

City of Tipton, Iowa

Meeting: Tipton City Council Meeting
Place: Tipton Fire Station, 301 Lynn Street, Tipton, Iowa 52772
Date/Time: Monday, December 5, 2022, 5:30 p.m.
Web Page: www.tiptoniowa.org
Posted: Friday, December 2, 2022 (Front door of City Hall & City Website)

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/328701845>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(571\) 317-3129](tel:+15713173129)

Access Code: 328-701-845

Mayor: Bryan Carney

Council at Large:	Abby Cummins-VanScoy	Council At Large:	Jason Paustian
Council Ward #1	Ron Hembry	Council Ward #2	Mike Helm
Council Ward #3	Tim McNeill	City Attorney:	Lynch Dallas, P.C.
City Manager:	Brian Wagner	Gas Utilities Supt:	Adam Fitch
Finance Director:	Melissa Armstrong	Electric Utilities Supt:	
City Clerk:	Amy Lenz	Water & Sewer Supt:	Brian Brennan
Dir. Of Public Works:	Steve Nash	Ambulance Svc Dir:	Brad Ratliff
Police Chief:	Lisa DuFour	Economic Dev. Dir.	Linda Beck
Park & Recreation:	Adam Spangler	Library Director:	Denise Smith

A. Call to Order

B. Roll Call

C. Pledge of Allegiance

D. Agenda Additions/Agenda Approval

E. Communications:

If you wish to address the City Council regarding an issue, whether on the agenda or something not on the agenda, please approach the lectern at this time and give your name and address for the public record before discussing your item. Scheduled communications are allowed to speak up to five minutes. Unscheduled communications are allowed to speak up to three minutes.

F. Consent Agenda

Note: These are routine items and will be enacted by one motion without separate discussion unless a Council Member requests separate consideration.

1. Approval – Council Meeting Minutes, November 9, 2022
2. Approval – Council Meeting Minutes, November 21, 2022
3. Approval – Airport Minutes, November 9, 2022
4. Approval – Development Director’s Report, November/December
5. Approval – Pay Application No. 3, North Avenue Reconstruction Project, All American Concrete, \$5,106.25

6. Approval – Downtown Revitalization Incentive Program (DRIP) reimbursement, Mike Goetz, DBA: Family Foods, \$7,500.00
7. Approval – Tipton Revitalization Incentive Program (TRIP) reimbursement, Tipton Golf and Country Club, \$6,850.00
8. Approval – Claims Register which includes claims paid under the current Purchase Policy

G. City Business

1. Performance review of City Manager (*open forum style*).
2. Discussion and possible action concerning review of City Manager's contract and possible action item to provide 30 days written notice of intent to terminate the City Manager's Employment Agreement without cause and provide six months' severance pay and benefits pursuant to the Employment Agreement (*estimated six months' severance pay, benefits and vacation payout equals \$83,781.35*).
3. Resolution No. 120522B: Resolution Terminating the Employment of the City Manager
4. Discussion and possible action to authorize review of interim City Manager options and provide to Council at a future meeting.
5. Resolution No. 120522C: Resolution to approve construction of sanitary sewer main and related infrastructure on city property by or on behalf of the Cedar County Coop
6. Resolution No. 120522D: Resolution scheduling public hearing on proposed sale of city owned real estate (524 Cedar Street, Tipton, Iowa)
7. Resolution No. 120522A: Resolution Authorizing Internal Advance for Funding Urban Renewal Projects
8. Closed session to discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent where it's disclosure would be likely prejudice or disadvantage the position of the government body in litigation pursuant to Iowa Code section 21.5(1)(c).
9. Discussion and possible action concerning potential action to direct staff to proceed as discussed and directed during the Closed Session.

H. Reports of Mayor/ Council/ Manager/ Department Heads

1. Mayor's Report
2. Council Reports
3. Committee Reports
4. City Manager's Report
5. Department Heads

I. Adjournment

Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

If anyone with a disability would like to attend the meeting, please call City Hall at 886-6187 to arrange for accommodations/transportation.

November 9, 2022
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, Hembry, McNeill, Paustian and Helm. Also present: Wagner, Armstrong, Lenz, Nash, B. Brennan, Ratliff, Beck, Walsh, T. Brennan, Achenbach, Dierks, K. Johnson, other visitors, and the press.

Agenda:

Motion by Paustian, second by Cummins to approve the agenda with the removal of Item G1 under City Business. Following the roll call vote the motion passed unanimously.

Consent Agenda:

Motion by Helm, second by Cummins to approve the consent agenda which includes the October 24th Special Council Meeting Minutes, purchase of 54 trees from the Tipton Greenhouse in the amount of \$10,089.20 (to be reimbursed by the DNR and EAB Grant), Change Order No. 2 and Pay Application No. 2, North Avenue Reconstruction Project, All American Concrete, \$124,049.66, and the following claims list. Following the roll call vote the motion passed unanimously.

AFLAC	AFLAC AFTER TAX PY W/HOLDING	593.31
APPARATUS TESTING SERVICES	ANNUAL FIRE PUMP CERTIFICATION	1285.00
AT&T MOBILITY	WIRELESS	247.09
AXA EQUI-VEST PROCESSING O	DEF. COMP PRETAX	225.00
BAKER & TAYLOR	BOOKS	857.48
BANLEACO	COPIERS CONTRACT	105.60
BLUE CROSS/BLUE SHIELD	INSURANCE PAYMENT	693.66
CAPITAL ONE	OPERATING AND OFFICE SUPPLIES	75.72
CENTRAL IOWA DISTRIBUTING	SHOP SUPPLIES	187.00
CINTAS	UNIFORMS	564.45
CITY OF TIPTON FUNDS	ADMINISTRATIVE SERVICES	282527.60
CITY OF TIPTON-REVOLVING C	CENTRAL GARAGE REPAY	27669.07
CITY UTILITIES	CITY UTILITIES	14013.83
CLIFTON LARSON ALLEN LLP	AUDIT, GASB 87	11865.00
COLLECTION SERVICES CENTER	CHILD SUPPORT	96.73
COMPANION CORPORATION	SOFTWARE RENEWAL LICENSE	1441.00
COPY SYSTEMS	BASE AND COPIES	75.07
CROELL INC	CONCRETE LIBRARY SIDEWALK	1529.00
D & R PEST CONTROL	D & R PEST CONTROL	239.90
DIVISION OF LABOR/ELEVATOR	ELEVATOR PERMIT INSPECTION	175.00
DR DARLENE A EHLERS	NOVEMBER RENT	500.00
FIDELITY BANK & TRUST	CD PURCHASE	442334.81
FLETCHER-REINHARDT CO.	HARD HATS	174.95
GIERKE ROBINSON COMPANY IN	OPERATING SUPPLIES	706.86
GRAINGER	SHOP SUPPLIES	34.25
HOLIDAY INN DES MOINES AIR	TRAVEL TRAINING	224.00
I.R.S.	FEDERAL WITHHOLDING	19025.98

INTEGRATED TECHNOLOGY PART	SET UP SERVICES	50.00
IOWA ONE CALL	LOCATES	94.50
IOWA TREASURER OF STATE	IOWA TREASURER OF STATE	52.73
IOWA UTILITIES BOARD	GAS ASSESSMENT	1227.00
IPERS	IPERS WITHHOLDING, FIRE	12436.08
JOHNSON COUNTY AMBULANCE S	ALS INTERCEPT	400.00
ELECTRONICS INC	ALARM SERVICE	120.00
LINDE GAS & EQUIPMENT INC	OXYGEN	68.30
LRS PORTABLES OF IOWA	PORT A POTTIE SERVICES	337.09
M & T DRYWALL AND CONSTRUC	BLDG MAINT SUPPLIES	218.65
MARCIA MEYERS	NOVEMBER RENT	600.00
MELISSA ARMSTRONG	MILEAGE REIMBURSEMENT	196.25
MIDAMERICAN ENERGY COMPANY	NOVEMBER CASH REQUEST	84000.00
MIDWEST WHEEL COMPANIES	REPAIR PARTS #26	69.11
MISC. VENDOR	STUMBO, ANDY :US REFUND	6403.03
MITCHELL 1	WEB SUBSCRIPTION	271.23
MOELLER TIPTON TIRE & AUTO	REPAIR PARTS #26	2.31
OFFICE MACHINE CONSULTANTS	MANAGEMENT SERVICES	2985.00
OLSEN'S APPLIANCE SALES AN	EQUIPMENT REPAIRS	167.37
ORIGIN DESIGN	CEDAR STREET IMPROVEMENTS	40881.75
PENGUIN RANDOM HOUSE LLC	BOOK ON CD	123.75
PRINCIPAL	PRINCIPAL DENTAL POLICY	1830.07
QC ANALYTICAL SERVICES LLC	WASTEWATER TESTING	1093.25
QUADIANT FINANCE USA INC	POSTAGE	3000.00
RESCO	UNDERGROUND SUPPLIES	13144.75
ROTH ELECTRIC	UNDERGROUND SUPPLIES	625.20
SHERMCO INDUSTRIES INC	INDUSTRIAL FEEDER	352.00
SPINUTECH INC	EMAIL MARKETING	25.00
TERRY DURIN COMPANY	UNDERGROUND SUPPLIES	82200.75
THOMPSON TRUCK & TRAILER	STOCK PARTS	547.76
TOTAL MAINTENANCE INC	NOVEMBER SERVICE	511.00
TREASURER, STATE OF IOWA	STATE WITHHOLDING	3046.00
VEENSTRA & KIMM INC	NW AREA UTILITY IMPROVEMENTS	5293.76
WINDSTREAM	MONTHLY SERVICES	1058.40
WING PC	MEDICAL DIRECTOR	500.00
WRIGHT LAWN CARE	CONTRACT PAY NOV 2022	358.33
** TOTAL ** -City of Tipton		1071757.78
FUND TOTALS		
001 GENERAL GOVERNMENT		506325.84
110 ROAD USE TAX FUND		10190.51
112 TRUST AND AGENCY FUND		42923.75
119 Emergency Fund		2829.58
121 LOCAL OPTION TAX		25000.00

125	TIF SPECIAL REVENUE FUND	16185.25
192	FIRE ENTERPRISE TRUST	7178.08
317	HWY 38 PROJCT	25380.25
600	WATER OPERATING	16491.21
610	WASTEWATER/AKA SEWER REV	53178.75
630	ELECTRIC OPERATING	259801.38
640	GAS OPERATING	20692.53
641	GAS D.E.I.	11102.68
660	AIRPORT OPERATING	969.02
670	GARBAGE COLLECTION	16893.08
740	STORM WATER	1472.80
810	CENTRAL GARAGE	4067.61
835	ADMINISTRATIVE SERVICES	17145.44
860	PAYROLL ACCOUNT	22827.34
950	ELECTRIC METER DEPOSIT	11102.68
	GRAND TOTAL	1071757.78

Payroll Amount for October 2022

\$181,769.49

City Business:

1. Request for council guidance concerning city staffing, primarily the electric utility superintendent position. Motion by Helm, second by Cummins to advertise for the utility superintendent position. Following the roll call vote the motion passed unanimously.

