

**Regular Council Meeting May 6, 2009 – 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. Public Works Director Randy Fry, Finance Officer Leslie Sattler, Police Chief Alex Oblein, City Administrator Dan Gifford, Development Service Coordinator, Jared Reed and Fire Chief Lenny Sanders were also present.

Lees made a motion, second by Pilger, to approve the Agenda as presented. Roll call vote: Raleigh, Law, 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 April 15, 2009
2. Payment to Dorsey & Whitney for legal services related to Issuance of Water Improvement Bonds
3. Payment to Sherwood Company for Awning on 4<sup>th</sup> of July Stage
4. Payment to Alligator Ice Midwest for Concession Equipment
5. Payment to QC Analytical Services, LLC
6. Payment to City of Burlington for County Wide Communication
7. Payment to Iowa Department of Transportation Road Maintenance Supplies
8. Payment to Tri City Blacktop, Inc.
9. Resignation of Nathan Toops from the Fire Department
10. Summer Fire School for Seven Fire Fighters
11. Clerk's Financial Report for March 2009
12. Claims as Presented in the amount of \$98,531.54

#### **COMMITTEE REPORTS:**

**FINANCE** – Crowner reported that 4<sup>th</sup> of July Raffle Tickets are on sale. Crowner mentioned that if any groups or organizations were interested in selling raffle tickets as a fund raiser that \$1.00 from each ticket sold would be donated back to their organization.

**UTILITIES** – Public Works Director Fry reported that K.M. King Inc. has been working on grading and seeding along the Hwy 406 Water Project. Crews have been working in the parking lot behind City Hall preparing for the installation of an additional power supply for the 4<sup>th</sup> of July and the new Open Air Market.

**STREETS** – Crews have been working at the pool preparing for the 2009 pool season. Hometown Plumbing will be in town to work with staff on filling the pool and startup procedures. Crews completed improvements to the pergola to help create the desired shading over the picnic area.

**PUBLIC SAFETY** – Chief Oblein reported that, beginning April 20<sup>th</sup> the department had two officers assigned to the evening shift at least three nights per week. The police department along with the Fire Department and other local agencies participated in the Operation Prom Program at the West Burlington High School. The program is designed to show the dangers of drinking and driving.

Fire Chief Sanders reported that he was working on the Regional Communication Grant which will be split into two phases.

**SANITATION** – Fry reported that crews were in town and have started televising sewer lines on the east side of town.

**OTHER STAFF REPORTS:** Development Services Coordinator Reed reported that had started doing rental inspections and has found the new rental housing code is functioning well.

**CITIZEN'S INQUIRIES:** Resident Dan West, representing the West Burlington Transformer Group, approached Council with a request to use the swimming pool for a youth activity on June 6<sup>th</sup>. Mr. West explained that the Transformer group was started to promote drug and alcohol free activities for students in grades 9 – 12. With the help of donations, the group sponsors drug and alcohol free activities for local youth. Rather than asking for a monetary donation the group is asking that the rental fee be waived for a private pool party on June 6<sup>th</sup> from 7:00-9:00 p.m. City Administrator Gifford had no objections and recommended Council waive the \$275 fee for a private pool party. Council had no objections.

Dan West also serves as the City's liaison on the Library Board and informed Council that the Library Board has been discussing the idea of placing a drop box at City Hall. They will be working on the details during the next board meeting.

### **NEW BUSINESS:**

**Consider Purchase of Lounge Chairs for Swimming Pool** – Crowner made a motion, second by Raleigh, to approve the purchase of 24 lounge chairs for the swimming pool from Belson Outdoor at a cost of \$2,757. Roll call. Lees, Pilger, Crowner, Raleigh and Law voted aye. Motion carried.

**Consider Grant Writing Services for Assistance to Fire Fighter Grants** – Fire Chief Sanders presented a request to contract with Steve Meyer to write, two additional, Assistance to Firefighter Grants during the current grant period at a cost of \$750. Mt. Meyers has a good track record with the Assistance to Firefighters Grants and the City has already contracted with Mr. Meyer to write a regional radio communications grant. Roll call vote. Pilger, Crowner, Raleigh, Law and Lees voted aye. Motion carried.

**Consider Purchase of Weather Radios with Money received from FEMA** – Mayor Trousil informed Council that the City was notified by the State FEMA organization that they were eligible to apply for \$2,000 in flood and disaster related money. Mayor Trousil applied for the grant and the City was awarded \$2,000. After discussing how the money should be used with Emergency Management Coordinator Gina Hardin Mayor Trousil asked Council to consider purchasing weather radios from Wal-Mart for distribution to elderly and low income families. Mayor Trousil estimated that approximately 68 radios could be purchased. Raleigh made a motion, second by Lees, to proceed with purchasing weather radios and distributing them as indicated above. Roll call vote. Crowner, Raleigh, Law, Lees and Pilger voted aye. Motion carried.

