

Regular Council Meeting June 17, 2009 – 6:00 p.m. The West Burlington City Council met in regular session at 122 Broadway Street with Mayor Pro-Tem Lees presiding. Council members Rod Crowner, Rick Raleigh, Therese Lees and Marc Pilger were present. Mayor Hans Trousil and Councilman Tom Law were absent. Public Works Director Randy Fry, Finance Officer Leslie Sattler, Police Lieutenant Frank Newberry, City Administrator Dan Gifford and Development Service Coordinator Jared Reed were also present.

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

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

1. Minutes of the Regular City Council Meeting on June 3, 2009
2. City Administrator's Attendance at the ICMA Annual Conference
3. City Clerk and Finance Officer's Attendance at Iowa Municipal Professionals Academy
4. Taxi License Renewal for Yellow Cab Company
5. Liquor License Renewal for Casey's General Store
6. Cigarette Permits for Murphy Oil USA, Casey's Wal-Mart, Westland Fastbreak, Hwy 34 Truck Stop and Jai Ganesh, inc. D/B/A G's Mini Mart
7. Fireworks Permit for Des Moines County Fair on August 1, 2009
8. Payment to Burlington Municipal Waterworks - \$19,693.65
9. Payment to Municipal Supply Inc. - \$1,925.00
10. Payment to City of Burlington for County Wide Communication - \$3,321.00
11. Payment to American Bottling Company - \$1,829.56
12. Payment to DMC Regional Waste Commission - \$2,120.80
13. Payment to Farmer-Bocken Company - \$4,756.99
14. Clerk's Financial Report for May 2009
15. Claims as Presented in the amount of \$1,112,454.66

COMMITTEE REPORTS:

FINANCE – Crowner invited everyone to attend the annual 4th of July Celebration and noted that the City will celebrate its 125th Birthday.

UTILITIES – Nothing to report.

STREETS = Public Works Director Fry reported that Municipal Street Improvements would be in town seal coating alleys.

PUBLIC SAFETY – Nothing to report.

SANITATION – Public Works Director Fry reported that the park restrooms have been vandalized numerous times this summer. Staff at City Hall has tried checking out keys, but vandalism has continued and in some instances has been worse than in the past years. In the past two weeks Public Works has spent several hours cleaning the restrooms in Longmeadow Park and Community Park following vandalism. Fry asked Council to consider locking the restrooms for the rest of the season and contracting with Fisher Enterprises to provide port-a-potties instead. Fry proposed placing two units in each park at a cost of \$390/month for all six units. Council felt that it was unfortunate that vandalism would make it necessary to close the restrooms, but agreed that it was for the best. Crowner expressed concern about people vandalizing the port-a-potties. Fry stated that if renting port-a-potties became permanent public works would pour concrete pads and erect fences around them to make them less noticeable and more secure.

OTHER STAFF REPORTS: Development Services Coordinator Reed reported that he has been working on nuisance abatement issues throughout town as well as following the new residential construction.

NEW BUSINESS:

Consider Payment to S.G. Construction for work on the Water Booster Station Project - \$140,814.70 – Crowner made a motion, second by Raleigh, to approve a payment to S.G. Construction in the amount of \$140,814.70 for work completed on the Water Booster Station Project. Roll call vote. Pilger, Crowner, Raleigh and Law voted aye. Motion carried.

Consider Payment to K.M. King for work on the Hwy 406 Water Main Project - \$34,033.75 – Pilger made a motion, second by Raleigh, to approve a payment of \$34,033.75 to K.M. King for work completed on the Hwy 406 Water Main Project. Roll call vote. Crowner, Raleigh, Lees and Pilger voted aye. Motion carried.

OLD BUSINESS: Engineer Steve Hausner with French-Reneker-Associates updated Council on the Agency/Broadway Storm Water Project. Engineer Hausner stated that field survey work was completed and staff was reviewing the location of a high pressure gas line in the area. Engineer Hausner also informed Council that they were finishing work on the City's 5-year Street Plan and would have something for Council to look at in the next couple weeks.