2. Engineering proposal for downtown alley project.

Motion by Cummins, second by Paustian to accept the engineering proposal with Garden and Associates for the downtown alley project. The motion passed with the following vote:

Aye: Cummins, Paustian, Helm

Nay: Hembry, McNeill

3. Industrial Feeder Project material list cost.

Motion by Hembry, second by Paustian to approve the material list cost of \$11,122.00, for the Industrial Feeder Project. Following the roll call vote the motion passed unanimously.

4. Restocking of inventory for LED street lights.

Motion by Hembry, second by Paustian to approve restocking inventory for LED street lights. Following the roll call vote the motion passed unanimously.

5. Ordinance No. 588: An ordinance amending Chapter 65; Stop or Yield Required: Section 65.01, Stop Required Motion by Paustian, second by Cummins to pass the first reading of Ordinance No. 588. Following the roll call vote the motion passed unanimously.

Motion by Paustian, second by Helm to suspend the rules and proceed to the 2nd and 3rd readings of Ordinance No. 588. Following the roll call vote the motion passed unanimously.

Motion by Paustian, second by Cummins to pass the 2nd reading of Ordinance No. 588. Following the roll call vote the motion passed unanimously.

Motion by Helm, second by Paustian to pass the 3rd and final reading of Ordinance No. 588. Following the roll call vote the motion passed unanimously.

6. Resolution No. 110922A: Resolution approving an Iowa Department of Transportation Federal-Aid Agreement for congressionally directed funding for the City of Tipton's Hwy 38/Cedar Street Project (*this is the \$2 million grant that the city was awarded*).

Motion by Paustian, second by Cummins to approve Resolution No. 110922A, the resolution approving an Iowa Department of Transportation Federal-Aid Agreement for congressionally directed funding for the City of Tipton's Hwy 38/Cedar Street Project (*this is the \$2 million grant that the city was awarded*). Following the roll call vote the motion passed unanimously.

7. Resolution No. 110922B: Resolution approving the street finance report for road use tax funds used on city streets and parking.

Motion by Cummins, second by Helm to approve Resolution No. 110922B, the resolution approving the street finance report for road use tax funds used on city streets and parking. Following the roll call vote the motion passed unanimously.

8. Closed Session pursuant to Iowa Code Chapter 21.5(1)(c) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion by Paustian, second by Cummins to adjourn from regular session to closed session at 6:10 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 7:00 p.m. with the following named Council member's present: Paustian, Helm, Hembry, McNeill and Cummins. Motion by Cummins, second by Helm to reconvene to regular session from closed session. Following the roll call vote the motion passed unanimously.

9. Wage increase for public works employee.

Motion by Cummins, second by Helm to proceed as directed in the closed session. The motion passed with the following vote:

Aye: Paustian, Helm, Cummins

Nay: McNeill, Hembry

Adjourn:

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

Meeting adjourned at 7:02 p.m.

Mayor _____

Attest: _____
City Clerk

November 21, 2022
 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: Hembry, McNeill, Paustian and Helm. Absent: Cummins. Also present: Wagner, Armstrong, Lenz, DuFour, Fitch, Beck, Doermann, Walsh, other visitors, and the press.

Agenda:

Motion by McNeill, second by Helm to approve the agenda with the removal of Items G10, G11, G12, G13, and G14 under City Business. Following the roll call vote the motion passed unanimously.

Consent Agenda:

Motion by Helm, second by McNeill to approve the consent agenda which includes the October 24th Council Meeting Minutes, October 2022 Investment and Treasurer's Report, October 17th Library Minutes, October 2022 Library Director's Report, Chamber's Lighted Parade and Community Christmas Tree Lighting on November 26th, Downtown Revitalization Incentive Program (DRIP) request for Cheryl and John Fisher, DBA: Wild Angels Expressions, 403 Cedar Street, and the following claims list. Following the roll call vote the motion passed unanimously.

AFLAC	AFLAC AFTER TAX PY W/HOLDING	593.31
AIR FILTER SALES & SERVICE	BLDG MAINT SUPPLIES	201.71
AUCA CHICAGO LOCKBOX	BLDG MAINT SUPPLIES	484.14
AXA EQUI-VEST PROCESSING O	DEF. COMP PRETAX	175.00
BAKER & TAYLOR	BOOKS	388.99
BLUE CROSS/BLUE SHIELD	BCBS HEALTH INSURANCE PYMT	36816.71
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	145.94
BOW TIE AUTOMOTIVE	REPAIR PARTS AMBULANCE	2668.02
CEDAR CO PUBLIC HEALTH	HEP A	55.00
CEDAR COUNTY CO-OP	FUEL	1376.06
CEDAR COUNTY ENGINEER	72.3 GL	2842.26
CEDAR COUNTY SOLID WASTE	TRANSFER FEES	4040.00
CINTAS	UNIFORMS	396.66
CINTAS CORPORATION	FIRST AID SUPPLIES	228.35
CITY OF TIPTON	MISC. EMPLOYEE REIMBURSEMENTS	250.00
CITY OF TIPTON FUNDS	ADMINISTATIVE SERVICES	35729.37
CITY UTILITIES	CITY UTILITIES	487.24
CJ COOPER & ASSOCIATES INC	ANNUAL ADMIN & CLEARING HOUSE	235.00
CLARENCE LOWDEN SUN-NEWS &	POOL SCHEDULE	164.70
CLIFTON LARSON ALLEN LLP	GASB 87	1417.50
COLLECTION SERVICES CENTER	CHILD SUPPORT	96.73
COMMUNITY INSURANCE SERVIC	LIABILITY AND WORKERS COMP	7342.00
CROELL INC	CONCRETE LIBRARY SIDEWALK	2009.60
FAMILY FOODS	MISC SUPPLIES	44.18
GARDEN & ASSOCIATES INC	PLUM STREET PAVING EXTENSION	3830.93
GOVERNMENT FINANCE OFFICER	MEMBERSHIP DUES	160.00
HAWKEYE FIRE AND SAFETY	EXTINGUISHER INSPECTION	245.00

I.R.S.	FEDERAL WITHHOLDING	21351.56
IOWA GEMT PAYMENT PROGRAM	DEC 22 STATE SHARE PAYMENT	1041.74
IPERS	IPERS WITHHOLDING, FIRE	13196.13
KIRKWOOD COMMUNITY COLLEGE	TRAINING	58.00
KLOCKE'S EMERGENCY VEHICLE	REPAIR PARTS AMBULANCE	476.22
LATHAM, ERVIN, VOGNSEN & A	SOLAR RFP	125.00
LOWDEN PLUMBING & HEATING	5 NEW SHOWERS	5130.95
MC CLURE ENGINEERING COMPA	PLANNNG & LAND ACQUISITION	1745.00
MISC. VENDOR	Misc Vendors	2210.90
MUNICIPAL ELECTRONICS DIVI	RADAR CERTIFICATION	80.00
OFFICE EXPRESS	OFFICE SUPPLIES	112.50
PCC	BILLING	3479.82
PRINCIPAL	GTL_VTL INSURANCE	829.31
QC ANALYTICAL SERVICES LLC	WASTEWATER TESTING	1342.00
QUADIENT LEASING USA INC	POSTAGE MACHING LEASE	969.84
RELIANT FIRE APPARATUS INC	RED MARKER LIGHT	27.67
REPUBLIC SERVICES OF IOWA	RECYCLING SORT FEES	913.29
SCHUMACHER ELEVATOR COMPAN	MONTHLY MAINTENANCE	246.10
SPAHN & ROSE LUMBER CO	BLDG MAINT & SIDEWALK SUPPLIES	674.94
STATE HYGIENIC LABORATORY	TESTING	54.00
STUART C IRBY CO	SOCKET WITH HANDLE	32.64
T & M CLOTHING CO.	48 BASKETBALL SHIRTS	372.00
TERRY AND SONS INC	PAINT FOR OUTDOOR POOL	5430.00
TERRY DURIN COMPANY	SUPPLIES FOR FEEDER PROJECT	131521.00
TIPTON CONSERVATIVE	TRICK OR TREAT, TRUNK OR TREAT	409.40
TIPTON PHARMACY	PHARMACEUTICALS	461.32
TIPTON STRUCTURAL FABRICAT	LONG PIPE	164.21
TREASURER, STATE OF IOWA	STATE WITHHOLDING	3383.00
UNUM LIFE INSURANCE COMPAN	LONG TERM DISABILITY PAYROLL	334.45
VERIZON	CELL & DATA	1514.96
WATER TOWER CLEAN & COAT I	INTERIOR CLEANING & INSPECTION	6700.00
WEST BRANCH TIMES	ELECTRIC DEPT OPENING	102.50
** TOTAL **		306914.85
FUND TOTALS		
001 GENERAL GOVERNMENT		57918.59
110 ROAD USE TAX FUND		5728.71
317 HWY 38 PROJCT		371.31
600 WATER OPERATING		13729.97
610 WASTEWATER/AKA SEWER REV		6150.52
630 ELECTRIC OPERATING		150323.46
640 GAS OPERATING		9646.77
660 AIRPORT OPERATING		1783.17
670 GARBAGE COLLECTION		13104.99

740 STORM WATER	531.11
810 CENTRAL GARAGE	8640.53
835 ADMINISTRATIVE SERVICES	11804.44
860 PAYROLL ACCOUNT	27181.28
GRAND TOTAL	306914.85

