a veteran's wall or bricks with veteran's names on the green space at the corner of Cedar and West 4<sup>th</sup> Street.

**Consent Agenda:**

Motion by Spear, second by Siech to approve the consent agenda which includes the July 6, 2015, Council Meeting Minutes, Clerk's/Investment Report, appointment of Chris Cook and Kevin Kofron to the Planning and Zoning Commission, June Water Report, June Airport Committee minutes, May Library Board Minutes and Director's Report. Following the roll call vote the motion passed unanimously.

**Public Hearing:**

Public Hearing, Amendment to Chapter 55.02, Prohibited Animals

Mayor Kepford opened the public hearing for the amendment to Chapter 55.02, Prohibited Animals at 6:14 p.m.

With no written or oral objections, Mayor Kepford closed the public hearing at 6:15 p.m.

**Ordinance Approval/Amendment:**

Motion by Fry, second by Holub to not approve the amendment to Chapter 55.02, Prohibited Animals, Urban Chickens. The motion passed with the following the roll call vote;

Aye: Holub, Siech, Fry, Spear

Nay: Anderson

**Motions for Approval:**

1. Claims list

ALLIANCE WATER RESOURCES I	JULY SERVICES	24,904.29
AUS WATERLOO MC LOCKBOX	MATS CITY HALL	155.88
BARRON MOTOR SUPPLY	LUBE #15	15.64
CEDAR COUNTY AUDITOR	DISASTER SERVICES ASSESSMENT	32,002.14
CEDAR COUNTY CO-OP	FUEL DISCOUNT	2,136.75
CEDAR COUNTY SOLID WASTE	TRANSFER FEES	2,795.00
CEDAR POLY, LLC	BALING WIRE	86.00
CLARENCE LOWDEN SUN-NEWS &	YOUTH REC	797.50
EASTERN IOWA LIGHT & PWR	CEMETERY	1,753.69
EICCD	TRAINING RENEWALS	70.00
ELECTRICAL ENGINEERING & E	175TH SUPPLIES	267.37
EMERGENCY MEDICAL PRODUCTS	DEFIB PADS	120.00
ENERGY ECONOMICS INC	TEST 6 COMMERCIAL GAS METERS	1,504.42
FAMILY FOODS	CONCESSIONS SUPP, MISC SUPP	99.50
FARNER-BOCKEN COMPANY	CONCESSIONS	1,195.34
FRIENDS OF THE ANIMALS	2 CATS, 1 DOG	175.00
G & K SERVICES	UNIFORMS EL & GAS	644.81
GENERAL PEST CONTROL INC	PEST CONTROL	286.03
GRASSHOPPER LAWN CARE DBA	MID DRY FERTILIZER SOCCER FLDS	1,787.50
INTEGRATED TECHNOLOGY PART	FIBER CONNECTION TO CH & AMB	6,142.40
IOWA DEPT. OF NATURAL RESO	ANNUAL WATER SUPPLY FEE	375.96
IOWA UTILITIES BOARD	FY 2016 ASSESSMENTS ELECTRIC	4,163.00
JAB INK DESIGN	BUSINESS CARDS, BANNER	94.00
JOHNSON COUNTY AMBULANCE	ALS SERVICE	200.00
KELTEK INCORPORATED	MOUNTING PLATFORM 2015 F150	264.00
KLUESNER CONSRUCTION INC	VARIOUS STREET REPAIRS	26,360.60
MAHER PLUMBING HEATING & A	BLDG MAINT SUPPLIES AMB	75.35
MISC. VENDOR	MANAIRCO INC: AIRPORT SUPPLIES	2,125.02
MITCHELL 1	WEB SUBSCRIPTIONS	228.48
MMTG	MMTG DUES JULY-DEC	1,140.00
MUNICIPAL SUPPLY INC	WATER MAIN REPAIR SUPPLIES	1,566.50
NGES	CALIBRATE ODORATOR&ULTRA-TRAC	61.90
O'ROURKE MOTORS INC	ENGINE REPAIRS #53 (K9)	5,080.30
OFFICE EXPRESS	OFFICE SUPPLIES	162.26
PEPSI-COLA	DRINK ORDER	408.17
PRAXAIR DISTRIBUTION INC	SUPPLIES FOR HAIRBALL	124.66
RESCO	REFLECTIVE CABLE WRAP MARKER	1,676.56
SANDRY FIRE SUPPLY LLC	8 SETS OF BOOTS	2,640.98
SHOTTENKIRK	MUFFLER & EXTENSION #68	598.28
SPINUTECH INC	JULY EMAIL MARKETING	25.00
T & M CLOTHING CO.	8 SHIRTS 3 ON 3 TOURNEY	128.00
TIPTON CHAMBER OF COMMERCE	2015-2016 CHAMBER DUES	400.00
TIPTON CONSERVATIVE	YOUTH REC	1,734.79
TIPTON ELECTRIC MOTORS	48' CORD FOR 175TH	643.17
TIPTON PHARMACY	PHARMACEUTICALS	478.33
TIPTON STRUCTURAL FABRICAT	STEEL FOR RAILS IN PARK	11.42
TRITECH SOFTWARE SYSTEMS	BILLING CREDIT	1,023.00
TYLER TECHNOLOGIES INC	UB NOTIFICATION	33.50
USA BLUE BOOK	POOL REPAIR SUPPLIES	132.18
UTILITY SALES & SERVICE IN	GAS LINE SUPPLIES	262.50
VERISIGHT INC	CONSULTING SERVICES PAY STUDY	4,400.00
WELTER STORAGE EQUIPMENT C	ARMS FOR 2 STOOLS	80.00
WENDLING QUARRIES INC	3.27 TN SAND, 18.81 TN ROCK	197.78
WESCO RECEIVABLES CORP	POP N WORK TENT	1,614.63
XEROX CORPORATION	COPY CHARGES	1,126.71
ZEE MEDICAL INC	1ST AID SUPPLIES	144.55
TOTAL		136,720.84

