

May 20, 2013  
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 Zearley. Also present: Nosbisch, Fletcher, Nash, Penrod, Holub, Wild, other visitors and the press.

Mayor Kepford led the meeting in the Pledge of Allegiance.

**Agenda:**

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

**Communications:**

EMC, Denial of Sewer Backup Claims  
The letter from EMC was given to the council to review.

**Consent Agenda:**

Motion by Fry, second by Siech to approve the consent agenda which includes the May 6, 2013, City Council meeting minutes, Clerk's/Investment reports, Rhino's Grill liquor license renewal, Water Report, April Library Board Minutes and the Library Director's Report. Following the roll call vote the motion passed unanimously.

**Public Hearing:**

Public Hearing, Budget Amendment, Fiscal Year 2012-2013

Mayor Kepford opened the public hearing for the Budget Amendment, Fiscal Year 2012-2013 at 5:35 p.m. With no written or oral objections, Mayor Kepford closed the public hearing at 5:36 p.m.

**Ordinance Approval/Amendment:**

Ordinance No. 530, Ordinance Amending Water Service and Rates  
Motion by Spear, second by Siech to approve Ordinance No. 530, the ordinance amending the Water Service and Rates. Following the roll call vote the motion passed unanimously.

Ordinance No. 531, Ordinance Amending Sewer Regulations and Rates  
Motion by Anderson, second by Zearley to approve Ordinance No. 531, an ordinance amending the Sewer Regulations and Rates. Following the roll call vote the motion passed unanimously.

Ordinance No. 532, Ordinance Amending Green Alternative Transportation Route System  
Motion by Spear, second by Zearley to approve Ordinance No. 532, the ordinance amending the Green Alternative Transportation Route System. Following the roll call vote the motion passed unanimously.

Ordinance No. 533, Ordinance Amending Natural Gas Rates  
Motion by Siech, second by Anderson to approve Ordinance No. 533, the ordinance amending the Natural Gas Rates. Following the roll call vote the motion passed unanimously.

**Resolutions for Approval:**

## Budget Amendment, Fiscal Year 2012-2013

Motion by Zearley, second by Anderson to approve Resolution 052013A, the resolution amending the budget for fiscal year 2012-2013. Following the roll call vote the motion passed unanimously.

### Old Business:

Lovewell Proposal/Contract, Tipton Fire Station Fencing

City Manager Nosbisch said he received the split for the fence costs as requested. The fence to enclose the HVAC system will cost \$1,585.00 and the cost for the privacy fence is \$2,385.00. Nosbisch suggested the chain link fence be paid from the construction budget and the fire department would use donated funds for the privacy fence. Motion by Spear, second by Fry to approve the chain link fence quote from Lovewell in the amount of \$1,585.00 and fund as part of the construction budget and to allow the fire department use donated funds to purchase the privacy fence. Motion carried by the following roll call vote;

Aye: Spear, Fry, Anderson

Nay: Zearley, Siech

### Motions for Approval:

#### 1. Claims list -

ALLIANCE WATER RESOURCES I	CONTRACT SERVICES FOR MAY	23665.83
AMSAN	LOTION SOAP FOR PARK RESTROOMS	45.42
ARROWQUICK SOLUTIONS	WEB/EMAIL SERVICES	40.95
AUS WATERLOO MC LOCKBOX	BLDG MAINT SUPP - CITY HALL	89.37
BARRON MOTOR SUPPLY	PARTS FOR STOCK, PART #15	69.57
BUSINESS RADIO SALES AND S	INSTALL 45 FT TOWER - FIRE	1778.00
CEDAR COUNTY CO-OP	FUEL DISCOUNT	3496.32
CEDAR COUNTY ENGINEER	209.3 GL DSL AMBULANCE	2866.53
CEDAR COUNTY SOLID WASTE	TRANSFER FEES	3423.00
CLARENCE LOWDEN SUN-NEWS &	FAC & REC ADS	200.00
CUSTOM BUILDERS INC	UPS CHARGES FAC	17.56
D & N FENCE CO	BATTING CAGE	5675.00
DUECO INC	DECALS & LEVEL INDICATOR #8	113.02
EASTERN IOWA LIGHT & PWR	CEMETERY UTILITIES	1418.06
ELECTRICAL ENGINEERING & E	EMERG LIGHT BATTERY - LIBRARY	20.58
FAMILY FOODS	SUPPLIES-FAC, PARK, ELECTRIC	16.87
FLETCHER-REINHARDT CO.	UNDERGROUND SUPPLIES	813.07
FRIENDS OF THE ANIMALS	1 DOG	150.00
FUTURE LINE TRUCK EQUIPMEN	BUCKET TRUCK TOOL BOX #5	1190.00
G & K SERVICES	UNIFORMS EL/GAS	190.26
GARDEN & ASSOCIATES INC	VITENSE DITCH/WTLND MTGTN	2102.62
GENERAL PEST CONTROL INC	PEST CONTROL ELECTRIC	161.03
GRAINGER	PAPER TOWELS GAS	393.80
GRAYBAR	CIRCUIT BREAKERS ELECTRIC	85307.50
GREAT WESTERN SUPPLY CO	ACID CLEANER FAC	102.24
HAWKEYE	MIRROR #30	158.73
HYGIENIC LABORATORY-AR	POOL TESTING FEES	11.00
INTEGRATED TECHNOLOGY PART	MANAGED NETWORK SERVICES-ADMIN	114.00
ION EXCHANGE	12 LBS CUSTOM SEED MIX-VITENSE	1158.16
IOWA ASSOCIATION OF	WORK ZONE SAFETY CLASS - GAS	20.00
IOWA DEPT OF AGRICULTURE	METER LICENSE APP AIRPORT	4.50
KIRKWOOD COMMUNITY COLLEGE	TRAINING AMBULANCE	90.00
KUNDE OUTDOOR EQUIPMENT	SERVICE PUSH MOWER FOR PARK	71.47
MISC. VENDOR	QUAD CITY TIMES:THRIFTY NICKEL	285.00
MUNICIPAL PIPE TOOL CO LLC	JET CLEANING & TELEVISIONG	1690.16
MUNICIPAL SUPPLY INC	HANDHELD PROGRAMMER	6000.00
OMNI CONTRACTING INC	CABLE & ANTENNA FOR AMR	10090.00
PATTERSON MEDICAL SUPPLY I	9 FIRST AID KITS SUMMER BALL	176.30

PERFORMANCE SYSTEMS JANITO	VAC SWITCH AND HOSE FAC	46.23
PHYSIO-CONTROL INC	RECORDER PAPER & ELECTRODES	176.75
RC TECHNOLOGY	SETUP & INSTALL NETWORK-FIRE	1418.50
RK DIXON CO	COPIER CONTRACT CHARGES-AMB	16.51
SHERMCO INDUSTRIES INC	GENERATOR CONTROL MODIFICATION	7780.00
STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES - FAC, ADMIN	271.42
TERRY DURIN COMPANY	200 FT CONDUIT ELECTRIC	250.00
TIPTON CONSERVATIVE	TBALL REGISTRATION	1075.14
TIPTON ELECTRIC MOTORS	REPAIR HOISE WATER	492.34
TRANS-IOWA EQUIPMENT INC	PARTS FOR #30	461.64
TRITECH SOFTWARE SYSTEMS	AMBULANCE BILLING SERVICES	687.50
WENDLING QUARRIES INC	26.17 TN AGLIME/20.85 TN SAND	296.22
XEROX CORPORATION	BASE & METER CHARGES	1855.83
TOTAL		168044.00

FUND TOTALS

001 GENERAL GOVERNMENT	13206.00
002 COMMUNICATIONS - LOCAL AC	9.95
305 GO ST IMPROVEMENT 08	1083.00
306 69 KV SUBSTATION PROJECT	7780.00
310 NEW FIRE STATION	1778.00
600 WATER OPERATING	11909.98
610 WASTEWATER/AKA SEWER REVE	14764.99
630 ELECTRIC OPERATING	100767.69
640 GAS OPERATING	2299.65
660 AIRPORT OPERATING	36.30
670 GARBAGE COLLECTION	3696.60
750 CEMETERY ENTERPRISE	28.57
810 CENTRAL GARAGE	8211.92
835 ADMINISTRATIVE SERVICES	2471.35
GRAND TOTAL	168044.00

### City Credit Card Statement

#### City - One Card (employee check-out card)

Travel Training (Police) -Big Steer, Drury Inn, Prairie Meadows, KFC, Maid-Rite, Thunder Bay Grille	449.46
<b>Total Charges</b>	<b>449.46</b>

#### Ambulance - One Card

Operating Supp.-EMP,Theisens,Best Buy,Tipton Phrmcy	1,452.64
Training - Kirkwood	1,515.00
Office Sup-Walmart	244.53
Misc - Family Foods	19.00
Computer XP-Best Buy	639.98
<b>Total Charges</b>	<b>3,871.15</b>

#### Fire - One Card

Reported as fraud, credited	-1,601.71
Possible fraud	364.10
<b>Total Charges</b>	<b>-1,237.61</b>

#### Library - One Card

Postage/Shipping - USPS	99.05
Office Supplies - Walmart	61.93
Materials - Walmart	479.89
Program Supplies-Upstart,Work Pro Place,Amazon	735.03
Bldg Maint Supplies - Wal-Mart	11.47
Misc - Amazon (Smith's supplies chrgd to wrong card, will reimburse)	103.45
<b>Total Charges</b>	<b>1,490.82</b>

#### JKFAC/Recreation - One Card

Operating supp - Walmart	11.82	
Travel Training-Quality Inn, KFC,	176.22	
High Life Lounge	176.22	
Walmar - concessions	12.96	
Misc Supp - Walmart	35.82	
<b>Total Charges</b>		<b>413.04</b>
<b>Electric - One Card</b>		
Op Supplies - Walmart	10.70	
<b>Total Charges</b>		<b>10.70</b>
<b>Gas - One Card</b>		
Operational eqpt maint	11.32	
<b>Total Charges</b>		<b>11.32</b>
<b>Public Works - One Card</b>		
small tools -Harbor Freight Tools	18.18	
Tower Co. - bldg maint	254.59	
<b>Total Charges</b>		<b>272.77</b>
<b>City Clerk - One Card</b>		
Equipment Maint/Rpr Supplies (FAC) - Pool Plaza	2,908.75	
Misc Supp -Walmart	18.00	
	34.63	
Computers (iPads) PCM-G	4,969.00	
<b>Total Charges</b>		<b>7,930.38</b>
<b>Comm Dev - One Card</b>		
Office Supplies -Conservative	49.08	
Travel Training-McDonalds, Wendy's	11.14	
Dues/Fees- IA Chamber of Commerce Exec	246.40	
Fuel-Shell, Love's	40.00	
<b>Total Charges</b>		<b>346.62</b>
<b>Police</b>		
Office supplies - Printing Srvcs	38.17	
<b>Total Charges</b>		<b>38.17</b>
<b>Deputy Clerk</b>		
Office supplies-Walmart	205.16	
Oper Supp - Walmart	10.97	
Fuel	42.42	
Travel Training-Perkins	30.19	
<b>Total Charges</b>		<b>288.74</b>
<b>City Manager</b>		
Travel Training-Hyatt, Harry Carays, Panda Express, Gold Coast Dogs,Pizanos Pizza, Jimmy John's,Cracker Barrel	1315.74	
Fuel	37.51	
<b>Total Charges</b>		<b>1353.25</b>
<b>Statement Total</b>		<b>15,238.81</b>

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

2. Sidewalk Waiver, 104 Sunrise Place

Motion by Siech, second by Zearley to approve the sidewalk waiver request by Thomas McGuinty, to remove and not replace the sidewalk on his property. Following the roll call vote the motion passed unanimously.