CITY CREDIT CARD STATEMENT
City Card

Card Ttl **11,379.82**

Travel Training -	Chipotle, Jethro's, Culvers, The Food Depot, Texas Roadhouse	92.16	
Fuel	Kwik Star	64.25	
			156.41

City Manager

Travel Training -	Best Western Plus	268.56	
			268.56

Finance Director

Travel Training	Doordash, Whole Foods, Texas Roadhouse	88.20	
Telecommunications	LogMeIn	30.35	
			118.55

Economic Development

Miscellaneous	Cloud Cover Music	193.92	
			193.92

Library

Materials	Amazon, Findaway, Walmart	527.69	
Office Supplies	Walmart	4.52	
Postage/Shipping	USPS	63.95	
Miscellaneous	Walmart	41.56	
			637.72

Ambulance

Dues/Fees	Iowa Board of Pharmacy, Iowa EMA Assoc.	192.00	
Training	American Heart ShopCPR, Ebay, National Registry-EMS, Iowa EMA Assoc.	1,057.53	
Telecommunications	JAMF	6.00	
		16.00	
		6.00	
		2.00	
Technology	Ebay, Splashtop	163.14	
Miscellaneous	Ebay, Harbor Freight	258.16	
Other Capital Equipment	Cascade Health Care	754.82	
Radio Equip	Ebay	57.80	
Building Maint & Repair	ADI	1,214.95	
Building Maint & Repair	ADI	277.87	

			4,006.27
Police			
Dues/Fees	National Assoc. of Scool Resource Officers	40.00	
Training -	National Assoc. of Scool Resource Officers	470.00	
Travel Training -	Iowa Public Dept of Public Defense, Tites Bar & Bistro, Hotel Indigo	1,522.87	
Postage/Shipping	USPS	12.40	
			2,045.27
Public Works			
CIP Reserve	Croell	3,566.30	
Safety	CAT Footwear	131.88	
			3,698.18
REC / Aquatic Center			
Operating Supplies	Walmart	35.84	
Dues/Fees	Amazon	16.04	
Building Maint. & Repair	Menards	132.86	
Advertising	Canva, Amazon	26.89	
Operating Supplies	Prof Plumbing Group	43.31	
			254.94
Statement Total			11,379.82

City Business:

1. Resolution No. 112122A: Resolution to accept and approve 2022 annual Urban Renewal Report for fiscal year ending June 30, 2022
Motion by Hembry, second by Paustian to approve Resolution No. 112122A, the resolution to accept and approve 2022 annual Urban Renewal Report for fiscal year ending June 30, 2022. Following the roll call vote the motion passed unanimously.
2. 2023-2024 Tax Increment Financing Indebtedness
Motion by Hembry, second by Helm to approve the 2023-2024 Tax Increment Financing Indebtedness Report. Following the roll call vote the motion passed unanimously.
3. 2021-2022 Annual Financial Report
Motion by Paustian, second by McNeill to approve the 2021-2022 Annual Financial Report. Following the roll call vote the motion passed unanimously.
4. FY 23-24 Proposed Budget Schedule
Motion by Helm, second by Hembry to approve the FY 23-24 Proposed Budget Schedule. Following the roll call vote the motion passed unanimously.
5. TIF request from Jerry O'Rourke, DBA: O'Rourke Motors
Motion by McNeill, second by Paustian to approve a TIF request from Jerry O'Rourke, DBA: O'Rourke Motors for required electric vehicle charging stations infrastructure and requesting written confirmation from Jerry stating that he will not incur project related costs before the amended TIF plan process is completed by approximately March 2023, and he will provide documentation to that effect. Following the roll call vote the motion passed unanimously.
6. Amendment to the service agreement between the City of Tipton and Clayton Energy Corporation
Motion by Helm, second by Paustian to approve the amendment to the service agreement between the City of Tipton and Clayton Energy Corporation. Following the roll call vote the motion passed unanimously.

7. Awarding the contract for the Housing Rehabilitation Program for 59 Mulberry Street
Motion by McNeill, second by Helm to approve awarding the contract for the Housing Rehabilitation Program for 59 Mulberry Street to Aavantis Construction in the amount of \$29,675.00 contingent on all parties executing Change Order #1 to bring into compliance with allowable budget. Following the roll call vote the motion passed unanimously.

8. Awarding the contract for the Housing Rehabilitation Program for 711 Sycamore Street
Motion by Hembry, second by McNeill to approve awarding the contract for the Housing Rehabilitation Program for 711 Sycamore Street to Aavantis Construction in the amount of \$18,830.00. Following the roll call vote the motion passed unanimously.

9. Awarding the contract for the Housing Rehabilitation Program for 601 Lynn Street
Motion by Hembry, second by Helm to approve awarding the contract for the Housing Rehabilitation Program for 601 Lynn Street to Aavantis Construction in the amount of \$14,550.00. 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 Paustian, second by Helm. Following the roll call vote the motion passed unanimously.
Meeting adjourned at 5:47 p.m.

Mayor _____

Attest: _____
City Clerk

Tipton Airport Committee Meeting

November 9, 2022-5:05 PM at the terminal, Mathews Memorial Airport, Tipton, Iowa.

Max Coppess called the meeting to order with a roll call. Those present: Max Coppess, Scott Pearson, Mike Moes, Jim Rohlf, Jamie Myers and LeAnn Boots.

Meeting agenda and minutes were read and approved with a motion by LeAnn and a second by Jamie

Unscheduled business

- 1) No unscheduled business

Terminal Grand money.

Grant application has been submitted. Jeff Detering expects few will be accepted due to the short timeframe to apply and approve.

Ag Rental Ground

Two bids received, Joe Fogg for \$12,000 plus remove fence line trees and Bobby Kaufman for \$16,000 for three year period. Kaufmann agreed to also remove the trees. Council accepted Kaufman bid.

Don Lamp agreed to rent the land purchased from him. Contract is being drawn up.

AIP Land Purchase Progress

Attorney is still working on issue with old Railway Easement. A new survey has been drawn up and is awaiting approval by the auditor.

The updated CIP was reviewed. A motion by Scott, second by Mike to approve.

A motion was made by Scott with a second by Jim to recommend the city seek a request for proposal for engineering firms for the airport. Unanimously approved.

Manager's Report

- 1) 1275 gallons fuel in the tank.
- 2) Courtesy car has been used a lot lately.
- 3) One space in the west community hangar is available.
- 4) Jim noted that the yellow lens runway lights are not meeting the 1000' remaining standard. Max will check the distance and adjust as necessary.

Meeting adjourned at 5:40 PM with a motion by LeAnn and a second by Mike.

Respectfully submitted by Scott Pearson.



November/December 2022 Directors Report

- Continue to process and assist with DRIP, TRIP, Tax Exemption, and Revolving Loans
- Attended Council meetings
- Attended Hardacre meetings
- Attended Business Growth Board meetings
- Attended Prosperity Iowa Eastern Iowa Board meetings
- Attended Commission meetings
- Attended Chamber meetings, ribbon cuttings and business of the month
- Attended meeting with Mel Pins, Executive Director Brownfield Redevelopment Program
- DC Taylor Roofing. Final inspection/warranty paperwork was received
- Iowa Grant Places Grant for the Hardacre was submitted
- Met with Brooke Prouty with Marion Chamber on the downtown alley and streetscape project
- Put up garland on light poles in downtown
- Met with Mark Hogan, Environmental Management regarding Asbestos clean-up at the Rhino's building
- Small Business Saturday and Parade of Lights was held on November 26th
- Met with Suzanne Tanner with Bright Beginnings
- Will be attending a meeting at ECIA office in Dubuque on December 20th
- Meetings with Investors and contractor for Rhino's project

Upcoming Community Events:

December 2nd from 10-11 am

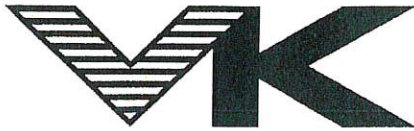
Tipton UCC Church
Holiday Coffee

December 5th from 4:30 – 7 pm

Tipton High School Cafeteria
Tipton Holiday Housewarming

December 10th from 5-7pm UCC Church Drive-thru Hot Beef Sundaes and Live Nativity.

Lighted trail between First UCC and Hope Church from 5:30 – 7:30 pm



VEENSTRA & KIMM INC.

2600 University Parkway, Suite 1
Coralville, Iowa 52241

319.466.1000 // 888.241.8001
www.v-k.net

November 23, 2022

PAY ESTIMATE NO. 3
NORTH AVENUE RECONSTRUCTION
TIPTON, IOWA

All American Concrete, Inc.
1489 Highway 6
West Liberty, IA 52776

Contract Amount \$535,235.50
Contract Date May 9, 2022
Pay Period Oct. 26, 2022 - Nov 23, 2022

BID ITEMS							
	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
1.1	Cl 10 Excavation	CY	935	\$ 25.00	\$ 23,375.00	935	\$ 23,375.00
1.2	Removal of Sidewalk	SY	4	\$ 60.00	\$ 240.00	4	\$ 240.00
1.3	Removal of Pavement	SY	5,612	\$ 8.00	\$ 44,896.00	5,692	\$ 45,536.00
1.4	Removal of Curb & Gutter	LF	925	\$ 14.00	\$ 12,950.00	925	\$ 12,950.00
1.5	Geo Grid (Tx-160)	SY	800	\$ 7.50	\$ 6,000.00	50	\$ 375.00
1.6	Stabilizing Material	CY	534	\$ 69.50	\$ 37,113.00	20.83	\$ 1,447.69
1.7	Modified Subbase	CY	935	\$ 50.50	\$ 47,217.50	957.3	\$ 48,343.65
1.8	2.5 Curb & Gutter	LF	925	\$ 50.00	\$ 46,250.00	1,373	\$ 68,650.00
1.9	Traffic Control	LS	1	\$ 8,300.00	\$ 8,300.00	1	\$ 8,300.00
1.10	Construction Survey	LS	1	\$ 7,100.00	\$ 7,100.00	1	\$ 7,100.00
1.11	Mobilization	LS	1	\$ 20,000.00	\$ 20,000.00	1	\$ 20,000.00
1.12	Seeding & Fertilization	LS	1	\$ 4,000.00	\$ 4,000.00		\$ -
2.1	7" PCC Pavement	SY	5,612	\$ 49.50	\$ 277,794.00	5,692	\$ 281,754.00
Contract Price:					\$ 535,235.50		\$ 518,071.34

MATERIALS STORED SUMMARY			
Description	# of Units	Unit Price	Extended Cost
Total			\$ -

SUMMARY		
	Total Approved	Total Completed
Contract Price	\$ 535,235.50	\$ 518,071.34
Approved Change Order (list each)	Change Order No. 1	\$ 29,500.00
	Change Order No. 2	\$ 5,000.00
	Revised Contract Price	\$ 569,735.50

Stored

Total Earned \$ 552,571.34

Retainage (5%) \$ 27,628.57

Total Earned Less Retainage \$ 524,942.77

Total Previously Approved (list each)		
Pay Estimate No. 1	\$ 395,786.86	
Pay Estimate No. 2	\$ 124,049.66	

Total Previously Approved \$ 519,836.52

Percent Complete 97%

Amount Due This Request \$ 5,106.25

The amount \$5,106.25 is recommended for approval for payment in accordance with the terms of the contract.

