

June 3, 2019  
Tipton Fire Station  
301 Lynn Street  
Tipton, Iowa

The City Council of the City of Tipton, Cedar County, Iowa, met in regular session at 5:30 p.m. Mayor Carney called the meeting to order. Upon roll being called the following named council members were present: Cummins, Leeper, McNeill, Spear and Anderson. Also present: Armstrong, Lenz, Nash, Kepford, Taber, Beck, other visitors and the press.

**Agenda:**

Motion by Leeper, second by McNeill to approve the agenda as presented. Following the roll call vote the motion passed unanimously.

**Communications:**

Larry Hodgden had some questions concerning legal fees and settlement amount regarding the litigation against David Gott.

**Consent Agenda:**

Motion by Spear, second by Leeper to approve the consent agenda which includes the May 20<sup>th</sup> Work Session Minutes, May 20<sup>th</sup> Council Meeting Minutes, and the following Claims List. Following the roll call vote the motion passed unanimously.

ALBAUGH PHC INC	RESTROOM REPAIRS	73.25
AUCA CHICAGO LOCKBOX	MATS	102.15
BAUER BUILT TIRE	BALANCE TIRES #30	65.25
BITUMINOUS MATERIALS &	180.88 GL CRS-2	464.43
BORDER STATES ELECTRIC	12 SECONDARY PEDESTALS	1020.65
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	249.52
CEDAR CO PUBLIC HEALTH	HEP B SERIES	45.00
CHALLIS LAWN CARE	SPRAYING IN PARK	2275.00
CINTAS CORPORATION	FIRST AID SUPPLIES	254.25
CINTAS LOC	UNIFORMS	474.96
DECKER SPORTING GOODS	KNOTLESS BATTING CAGE NET	935.00
DORSEY & WHITNEY LLP	LEGAL SERVICES	9464.50
EASTERN IOWA TIRE	SKID STEER TIRES	1580.00
ELECTRICAL ENGINEERING	600 VAC CONTACTOR	865.19
FARNER-BOCKEN COMPANY	CONCESSIONS	1127.33
FELD FIRE	TOOLS	3516.55
FLETCHER-REINHARDT CO.	UNDERGROUND SUPPLIES	572.86
FOREMOST MEDICAL EQUIP	CPR PADS, PEDI PADS	637.00
FOX APPARATUS REPAIR &	MISC SUPPLIES	300.85
GARDEN & ASSOCIATES INC	2018-19 STREET PROJECTS	1052.15
GRASSHOPPER LAWN CARE	WEED CONTROL	153.50
HAWKINS INC	CHEMICALS	2259.24
HENDERSON PRODUCTS INC	PARTS FOR PLOW #29	108.23
HMP	EMS WORLD EXPO	825.00
IOWA LAW ENFORCEMENT ACADEMY	MMPI ROBERTS	300.00
IOWA ONE CALL	LOCATES	85.50

IOWA PRISON INDUSTRIES	SMALL TOOLS, COMPUTER SUPP	2892.90
JERRY'S ELECTRIC INC	75 KVA PAD MOUNT	4990.00
JOHNSON COUNTY AMBULANCE	ALS INTERCEPT	200.00
KLUESNER CONSTRUCTION INC	STREET PATCHING	14587.53
LAWSON PRODUCTS INC	TOOLS	77.13
MISC. VENDOR	NFP:MEDICAL DIRECTOR INSURANCE	5678.00
MITCHELL 1	WEB BASED SUBSCRIPTIONS	253.05
MUNICIPAL SUPPLY INC	WATER MAIN PARTS	597.25
OFFICE EXPRESS	OFFICE SUPPLIES	115.54
PEPSI-COLA	DRINK ORDER	1407.54
POWER LINE SUPPLY	UNDERGROUND SUPPLIES	3381.04
PRAXAIR DISTRIBUTION INC	OXYGEN	46.44
QC ANALYTICAL SERVICES LLC	WASTEWATER TESTING	1936.00
ROTH ELECTRIC	ALLEY PROJECT CONVERSION	47301.45
SANDRY FIRE SUPPLY LLC	GATED WYE	963.28
SHIELD TECHNOLOGY CORP	SHIELDWARE ANNUAL SUPPORT	341.25
STUART C IRBY CO	SAFETY SUPPLIES	474.84
SWICK CABLE CONTRACTOR	PULL IN DUCT	1005.00
T & M CLOTHING CO.	144 TBALL SHIRTS	1901.50
TERRACON CONSULTANTS INC	WEST WWTP IMPROVEMENTS	2628.75
THOMPSON TRUCK & TRAILER	SHOP SUPPLIES	47.76
TIPTON PHARMACY	PHARMACEUTICALS	229.02
VEENSTRA & KIMM INC	SEWER PRELIM/RFP	2044.00
WALMART COMMUNITY	OPERATING SUPPLIES	355.44
WENDLING QUARRIES INC	48.16 TN CHIPS & RD STONE	624.56
** TOTAL **		122886.63
FUND TOTALS		
001	GENERAL GOVERNMENT	39466.16
110	ROAD USE TAX FUND	2317.05
125	TIF SPECIAL REVENUE FUND	9464.50
303	WASTEWATER PROJECT	2628.75
600	WATER OPERATING	1738.60
610	WASTEWATER/AKA SEWER REV	5303.19
630	ELECTRIC OPERATING	59319.48
640	GAS OPERATING	117.44
670	GARBAGE COLLECTION	8.25
810	CENTRAL GARAGE	2395.13
835	ADMINISTRATIVE SERVICES	128.08
GRAND TOTAL		122886.63

PAYROLL EXPENSE FOR MAY 2019

\$162,720.34

**New Business:**

1. Resolution No. 060319A: Resolution Approving Contract for Professional Audit Services

Motion by Spear, second by Anderson to approve Resolution No. 060319A, the resolution approving contract for professional audit services with Clifton, Larson and Allen, the auditing firm the City has used since 2003. Following the roll call vote the motion passed unanimously.

