

CITY OF WEST BURLINGTON
REGULAR COUNCIL MEETING
122 BROADWAY ST.

October 15, 2008
6:00 PM

TENTATIVE AGENDA

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

CONSENT AGENDA

1. Approve Minutes of the Regular City Council Meeting on October 1, 2008
2. Approve City Administrator Gifford's Attendance at Iowa Planning Conference
3. Approve Clerk's Financial Report for September 2008
4. Approve Payment to Two Rivers Insurance Services - \$1,815
5. Approve Payment to Burlington Municipal Waterworks - \$19,290.15
6. Approve Payment to City of Burlington for County Wide Communications - \$3,321.00
7. Approve Payment to DMC Regional Waste Commission - \$2,120.80
8. Approve Payment to Elder Implement Co. for tractor repairs - \$1,370.28
9. Approve Payment to Quest Enterprises, Inc. - \$4,788.00
10. Approve Claims as Presented in the amount of \$95,728.23

COMMITTEE REPORTS:

**FINANCE -
UTILITIES
STREETS
PUBLIC SAFETY
SANITATION**

CITIZEN'S INQUIRIES:

NEW BUSINESS:

1. Update from Southeast Iowa Regional Planning Commission Concerning Owner Occupied Rehabilitation Program
2. Consider a Resolution Setting a Public Hearing to Consider Applying for a Community Development Owner Occupied Rehabilitation Program
3. Consider Removal of Dead Trees at 418 Leffler and 519 Swan
4. Consider Request from Citizen on West Burlington Ave. Regarding Storm Water Runoff
5. Consider Revised Letter of Understanding with City of Burlington Concerning Fire Marshal Services
6. Consider Payment to K.M. King for Division I – Water Distribution System Improvements - \$57,848.68
7. Consider the Final Reading of an Ordinance Amending Chapter 158 Concerning Business Licenses
8. Consider the First Reading of an Ordinance Amending Chapter 122 Concerning Solicitor Permits

OLD BUSINESS:

CITIZEN'S INQUIRIES:

MAYOR'S INQUIRIES:

ADJOURN

City Council will hold a Work Session following the City Council meeting to discuss participation in Housing Rehabilitation Program Community Development Block Grant

Regular Council Meeting October 15, 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, Therese Lees and Marc Pilger were present. City Administrator Dan Gifford, Public Works Director Randy Fry, Fire Chief Lenny Sanders, Police Chief Alex Oblein and Development Service Coor., Jared Reed were also present.

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

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

1. Minutes of the Regular City Council Meeting on October 1, 2008
2. City Administrator Gifford's Attendance at Iowa Planning Conference
3. Clerk's Financial Report for September 2008
4. Payment to Two Rivers Insurance Services - \$1,815
5. Payment to Burlington Municipal Waterworks - \$19,290.15
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9. Payment to Quest Enterprises, Inc. - \$4,788.00
10. Claims as Presented in the amount of \$95,728.23

COMMITTEE REPORTS:

FINANCE – Nothing to report

UTILITIES – P.W. Director Fry reported that work is progressing on the Hwy 406 Water Main Extension and contractor K.M. King Inc. is finishing installation inside the Iowa Army Ammunition Plant

STREETS – Nothing to report

PUBLIC SAFETY – Chief Oblein reported that the department recently received a grant that will provide four surveillance cameras. Chief Oblein is also planning a trip to Kansas to pick up the new police car. The Department is also planning to hold another tobacco compliance class for local retailers.

Fire Chief Sanders reported that 10 – 12 Fire Fighters would be attending Fire School at SCC. This is the first year the Fire School has been offered locally. Chief Sanders is working on a proposal to bring the department's radio communication into compliance with new requirements. The department is starting renovations to the meeting room, kitchen, restrooms and offices as approved by Council at the last meeting.

SANITATION – Nothing to report

CITIZEN'S INQUIRIES:

Mayor Trousil informed Council that three petitions had been presented to him bearing approximately 100 signatures. The petition requests that the City address a problem of sewer water flooding in basements and lower levels of homes in the City which happened during a heavy rain storm on September 13th, 2008.

The following residents spoke in regard to the petition:

Mary Jo Johnson, Huston St., addressed Council stating that she had sewer backup in her home during heavy rain on September 13, 2008. Mrs. Johnson presented a petition asking Council to look at storm sewer issues throughout town.

Cindy Booth, 602 Ramsey, stated that she had water in her basement and they had a City employee come to their door and ask if they had water in their basement. She also stated that the City employee told them that it was the City's fault.

Joyce Hedges, 606 Ramsey, stated that she had lived there for a year and they received water and sewer backup during the recent rainstorm. They had a company called Fire and Water Restoration come to clean the carpet and verify it was sanitary sewer backup.

Dolly England, 205 W. Van Weiss, reported that she had water in her basement. She contacted the Drain Doctor who stated that the City had a blocked line. Mrs. England claims that no city employee was in their neighborhood until 4:00 p.m. in the afternoon. She also stated that they were told by a City employee that there was a blockage in the sewer line and they needed to contact City Hall to file a claim.

Crowner stated that there had been a variety of stories going around about what the city said and who said it.

Pilger stated that his experience as a plumber and working for a contractor he felt strongly that there was no way the City could size a storm water pipe to handle the amount of rain Southeast Iowa received and not have problems when the weather is dry.

John Hedges, 606 Ramsey, asked Council why the sewer system could not be checked more often. Mayor Trousil explained that the City has a routine maintenance schedule. Public Works Director Fry stated that the City maintains the sewer system by jetting each line at least one per year. The City also checks each lift station every day to make sure the equipment is functioning properly.

James Whittaker, 426 Pennington, expressed concern over the flooding. Stating he had lived in the home for 30 years and had never had a water problem in the past.

Pauline Rein, 417 West Burlington Ave., stated that she had circulated a petition and she made sure to tell each person she talked to that if water came out of the floor drain that it was sanitary sewer backup and not clean water.

Robert Wayman, 413 Kimberly, questioned Council if there was adequate storm sewer infrastructure in place to support storm water. Council felt that the unusually heavy rains were the leading cause of the flooding rather than lack of infrastructure.

Mike Eland, 210 W. Van Weiss, asked Council to consider informing residents that they need to check with their insurance carriers to see if flood insurance is available for this type of problem. He suggested putting something in the next city newsletter. Council agreed that that would be a good idea.

NEW BUSINESS:

Update from Southeast Iowa Regional Planning (SEIRPC) Commission Concerning Owner Occupied Rehabilitation Program – Sara Hecox with SEIRPC informed Council that surveys had been mailed to the targeted neighborhood (West Burlington Ave. to Summer St. and Mt. Pleasant St. to Huston). Approximately 30 applicants met the income guidelines to qualify for the housing rehab program. Once Council decides the number of homes they would like to include in the grant SEIRPC will set up interviews and narrow down the potential homes that qualify for the program. Each applicant and home is rated through a point system. Hecox explained that each family could receive up to \$24,999 to bring their property into compliance with minimum HUD standards. If improvements cost more than \$24,999 the City has the option of making up the difference with Low/Moderate Income (LMI) revenue or other funding sources. Hecox recommended applying to rehabilitate 8 – 10 homes. City Administrator Gifford explained that the City has approximately \$100,000 in LMI that must be used for projects that help families with low/moderate incomes. Council will hold a work session to discuss the number of homes they would like to include with the grant application as well as options for participating with LMI funds. Council must hold a public hearing before applying for the Community Development Block Grant for owner occupied rehabilitation program.

Consider a Resolution Setting a Public Hearing to Consider Applying for a Community Development Owner Occupied Rehabilitation Program – Lees made a motion, second by Crowner, to approve a Resolution setting a Public Hearing on November 5, 2008 at 6:00 p.m. to approve an application applying for a Community Development Owner Occupied Housing Rehabilitation Program. Roll call vote. Lees, Pilger, Crowner, Raleigh and Law voted aye. Motion carried.

Consider Removal of Dead Trees at 418 Leffler and 519 Swan – Public Works Director Fry presented a quote from Skelley and DeJaynes to remove dead trees at 418 Leffler, 519 Swan and remove a stump at 109 Winter St. at a cost of \$2,850. In a memo to Council, Fry explained that currently there is only \$1,075 remaining in the budget for this type of project, but he didn't feel it is in the best interest of the City to leave the dead trees until next year. The Roads, Bridges and Sidewalks budget should be able to cover the additional cost of removing the trees. Crowner made a motion, second by Raleigh, to approve removing two trees and a stump as recommended by Public Works Director Fry. Roll call vote. Pilger, Crowner, Raleigh, Law and Lees voted aye. Motion carried.

Consider Request from Citizen on West Burlington Ave. Regarding Storm Water Runoff – Council discussed a request from resident Pauline Rein, 417 West Burlington Ave., to share in the cost of raising a threshold to her back door. In a letter presented to Council Ms. Rein stated that during heavy rain her back yard floods and water runs into her house through the back door. She feels that the City is responsible to control storm water so it doesn't harm personal property. City Administrator Gifford visited the property twice and informed Council that the issue is a surface drainage problem and does not feel that the City has any responsibility for Ms. Rein's flooding problem. Gifford recommended that Council deny Ms. Rein's request to pay for improvements to her property. Raleigh made a motion, second by Lees, to approve Ms. Rein's request for reimbursement of \$750. Roll call vote. Pilger, Crowner, Raleigh and Law voted Nay. Lees voted aye. Motion failed.