Prepared By:
All American Concrete, Inc.

Recommended By:
Veenstra & Kimm, Inc.

Approved By:
Tipton, Iowa

Signature: Jodi Simon
Name: Jodi Simon
Title: Vice President
Date: 11-23-22

Signature: [Signature]
Name: Eric Gould
Title: Engineer
Date: November 23, 2022

Signature: _____
Name: _____
Title: _____
Date: _____

**AGENDA INFORMATION
TIPTON CITY COUNCIL COMMUNICATION**

DATE:	12/5/2022
AGENDA ITEM:	DRIP Reimbursement Request
ACTION:	Motion to approve, deny or table

SYNOPSIS:

Downtown Revitalization Incentive Program (DRIP) Reimbursement Request

Applicant: Mike Goetz DBA: Family Foods

Commission corresponded via email (but couldn't legally vote). However, there weren't any objections via email to proceed with granting approval with this project. The Commission is asking the City Council to make final decision regarding this application.

Project:

- LED Message Center

Reimbursement Request:

Applicant: Mike Goetz DBA: Family Foods

- **Project cost: \$48,037.46**
- **Reimbursement amount: \$7,500.00**
- **Recommendation: The project has met its requirements and is recommended for reimbursement in the amount of \$7,500.00**

BUDGET ITEM:160-5-599-2-64996

RESPONSIBLE DEPARTMENT: Economic Development – Linda Beck

MAYOR/COUNCIL ACTION: Approve, deny or Table

ATTACHMENTS: Pictures

PREPARED BY: Linda Beck

DATE PREPARED: 11/29/2022

Family Foods – 610 Cedar Street

DRIP Final Pictures



**AGENDA INFORMATION
TIPTON CITY COUNCIL COMMUNICATION**

DATE: 12/5/2022
AGENDA ITEM: TRIP Reimbursement Request
ACTION: Motion to approve, deny or table

SYNOPSIS:

Tipton Revitalization Incentive Program (TRIP) Reimbursement Request

Applicant: Tipton Golf and Country Club

Commission corresponded via email (but couldn't legally vote). However, there weren't any objections via email to proceed with granting approval with this project. The Commission is asking the City Council to make final decision regarding this application.

Project:

- Concrete project for handicap parking and now compliant with regulations.

Reimbursement Request:

Applicant: Tipton Golf and Country Club

- **Project cost: \$13,700.00**
- **Reimbursement amount: \$6,850.00**
- **Recommendation: The project has met its requirements and is recommended for reimbursement in the amount of \$6,850.00**

BUDGET ITEM:160-5-599-2-64995

RESPONSIBLE DEPARTMENT: Economic Development – Linda Beck

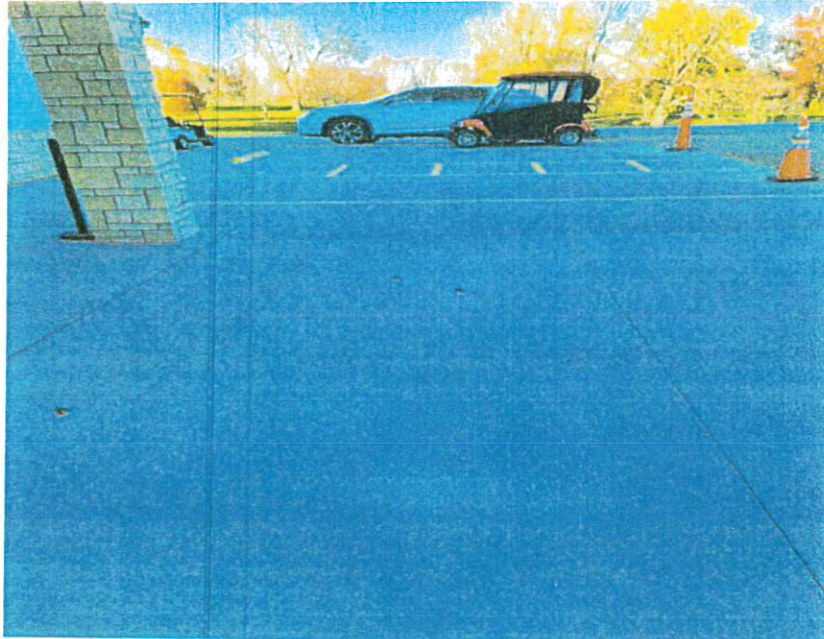
MAYOR/COUNCIL ACTION: Approve, deny or Table

ATTACHMENTS: Pictures

PREPARED BY: Linda Beck

DATE PREPARED: 11/29/2022

Tipton Country Club
TRIP After Pictures



DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT		
POLICE DEPARTMENT	GENERAL GOVERNMENT I.R.S.		FICA WITHOLDING	1,164.81		
			MEDICARE WITHOLDING	224.56		
			MEDICARE WITHOLDING	3.59		
			MEDICARE WITHOLDING	14.70		
			MEDICARE WITHOLDING	4.79		
			MEDICARE WITHOLDING	9.77		
			MEDICARE WITHOLDING	13.33		
			MEDICARE WITHOLDING	1.67		
			IPERS	IPERS WITHOLDING POLICE	1,795.63	
			OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00	
			PRINCIPAL	PRINCIPAL DENTAL POLICY	189.90	
			CAPITAL ONE	MISC SUPPLIES	15.86	
				MISC SUPPLIES	71.90	
			CITY UTILITIES	City Hall	5.41	
			CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	4,868.76	
				TOTAL:	8,583.68	
		FIRE DEPARTMENT	GENERAL GOVERNMENT I.R.S.		FICA WITHOLDING	56.45
	MEDICARE WITHOLDING			13.23		
	FELD FIRE			OPERATING SUPPLIES	529.00	
	IPERS			IPERS WITHOLDING, FIRE	58.40	
	OFFICE MACHINE CONSULTANTS INC			MANAGEMENT SERVICES	199.00	
	CITY UTILITIES			CITY UTILITIES	573.07	
				CITY UTILITIES	181.56	
	CITY OF TIPTON-REVOLVING CENTRAL GARAG			vehicle/equipment charges	2,975.56	
				TOTAL:	4,586.27	
AMBULANCE	GENERAL GOVERNMENT I.R.S.				FICA WITHOLDING	633.44
					MEDICARE WITHOLDING	53.75
			MEDICARE WITHOLDING	69.85		
			MEDICARE WITHOLDING	22.90		
			MEDICARE WITHOLDING	1.66		
			BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	54.25	
				MEDICAL SUPPLIES	320.12	
				MEDICAL SUPPLIES	262.71	
			CEDAR CO PUBLIC HEALTH	TB TEST	38.23	
			IPERS	IPERS WITHOLDING EMT	979.81	
			OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00	
			PCC	BILLING	971.57	
				BILLING	253.95	
			LINDE GAS & EQUIPMENT INC	OXYGEN	69.76	
			PRINCIPAL	PRINCIPAL DENTAL POLICY	63.30	
			CITY OF TIPTON FUNDS	TRANSFERS	1,425.00	
			CITY UTILITIES	CITY UTILITIES	229.17	
				CITY UTILITIES	41.83	
			CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	5,161.91	
				TOTAL:	10,852.21	
		STREET DEPARTMENT	GENERAL GOVERNMENT I.R.S.		FICA WITHOLDING	180.60
	MEDICARE WITHOLDING			30.01		
	MEDICARE WITHOLDING			0.09		
	MEDICARE WITHOLDING			3.00		
	MEDICARE WITHOLDING			0.16		
	MEDICARE WITHOLDING			7.44		
	MEDICARE WITHOLDING			1.55		
	CINTAS			UNIFORMS	88.90	

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			UNIFORMS	46.61
			UNIFORMS	46.61
		IPERS	IPERS REGULAR EMPLOYEES	289.84
		PRINCIPAL	PRINCIPAL DENTAL POLICY	44.99
		CITY OF TIPTON FUNDS	TRANSFERS	10,535.50
		CITY UTILITIES	CITY UTILITIES	15.00
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	<u>1,842.02</u>
			TOTAL:	13,132.32
GENERAL ADMINISTRATION	GENERAL GOVERNMENT	I.R.S.	FICA WITHOLDING	144.34
			MEDICARE WITHOLDING	33.00
			MEDICARE WITHOLDING	0.06
			MEDICARE WITHOLDING	0.43
			MEDICARE WITHOLDING	0.05
			MEDICARE WITHOLDING	0.20
		CINTAS	UNIFORMS	11.66
			UNIFORMS	11.66
			UNIFORMS	11.66
		IPERS	IPERS REGULAR EMPLOYEES	230.90
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	29.10
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	<u>752.38</u>
			TOTAL:	1,424.44
LIBRARY	GENERAL GOVERNMENT	I.R.S.	FICA WITHOLDING	199.90
			MEDICARE WITHOLDING	18.31
			MEDICARE WITHOLDING	20.59
			MEDICARE WITHOLDING	7.85
		IPERS	IPERS REGULAR EMPLOYEES	304.39
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	<u>199.00</u>
			TOTAL:	750.04
PARK	GENERAL GOVERNMENT	I.R.S.	FICA WITHOLDING	8.31
			MEDICARE WITHOLDING	1.94
		IPERS	IPERS REGULAR EMPLOYEES	13.28
		PRINCIPAL	PRINCIPAL DENTAL POLICY	1.58
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	<u>222.13</u>
			TOTAL:	247.24
RECREATION DEPARTMENT	GENERAL GOVERNMENT	I.R.S.	FICA WITHOLDING	68.75
			MEDICARE WITHOLDING	15.28
			MEDICARE WITHOLDING	0.80
		IPERS	IPERS REGULAR EMPLOYEES	110.69
		PRINCIPAL	PRINCIPAL DENTAL POLICY	15.82
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	<u>88.75</u>
			TOTAL:	300.09
YOUTH RECREATON	GENERAL GOVERNMENT	T & M CLOTHING CO.	38 JERSEYS/SHIRTS	<u>734.00</u>
			TOTAL:	734.00
FAMILY AQUATIC CENTER	GENERAL GOVERNMENT	I.R.S.	FICA WITHOLDING	350.04
			MEDICARE WITHOLDING	34.52
			MEDICARE WITHOLDING	46.54
			MEDICARE WITHOLDING	0.80
		GLOBAL SECURITY SERVICES	CAMERA REPAIRS	93.14
		IPERS	IPERS REGULAR EMPLOYEES	250.73

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	47.48
		TIPTON CONSERVATIVE	MIN, CROPLAND, ORD, FAC, EL	240.30
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	88.75
			TOTAL:	1,351.30
ECONOMIC DEVELOPMENT	GENERAL GOVERNMENT I.R.S.		FICA WITHOLDING	127.52
			MEDICARE WITHOLDING	29.82
		IPERS	IPERS REGULAR EMPLOYEES	208.83
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	31.65
		SPINUTECH INC	EMAIL MARKETING	25.00
		CAPITAL ONE	MISC SUPPLIES	26.98
			TOTAL:	648.80
FINANCE & ADMINISTRATI	GENERAL GOVERNMENT I.R.S.		FICA WITHOLDING	74.67
			MEDICARE WITHOLDING	4.01
			MEDICARE WITHOLDING	12.51
			MEDICARE WITHOLDING	0.01
			MEDICARE WITHOLDING	0.79
			MEDICARE WITHOLDING	0.14
		ORIGIN DESIGN	CROOKED CREEK TRAIL	1,209.00
		IPERS	IPERS REGULAR EMPLOYEES	115.26
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	3.80
		CITY UTILITIES	City Hall	142.92
			City Hall	9.92
			CITY UTILITIES	2,961.11
			TOTAL:	4,733.14
BUILDING MAINTENANCE	GENERAL GOVERNMENT I.R.S.		FICA WITHOLDING	14.26
			MEDICARE WITHOLDING	3.33
		CAPITAL ONE	MISC SUPPLIES	71.90
			TOTAL:	89.49
AMBULANCE TRUST	GENERAL GOVERNMENT CITY OF TIPTON FUNDS		TRANSFERS	1,425.00
			TOTAL:	1,425.00
TRANSFER-COMM/LOCAL AC	GENERAL GOVERNMENT CITY OF TIPTON FUNDS		TRANSFERS	1,666.67
			TOTAL:	1,666.67
STREET DEPARTMENT	ROAD USE TAX FUND	GARDEN & ASSOCIATES INC	PLUM STREET PAVING EXTENSI	4,166.33
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	4,392.16
			TOTAL:	8,558.49
TRAFFIC SERVICE MAINT.	ROAD USE TAX FUND I.R.S.		FICA WITHOLDING	4.35
			MEDICARE WITHOLDING	0.99
			MEDICARE WITHOLDING	0.02
			MEDICARE WITHOLDING	0.01
		IPERS	IPERS REGULAR EMPLOYEES	6.97
		PRINCIPAL	PRINCIPAL DENTAL POLICY	0.95
		CITY UTILITIES	CITY UTILITIES	36.04
			TOTAL:	49.33
SNOW AND ICE REMOVAL	ROAD USE TAX FUND I.R.S.		FICA WITHOLDING	55.73
			MEDICARE WITHOLDING	11.37

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MEDICARE WITHOLDING	0.09
			MEDICARE WITHOLDING	1.04
			MEDICARE WITHOLDING	0.52
		IPERS	IPERS REGULAR EMPLOYEES	89.40
		PRINCIPAL	PRINCIPAL DENTAL POLICY	13.74
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	<u>2,579.53</u>
			TOTAL:	2,751.42
STREET CLEANING	ROAD USE TAX FUND	CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	<u>958.55</u>
			TOTAL:	958.55
TRANSFER/OTHER SOURCES	ROAD USE TAX FUND	CITY OF TIPTON FUNDS	TRANSFERS	<u>2,666.67</u>
			TOTAL:	2,666.67
TRANSFERS/OTHER SOURCE	TRUST AND AGENCY F	CITY OF TIPTON FUNDS	TRANSFERS	<u>42,923.75</u>
			TOTAL:	42,923.75
TRANSFER	Emergency Fund	CITY OF TIPTON FUNDS	TRANSFERS	<u>2,829.58</u>
			TOTAL:	2,829.58
TRANSFERS/OTHER SOURCE	LOCAL OPTION TAX	CITY OF TIPTON FUNDS	TRANSFERS	<u>25,000.00</u>
			TOTAL:	25,000.00
TRANSFERS/OTHER SOURCE	TIF SPECIAL REVENU	CITY OF TIPTON FUNDS	TRANSFERS	6,940.25
			TRANSFERS	<u>9,245.00</u>
			TOTAL:	16,185.25
TRANSFERS/OTHER SOURCE	FIRE ENTERPRISE TR	CITY OF TIPTON FUNDS	TRANSFERS	<u>7,178.08</u>
			TOTAL:	7,178.08
HWY 38 PROJECT	HWY 38 PROJCT	ORIGIN DESIGN	CEDAR STREET IMPROVEMENTS	16,758.50
			CEDAR STREET IMPROVEMENTS	<u>1,627.50</u>
			TOTAL:	18,386.00
WATER DISTRIBUTION	WATER OPERATING	I.R.S.	FICA WITHOLDING	275.35
			MEDICARE WITHOLDING	52.71
			MEDICARE WITHOLDING	2.94
			MEDICARE WITHOLDING	6.18
			MEDICARE WITHOLDING	2.56
		CINTAS	UNIFORMS	10.29
			UNIFORMS	10.29
			UNIFORMS	10.29
		ECIA	N AVE WATER IMPROVEMENTS	1,007.45
		HAWKINS INC	CHEMICALS	1,382.16
		IOWA ONE CALL	LOCATES	32.70
		IPERS	IPERS REGULAR EMPLOYEES	443.51
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	57.66
		CITY UTILITIES	City Hall	5.41
			CITY UTILITIES	663.69
			CITY UTILITIES	605.47
			CITY UTILITIES	1,056.74
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	<u>672.06</u>
			TOTAL:	6,496.46
WATER BILL/COLLECT	WATER OPERATING	I.R.S.	FICA WITHOLDING	47.91

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MEDICARE WITHOLDING	10.29
			MEDICARE WITHOLDING	0.84
			MEDICARE WITHOLDING	0.07
		MISC. VENDOR DEB BIXLER	DEB BIXLER:4 WINTER SHIRTS	20.96
		IPERS	IPERS REGULAR EMPLOYEES	80.02
		PRINCIPAL	PRINCIPAL DENTAL POLICY	15.83
			TOTAL:	175.92
TRANSFER/OTHER SOURCES WATER OPERATING		CITY OF TIPTON FUNDS	TRANSFERS	4,166.67
			TRANSFERS	356.25
			TOTAL:	4,522.92
WASTEWATER/AKA SEWER	WASTEWATER/AKA SEW I.R.S.		FICA WITHOLDING	282.94
			MEDICARE WITHOLDING	55.99
			MEDICARE WITHOLDING	0.02
			MEDICARE WITHOLDING	1.89
			MEDICARE WITHOLDING	6.48
			MEDICARE WITHOLDING	1.79
		ALBAUGH PHC INC	SEWER BACKUP REPAIR	225.00
		MISC. VENDOR DEB BIXLER	DEB BIXLER:4 WINTER SHIRTS	20.96
		IOWA DEPARTMENT OF NATURAL RESOURCES	NPDES APP FEE	85.00
		IPERS	IPERS REGULAR EMPLOYEES	457.19
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	59.87
		VEENSTRA & KIMM INC	NW AREA UTILITY IMPROVEMEN	3,467.13
		CITY UTILITIES	City Hall	5.41
			CITY UTILITIES	3,887.95
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	1,223.53
			TOTAL:	9,980.15
TRANSFER/OTHER SOURCES WASTEWATER/AKA SEW CITY OF TIPTON FUNDS			TRANSFERS	3,866.67
			TRANSFERS	35,290.67
			TOTAL:	39,157.34
ELECTRIC DISTRIBUTION	ELECTRIC OPERATING I.R.S.		FICA WITHOLDING	581.13
			MEDICARE WITHOLDING	113.02
			MEDICARE WITHOLDING	2.73
			MEDICARE WITHOLDING	7.92
			MEDICARE WITHOLDING	10.67
			MEDICARE WITHOLDING	1.60
		CINTAS	UNIFORMS, SHOP TOWELS, MAT	60.74
			UNIFORMS, SHOP TOWELS, MAT	59.94
			UNIFORMS, SHOP TOWELS, MAT	60.74
			UNIFORMS, SHOP TOWELS, MAT	59.94
		FLETCHER-REINHARDT CO.	UNDERGROUND SUPPLIES	2,139.26
		IOWA ONE CALL	LOCATES	32.70
		IPERS	IPERS REGULAR EMPLOYEES	944.45
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		POWER LINE SUPPLY	UNDERGROUND SUPPLIES	2,207.13
		PRINCIPAL	PRINCIPAL DENTAL POLICY	101.78
		TIPTON CONSERVATIVE	MIN, CROPLAND, ORD, FAC, EL	102.50
		CITY UTILITIES	City Hall	6.77
			CITY UTILITIES	192.53
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	1,965.48
			TOTAL:	8,850.03