**Consider Engineering Services Proposal from French-Reneker-Associates for Broadway/Agency Storm Sewer Proj.** – At Council's request Engineer Steve Hausner presented an outline of remaining engineering costs associated with the Broadway/Agency Storm Sewer Project. Services were broken into four phases (Preliminary Design, Final Design, Advertising and Letting and Engineering during construction and construction observation). Engineer Hausner recommended Council proceed cautiously and proceed with just the Preliminary Design phase at a cost of \$26,000. After the final sewer alignment is made and necessary easements have been obtained Council can consider the additional phases. Council agreed with the recommendation. Raleigh made a motion, second by Crowner, to have French-Reneker-Associates proceed with the Preliminary Design phase of the Broadway/Agency Storm Sewer Project at a cost of \$26,000. Roll call vote. Raleigh, Law, Lees, Pilger and Crowner vote aye. Motion carried. Hausner asked for clarification on how to proceed with obtaining easements. Council agreed that City Administrator Gifford will talk to affected property owners to obtain the easements. If property owners have questions or concerns Engineer Hausner will answer their questions.

**Consider Purchase of Backhoe for the Public Works Department** - Council approved replacing the 2000 Case backhoe during the Fy08/09 budget. Public Works Director Fry presented quotes from Titan Machinery and Martin Equipment. Titan Machinery quoted a price of \$53,750 for a Case backhoe and Martin Equipment quoted a John Deere backhoe at a cost of \$52,950. With the quotes being so close Public Works Director Fry recommended purchasing the Case backhoe from Titan Machinery since the Case backhoe is built locally. The price includes trading in the 2000 Case backhoe. \$54,498 was budgeted for this purchase. Raleigh made a motion, second by Crowner, to approve the purchase of a Case backhoe from Titan Machinery at a cost of \$53,750. Roll call vote. Law, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

**Consider Adding Parking at Community Park** – At the last council meeting Council discussed adding parking at Community Park following the relocation of the fence on the west ball diamond. Public Works Director Fry estimated that approximately 30 parking stalls could be added, which would help with parking at the pool and during ball games. Fry estimated the paving of a new parking area and a portion of the road leading to the ball diamonds would cost \$20,000. Public Works would provide the labor. Lees made a motion, second by Crowner, to approve the paving of additional parking at Community Park. Roll call vote. Lees, Pilger, Crowner, Raleigh and Law voted aye. Motion carried. Funding for this project will come from the remainder of the Swimming Pool Bond.

**Consider Garbage Fees for FY 2009/2010** - During the budget Council discussed increasing garbage rates due to increasing tipping fees at the Landfill. Pilger made a motion, second by Crowner, to approve the first reading of an ordinance increasing the monthly garbage rate from \$8.15 to \$8.40 per month effective July 1, 2009. Roll call vote. Pilger, Crowner, Raleigh, Law and Lees voted aye. Motion carried.

**Consider Utility Rates for FY 2009/2010** - Council discussed increasing water and sewer rates for FY09/10. According to city code water rates shall increase 5% each year unless council approves a resolution to waive the automatic increase. Raleigh made a motion, second by Pilger, to proceed with the automatic 5% increase in water rates for FY09/10. Crowner stated that he would rather see the City pass on the 3.8% increase that the City received from Burlington Water Works. City Administrator Gifford reminded Council that the City's bonding company has recommended that Council increase water rates 10% in order to maintain our bonding capacity. Roll call vote. Crowner and Lees voted nay. Raleigh, Law and Pilger voted aye. Motion carried.

During the budget process council discussed increasing sewer rates from \$2.57 to \$2.87 per 1,000 gallons of water usage. Crowner made a motion, second by Raleigh, to approve the first reading of an ordinance increasing sewer rates to \$2.87 per 1,000 gallons of water beginning July 1, 2009. Roll call vote. Raleigh, Law, Lees, Pilger and Crowner voted aye. Motion carried.