Consider Revised Letter of Understanding with City of Burlington Concerning Fire Marshal Services – Crowner made a motion, second by Raleigh, to approve a letter of understanding with the City of Burlington concerning Fire Marshal services. The contract proposes an amendment that includes a 3% wage increase to Fire Marshal Crooks' wage. Roll call vote. Crowner, Raleigh, Law, Lees and Pilger voted aye. Motion carried.

Consider Payment to K.M. King for Division I – Water Distribution System Improvements - \$57,848.68 – Crowner made a motion, second by Raleigh, to approve a payment of \$57,848.68 to K.M. Inc. for Division I of the Water Distribution System Improvement Project. Roll call vote. Raleigh, Law, Lees, Pilger and Crowner voted aye. Motion carried.

Consider the Final Reading of an Ordinance Amending Chapter 158 Concerning Business Licenses – Lees made a motion, second by Pilger, to approve the final reading of an ordinance amending the City Code by removing Business Licensing from Chapter 158 and placing it in a new Chapter 127 titled "Business Licensing". Roll call vote. Law, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

Consider the First Reading of an Ordinance Amending Chapter 122 Concerning Solicitor Permits – City Administrator presented an ordinance amending Chapter 122 of the City Code concerning Solicitor Permits. The proposed amendments include a twenty-five dollars (\$25.00) registration fee as well as exceptions for certain activities. Council agreed that they would like the second reading to address hours of operation as well as a term for the permit. Crowner made a motion, second by Raleigh, to approve the first reading of an ordinance amending Chapter 122 of the City Code concerning Solicitor Permits. Roll call vote. Law, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

OLD BUSINESS:

CITIZEN'S INQUIRIES:

MAYOR'S INQUIRIES:

ADJOURN: There being no further business, the meeting adjourned at 7:53 p.m. upon motion by Crowner, second by Lees. Voice vote: All ayes. Motion carried.

City Council held a Work Session following the City Council meeting to discuss participation in Housing Rehabilitation Program Community Development Block Grant. Council discussed applying for a grant to include 10 homes as well as contributing up to \$5,000 of LMI money toward each home. The \$5,000 would be issued as a forgivable loan over a five year period. Council will formally vote on this issue following the Public Hearing on November 5th, 2008 at 6:00 p.m.

November 5, 2008

Approved

Kelly D. Fry, City Clerk

Hans K. Trousil, Mayor

CITY OF WEST BURLINGTON

CLAIMS LIST

10/15/2008

3E	3 CANVAS TOOL BUCKETS	223.48
ALLIANT ENERGY	UTILITIES	13,861.54
AXA EQUITABLE	DEFERRED COMP.	350.00
BALZER INC.	FLAT WASHERS	2.80
BANCARD CENTER	MEMBERSHIP DUES & TRAVEL EXP.	1,744.82
BURLINGTON AREA FAMILY PRACTICE	PARTIAL SELF FUNDING	180.20
BURLINGTON MUNICIPAL WATER	WATER 12,676.000 GALLONS	20,254.90
C & J JANITORIAL SERVICE	FIRE STATION CLEANING	67.50
CITY OF BURLINGTON	COMMUNICATIONS	3,331.00
CITY OF WEST BURLINGTON	WATER BOND SINKING	1,072.05
CONOCOPHILLIPS	FUEL/MOCIC CONF./NEWBERRY	47.80
CRAY GODDARD MILLER & TAYLOR	LEGAL SERVICES	882.00
CULLIGAN WATER CONDITIONING	DISPENSER RENTAL & BOTTLED WATER	48.65
DALTON PARADISE CARPETS	CARPET FOR FIRE STATION	955.34
DATA FLOW	1099/W-2'S	117.43
DES MOINES CO. ATTORNEY	MONTHLY FEE FOR PROSECUTION	333.33
DES MOINES CO. NEWS	PUBLICATIONS	139.29
DES MOINES CO. REGIONAL	DISPOSE OF HAZ. WASTE	2,253.80
DIGITAL OFFICE SOLUTIONS	TONER CARTRIDGE	79.00
DRAIN TRAINER	FLOOR DRAINS	65.00
EBS - EMPLOYEE BENEFIT SYSTEMS	FLEX	605.95
ELDER IMPLEMENT CO.	REPAIR TRACTOR	1,370.28
ELECTRONIC APPLICATIONS CO	SIREN SPEAKER & INSTALL	284.27
FARM KING OF BURLINGTON	SUPPLIES & TOOLS	577.68
FASTENAL COMPANY, THE	SAWBLADES	18.60
FEDERAL ELECTRONIC TAX PAY	FEDERAL TAXES	11,684.45
GIFFORD, DAN	REIMBURSEMENT TO DAN GIFFORD/TAXI	20.00
GRADE A PLUS	RED RIBBONS	192.50
GRANDSTAY RESIDENTIAL SUIT	LODGING FOR FIREFIGHTERS	402.80
HOLTKAMP'S TRAILER REPAIR	PARTS & LABOR LADDER/ TRUCK T-2	96.72
HUFFMANS FARM & HOME	BLEACH	65.97
HY-VEE #1042	PARTIAL SELF FUNDING	26.26
HY-VEE #1044	PARTIAL SELF FUNDING	159.87
HYGIENIC LABORATORY A/R	SEWER TESTING	294.00
IDEAL READY MIX CO. INC.	CONCRETE	648.00
INDUSTRIAL MOTORS INC.	RELAYS	21.98
IOWA ASSOCIATION OF BUILDING OFFICIALS	MEMBERSHIP FEE JARED REED	50.00
IOWA DEPARTMENT OF TRANSPORTATION	4 BLADE DRAG 8FT. FLAT/PLOW	217.12
IOWA GOOD ROADS ASSN.	ANNUAL DUES/FY 2009	80.00
IOWA STATE UNIVERSITY	CERTIFICATION EXAM/S.LIMKEMANN	50.00
IOWA TELECOM COMMUNICATION	TELEPHONE SERVICE	201.36
IOWACE, ED LEEDOM	REGISTRATION FEEFOR JARED REED	75.00
JIM'S LOCK & SAFE	DUPLICATE KEYS & KEY COVERS	35.00
LAVEINE SANITATION INC.	GARBAGE & TRASH HAULING	7,942.60
LIGHTHOUSE UNIFORM CO.	DRESS UNIFORM SANDERS/VAN SCOY	899.90