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT			
ELECTRIC POWER PLANT	ELECTRIC OPERATING	I.R.S.	FICA WITHOLDING	29.95			
			MEDICARE WITHOLDING	6.92			
			MEDICARE WITHOLDING	0.09			
			IPERS	IPERS REGULAR EMPLOYEES	48.62		
			PRINCIPAL	PRINCIPAL DENTAL POLICY	5.51		
			CITY UTILITIES	CITY UTILITIES	565.19		
				CITY UTILITIES	1,392.73		
				CITY UTILITIES	939.15		
				CITY UTILITIES	39.64		
				CITY OF TIPTON-REVOLVING CENTRAL GARAG	VEHICLE/EQUIPMENT CHARGES	<u>236.81</u>	
					TOTAL:	3,264.61	
			ELECTRIC BILL/COLLECT	ELECTRIC OPERATING	I.R.S.	FICA WITHOLDING	98.98
						MEDICARE WITHOLDING	21.96
						MEDICARE WITHOLDING	0.98
MEDICARE WITHOLDING	0.07						
MEDICARE WITHOLDING	0.13						
MISC. VENDOR	DEB BIXLER	DEB BIXLER:4 WINTER SHIRTS				20.97	
IPERS	IPERS REGULAR EMPLOYEES	162.82					
PRINCIPAL	PRINCIPAL DENTAL POLICY	25.47					
	CITY OF TIPTON-REVOLVING CENTRAL GARAG	VEHICLE/EQUIPMENT CHARGES				<u>165.76</u>	
		TOTAL:				497.14	
LOUISA GENERATING STAT	ELECTRIC OPERATING	MIDAMERICAN ENERGY COMPANY				Est cash request	19,950.00
						Est cash request	33,060.00
						Est cash request	570.00
						Est cash request	<u>3,420.00</u>
				TOTAL:	57,000.00		
TRANSFER/OTHER SOURCES	ELECTRIC OPERATING	CITY OF TIPTON FUNDS	TRANSFERS	25,946.67			
			TRANSFERS	19,030.00			
			TRANSFERS	<u>7,325.14</u>			
				TOTAL:	52,301.81		
			GAS DISTRIBUTION	GAS OPERATING	I.R.S.	FICA WITHOLDING	426.84
MEDICARE WITHOLDING	83.64						
MEDICARE WITHOLDING	1.46						
MEDICARE WITHOLDING	4.50						
MEDICARE WITHOLDING	8.97						
MEDICARE WITHOLDING	1.25						
CINTAS	UNIFORMS, SHOP TOWELS, MAT	32.27					
	UNIFORMS, SHOP TOWELS, MAT	32.27					
IOWA ONE CALL	LOCATES	32.70					
IPERS	IPERS REGULAR EMPLOYEES	682.51					
OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00					
PRINCIPAL	PRINCIPAL DENTAL POLICY	51.63					
STUART C IRBY CO	OPERATING SUPPLIES	228.74					
	OPERATING SUPPLIES	315.02					
	City Hall	6.77					
	CITY UTILITIES	64.18					
	CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges				<u>723.47</u>	
		TOTAL:				2,895.22	
GAS BILL/COLLECT	GAS OPERATING	I.R.S.				FICA WITHOLDING	62.89
						MEDICARE WITHOLDING	13.75
			MEDICARE WITHOLDING	0.84			

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MEDICARE WITHOLDING	0.07
			MEDICARE WITHOLDING	0.03
		MISC. VENDOR DEB BIXLER	DEB BIXLER:4 WINTER SHIRTS	20.96
		IPERS	IPERS REGULAR EMPLOYEES	104.33
		PRINCIPAL	PRINCIPAL DENTAL POLICY	18.58
			TOTAL:	221.45
GAS PEAK SHAVING PLANT GAS OPERATING		CITY UTILITIES	CITY UTILITIES	73.79
			TOTAL:	73.79
TRANSFER/OTHER SOURCES GAS OPERATING		CITY OF TIPTON FUNDS	TRANSFERS	9,012.00
			TOTAL:	9,012.00
AIRPORT	AIRPORT OPERATING	IPAA	MEMBERSHIP RENEWAL	100.00
		TIPTON CONSERVATIVE	MIN, CROPLAND, ORD, FAC, EL	106.80
		CITY UTILITIES	CITY UTILITIES	182.08
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	133.67
			TOTAL:	522.55
TRANSFER/OTHER SOURCES AIRPORT OPERATING		CITY OF TIPTON FUNDS	TRANSFERS	356.25
			TOTAL:	356.25
GARBAGE COLLECTION	GARBAGE COLLECTION I.R.S.		FICA WITHOLDING	190.57
			MEDICARE WITHOLDING	37.20
			MEDICARE WITHOLDING	0.03
			MEDICARE WITHOLDING	0.93
			MEDICARE WITHOLDING	5.38
			MEDICARE WITHOLDING	1.03
		CINTAS	UNIFORMS	12.93
			UNIFORMS	12.93
			UNIFORMS	12.93
		MISC. VENDOR DEB BIXLER	DEB BIXLER:4 WINTER SHIRTS	20.96
		IPERS	IPERS REGULAR EMPLOYEES	307.37
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	42.18
		TIPTON CONSERVATIVE	MIN, CROPLAND, ORD, FAC, EL	47.62
		CITY UTILITIES	City Hall	5.41
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	2,088.13
			TOTAL:	2,984.60
RECYCLING	GARBAGE COLLECTION I.R.S.		FICA WITHOLDING	74.13
			MEDICARE WITHOLDING	9.34
			MEDICARE WITHOLDING	6.96
			MEDICARE WITHOLDING	1.04
		IPERS	IPERS REGULAR EMPLOYEES	72.02
		PRINCIPAL	PRINCIPAL DENTAL POLICY	12.66
		CITY UTILITIES	CITY UTILITIES	27.07
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	1,392.09
			TOTAL:	1,595.31
TRANSFER OUT/SINKING F GARBAGE COLLECTION		CITY OF TIPTON FUNDS	TRANSFERS	3,466.67
			TRANSFERS	400.00
			TRANSFERS	1,763.58
			TOTAL:	5,630.25
STORM WATER	STORM WATER	I.R.S.	FICA WITHOLDING	21.57

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MEDICARE WITHOLDING	4.10
			MEDICARE WITHOLDING	0.58
			MEDICARE WITHOLDING	0.04
			MEDICARE WITHOLDING	0.33
		IPERS	IPERS REGULAR EMPLOYEES	34.73
		PRINCIPAL	PRINCIPAL DENTAL POLICY	5.84
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	121.01
			TOTAL:	188.20
OTHER SOURCES	STORM WATER	CITY OF TIPTON FUNDS	TRANSFERS	686.67
			TRANSFERS	100.08
			TOTAL:	786.75
INT SRVC-OTHER BUSINES CENTRAL GARAGE		I.R.S.	FICA WITHOLDING	73.72
			MEDICARE WITHOLDING	16.45
			MEDICARE WITHOLDING	0.31
			MEDICARE WITHOLDING	0.22
			MEDICARE WITHOLDING	0.27
		CCL SUPPLY LLC	SHOP SUPPLIES	155.06
		CINTAS	UNIFORMS	9.27
			UNIFORMS	9.27
			SHOP SUPPLIES	69.76
			UNIFORMS	9.27
		CEDAR COUNTY GARAGE DOORS INC	GARAGE DOOR REPAIRS	1,645.00
		IPERS	IPERS REGULAR EMPLOYEES	117.93
		MITCHELL 1	WEB SUBSCRIPTION	271.26
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	16.18
		CITY UTILITIES	CITY UTILITIES	298.13
			CITY UTILITIES	259.07
			CITY UTILITIES	69.12
			TOTAL:	3,219.29
INT SRVC-OTHER BUSINES ADMINISTRATIVE SER		I.R.S.	FICA WITHOLDING	103.99
			MEDICARE WITHOLDING	23.42
			MEDICARE WITHOLDING	0.45
			MEDICARE WITHOLDING	0.46
		CLIFTON LARSON ALLEN LLP	GASB 87	1,272.60
		GARDEN & ASSOCIATES INC	TRAFFIC IMPACT LETTER	1,020.00
		IPERS	IPERS REGULAR EMPLOYEES	166.59
		QUADIENT FINANCE USA INC	POSTAGE	1,014.51
		OFFICE MACHINE CONSULTANTS INC	MANAGEMENT SERVICES	199.00
		PRINCIPAL	PRINCIPAL DENTAL POLICY	30.70
		TIPTON CONSERVATIVE	MIN, CROPLAND, ORD, FAC, EL	5.00
			MIN, CROPLAND, ORD, FAC, EL	74.36
			MIN, CROPLAND, ORD, FAC, EL	231.40
		WINDSTREAM	MONTHLY SERVICES	902.99
		CITY OF TIPTON-REVOLVING CENTRAL GARAG	vehicle/equipment charges	9.17
			TOTAL:	5,054.64
NON-DEPARTMENTAL	PAYROLL ACCOUNT	I.R.S.	FEDERAL WITHOLDING	7,382.53
			FICA WITHOLDING	5,353.14
			MEDICARE WITHOLDING	1,251.97
		AFLAC	AFLAC AFTER TAX PY W/HOLDI	96.40
			AFLAC PY PRETAX WITHOLDING	466.67
			AFLAC AFTER TAX DEDUCTION	30.24

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		AXA EQUI-VEST PROCESSING OFFICE	DEF. COMP PRETAX	175.00
		COLLECTION SERVICES CENTER	CHILD SUPPORT- SPANGLER-96	96.73
		IPERS	IPERS WITHHOLDING, FIRE	38.95
			IPERS REGULAR EMPLOYEES	3,491.82
			IPERS WITHHOLDING EMT	653.56
			IPERS WITHHOLDING POLICE	1,197.72
		PRINCIPAL	PRINCIPAL DENTAL POLICY	964.50
		TREASURER, STATE OF IOWA	STATE WITHHOLDING	3,212.00
			TOTAL:	24,411.23

===== FUND TOTALS =====

001	GENERAL GOVERNMENT	50,524.69
110	ROAD USE TAX FUND	14,984.46
112	TRUST AND AGENCY FUND	42,923.75
119	Emergency Fund	2,829.58
121	LOCAL OPTION TAX	25,000.00
125	TIF SPECIAL REVENUE FUND	16,185.25
192	FIRE ENTERPRISE TRUST	7,178.08
317	HWY 38 PROJCT	18,386.00
600	WATER OPERATING	11,195.30
610	WASTEWATER/AKA SEWER REVE	49,137.49
630	ELECTRIC OPERATING	121,913.59
640	GAS OPERATING	12,202.46
660	AIRPORT OPERATING	878.80
670	GARBAGE COLLECTION	10,210.16
740	STORM WATER	974.95
810	CENTRAL GARAGE	3,219.29
835	ADMINISTRATIVE SERVICES	5,054.64
860	PAYROLL ACCOUNT	24,411.23

	GRAND TOTAL:	417,209.72

RESOLUTION NO. 120522B

RESOLUTION TERMINATING THE EMPLOYMENT OF THE CITY MANAGER

WHEREAS, a Council Member requested that the termination of the City Manager's employment without cause be included on the agenda for discussion, and

WHEREAS, the City Manager was notified five days in advance of the Council meeting that they had requested consideration of the termination of the City Manager's employment without cause and that said action would be added to and considered as part of the December 5, 2022, agenda, and

WHEREAS, the City Manager was offered a closed session to discuss his performance and declined said closed session;

WHEREAS, the Council discussed and understands that if the City Manager's employment is terminated without cause that he will be entitled to six (6) month's severance pay and other benefits as provided under the Employment Agreement the estimated total of which is \$83,781.35, and

WHEREAS, the Council finds that it is in the best interest of the City to provide the City Manager with thirty (30) days' notice of his termination on December 6, 2022, and to terminate the City Manager's employment, without cause, effective January 5, 2023.

