

**Regular Council Meeting June 20, 2007 – 6:00 p.m.** The West Burlington City Council met in regular session at 122 Broadway Street with Mayor Trousil presiding. Council Members Rod Crowner, Rick Raleigh, Therese Lees and Tom Law were present. Marc Pilger was absent. City Administrator Dan Gifford, Building Inspector Lowell Hoy, Finance Officer Leslie Sattler and Fire Chief Terry Kesterke were also present.

Mayor Trousil recommended amending the agenda to include new business item #13 Set Public Hearing on West Burlington Ave resurfacing project. Lees made a motion, second by Crowner, to approve the Agenda as amended. Roll call vote: Lees, Law, Raleigh and Crowner voted aye. Motion carried.

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

1. Minutes from the June 6, 2007 Regular Council Meeting
2. Otis Campbell's Liquor License Application for an Outdoor Service Area on July 4, 2007
3. Liquor License Renewal for Wal-Mart
4. Liquor License Renewal for Casey's
5. Payment to Iowa League of Cities for Annual Membership Dues - \$1,164
6. Cigarette Permit Applications for Casey's, Highway 34 Truck Stop, Citgo Mini Mart, Westland Fastbreak, Wal-Mart and Murphy Oil USA
7. Al Waterman's attendance at Child Abuse and Exploitation Investigation Training
8. Chief Oblein and Lt. Newberry's attendance at Center for Domestic Preparedness Training
9. Payment to City of Burlington for County Wide Communications - \$3,102.68
10. Payment to Cray, Goddard, Miller, Taylor & Chelf for Legal Services - \$1,494.50
11. Payment to Des Moines County Regional Landfill for Disposal Fees - \$2,967.64
12. Payment to DMC Regional Waste Commission for Waste Management Fee - \$2,120.80
13. QC Analytical Services – \$1,490.00
14. Clerk's Financial Report for May 2007
15. Claims as Presented in the Amount of \$218,588.24

**CITIZEN'S INQUIRIES:** No inquiries.

**Committee Reports:**

**Utilities** – Nothing to report.

**Streets** – Steve Hausner, French-Reneker Associates reported that the West Burlington Ave. project is being held up while trying to secure the easement from General Electric. Steve, French-Reneker Associates also reported that Washington Road was being prepared for paving. Crowner requested that the Hospital be kept informed when the Street would be closed.

**Public Safety** - Fire Chief Kesterke reported that the department was getting ready for the 4<sup>th</sup> of July pancake breakfast. Fire Chief Kesterke also stated that the department appreciated the use of the house next door for training exercises.

**Finance** – Crowner updated the Council on the 4<sup>th</sup> of July events and announced that everything was ready to go for another fun full day.

**Sanitation** – Nothing to report.

**New Business:**

**Consider the Final Reading of an Ordinance amending Chapter 36 related to Curfew Hours for Minors** – Crowner made a motion, second by Raleigh, to approve the final reading of an ordinance amending Chapter 36 of the City Code by changing the hours that minors are allowed to be upon any alley, street or public places within the City limits. The current code states that minors must be off the street between the hours of 11:00 p.m. and 4:30 a.m.

The proposed ordinance would require minors to be off the street between the hours of 11:00 p.m. and 5:00 a.m. when school is in session the next day and between the hours of 12:30 a.m. and 5:00 a.m. when school is not in session the next day. Roll call vote: Lees, Law, Raleigh and Crowner voted aye. Motion carried.

**Consider Payment to French-Reneker Associates for Engineering Service** – Raleigh made a motion, second by Crowner, to approve payment of \$9,734.09 to French-Reneker Associates for engineering services during the construction of West Burlington Ave. Water and Sewer Extension Project and in connection with the West Burlington Ave. Street Rehabilitation Project. Roll call vote: Law, Raleigh, Crowner and Lees voted aye. Motion carried.

**Consider a Resolution Adding Skylar Limkemann to the rolls of the Fire Department**  
Lees made a motion, second by Raleigh, to approve a Resolution appointing Skylar Limkemann to the Fire Department. Roll call vote: Raleigh, Crowner, Lees and Law voted aye. Motion carried.

**Consider the Second Reading of an Ordinance increasing Garbage Collection Fees for FY 2007/2008** – Raleigh made a motion, second by Crowner, to approve the second reading of an ordinance increasing the rate for garbage collection from \$7.59 per month to \$8.03 per month. Roll call vote: Crowner, Lees, Law and Raleigh voted aye. Motion carried.

**Consider a Resolution Waiving the Final Reading of an Ordinance Increasing Garbage Collection Rates** – Raleigh made a motion to approve a resolution waiving the final reading of an Ordinance increasing garbage collection rates. There was no second, motion died. Crowner stated that he would not vote to waive any of the following Ordinances either as he felt the public should be given the opportunity to voice any objections by presenting all three readings of an Ordinance. Mayor Trousil pointed out that it takes a supporting vote of four Council members to waive a reading of an Ordinance so the Council will need to strike agenda items number 7 and 9 that also proposed waiving the final readings of the Ordinances increasing the water and sewer rates.

**Consider the Second Reading of an Ordinance increasing Water Rates for FY 2007/2008** - Crowner made a motion, second by Raleigh, to approve the second reading of an ordinance increasing water rates 5.46%, but leave the monthly distribution rate the same. Roll call vote: Law, Raleigh, Crowner and Lees voted aye. Motion carried.

**Consider the Second Reading of an Ordinance increasing Sewer Rates for FY 2007/2008** - Crowner made a motion, second by Raleigh, to approve the second reading of an ordinance increasing the sewer rates from \$2.20 to \$2.27 per 1,000 gallons of water usage. Roll call vote: Crowner, Lees, Law and Raleigh voted aye. Motion carried.

**Consider Adopting Amended Working Rules to be included in the City's Personnel Manual** – Administrator Gifford reported that he and staff members, Alex Oblein, Kelly Fry, Leslie Sattler and Randy Fry met and re-evaluated the list of working rules adopted by the Council at the last meeting and proposed an amended copy of rules for Council consideration. Council member Law asked Administrator Gifford what the steps for disciplinary action were. Gifford stated that this would be handled as any other disciplinary action would be, and any action for dismissal would also need to go through him and the City Council. Council member Lees stated that she would like to see the corrective actions written into the working rules so there would be set rules for discipline. After further discussions Raleigh made a motion, second by Crowner, to approve the adoption of the amended "Working Rules" to be included in the personnel manual. Roll call vote: Law, Raleigh and Crowner voted aye. Lees voted nay. Motion carried.

**Consider the Purchase of two Patrol Units from the Kansas Highway Patrol** – Crowner made a motion, second by Law, to approve the purchase of two patrol units from the Kansas Highway Patrol. Roll call vote: Raleigh, Crowner, Lees and Law voted aye. Motion carried.

**Consider Working with SEIRPC to Formulate and Adopt a Rental Housing Inspection Program** Administrator Gifford reported that in the past the Council discussed that one of their future goals was to develop a Rental Housing Inspection program. Gifford stated that he did not expect the Council to adopt and enter into an agreement with SEIRPC but wanted to present the Council with what services SEIRPC offered in the way of a housing inspection program and to begin opening discussions to possibly develop a Rental Housing Inspection Program. Mr. and Mrs. Ed Hockett were present to voice their concerns regarding any proposed Rental Housing Inspection Program. Mr. Hockett stated that they have several rental properties in West Burlington and felt they had very good renters and did not think the city needed this. Crowner stated that he agreed with Mr. Hockett that he took very good care of his rental properties but pointed out that not all landlords do so and there were some properties within the city that are very unsafe and have hazardous living conditions, and those are the properties that the city wants to focus on.

**Consider Setting Date for a Public Hearing on W Burlington Ave. Resurfacing Project** – Crowner made a motion, second by Lees, to set a date of July 18<sup>th</sup> to hold a public hearing on proposed drawings, specifications, form of contract and estimated cost for proposed road improvements on W Burlington Ave. Roll call vote: Crowner, Lees and Law and Raleigh voted aye. Motion carried.

**MAYOR'S INQUIRIES:** Mayor Trousil reported that the City of West Burlington employee picnic has been scheduled for July 5<sup>th</sup>.

**CITIZEN'S INQUIRIES:** None

**ADJOURN** – There being no further business, the meeting adjourned at 6:46 p.m. upon motion by Crowner, second by Lees. Voice Vote: All Ayes. Motion carried.

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Approved

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Stephonie Huseman, Secretary