LISCO/LTDS	TELEPHONE SERVICE	466.90
LOWE'S COMPANIES INC.	LANDSCAPING PLANTS, GRASS SEED	181.18
MAYBERRY,BRIAN	MEALS REIMBURSEMENT B.MAYBERRY	27.32
MCDONALD SUPPLY CO.	PLUMBING SUPPLIES	158.61
MENARDS	SUMP PUMP, FENCE RAIL & BULBS	843.09
MES INC.	FACE STRAPS,REGULATOR	338.51
MIDWEST JANITORIAL SERVICE	CITY HALL CARPET CLEANING	765.36
MIRACLE CAR WASH	CAR WASHES	14.50
MISCELLANEOUS VENDER	UTILITY BILLING REFUNDS	39.69
MUNICIPAL SUPPLY INC.	METER	167.00
NAPA AUTO PARTS	OIL & FUEL FILTERS	192.33
NATIONAL PUBLIC EMPLOYER	NPELRA 2009 MEMBERSHIP DUES	200.00
NEWBERRY, BRAD	WIRELESS TRANSCEIVER'S	100.00
NORM'S KOESTNER ELECTRIC C	REPAIR FOR LIFT STATION	687.00
POSTMASTER	POSTAGE FOR OCTOBER WATER BILLS	315.81
POWERNET GLOBAL COMMUNICAT	TELEPHONE SERVICE	102.70
PROCLAMATIONS FOR PROFESSIONALS	RESOLUTIONS FOR REFERENCE BOOK	55.00
QUEST ENTERPRISES INC	BUNKER COATS & PANTS	4,788.00
QWEST	TELEPHONE SERVICE	453.53
REIF OIL CO.	FUEL	4,116.38
RENTAL SERVICE CORPORATION	FLAPPER VALVE	29.00
RIVER BASIN PUBLICATIONS	FALL NEWSLETTER	630.00
SATTLER, LESLIE	PARTIAL SELF FUNDING	48.96
SCHNEDEN,JOHN	PARTIAL SELF FUNDING	87.01
SHERBONDY DC,DAVID A.	PARTIAL SELF FUNDING	51.25
SHERWOOD CO.	STREET SIGN NAMES	350.00
SHOPKO STORES OPERATING	PARTIAL SELF FUNDING	48.00
SHOTTENKIRK SUPERSTORE	PROCESSOR & OIL	400.44
SOUTHEASTERN IOWA MEDICAL	PARTIAL SELF FUNDING	68.80
SUMMIT SUPPLY	WORK GLOVES, SAFTEY GLASSES	29.00
TREASURER STATE OF IOWA	OCTOBER SALES TAX	4,477.00
TRI CITY BLACKTOP INC	PATCH	1,232.78
TWO RIVERS INSURANCE SERVICES	INSURANCE COVERAGE ADDED FOR POOL	1,815.00
UNIFORM DEN INC.	UNIFORM PANTS FOR BRIAN NEWBERRY	57.33
US CELLULAR	CELLULAR TELEPHONE SERVICE	190.97
WEST BURL. PETTY CASH FUND	PETTY CASH REIMBURSEMENT	169.54
GRAND TOTAL		95,728.23