		FUND TOTALS
001	GENERAL GOVERNMENT	52,883.87
600	WATER OPERATING	16,529.96
610	WASTEWATER/AKA SEWER REVE	13,206.41
630	ELECTRIC OPERATING	10,156.63
640	GAS OPERATING	3,720.00
660	AIRPORT OPERATING	50.38
670	GARBAGE COLLECTION	23,672.67
750	CEMETERY ENTERPRISE	49.70
810	CENTRAL GARAGE	8,875.62
835	ADMINISTRATIVE SERVICES	7,575.60
GRAND TOTAL		136,720.84

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

2. Economic Development Director, Hiring Recommendation

Motion by Spear, second by Anderson to approve the committee's recommendation to hire Linda Beck as the Economic Development Director with a starting wage of \$45,000.00, and two weeks' vacation, with an additional \$1,000.00., and another week's vacation after the successful completion of one year, pending reference checks. Following the roll call vote the motion passed unanimously.

3. Police Chief Annual Review

Motion by Siech, second by Spear to approve the renewal of Chief of Police Heath Holub's employment contract with a 3% pay increase for fiscal year 2015-2016. Following the roll call vote the motion passed, with Councilmember Beau Holub abstaining.

4. City Manager Annual Review

Motion by Siech, second by Spear to approve the renewal of City Manager Nobsbisch's employment contract with a 3% pay increase and one additional week of vacation for fiscal year 2015-2016. Following the roll call vote the motion passed unanimously.

5. Contract Donna Oehm, Complete Testing RICE NESHAP Compliance Review

Motion by Fry, second by Holub to approve contracting with Donna Oehm to complete the testing of the RICE NESHAP compliance review as required by the EPA, with a cost of \$15,000.00. Following the roll call vote the motion passed unanimously.

6. Masonic Cemetery, Rules and Regulations

Motion by Anderson, second by Siech to approve the rules and regulations proposed by the Cemetery Board of Trustees. Following the roll call vote the motion passed unanimously.

7. Memorandum of Understanding, Iowa Department of Administrative Services, Income Offset Program

Motion by Spear, second by Fry to approve the memorandum of understanding with Iowa Department of Administrative Services allowing the City to participate in the State of Iowa's Income Offset Program. Following the roll call vote the motion passed unanimously.

8. West Lagoon Pump No. 3 Repairs

Motion by Anderson, second by Spear to approve the repairs to pump No. 3, at the west lagoon, in the amount of \$6,675.00, from Mississippi Valley Pump, Inc. Following the roll call vote the motion passed unanimously.

9. Audit Engagement Letter, CliftonLarsonAllen

Motion by Siech, second by Fry to approve the engagement letter with CliftonLarsonAllen, LLP, for the annual audit with an estimated cost of \$20,400.00. Following the roll call vote the motion passed unanimously.

10. Management Services Agreement, University of Iowa

Motion by Spear, second by Holub to approve the Management Services Agreement between the City of Tipton Ambulance Service and the University of Iowa, designating the U of I as the City's medical director. Following the roll call vote the motion passed unanimously.

**Discussion Items:**

1. Language, One Percent Sales Tax Question

City Manager Nobsisch discussed the current referendum language and explained that the City will need to have the specific language ready for the County Auditor next month in order to have the Local Option Sales and Service Tax (LOST) on the November ballot.

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

**Mayor's Report**

Mayor Kepford read two letters regarding the 175<sup>th</sup> Celebration, praising the Celebration committee and the City for the four day event.

**Manager's Report:**

The Lion's Club collected funds again this year for the annual fireworks display. Councilmember Spear representing the City attended the Lion's Club meeting last week and was presented with a check in the amount of \$2,493.40. Thank you to the Lion's Club for canvassing for donations and to Councilmember Spear for attending the meeting to receive the check.

There are maps of the street projects that have been completed over the last ten years hanging on the walls upstairs inside the council chambers. We encourage citizens to view the maps that also contain information on future potential projects.

We hope that the 175<sup>th</sup> Committee will attend an August council meeting. They are working to finalize event numbers with encouraging preliminary estimates.

The roof project for the power plant has been completed.

FEMA has closed a significant amount of the City's June 30, 2014, storm event projects. The hope is to have all the documents and projects complete in August.

E911 Board elected to delay the P-25 radio conversion project until August 2016, to allow West Branch more time to secure funding for the transition.

**Closed Session:**

Closed Session: Adjourn from Regular Session to Closed Session Pursuant to Chapter 21.5 (1) C, "to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation."

Motion by Anderson, second by Holub to adjourn from regular session to closed session pursuant to Iowa Code Chapter 21.5(1)C, "to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation," at 7:11 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 7:23 p.m., with the following Councilmember's present: Siech, Fry, Anderson, Spear and Holub.

Motion by Siech, second by Spear to accept the settlement offer of \$650,000.00, between the City of Tipton, Miron Construction and Burbach Aquatics, pending our attorney's review of the settlement agreement prior to the mayor's signature on the agreement document. 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 Holub, second by Spear. Following the roll call vote the motion passed unanimously.

Meeting adjourned at 7:25 p.m.

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Mayor

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

City Clerk/Finance Officer