2. Resolution No. 060319B: Resolution Concerning an Application for Voluntary Annexation to the City of Tipton Submitted, Individually and Jointly, by Keith L. Lamp, and Donald C. Lamp

Motion by McNeill, second by Anderson to approve Resolution No. 060319B, the resolution concerning an application for voluntary annexation to the City of Tipton submitted, individually and jointly, by Keith L. Lamp, and Donald C. Lamp. The public hearing is set for June 17, 2019 at 5:30 p.m. Following the roll call vote the motion passed unanimously.

3. Barricade area on Meridian and East 3<sup>rd</sup> Street to have painting done for the Downtown Art Project.

Motion by Spear, second by Leeper to approve the request to barricade area on Meridian and East 3<sup>rd</sup> Street to have painting done for the Downtown Art Project. Following the roll call vote the motion passed unanimously.

4. Council/Mayor/City Manager to ride in the 4<sup>th</sup> of July parade.

Motion by Leeper, second by Anderson to approve the request for the Council, Mayor and City Manager to ride on a float in the 4<sup>th</sup> of July parade. Following the roll call vote the motion passed unanimously.

5. Beautification of the Green Space.

Motion by Spear, second by Leeper to move forward with the first phase of concrete work by WJ Leeper in the amount of \$3,200, and ground sleeve mounting system from Waterloo Tent and Tarp for \$200. Following the roll call vote the motion passed unanimously.

6. DRIP Program Request for Madison Doughty with Ameriprise Financial.

Motion by Anderson, second by Lee to approve the DRIP Program request for Madison Doughty with Ameriprise Financial. Following the roll call vote the motion passed unanimously.

7. Raise payment amount for distributed generation.

Motion by Leeper, second by McNeill to approve raising the amount the City pays for distributed generation in the system for renewable energy. It will go from .028 up to .03292. Following the roll call vote the motion passed unanimously.

8. Operational Change in the new power plant.

Electric Superintendent Taber stated that there are concerns with how quickly the two engines in the new power plant ramp to speed from 0 RPM to 1800 RPM in less than three seconds. They are going to adjust the ramp up time and allow the engines to follow for startup. This will make the engines less susceptible to a catastrophic disaster.

9. Change Order for the 2019 Street Project

Motion by McNeill, second by Spear to approve the Change Order for the 2019 Street Project. The motion passed with the following roll call vote:

Aye: Anderson, Spear, Leeper, McNeill

Nay: None

Abstain: Cummins

10. Trench Shoring

Director of Public Works Nash stated that the upcoming sewer project bypass on 13<sup>th</sup> Street which ties into the newer west trunk line will require a trench box (shoring), so that the pipe can be moved as they dig the trench. This piece of equipment is very important from a safety standpoint.

11. Vacuum Excavation System

Motion by Leeper, second by McNeill to approve the vacuum excavation system from Vermeer in the amount of \$84,999.00. The motion passed with the following roll call vote:

Aye: Spear, Leeper, McNeill, Anderson  
Nay: None  
Abstain: Cummins

12. Terracon proposal for additional soil borings.

Motion by Anderson, second by Spear to approve the Terracon proposal for additional borings in the amount of \$9,900 to \$11,500. The motion passed with the following roll call vote:

Aye: Leeper, McNeill, Anderson, Spear  
Nay: None  
Abstain: Cummins

13. Televising project for Hwy 38 for the BUILD Grant.

Motion by Anderson, second by Leeper to approve televising of all sanitary and storm sewer main under Cedar Street and North Avenue in preparation for the Hwy 38 Project, for the BUILD grant process. Visu-Sewer will conduct the televising. The motion passed with the following roll call vote:

Aye: McNeill, Anderson, Spear, Leeper  
Nay: None  
Abstain: Cummins

14. Council appointment for a school contact.

Motion by Anderson, second by Leeper to approve the appointment of Council Member McNeill for the school contact. Following the roll call vote the motion passed unanimously.

15. Focus Up on Mental Health 5K walk/run.

Motion by Spear, second by Leeper to approve the route for the Focus Up on Mental Health 5K walk/run on Saturday, August 10<sup>th</sup>. Following the roll call vote the motion passed unanimously.

16. Closed session pursuant to Iowa Code Chapter 21.5(1c) 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 Leeper to adjourn from regular session to closed session at 6:09 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 6:19 p.m. with the following Council Member's present: Anderson, Spear, Leeper, McNeill and Cummins.

17. Resolution No. 060319C: Resolution to approve and authorize settlement agreement with respect to pending litigation.

Motion by Leeper, second by McNeill to approve Resolution No. 060319C, the resolution approving and authorizing settlement agreement with respect to pending litigation against David Gott with Gott Ice Cream. The settlement check for the balance owed plus interest is due to City Hall on June 7<sup>th</sup>, by 12:00 p.m. Following the roll call vote the motion passed unanimously.

### **Reports of Mayor/Council/Manager/Department Heads**

Mayor Carney welcomed Council Member Abby Cummins.

Council Member Leeper stated that the last CCEDCO meeting was very positive regarding the beautification of the Green Space downtown.

Police Chief Kepford shared that the patrolling officers are giving out Dairy Queen coupons to kids wearing helmets while riding their bikes.

**Adjourn:**

With no further business to come before the council a motion to adjourn was made by Anderson, second by Cummins. Following the roll call vote the motion passed unanimously.  
Meeting adjourned at 6:28 p.m.

Mayor\_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk