

AMENDED AGENDA

**PLEDGE OF ALLEGIANCE
MAYOR HANS TROUSIL PRESIDING
CALL TO ORDER - ROLL CALL
PERFECTING & APPROVAL OF AGENDA**

CONSENT AGENDA

1. Approve Minutes from the Regular January 2, 2008 City Council Meeting
2. Approve Payment to Iowa Association of Municipal Utilities on behalf of SASSO - \$19,480.50
3. Approve Sgt Ryan's Attendance at the Center for Domestic Preparedness
4. Approve Chief Oblein's Attendance at the 2008 FBI National Academy Association Spring Retrainer
5. Approve Clerk's Monthly Financial Report for December 2007
6. Approve Payment to Cessford Ready Mix - \$1,692.13
7. Approve Payment to City of Burlington for County Wide Communication - \$3,224.22
8. Approve Payment to DMC Regional Waste Commission - \$2,120.80
9. Approve Payment to Great River Business Health - \$1,872.00
10. Approve Payment to North American Salt Company - \$1,355.03
11. Approve Payment to Osborne Plumbing - \$1,725.00
12. Approve Payment to Motorola - \$5,724.96
13. Approve Payment to QC Analytical Services, LLC - \$2,511.28
14. Approve Payment to Des Moines County GIS 0 \$6,307.16
15. Approve Claims List as Presented in the amount of \$525,591.96

CITIZEN'S INQUIRIES:

COMMITTEE REPORTS:

**FINANCE
SANITATION
UTILITIES
STREETS
PUBLIC SAFETY**

NEW BUSINESS:

1. Consider a Resolution Authorizing an Internal Advance to the TIF Fund in connection with the West Burlington Ave. Water and Sewer Project in the amount of \$198,998
2. Consider Fire Department Incentive Pay for nine Fire Fighters
3. Consider the First Reading of an Ordinance Amending Tree Service Businesses
4. Consider the First Reading of an Ordinance Amending Taxicab Businesses
5. Consider the First Reading of an Ordinance Concerning Business Licenses
6. Consider Payment to First Construction Group for Swimming Pool Construction - \$216,600
7. Consider Payment to Ricchio, Inc. for Swimming Pool Construction - \$130,136
8. Consider Payment to Hometown Plumbing and Heating for Swimming Pool Construction - \$24,700
9. Consider a Resolution Accepting the Final Plat for Wal-Mart's 2nd Addition to West Burlington
10. Consider Amended Commercial Development Agreement with Shottenkirk Partnership, L.P. and BBS Investors, LLC
11. Consider Change Order Requests for the Municipal Swimming Pool Project
12. Discuss Filling the Building Inspector Position

OLD BUSINESS:

CITIZEN'S INQUIRIES:

MAYOR'S INQUIRIES:

ADJOURN

Council will hold a Budget Work Session following the City Council Meeting

Regular Council Meeting January 16, 2008 – 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, Tom Law and Therese Lees were present. Marc Pilger was absent. City Administrator Dan Gifford, Finance Officer Leslie Sattler, Fire Chief Terry Kesterke, Public Works Director Randy Fry and Police Chief Alex Oblein were also present.

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

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

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15. Claims List as Presented in the amount of \$525,591.96

CITIZEN'S INQUIRIES: No citizen inquiries.

COMMITTEE REPORTS:

FINANCE – Nothing to report

SANITATION – Nothing to report

UTILITIES – Nothing to report

STREETS – Mayor Trousil was informed by Southeast Iowa Regional Planning Commission that approximately \$375,000 of STP money was returned to the state by Keokuk and will be available to other cities for funding street projects. Mayor Trousil asked Council to think about what street projects they would like to see completed. He suggested the intersection of Agency and Broadway or finding out if the money could be used to off set the cost of the West Burlington Ave. resurfacing project that came in over the engineers estimate. Engineer John Meyer will check to see if that would be acceptable. Applications are due by April 30th.

Lees asked staff to check into a street light that is missing at the intersection of West Burlington Ave. and Agency. Public Works Director Fry said it may have been removed during construction. He will contact Engineer John Meyer to see if they are aware of it.

PUBLIC SAFETY – Chief Oblein reported that all officers have completed taser training. Unit #1 is in service and a push bumper was added to unit #5. The department will participate in the Home Alone Rangers Program for elementary age children on January 21st. They will also be doing tobacco compliance checks at local stores in February and March.

Chief Kesterke reported that the department will be sending fire fighters to Winter Fire School the 26th and 27th of January. The Fire Department will host a luncheon on Saturday, January 21st.

NEW BUSINESS:

Consider a Resolution Authorizing an Internal Advance to the TIF Fund in connection with the West Burlington Ave. Water and Sewer Project - Lees made a motion, second by Raleigh, to approve a Resolution authorizing an internal loan in the amount of \$215,895 from the general fund to the TIF fund in connection with the West Burlington Ave. Water and Sewer Project. Roll call vote. Lees, Crowner, Raleigh and Law voted aye. Motion carried.

Mayor Trousil stated that there was verbal agreement with the Developer that they would reimburse the City one half of the cost, up to \$50,000, associated with extending the sewer line along Agency Rd. to their new commercial development. The Developer overpaid the City by \$16,907.00, which will be refunded.

Consider Fire Department Incentive Pay for nine Fire Fighters – Crowner made a motion, second by Raleigh, to approve incentive pay to nine fire fighters who met the qualifying criteria for incentive pay. The Department receives \$5,000 from the City during the first half of the year and \$5,000 from the Quad Township during the last half of the year to be split equally between the fire fighters who meet certain criteria relating to the number of calls they go on. Roll call vote. Crowner, Raleigh, Law and Lees voted aye. Motion carried.

Consider the First Reading of an Ordinance Amending Tree Service Businesses – Mayor Trousil presented an ordinance amending Chapter 125 of the City Code relating to Tree Service Businesses. The proposed ordinance increases the minimum limits for insurance coverage Tree Service Businesses are required to carry in order to do business in West Burlington. The ordinance also establishes an expiration date of December 31st for all licenses and institutes an annual license fee of fifty dollars (\$50.00). The amendments are consistent with the City of Burlington's ordinance. Lees asked that the \$50.00 license fee be prorated for new businesses who obtain a license mid year. Staff will amend the ordinance to reflect a prorated fee schedule similar to Burlington. Lees made a motion, second by Crowner, to approve the first reading of an ordinance amending Chapter 125 of the City Code related to Tree Service Business with the addition of a prorated fee scale. Roll call vote. Raleigh, Law, Lees, Crowner voted aye. Motion carried.

Crowner asked if a license was required if a resident was having a tree removed on their own property. Staff clarified that any person operating a tree service for hire must obtain a Tree Service Permit with the City whether they are working on private property or in the city right-of-way.

Consider the First Reading of an Ordinance Amending Taxicab Businesses – Mayor Trousil introduced an ordinance amending Chapter 124 of the City Code relating to Taxi Service Businesses. The proposed ordinance increases the minimum limits for insurance coverage each Taxicab Service is required to carry in order to conduct business in West Burlington. The ordinance includes a definition for "vehicle for hire" to help clarify the types of vehicles requiring a license in West Burlington. The ordinance also establishes an expiration date of March 31st for all licenses and increases the annual license fee from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00). The insurance coverage, definition and expiration date are all consistent with the City of Burlington. The proposed license fee is different than Burlington. Burlington has a fee schedule that is based on the number of vehicles and the number of drivers each company has. Crowner made a motion, second by Raleigh, to approve the first reading of an ordinance related to Taxicab Businesses. Roll call vote. Law, Lees, Crowner and Raleigh voted aye. Motion carried.

Consider the First Reading of an Ordinance Concerning Business Licenses – Mayor Trousil introduced a proposed ordinance changing how the City deals with business licenses. Currently the Vendor Fee is issued in conjunction with a Certificate of Occupancy. Administrator Gifford asked Council to separate the vendor fee from the building permit process. The proposed ordinance changes the name from Vendor Fee to Business License to ease some confusion and better describe what it is intended to do. Raleigh made a motion, second by Crowner, to approve the first reading of an ordinance amending Chapter 158 concerning Business Licenses. Roll call vote. Lees, Crowner, Raleigh and Law voted aye. Motion carried.

Consider Payment to First Construction Group for Swimming Pool Construction – Raleigh made a motion, second by Crowner, to approve payment in the amount of \$216,600 to First Construction Group for swimming pool construction. Roll call vote. Crowner, Raleigh, Law and Lees voted aye. Motion carried.

Consider Payment to Ricchio, Inc. for Swimming Pool Construction – Raleigh made a motion, second by Crowner, to approve payment in the amount of \$130,136 to Ricchio, Inc. for swimming pool construction. Roll call vote. Raleigh, Law, Lees and Crowner voted aye. Motion carried.

Consider Payment to Hometown Plumbing and Heating for Swimming Pool Construction – Raleigh made a motion, second by Crouner, to approve payment in the amount of \$24,700 to Hometown Plumbing and Heating for Swimming Pool Construction. Roll call vote. Law, Lees, Crouner and Raleigh voted aye. Motion carried.

Consider a Resolution Accepting the Final Plat for Wal-Mart's 2nd Addition to West Burlington – Crouner made a motion, second by Raleigh, to approve a Resolution accepting the Final Plat for Wal-Mart's 2nd Addition to West Burlington. Roll call vote. Lees, Crouner, Raleigh and Law voted aye. Motion carried.

Consider Amended Commercial Development Agreement with Shottenkirk Partnership, L.P. and BBS Investors, LLC – Mayor Trousil presented an amended development agreement between Shottenkirk Partnership, L.P. and BBS Investors, LLC which removes Lots 3,4,5,6 and seven in Shottenkirk Estates Subdivision from the Commercial Development Agreement in order for the lots to become eligible for other tax abatement incentives. Lees made a motion, second by Crouner, to approve the amended agreement. Roll call vote. Crouner, Raleigh, Law and Lees voted aye. Motion carried.

Consider Change Order Requests for the Municipal Swimming Pool Project – City Administrator Gifford presented a list of change orders for the Swimming Pool Project. The change order for Contract #3 with First Construction includes and addition of \$1,924.00 for cedar tongue and groove exterior soffit at entry canopy and northeast corner of bathhouse to replace metal soffit, an addition of \$3,978.00 to replace the specified white vinyl post yard hydrant with a masonry type yard hydrant to match the bathhouse and mechanical building and an increase of \$4,002.00 to revise HVAC wall units by including a Luxaire Guardian unit with 5 ton air conditioning condenser and a 15 KW electric heat and air handler for concession area. These change orders increase the contract price for Contract #3 by \$9,904 to a total of \$1,399,714. The change order for Contract #2 with Hometown Plumbing and Heating includes the addition of a Gator Slide in the zero-depth area at a cost of \$18,664.80. This increases the contract #2 to a total of \$582,164.80. The change order for Contract #1 with Ricchio, Inc. includes the expansion of the water slide from a flume length of 116'4" to a flume length of 168'4" and the necessary excavation, foundations and additional decking at a cost of \$99,750. The change order also includes an increase of \$7,100 to change the components of the water walk from round discs to themed floatables. These changes increase the price of contract #3 by \$106,850.00 for a total contract price of \$1,404,850. Crouner made a motion, second by Lees, to approve the change orders as presented. Roll call vote. Law, Lees, Crouner and Raleigh voted aye. Motion carried.

Discuss Filling the Building Inspector Position – Council discussed advertising for a part time Building Inspector. City Administrator Gifford informed Council that he met with a company that will come in and work on contract for the City to issue building permits. However, they will require 75 – 80% of the revenue from all permits. The City of Burlington's Building Permit Department may also be willing to help with permits, but an agreement between the two cities would need to be negotiated. Mayor Trousil also suggested the possibility of working with Southeast Iowa Regional Planning Commission. Council directed Administrator Gifford to put some cost estimates together for consideration.

OLD BUSINESS: None

MAYOR'S INQUIRIES: None

CITIZEN'S INQUIRIES: None

ADJOURN – There being no further business, the meeting adjourned at 6:50 p.m. upon motion by Lees, second by Raleigh. Voice Vote: All Ayes. Motion carried.

Council held a Budget Work Session following the City Council meeting and discussed General Fund Revenues along with Expenditures in the Police and Fire Department. Another Work Session was scheduled for January 23rd, 2008.

Approved

Kelly D. Fry, City Clerk

Hans K. Trousil, Mayor

City of West Burlington
 Claims List
 1/16/2008

3E	CONDUIT	123.80
AIRGAS NORTH CENTRAL	MAINTENANCE FEE	43.20
ALLIANT ENERGY	GAS & ELECTRICITY	16,557.90
AMERICAN TEST CENTER INC.	LADDER TEST	1,085.00
AXA EQUITABLE	DEFERRED COMP.	425.00
BALZER INC.	TUB	8.52
BALZER INC.	STEEL	28.62
BANCARD CENTER	GIFFORD-SOFTWARE/CARD SCANNER	244.91
BANCARD CENTER	OBLEIN-TRAVEL	16.68
BANCARD CENTER	SATTLER-TRAVEL/FRY & SATTLER	48.00
BARNGROVER & SONS GLASS CO	MIRROR	17.00
BAUER BUILT INC.	TIRES	179.80
BRITE-WAY SERVICES	CITY HALL WINDOW CLEANING	35.00
BURBACH AQUATICS INC.	ENGINEERING/POOL	31,694.95
BURLINGTON HYDRAULIC SERVI	HOSE	21.77
BURLINGTON MUNICIPAL WATER	GE WATER	1,337.45
BURLINGTON MUNICIPAL WATER	WATER - 13,044,000 GALLONS	19,054.49
C & J JANITORIAL SRV	FIRE STATION CLEANING	135.00
CENTRE STATE INTN'L INC.	FUEL GAUGE/GASKET	55.88
CENTRE STATE INTN'L INC.	FUEL GAUGE	33.94
CENTRE STATE INTN'L INC.	SERVICE CALL-DUMP TRUCK	102.66
CESSFORD CONSTRUCTION CO	ROCK	123.20
CESSFORD CONSTRUCTION CO	PATCH	65.69
CESSFORD CONSTRUCTION CO	SAND AND ROCK	1,692.13
CHIEF SUPPLY	GLOVES	214.91
CITY OF BURLINGTON	TRAFFIC LIGHT REPAIR	175.98
CITY OF BURLINGTON	COMMUNICATIONS	3,224.22
CITY OF BURLINGTON	NETWORK SERVICE	10.00
CLEAR FALLS BOTTLED WATER	COOLER RENT & BOTTLED WATER	29.25
DENNYS AUTO SERVICE	FUEL	201.62
DES MOINES CO. ATTORNEY	MONTHLY FEE FOR PROSECUTION	333.33
DES MOINES CO. AUDITOR	GIS	2,171.28
DES MOINES CO. AUDITOR	GIS	4,135.88
DES MOINES CO. NEWS	ONE YEAR SUBSCRIPTION	27.00
DES MOINES CO. REGIONAL	WASTE MANAGEMENT	2,120.80
DES MOINES CO. REGIONAL	LANDFILL FEES	76.56
DORAN & WARD PRINTING CO	ROLL CALL BOOKS	453.63
EASTERN IOWA LIGHT & POWER	ELECTRICITY/BEAVERDALE	49.40
EDM EQUIPMENT CO.	SWEEPER PARTS	274.04
ELECTRONIC APPLICATIONS CO	PARTS-LIGHT BAR	210.00
FARM KING OF BURLINGTON	SUPPLIES	135.51
FEDERAL ELECTRONIC TAX PAY	FEDERAL TAXES	5,295.84

FEDERAL ELECTRONIC TAX PAY	FICA W/H	6,912.92
FEDERAL ELECTRONIC TAX PAY	MEDICARE W/H	1,616.76
FIRE SERVICE TRAINING BURE	FIRE SCHOOL-DELLANOS,HALL,PRI	228.00
FIRST CONSTRUCTION GROUP I	FIRST CONSTRUCTION GROUP INC.	216,600.00
GALLS INC.	NAME TAG - MAYBERRY	13.98
GLOBAL TOUCH TELECOM	TELEPHONE SERVICES	43.16
GREAT RIVER BUSINESS HEALT	PHYSICALS	1,872.00
GREENWOOD CLEANING SYSTEMS	TOWELS/GARBAGE BAGS	64.51
GROUP SERVICES INC.	MED. INS. REIMBURSEMENT	2,287.65
HAWK EYE, THE	ADVERTISE - POOL	34.87
HOLIDAY WRECKER & CRANE SE	TOW UNIT 6	95.00
HOMETOWN PLUMBING & HEATIN	POOL CONSTRUCTION	24,700.00
HOPE HAVEN AREA DEVELOPMEN	PLAQUE & ENGRAVING	67.15
HYGIENIC LABORATORY A/R	WATER TESTS	788.00
IL STATE DISBURSEMENT UNIT	PAYROLL DEDUCTION	140.00
INTERNATIONAL ASSOC. OF CH	MEMBERSHIP DUES	120.00
IOWA ASSOCIATION OF MUNICI	SASSO SAFETY DUES	19,480.50
IOWA STATE UNIVERSITY	TRAINING MATERIALS	70.00
IOWA TELECOM COMMUNICATION	TELEPHONE SERVICE	196.60
KONE INC.	MAINTENANCE AGREEMENT	551.43
L3 MOBILE VISION INC.	MIC CORDS	132.00
LAVEINE SANITATION INC.	GARBAGE & TRASH HAULING	7,844.34
MEINEKE CAR CARE CENTER	MUFFLER - 95 CHEVY K2500	150.92
MENARDS	PLUMBING SUPPLIES	173.44
MENARDS	CONTRACTOR BAGS	26.37
MENARDS	SALT	243.04
MENARDS	BATTERIES	9.97
MENARDS	PVC CAPS	5.96
MIDWEST JANITORIAL SERVICE	JANITORIAL SERVICES	353.00
MISCELLANEOUS VENDOR	TARBELL, RICHARD	11.90
MISCELLANEOUS VENDOR	WISCHMEIER, TAMMY	1.13
MISCELLANEOUS VENDOR	HAGERLA'S TRADING POST	17.98
MISCELLANEOUS VENDOR	LLOYD THOLA CONSTRUCTION	11.76
MISSISSIPPI VALLEY HUMAN R	MEMBERSHIP DUES	25.00
NAPA AUTO PARTS	PARTS	344.67
NATIONAL BUSINESS FURNITUR	FILE CABINET	428.00
NATIONAL VOLUNTEER FIRE CO	ANNUAL MEMBERSHIP	50.00
NORTH AMERICAN SALT COMPAN	SALT	1,355.03
OSBORNE PLUMBING	REPAIRS	1,725.00
PRAXAIR DISTRIBUTION INC.	SAFETY GLASSES	19.37
PRINTRAK INTERNATIONAL INC	AFIS FINGERPRINTS	1,144.99
QC ANALYTICAL SERVICES LLC	WASTEWATER TEST	1,492.00
QC ANALYTICAL SERVICES LLC	WASTEWATER TEST	1,019.28
QWEST	TELEPHONE SERVICES	74.00
RAINBO OIL COMPANY	GREASE/HYDRO FLUID/FUEL TREAT	265.98
REIF OIL CO.	FUEL	6,085.70
RICCHIO INC.	POOL CONSTRUCTION	130,136.00
SCHWIND INC.	DOOR SEAL	99.00
ST LUKE'S DRUG AND ALCOHOL	DRUG TESTING	36.00

THE UNIVERSITY OF IOWA	ARCHAEOLOGICAL SERVICES	3,000.00
U OF I HEALTHCARE EMS LEAR	CPR CARD	4.00
UNIFORM DEN INC.	UNIFORM-MAYBERRY	126.38
UNIFORM DEN INC.	SHIRTS-MAYBERRY	90.15
US CELLULAR	CELLULAR TELEPHONES	17.20
US CELLULAR	CELLULAR TELEPHONES	95.18
WEST BURLINGTON FIREFIGHTERS	FF DONATION	824.85

Fund Totals

GENERAL FUND	39,395.47
ROAD USE	6,815.69
GENERAL OBLIGATION/TIF BO	403,130.95
WATER	35,846.83
BEAVERDALE ESCROW	1,742.26
WESTWOOD HILLS ESCROW	16.14
WOODSMAN SUB. ESCROW	16.00
SEWER	16,860.47
MEDICAL INSURANCE RESERVE	2,287.65
TRUST & AGENCY	19,480.50
TOTAL	525,591.96

REVENUES -December 2008	
GENERAL FUND	\$ 40,358.71
HOTEL/MOTEL TAX	\$ 12,529.02
ROAD USE	\$ 24,114.88
EMPLOYEE BENEFITS	\$ 615.90
LOCAL OPTION SALES TAX	\$ 37,410.45
TIF	\$ 227,754.54
COBO RESERVE	\$ -
DEBT SERVICE	\$ 2,576.41
GENERAL OBLIGATION/TIF BO	\$ 11,121.77
EQUIPMENT REPLACE - FIRE	\$ -
EQUIPMENT REPLACE - WTR	\$ -
EQUIPMENT REPLACE - STR	\$ -
EQUIPMENT REPLACE - ADM	\$ -
EQUIPMENT REPLACE - SWR	\$ -
FEDERAL GRANT	\$ -
WATER	\$ 57,138.21
BEVERDALE ESCROW	\$ 836.32
WESTWOOD HILLS ESCROW	\$ -
WOODSMAN SUB. ESCROW	\$ -
SEWER	\$ 32,955.42
MEDICAL INSURANCE RESERVE	\$ -
TRUST & AGENCY	\$ 24,855.85
TRUST & AGENCY-WTR DEPOS	\$ 88.20
4TH OF JULY CELEBRATION	\$ -
GRAND TOTAL	\$ 472,355.68