3. Request Street Closure, Rhino's Grill

Motion by Zearley, second by Spear to approve the request for closing a portion of 6<sup>th</sup> Street adjacent to Rhino's to hold their annual street dance from 10:00 a.m., June 8, 2013, through 10:00 a.m., June 9, 2013. Following the roll call vote the motion passed unanimously.

**4. Annual 1% Electric Rate Increase**

With no action taken by the city council the 1% increase will go into effect.

**5. Annual Electric Purchase Price Adjustment, Purchase Price Index**

Motion by Fry, second by Anderson to approve the annual electric purchase price adjustment to the purchase price index, which results in a reduction. Following the roll call vote the motion passed unanimously.

**6. Pay Application No. 5, Tri City Electric**

Motion by Zearley, second by Siech to approve pay application No. 5, to Tri City Electric, in the amount of \$97,702.60, for the Substation Project. Following the roll call vote the motion passed unanimously.

**7. Public Hearing Date, Ordinance Amending Title VI Property, Chapter 19 Floodplain Management**

Motion by Fry, second by Spear to set a public hearing date of June 3, 2013, at 5:30 p.m., to amend the Ordinance Amending Title VI Property, Chapter 19 Floodplain Management. Following the roll call vote the motion passed unanimously.

**8. Pay Application No. 15, Garling Construction**

Motion by Spear, second by Anderson to approve pay application No. 15, to Garling Construction, in the amount of \$8,657.36, for the new fire station. Following the roll call vote the motion passed unanimously.

Council Member Fry left the meeting at 6:30 p.m.

**Discussion Items:**

**1. Joint Meeting, Airport Committee, McClure Engineering, City Council**

Derick Anderson and Andy Maysant with McClure Engineering presented an update on the airport project and answered questions. Anderson explained that the FFA grant funds aren't from taxes. The FFA funds come from donations made to the trust fund. The trust fund is funded through airport user fees such as fuel tax, registrations, medical fees from pilots and fees from all aviation users. It is the consensus of the council to hold a public meeting June 24, 2013, at 5:00 p.m.

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

**Manager's Report**

Manager and City Clerk had meetings with the City's medical insurance carriers regarding the updates on the insurance reform.

The Goal Setting Session will be June 17, 2013, along with the regular City Council Meeting.

Nosbisch and Director of Public Works had a meeting with FEMA representatives and Cedar County's EMA Director, Tim Malott. We now wait to see if the State meets the requirements for FEMA funds.

**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 Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in That Litigation

Motion by Zearley, second by Siech 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 Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in That Litigation at 6:59 p.m. Motion carried by the following roll call;

Aye: Anderson, Spear, Zearley, Siech  
Absent: Fry  
Nay: None

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

The council reconvened to regular session from closed session at 7:10 p.m. The following Councilmember's were present when roll was called: Anderson, Spear, Zearley, Siech

Motion by Siech, second by Zearley to allow the City attorney to proceed with the condemnation process. Motion carried by the following roll call;

Aye: Spear, Zearley, Siech, Anderson,  
Absent: Fry  
Nay: None

**Adjourn:**

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

Aye: Zearley, Siech, Anderson, Spear  
Absent: Fry  
Nay: None

Meeting adjourned at 7:10 p.m.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk/Finance Officer

**REVENUE RECEIVED - April, 2013**

Property Taxes	539,965.67
Local Option Sales Service Tax	17,267.33
Licenses & Permits	1,900.00
Use of Money and Property	18,826.67
Intergovernmental	35,491.29
Charge for Services	766,970.27
Special Assessment	0.00
Miscellaneous	74,087.28
Sale of Fixed Assets	0.00
<b>TOTAL</b>	<b>\$1,454,508.51</b>