NOW THEREFORE BE IT RESOLVED by the City Council of Tipton, Iowa, that the City Manager shall be provided with thirty (30) days' notice of the City's intent to terminate his Employment Agreement without cause on December 6, 2022, and that his Employment Agreement shall be terminated, effective January 5, 2023.

PASSED and **APPROVED** by the City Council for the City of Tipton, Iowa on this ___ day of _____ 2022 by the following vote.

Mayor

ATTEST:

City Clerk

TODD W. ANDERSON
CORINNE R. BUTKOWSKI
HOLLY A. CORKERY
EMILY K. ELLINGSON
DOUGLAS D. HERMAN
SAMANTHA R. KUNTZ
STEVEN C. LEIDINGER
ERIC P. MARTIN
JON M. MCCRIGHT
DANIEL M. MORGAN
MATTHEW J. NAGLE



526 Second Avenue SE www.lynchdallas.com
Cedar Rapids, IA 52401 WRITER'S EMAIL
Office 319.365.9101 dherman@lynchdallas.com
Toll Free 1.877.966.9101 VOICE MAIL EXT. 150
Fax 319.365.9512

BRETT S. NITZSCHKE
PATRICK J. O'CONNELL
CYNTHIA A.M. PARKER - RETIRED
AMY L. REASNER
SHAWNA M. SCHAMBERGER
KYLE A. SOUNHEIN
WILFORD H. STONE
DAVID L. WENZEL

MAILING ADDRESS:
P.O. Box 2457
Cedar Rapids, IA 52406-2457

To: Mayor, Council, Staff

From: City Attorney Doug Herman

Re: "CoOp" Sanitary Sewer Project

Date: November 23, 2022

I have been asked to review prior action of the City Council related to what I will refer to as the "CoOp Sanitary Sewer Project". My understanding is that after discussions related to potential easements, service lines, sewer mains, etc., that on October 10, 2022 the Council, by simple Motion, took the following action:

Motion by McNeill, second by Paustian that the Co-Op pay for the line and the City would own the property above it. (Unanimous Roll Call Vote)

Based upon that action, I recommend that the Council now consider the following and take the following steps as deemed appropriate.

Clarification required: While it was probably clear to the Council and others in attendance as to what was intended by the above Motion, anyone not, in my opinion, understand what was fully intended from the Minutes alone.

1. When the Motion says that the Coop will pay for the line does that include materials, installation, engineering including design and inspection to the extent appropriate?
2. While the Motion says that the City would own the property above it, the Motion does not say who will own the line?
 - a. Will the 'line' and related infrastructure be considered part of the City Sanitary Sewer System, dedicated to and accepted by the City after installation, or will it continue to be owed by the CoOp, even though it has no recorded easement rights setting out its rights and responsibilities to the line?

Considerations:

1. If this is nothing more than a long service line from a City main to the CoOp property with the understanding and agreement that the CoOp will install, maintain and repair, etc., the CoOp would want and normally receive an easement to cross over / use City owned property. That easement explains the rights and responsibilities of the parties to the easement area.
 - a. If a long service line the City will want to be sure the connection to City infrastructure meets City Code requirements / design standards.
 - b. Any connection fees required?
 - c. If the line will be owned by the CoOp, what rights do they have to excavate to repair/maintain if necessary?
 - d. If City at a later date wants to tie into this line may it do so, will it then become a City Main extension?
 - e. If the City is concerned with giving permanent "easement" rights, not knowing for certain what the future holds for this property, the City could include language providing that all installed infrastructure is subject to removal and the Easement being terminated upon one-hundred-twenty (120) days' notice. (Or another reasonable/negotiated timeline.)

2. If this line is being installed as a Sanitary Sewer Main, part of the City infrastructure, that once installed and inspected will be forever maintained, repaired, replaced, etc. by the City you can probably get by without an easement, however, you will want some parameters within which it is to be installed. (A Temporary Construction Easement would be used in many cases, so as to make clear where the CoOp and its' contractors may work, disturb City property, etc.)
 - a. Who will be preparing plans and specs for the sanitary main installation?
 - b. If not the City Engineer, the City Engineer should be involved in the review process to ensure appropriate design, materials, installation methods.
 - c. Will the line and other infrastructure be subject to normal testing methods upon installation. Pressure Testing, passing a mandrel through the line)
 - d. If the line is to be owned by the City, as part of the City Infrastructure "Sanitary Sewer System", will the CoOp sign something akin to a 'Dedication' upon completion of the installation?

It appears that this project does not meet the complete definition of a "Public Improvement" under Chapter 26 of the Code due to the fact that the City will not be paying for, in whole or in part, any portion of the project.

Iowa Code § 26.2(3). "Public improvement" means a building or construction work which is constructed **under the control of a governmental entity** and is **paid for in whole or in part with funds of the governmental entity**, including a building or improvement constructed or operated jointly with any other public or private agency....

If correct, and this project is not therefore a "Public Improvement", the City should still want to review and have oversight during the project, particularly if it is going to be a City Main. To that end, you should treat it as a Public Improvement, in my opinion, regarding engineering/design work, approval of location, plans and specifications, etc.

Iowa Code 26.3(2) requires as follows: A governmental entity **shall have an engineer licensed under chapter 542B**, a landscape architect licensed under chapter 544B, or an architect licensed under chapter 544A **prepare plans and specifications**, and calculate the estimated total cost of a **proposed public improvement**.

Subject to the following comments:

1. Whether the City engineer designs the improvement is not critical so long as the City Engineer signs off on the plan.
2. The City Engineer and/or some combination of City staff should oversee the installation to ensure it meets City Code/Standards and is being installed to specification.
3. If not a Public Improvement per definition, with the City not paying for the improvement in whole or in part, I don't believe a cost estimate is necessary.

Next Steps:

1. Consider a Resolution clearing up the intent of the Motion, that also covers:
 - a. Whether this will be a private service line that will require an easement or an extension of the Public Sanitary Sewer Main which will not, and
 - b. Confirm that this project does not meet the definition of a Public Improvement, and
 - c. Determine who will be designing the installation and appropriate inspection plans for the installation period.

Sincerely yours,

Douglas D. Herman

RESOLUTION TO APPROVE CONSTRUCTION OF SANITARY SEWER MAIN AND RELATED INFRASTRUCTURE ON CITY PROPERTY BY OR ON BEHALF OF THE CEDAR COUNTY CO-OP

WHEREAS, On October 10, 2022, the City Council approved the following Motion,

“Motion by McNeill, second by Paustian that the Co-Op pay for the line and the City would own the property above it. (Unanimous Roll Call Vote)” (Per Council Meeting Minutes)

and

WHEREAS, the City Council, by this Resolution, intends to clarify that action and to provide further detail regarding the sanitary sewer installation and expectations of the Co-Op, said detail being set forth immediately below:

1. The Co-Op will not be given any temporary or permanent easement rights on City property.
2. The “line” to be installed shall meet all requirements of a City Sanitary Sewer Main, from a materials and installation standpoint.
3. The Co-Op shall have plans and specifications drawn up for this installation, said plans and specifications to be reviewed by the City Engineer for compliance with City Code design standards and/or other applicable standards utilized by the City regarding the installation of public infrastructure, whether by the Public or a Private entity.
4. The “line” will not be installed until the City Engineer has signed off on the proposed plans and the City Council has approved the plans.
5. The “line” shall be installed at the sole expense of the Co-Op.
6. Upon satisfactory installation and testing, including pressure and/or mandrel testing at the direction of the City Engineer, the “line” will be dedicated to the City, in writing, and the City Council will accept the dedication by Resolution, said “line” and related infrastructure becoming part of the City Sanitary Sewer System.
7. Once dedicated and accepted maintenance, repair, and replacement of the line shall be the responsibility of the City.

and

WHEREAS, the installation of the “line” and related infrastructure is not a “Public Improvement” as defined by Iowa Code Section 26.3(2), however, is akin to a “Public Improvement Project”, and for that reason the City Council, as set out above, has required that plans and specifications be prepared by an engineer licensed under Chapter 542B of the Iowa Code, for review and approval by the City Engineer and City Council in advance of the installation thereof, and

WHEREAS, the City Council finds that the City Manager, or his designee, shall work with the Co-Op and City Engineer, as appropriate, to develop this project consistent with the above and foregoing terms, conditions, and understandings, and at such time as the City Engineer has approved the project Plans and Specifications, to present same to the City Council for final review before commencement of the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tipton, Iowa that the Cedar County CoOp is hereby authorized to proceed with the above-described Sanitary Sewer Main project, subject to, under, and consistent with all of the terms, provisions, conditions, and requirements set forth within the body of this Resolution, and the City Manager, and/or his designee, is hereby authorized and directed to work with the CoOp and the City Engineer, as appropriate, to see to the development of Plans and Specifications for this project, same being subject to review and approval of the City Engineer and final review and approval of the City Council before commencement of said project.

PASSED AND APPROVED this _____ day of _____ 2022.

