

**Regular Council Meeting November 14, 2005 – 5:30 p.m.** The West Burlington City Council met in Regular Session at 122 Broadway Street with Mayor Hans Trousil presiding. Council Members Rod Crowner, Marc Pilger, Therese Lees, John Johnson were present. Rick Raleigh arrived during committee reports. Public Works Director Randy Fry, Finance Officer Leslie Sattler, Police Chief Alex Oblein, Building Inspector Lowell Hoy and Fire Chief Terry Kesterke were also present.

Mayor Trousil asked Council to amend the Agenda by adding “Consider Payment of \$171,818.08 to Shipley Contracting for the Broadway, Glasgow & N. Gear Paving Project” as item #8 under New Business. Lees made a motion, second by Pilger, to approve the Agenda as amended. Roll call vote. Johnson, Lees, Pilger and Crowner voted aye. Motion carried.

Lees made a motion, second by Pilger, to approve the following Consent Agenda items as presented. Roll call vote. Johnson, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

- A. Minutes of Regular Council Meeting – October 10, 2005
- B. Payment to Carter Nursery and Landscaping Co. - \$6,205.00
- C. Purchase of In-Car Camera System for New Patrol Unit from MPH Industries - \$3,038 (Grant from Governor’s Safety Traffic Bureau will cover this purchase)
- D. Purchase of Equipment for New Patrol Unit from Three Separate Vendors - \$5,835.90
- E. Purchase of Radar for New Patrol Unit - \$1,500 (Grant will cover \$1,000)
- F. Payment to B&B Bedding for Additional Wood Mulch at Luers Park - \$1,000
- G. Payment to Quad City Water Treatment Co. - \$1,044
- H. Payment to Ideal Ready Mix Company, Inc. - \$1,076
- I. Payment to SEIRP for Comprehensive Plan per Contract - \$4,000
- J. Payment to SASSO - \$2,669.83
- K. Clerk’s Financial Report for October 2005
- L. Claims List from October 21, 2005 - \$172,571.13

**CITIZEN’S INQUIRIES:** No citizen inquiries.

**PUBLIC HEARING – Community Development Block Grant (CDBG) for updates to water mains in the Beaverdale Area** – City Council has agreed to sponsor and apply for a Community Development Block Grant (CDBG) through the Iowa Department of Economic Development in order to update and extend water main in the Beaverdale Subdivision, Woodsman Subdivision, Timberline Estates and Echo Valley I & II Trailer Parks to provide better service to these areas located in Des Moines County. The present water mains are an unreliable water supply in the affected subdivisions. The water mains are outdated (at least 40 years) and are old PVC. Consequently, they constantly break. The grant project area would also supply the three trailer parks with potable water, which at present time they do not have. The residents in these trailer parks currently are on well water, which is of poor quality. The City of West Burlington will request \$300,000 from the Iowa Department of Economic Development Community Development Block Grant Program. Seventy-three percent (73%) of the grant funds will benefit the Low and Moderate income persons in the areas where the waterlines will be placed. During construction of the project, there should be no residents that will have to be displaced. The City of West Burlington will adopt a Residential Anti-Displacement and Relocation Assistance agreement for this grant and future grants from IDEED. Snyder and Associates has estimated the cost of the project at \$782,500. No written or verbal comments were received. Mayor Trousil closed the public hearing at 5:37 p.m.

Johnson stated that he wanted to clarify that the City would not be participating financially with the water main improvements. Lees made a motion, second by Crowner, to authorize Mayor Trousil to sign a CDBG application to help fund water main improvements in the Beaverdale Subdivision, Woodsman Subdivision, Timberline Estates and Echo Valley I & II Trailer Parks. Roll call vote. Pilger, Crowner, Johnson and Lees voted aye. Motion carried.

## **COMMITTEE REPORTS:**

**STREETS** – Mayor Trousil read a statement from the IDOT announcing the opening of the Danville Bypass on Tues, November 15, 2005.

Engineer John Meyer reported that he had contacted Shipley Contracting to see if they would consider waiting until Spring to begin work on the Glasgow paving project. He is concerned that they will get the street torn up and not be able to finish it before cold weather hits. Shipley's indicated that they would consider a winter shut down if the City would agree to release part of the retainage money for the portion of the project that has been completed. Council authorized Engineer John Meyer to contact Shipley Contracting to see if they would consider a winter shut down on the Glasgow Paving project until spring if Council agreed to release \$20,000 of the retainage. Engineer John Meyer will contact Shipley's and get back to Council with their decision.

**PUBLIC SAFETY** – Police Chief Oblein reported that the new patrol car will be on line in December after all of the equipment has been installed. The department is still testing the possibility of using a charger to keep the battery charged up in the patrol cars when officers are working inside rather than leaving the cars running. Chief Oblein reported that the police car that was recently involved in a wreck at West Burlington Ave. and Agency is being repaired at Wyatt's Body Shop. Over the last several months the Police Department has issued numerous tickets to drivers that are turning left or going straight through the south mall exit which is designated as a right turn only exit. Several tickets have been dismissed by one particular judge making enforcement of the intersection very difficult. The intersection has numerous signs instructing drivers of what to do. Chief Oblein feels that the intersection is extremely dangerous and recommended closing it to avoid future accidents. Several of the Council members agreed and asked Mayor Trousil to contact the State to see if the entrance could be closed. Two years ago improvements were made to Gear Ave. using State Funding. Because State Funding was used the City is not allowed to make changes to the intersection for a certain number of years. Mayor Trousil will get more information and report back to Council.

Fire Chief Kesterke reported that the department is working on winterizing the trucks and is awaiting the delivery of the new engine which is approximately 92% complete.

**FINANCE** – Staff has started working on the FY2006/2007 Budget.

**SANITATION** – Nothing to report

**UTILITIES** – Nothing to report

### **NEW BUSINESS:**

**Consider Third Reading of an Ordinance Concerning Imposing a 7% Hotel/Motel Tax** – Crowner made a motion, second by Johnson, to approve the third reading of an Ordinance concerning imposing a 7% Hotel/Motel Tax in West Burlington. On November 8<sup>th</sup> West Burlington citizens voted in favor of implementing a 7% Hotel/Motel Tax. Roll call vote. Lees, Pilger, Crowner and Raleigh voted aye. Johnson voted nay. Motion carried.

**Consider the Second Reading of an Ordinance Amending Chapter 92 Concerning Change to Water Billing Cycle and Disconnection Fees** – Pilger made a motion, second by Lees, to approve the second reading of an Ordinance amending Chapter 92 relating to meter reading, billing dates and posting a twenty-four hour disconnection notice for delinquent water customers in conjunction with a \$10.00 posting fee. Roll call vote. Raleigh, Johnson, Lees, Pilger and Crowner voted aye. Motion carried.

**Consider Approving the 2005 State Financial Report** – Crowner made a motion, second by Raleigh, to approve the 2005 State Financial Report prepared by Finance Officer Leslie Sattler. Roll call vote. Johnson, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

**Consider Payment of \$15,560.38 to French-Reneker-Associates for Engineering Services** – Crowner made a motion, second by Raleigh, to approve a payment of \$15,560.38 for engineering services in conjunction with the Broadway, Glasgow and N. Gear Ave. Paving Project. Roll call vote. Johnson, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

**Consider Request from Qwest Communications to Renew (2) Right-of-Way Use Permits (3-Year Terms)** – Crowner made a motion, second by Pilger, to approve the renewal of two Right-of-Way Permits for Qwest Communications;

- Permit #2001-01 is for 156' of cable on Gear Ave & Agency Rd.
- Permit #2002-01 is for 500' on Gear Ave. & Arnold Dr.

Both of these permits will expire on November 14, 2008 at which time Council can consider renewal again. A yearly maintenance fee is due for each permit on July 1<sup>st</sup> of each year the permit is in affect. Roll call vote. Pilger, Crowner, Raleigh, Johnson and Lees voted aye. Motion carried.

**Consider Request from Qwest Communications for (2) New Right-of-Way Use Permits (3-Year Terms)** – Crowner made a motion, second by Pilger, to approve a request from Qwest Communications for two new Right-of-Way Permits for a period of three years;

- Permit 2005-01 is for 672' on Dry Creek Ave.
- Permit 2005-02 is for 230' on Ramsey and Huston St.

Both of these permits will expire on November 14, 2008 at which time Council can consider renewal again. A yearly maintenance fee is due for each permit on July 1<sup>st</sup> of each year the permit is in affect.

**Discuss Request from Fire Department to Participate in the Purchase of a Command Vehicle** – Fire Chief Kesterke asked Council to consider contributing to the purchase of a Fire Command Vehicle for the Fire Department. Chief Kesterke stated that the Fire Command would be the first vehicle to respond to calls. Once Fire Command arrived on the scene they would call back to the station to request the property equipment or let the fire trucks and emergency vehicles know the best place to go to handle the fire or emergency situation. The Fire Command vehicle would not carry equipment other than communication equipment, maps and pre-plans for businesses. Gene Wilkerson with the Burlington Fire Department addressed the Council to explain that the City of Burlington along with many other departments have been using a Command Vehicle for many years. He felt that a designated Command Vehicle is beneficial in that it is a recognized vehicle that fire fighters and rescue personal go to for communication and direction at an emergency scene. The City of Burlington has used a suburban for the past 14 years as a command vehicle. Mayor Trousil stated that unit #4 is currently set up to be a command vehicle and is also capable of carrying equipment that could be used to handle an emergency. Several Council members questioned the necessity of having a vehicle arrive on the scene with no equipment to handle an emergency situation. Firefighter Captain, Jarrin Peterson proposed purchasing a extended cab truck from the Kansas Highway Patrol at a cost of \$15,000 - \$18,000. They would also need to add a topper, roll out tray, stripping, light bar, siren and communication equipment making the total closer to \$20,000. The West Burlington Fire Fighters Association is willing to contribute \$10,000. Chief Kesterke would like the City to contribute \$5,000. The Quad Township would be willing to match the City's contribution. Mayor Trousil stated that staff had received an estimate that insurance would cost approximately \$732 per year to insure a command vehicle. Mayor Trousil reminded Chief Kesterke that the pick up truck used to transport the Smoke House was purchased using Federal Safety Grant Funds and should not be used by the department as a Fire Command Vehicle. The Council agreed that the Fire Department keeps all of the equipment in good shape and it is well maintained, however they were not prepared to approve the purchase of a command vehicle without more information. Council agreed to hold a Public Safety

Committee meeting at the Fire Department on Monday, November 21<sup>st</sup> at 7:00 p.m. to gather more information.

**Consider Payment to Shipley Contracting Corp - \$171,818.08 (Broadway, Glasgow & N. Gear Paving Project** – Lees made a motion, second by Pilger, to approve payment of \$171,818.80 to Shipley Contracting for work performed in connection with the Broadway, Glasgow and N. Gear Paving Project. Roll call vote. Pilger, Crowner, Johnson, Lees and Raleigh voted aye. Motion carried.

**OLD BUSINESS:**

**Consider a Resolution Accepting the 2004 Longmeadow, Pennington and Swan Paving Project** – In July, 2005 Council agreed to release \$17,811.30 of the project retainage to Mike Nelson Concrete and hold \$12,000 to pay for damages incurred by the City as a result of damages incurred by the City that were above and beyond the contract price. John Meyer, French-Renecker-Associates, recommended releasing retention monies in the total amount of \$5,405 which is the \$12,000 balance less \$6,595 in damages.

Crowner made a motion, second by Pilger, to approve a Resolution accepting the 2004 Longmeadow, Pennington and Swan Paving Project and release \$5,795 in retainage money thirty days following the acceptance of the project. Roll call vote. Raleigh, Johnson, Lees, Pilger and Crowner voted aye. Motion carried.

**CITIZEN INQUIRIES:** - No comments.

**MAYOR INQUIRIES:** - Mayor Trousil reviewed several pieces of correspondence including various invitations for Council. He also distributed a letter from Farm King asking Council to reconsider charging businesses for false alarm calls. Mayor Trousil introduced newly elected Council Member Tom Law and welcomed him to the City Council.

**ADJOURN** – There being no further business, the meeting adjourned at 7:40 p.m. upon motion by Lees, second by Pilger. Voice Vote: All Ayes. Motion carried.

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Approved

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Kelly D. Fry, City Clerk