CITIZEN'S INQUIRIES: Tim Thomann, Middletown, Iowa and his son Tanner Thomann, 601 Leffler were present to discuss an issue with a gravel driveway that was recently place at 601 Leffler Street. The property is owned by Tanner Thomann. In 2006 Tanner obtained a permit and built a second garage on his property. Tim explained to Council that up until now there has been no driveway servicing the new garage. Tanner recently brought in several loads of gravel and constructed a driveway to the new garage. Dev. Services Coord. Reed contacted him to inform him that gravel was not an acceptable surface for a driveway. Tim stated that when his son built the garage they discussed pouring a cement driveway, but the cost was too high and Tanner was not able to afford to have the driveway poured. Tanner then withdrew his permit application for the garage. Tim stated that when the permit application was withdrawn, former Building Inspector Hoy contacted them to see how often the garage would actually be used. Tim stated that he told Mr. Hoy that the garage would not be used on a daily basis. At that point Mr. Thomann claims that former Building Inspector Hoy told him that since the new garage was not the primary garage on the lot that a gravel driveway would not be necessary. It was then that Tanner decided to proceed with the new construction. Tim stated that Tanner still could not afford to pour a concrete driveway and may be forced to sell the property unless Council would consider granting a variance that would allow Tanner to keep the gravel driveway. Raleigh asked if Tanner had obtained a permit to put in the driveway. Tanner stated that he did not because he thought it was included in the original permit that he obtained in 2006. Raleigh stated that he built a garage in 1999 and former Building Inspector Hoy was very clear that a gravel driveway was not permitted. Administrator Gifford informed Council that an accessory building does not necessarily have to have a driveway, but if it is used as a garage with vehicle traffic in and out then it would require a durable and dust free surface. Gifford also stated that vehicles could not be parked on gravel or in the grass. Tim argued that there are other properties in town where residents have gravel driveways or have vehicles parked on grass. Gifford assured Mr. Thomann that as violators are identified staff is addressing the situation. Council did not discuss granting a variance and not decisions were made regarding the gravel driveway.

MAYOR'S INQUIRIES: No comments

ADJOURN: There being no further business, the meeting adjourned at 6:35 p.m. upon motion by Crowner, second by Pilger. Voice vote: All ayes. Motion carried.

July 1, 2009

Approved

Kelly D. Fry

Kelly D. Fry, City Clerk

Hans K. Trousil

Hans K. Trousil, Mayor

CITY OF WEST BURLINGTON

CLAIMS LIST 6/17/2009

ABC FIRE EXT.	INSPECTION SRV.	229.50
ACCO UNLIMITED	CHEMICALS	702.00
ADOLPH KIEFER	LANYARDS	415.95
AHLERS & COONEY	LEGAL SRV.	686.00
ALLIANT ENERGY	UTILITIES	12,354.66
ALTORFER	MINI EXCAVATOR RENTAL	255.00
AUTOZONE	PARTS	15.98
AXA EQUITABLE	DEFERRED COMP.	350.00
BANCARD CENTER	WEATHER RADIOS, RAFFLE PRIZES	3,475.87
BANKERS TRUST	BONDS PAYMENT	972,941.25
BRISSEY, MICHAEL	FUEL EXP.	87.88
BURL. AREA FAMILY PRATICE	PARTIAL SELF FUNDING	209.20
BURL.INTERNAL MEDICINE	PARTIAL SELF FUNDING	64.80
BURL. MUNICIPAL WATER	12,945,000 GAL.	20,547.92
BURL. PEDIATRIC	PARTIAL SELF FUNDING	81.00
C-CAT, INC.	PEST MANGEMENT	42.00
CITY OF BURL.	COMMUNICATIONS	3,331.00
CITY OF W. BURLINGTON	WTR BOND SINKING	1,236.22
CLEAR FALLS	WATER	8.25
CLEVELAND MD, MARK	PARTIAL SELF FUNDING	142.00
CLINE, TROY	PARTIAL SELF FUNDING	16.44
COVERT, RINGO	REIMBURSE MEAL EXP	16.65
CRAY GODDARD MILLER & TAYLOR	LEGAL SRV.	320.00
DES MOINES CO. ATTORNEY	MONTHLY FEE	333.33
DES MOINES CO. NEWS	PUBLICATIONS	127.11
DES MOINES CO. REGIONAL	LANDFILL FEE	3,005.46
DIAMOND VOGEL PAINT	PAINT	88.35
DR. PEPPER	POP	1,829.56
EASTERN IA LIGHT & POWER	UTILITIES	48.44
EMPLOYEE BENEFIT SYSTEM	INSURANCE	17,022.95
FARM KING OF BURL.	MISC SUPPLIES	123.44
FARNER-BOCKEN COMPANY	CONCESSIONS	4,722.09
FASTENAL COMPANY	NUTS,BOLTS & SAFTEY GLASSES	182.40
FEDERAL ELECTRONIC TAX PAY	FEDERAL TAXES	10,261.34
FRY, RANDY	PARTIAL SELF FUNDING	37.50
GRBH	PHYSICALS	270.00
GRMC	PARTIAL SELF FUNDING	3,159.05
GRWH	PARTIAL SELF FUNDING	12.40
HARMAN GRAPHICS	SIGNS	120.00
HAWK EYE	PUBLICATIONS	324.66
HAWKEYE TRADER	PUBLICATIONS	70.65
HILLYER CHIROPRACTIC	PARTIAL SELF FUNDING	29.20
HUFFMANS	DRILL BITS	52.30
HY-VEE #1042	PARTIAL SELF FUNDING	3.20
HY-VEE #1044	PARTIAL SELF FUNDING	227.11
IDEAL READY MIX	CONCRETE	165.00
INDUSTRIAL MOTORS	SAW	119.00
INTERNATIONAL CITY/COUNTY	MEMBERSHIP RENEWAL	495.18

IA CITY/COUNTY MANAGEMENT	MEMBERSHIP FEE	150.00
IA COUNTY ATTORNEYS ASSOC.	REGISTRATION	50.00
IA FINANCE AUTHORITY	BONDS PAYMENT	28,341.57
IA LAW ENFORCEMENT ACADEMY	RECERTIFICATION	120.00
IA LEAGUE OF CITIES	REGISTRATION FEE	170.00
IA TELECOM	PHONE SRV.	204.60
JUMP FOR FUN	EQUIP.RENTAL	440.00
LAVEINE SANITATION	TRASH HAULING	7,942.64
LOWE'S COMPANIES	VINYL FENCE,LUMBER, 4X4 POST	770.34
MENARDS	POST BRACKET	6.49
MIDWEST JANITORIAL SRV.	JANITORIAL SRV.	360.08
MIRACLE CAR WASH	CAR WASHES	11.25
MOELLER,BRADLEY	PARTIAL SELF FUNDING	71.45
MT. PLEASANT NEWS	PUBLICATIONS	120.16
MUNICIPAL SUPPLY	PAINT & WANDS	2,122.40
NAPA AUTO PARTS	BATTERY,OIL & AIR FILTERS	259.33
OBLEIN, ALEX	PARTIAL SELF FUNDING	34.37
PIN CENTER	LAPEL PINS	720.00
POWERNET GLOBAL	PHONE SRV.	56.90
QWEST	PHONE SRV.	138.31
REIF OIL	FUEL	2,460.24
RHEINSCHMIDT'S	CARPET	990.00
SATTLER, LESLIE	PARTIAL SELF FUNDING	100.00
SCHNEDEN,JOHN	PARTIAL SELF FUNDING	258.82
SHOTTENKIRK SUPERSTORE	BRAKE PADS,ROTOR & SHAFT	676.10
STAATS	DASH PLATES	93.50
SUMMIT SUPPLY	SAFTEY GLASSES	79.50
TREASURER STATE OF IA	JUNE SALES TAX	4,581.00
ULTRAMAX	AMMUNITION	647.00
US CELLULAR	PHONE SRV.	119.34
001 GENERAL FUND		56,547.26
110 ROAD USE		2,989.35
121 LOCAL OPTION SALE		515.47
129 TIF DEBT SERVICE		31,807.50
200 DEBT SERVICE		962,700.32
301 GENERAL OBLIGATIO		469.96
600 WATER		31,232.68
601 BEAVERDALE ESCROW		16.14
602 WESTWOOD HILLS ES		16.15
603 WOODSMAN SUB. ESC		16.15
604 WATER REVNUUE BOND		6,775.00
610 SEWER		11,001.14
820 MEDICAL INSURANCE		4,415.37
821 FLEX ACCOUNT		862
950 TRUST & AGENCY		131.9
952 4TH OF JULY CELEB		2,958.27
GRAND TOTAL		1,112,454.66