Bryan Carney, Mayor

ATTEST:

Amy Lenz, City Clerk

CERTIFICATION

I, Amy Lenz, City Clerk, do hereby certify the above is a true and correct copy of Resolution _____ which was passed by the Tipton City Council this _____ day of _____ 2022.

Amy Lenz, City Clerk

RESOLUTION NO. 120522.D

A RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED SALE OF CITY OWNED REAL ESTATE (524 CEDAR STREET, TIPTON, IOWA.)

WHEREAS, the City of Tipton, Iowa owns the following described property:

Part of Lot 11 and 12, Block 11, Tipton, Cedar County, Iowa, more particularly described as follows: Commencing at the Northwest corner of said Lot 12; thence running South 42 1/2 feet; thence East 62 1/2 feet; thence North 42 1/2 feet; thence West 62 1/2 feet to the point of beginning

(a/k/a 524 Cedar Street, Tipton, Iowa)

WHEREAS, the City Council acquired ownership of the above-described property to act as a conduit between the prior owner and a proposed developer, and to assist with the renovation and reuse of a problem property in the Tipton downtown, and

WHEREAS, the City has taken steps to acquire various grants related to environmental review, asbestos inspection and asbestos abatement, and has assisted the proposed developer in the application for and acquisition of grants to assist with the proposed redevelopment of the property, and

WHEREAS, pursuant to the purchase agreement between the City and the Developer's Representative, the purchase price to be paid the City is to be calculated as follows:

Purchase Price shall be equal to the expenses incurred by the City related to Roof Repairs, including testing for hazardous materials, abatement of hazardous materials such as but not necessarily limited to Asbestos, and repair/replacement of the roofing system on the property. The "expenses" shall not include or be based upon any grants received, costs of grant administration, etc. The Expenses shall only be the actual out of pocket expense to the City tied to the actual roof repair/replacement.

-and-

WHEREAS, The City Council finds the transfer of the property to the proposed developer, led by representative Stuart Clark, to be in the best interests of the City of Tipton and consistent with the intentions and goals of the City of Tipton when acquiring the property, and

WHEREAS, City "Accounts Payable" have been reviewed, and the purchase price to be paid by the developer, consistent with the terms of the purchase agreement outlined above, total \$ _____, and

WHEREAS, Iowa Code Section 364.7 requires that a public hearing be held prior to the transfer of City owned real estate.

NOW, THEREFORE, BE IT RESOLVED that a public hearing on the proposed sale of the City owned real estate located at 524 Cedar Street, Tipton, Iowa shall be set for 6:00 p.m. on December 19, 2022 during the regular City Council meeting of the City of Tipton, held in the City Council chambers located at 407 Lynn Street, Tipton, IA, at which time the City Council shall receive written and/or oral comments concerning the proposed disposition and sale of the above-described real estate, before considering a Resolution authorizing said sale; the City Clerk shall cause notice of said public hearing, in the form attached hereto marked Exhibit "A", to be published at least once, not less than four (4) nor more than twenty (20) days prior to the date set for said hearing, in a newspaper of general circulation in the City of Tipton, Iowa.

PASSED AND APPROVED this ____ day of _____ 2022.

Bryan Carney, Mayor

ATTEST:

Amy Lenz, City Clerk

CERTIFICATION

I, Amy Lenz, City Clerk, do hereby certify the above is a true and correct copy of Resolution _____ which was passed by the Tipton City Council this 24th day of January 2022.

Amy Lenz, City Clerk

Exhibit "A"
Public Hearing Notice

CITY OF TIPTON

NOTICE OF PUBLIC HEARING ON THE PROPOSED SALE OF CITY OWNED REAL ESTATE

Notice is hereby given that the City of Tipton, Dubuque County, Iowa, proposes to sell and convey by Quit Claim Deed, the following described real estate situated in the City of Tipton:

Part of Lot 11 and 12, Block 11, Tipton, Cedar County, Iowa, more particularly described as follows: Commencing at the Northwest corner of said Lot 12; thence running South 42 1/2 feet; thence East 62 1/2 feet; thence North 42 1/2 feet; thence West 62 1/2 feet to the point of beginning

(a/k/a 524 Cedar Street, Tipton, Iowa)

The City proposes to sell the property to a development group led by Stuart Clark consistent with the terms of a purchase agreement previously approved by the Council, the purchase price being based upon the reimbursement of certain expenses incurred by the City regarding this property prior to the transfer of the property to the development group.

The Public Hearing on the proposed transfer is scheduled for 6:00 p.m. on December 19, 2022 during the regular City Council meeting of the City of Tipton, held in the City Council chambers located at 407 Lynn Street, Tipton, IA. After acceptance of public comment, if any, and closing of the public hearing, the City Council may act upon the proposal to transfer said property.

Any person may appear at the Public Hearing to comment on the proposed terms of the purchase agreement and/or may submit written comments in advance of the Public Hearing by delivery of same to the City Clerk's Office, at Tipton City Hall, during regular business hours, or by mailing to the City of Tipton, Attn. City Clerk, 407 Lynn Street, Tipton, Iowa, 52772, or by email to alenz@tiptoniowa.org, on or before the date and time of the Public Hearing.

Amy Lenz, City Clerk
City of Tipton, Iowa

MINUTES PROVIDING FOR ADOPTION
OF RESOLUTION APPROVING
INTERNAL ADVANCE

419554-46

Tipton, Iowa

November 28, 2022

The City Council of the City of Tipton, Iowa met on December 5, 2022, at _____ p.m.,
at the _____, Tipton, Iowa. The meeting was called to order by the Mayor, and
the roll was called showing the following Council Members present and absent:

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____
introduced the following resolution and moved its adoption, seconded by Council Member
_____. The Mayor put the question upon the adoption of said
resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

• • • •

At the conclusion of the meeting and upon motion and vote, the City Council adjourned.

Mayor

Attest:

City Clerk

RESOLUTION NO 120522A

Resolution Authorizing Internal Advance for Funding of Urban Renewal Projects

WHEREAS, the City of Tipton, Iowa (the “City”), has previously established the Tipton Urban Renewal Area (the “Urban Renewal Area”) and has established the Tipton Urban Renewal Area Tax Increment Revenue Fund (the “Tax Increment Fund”) in connection therewith; and

WHEREAS, the City has authorized certain urban renewal projects (the “Projects”) in the Urban Renewal Area consisting of (i) using tax increment financing to pay the costs of the City’s Tipton Downtown Revitalization Incentive Program (the “DRIP Program”); (ii) using tax increment financing to pay the costs of the City’s Tipton Revitalization Incentive Program (the “TRIP Program”); (iii) using tax increment financing to pay the costs of the City’s Cedar Street/Highway 38 Reconstruction Project (the “Street Reconstruction Project”); and (iv) using tax increment financing to pay the costs of the City’s Hardacre Theater Redevelopment Project (the “Hardacre Project”); and

WHEREAS, certain costs (the “Project Costs”) have been and will be incurred in connection with the carrying out of the Projects; and

WHEREAS, in order to cover a portion of the Project Costs and to make such Project Costs eligible to be recouped from incremental property tax revenues, it is necessary to facilitate internal advances of funds;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Tipton, Iowa, as follows:

Section 1. It is hereby directed that an amount not in excess of \$28,000 (the “DRIP Advance”) be advanced from Fund 160 (the “DRIP Source Fund”) in order to fund a portion of the DRIP Program. The DRIP Advance shall be repaid to the DRIP Source Fund, without interest, out of incremental property tax revenues received with respect to the Urban Renewal Area.

It is intended that the DRIP Advance shall be repaid to the DRIP Source Fund on or before June 1, 2024, provided, however, that repayment of the DRIP Advance is subject to the determination of the City Council that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the DRIP Advance, and the City Council reserves the right to appropriate funds to the repayment of the DRIP Advance, or to withhold such appropriation at its discretion.

Section 2. It is hereby directed that an amount not in excess of \$35,000 (the “TRIP Advance”) be advanced from Fund 160 (the “TRIP Source Fund”) in order to fund a portion of the TRIP Program. The TRIP Advance shall be repaid to the TRIP Source Fund, without interest, out of incremental property tax revenues received with respect to the Urban Renewal Area.

It is intended that the TRIP Advance shall be repaid to the TRIP Source Fund on or before June 1, 2024, provided, however, that repayment of the TRIP Advance is subject to the determination of the City Council that there are incremental property tax revenues available for

such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the TRIP Advance, and the City Council reserves the right to appropriate funds to the repayment of the TRIP Advance, or to withhold such appropriation at its discretion.

Section 3. It is hereby directed that an amount not in excess of \$163,000 (the "Street Reconstruction Advance") be advanced from Fund 317 (the "Street Reconstruction Source Fund") in order to fund a portion of the Street Reconstruction Project. The Street Reconstruction Advance shall be repaid to the Street Reconstruction Source Fund, without interest, out of incremental property tax revenues received with respect to the Urban Renewal Area.

It is intended that the Street Reconstruction Advance shall be repaid to the Street Reconstruction Source Fund on or before June 1, 2024, provided, however, that repayment of the Street Reconstruction Advance is subject to the determination of the City Council that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Street Reconstruction Advance, and the City Council reserves the right to appropriate funds to the repayment of the Street Reconstruction Advance, or to withhold such appropriation at its discretion.

Section 4. It is hereby directed that an amount not in excess of \$12,000 (the "Hardacre Advance" and, together with the DRIP Advance, the TRIP Advance, and the Street Reconstruction Advance, the "Advances") be advanced from Fund 160 (the "Hardacre Source Fund") in order to fund a portion of the Hardacre Project. The Hardacre Advance shall be repaid to the Hardacre Source Fund, without interest, out of incremental property tax revenues received with respect to the Urban Renewal Area.

It is intended that the Hardacre Advance shall be repaid to the Hardacre Source Fund on or before June 1, 2024, provided, however, that repayment of the Hardacre Advance is subject to the determination of the City Council that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Hardacre Advance, and the City Council reserves the right to appropriate funds to the repayment of the Hardacre Advance, or to withhold such appropriation at its discretion.

Section 5. A copy of this Resolution shall be filed in the office of the County Auditor of Cedar County, Iowa to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the City Clerk is hereby directed to certify, no later than December 1, 2022, the original amount of the Advances.

Section 6. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this December 5, 2022.

Mayor

Attest:

City Clerk