**Consider Request from Otis Campbell's for Outdoor Concert** - Otis Campbell's Bar & Grill owner Larry Duncan was present with a request to close the alley between the 100 block of Broadway and Leffler Street on Saturday, May 30<sup>th</sup> to hold an outdoor music concert. Mr. Duncan would like to have music from 3:00 p.m. to 10:00 p.m. on May 30<sup>th</sup>. They have proposed a rain date of May 31<sup>st</sup>. Mayor Trousil and Police Chief Oblein expressed concern with the amount of noise the concert would create. Oblein recommended the band stop at 9:00 p.m. rather than 10:00 p.m. Chief Oblein reminded Duncan that they would be required to abide by the State's Smoke-Free Air Act during the event. Crowner asked if the City currently had a noise ordinance that would limit the amount of noise that would be permitted. Chief Oblein stated that the City does not have a specific noise level ordinance only a disturbing the peace ordinance. Mr. Duncan assured Council that he had hired a professional sound person to manage the noise as well as staff to maintain outdoor area and surrounding property. Mr. Duncan stated that depending on how successful this event was he may request permission to have 2 or 3 more concerts this summer. Council agreed to see how this concert was received by the surrounding properties before permitting future events. Crowner made a motion, second by Raleigh, to approve Mr. Duncan's request to close the alley for an outdoor concert event on May 30<sup>th</sup> with a rain date of May 31<sup>st</sup>. Roll call vote. Raleigh, Law, Lees, Pilger and Crowner voted aye. Motion carried.

**Consider Setting a Date for a Budget Amendment Hearing for the FY08/09 Budget** - Crowner made a motion, second by Raleigh, to set a public hearing date of Wednesday, May 20<sup>th</sup>, 2009 to consider a Budget Amendment for FY08/09 budget. Roll call vote. Raleigh, Law, Lees, Pilger and Crowner voted aye. Motion carried.

**Consider Purchase of Duty Ammunition for the Police Department** - Pilger made a motion, second by Lees, to approve the purchase of practice and duty ammunition for the Police Department from Ultramax at a cost of \$2,300. Roll call vote. Pilger, Crowner, Raleigh, Law and Lees voted aye. Motion carried.

**Consider Swimming Pool Rates for the 2009 Swimming Pool Season** - Crowner made a motion, second by Pilger, to approve the swimming pool rates for the 2009 pool season. Roll call vote. Crowner, Raleigh, Law, Lees and Pilger voted aye. Motion carried. Daily admission will be \$3.50. Individual season passes will be \$60.00. Family Season passes will be \$60 for the first person, \$60 for the second person and \$20 for each additional family member living in the same household.

**Consider Hiring Swimming Pool Employees for 2009** - Lees made a motion, second by Raleigh, to approve hiring lifeguards and concession staff as presented by pool managers Amy Pilger and Heather Messamaker. Roll call vote. Law, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

**Consider Payment to the following Engineers and Contractors for Previously Approved Contracts** - Crowner made a motion, second by Raleigh, to approve the following payments to contractors and engineers.

1. Hometown Plumbing and Heating - Swimming Pool Project - \$24,108.24
2. First Construction Group, Inc. - Swimming Pool Project - \$6,375.67
3. Snyder & Associates - Water Distribution System Improvement Project - \$5,809.55
4. French-Reneker-Associates - West Burlington Storm Sewer Project - \$1,763.18

Roll call vote. Law, Lees, Pilger, Crowner and Raleigh voted aye. Motion carried.

**OLD BUSINESS:** Nothing to discuss

**CITIZEN'S INQUIRIES:** No comments

**MAYOR'S INQUIRIES:** No comments

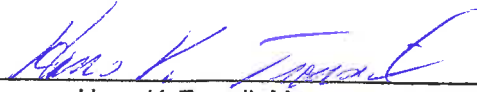
**ADJOURN:** There being no further business, the meeting adjourned at 7:20 p.m. upon motion by Lees, second by Pilger.  
Voice vote: All ayes. Motion carried.

5/20/09

Approved



Kelly D. Fry, City Clerk



Hans K. Trousil, Mayor

CITY OF WEST BURLINGTON  
CLAIMS LIST 5/6/2009

3E	PHOTO EYE	10.36
ALLGOOD ANIMAL HOSPITAL	EUTHANASIS	37.50
ALLIGATOR ICE MIDW.	ICE MACHINE	2,095.00
ALTORFER	RENTAL	582.00
AUTOZONE	ANTIFREEZE	39.96
AXA EQUITABLE	DEFERRED COMP.	700.00
BANCARD CENTER	REG. FEE	269.15
BARGROVER & SONS GLASS	WINDSHIELD	266.78
BAUER BUILT	TIRES	120.00
BEAMES WELDING & REPAIR	ALUMINUM	113.10
BURLINGTON AREA FAMILY PRATICE	PARTIAL SELF FUNDING	348.00
BURL/WEST BURL UNITED WAY	EE DEDUCTION	3.00
CDW GOVERNMENT	HARD DRIVE	400.03
CITY OF BURLINGTON	COMMUNICATIONS & ANIMAL SHELTER HOUSING	3,493.05
CITY OF WEST BURLINGTON	MEDICAL UNION DEDUCTIONS	804.92
CITY OF WEST BURLINGTON	FLEX DEPENDENT CARE	1,325.56
CLEAR FALLS BOTTLED WATER	COOLER RENT & WATER	16.25
CWA OF AMERICA	UNION DUES	550.17
CULLIGAN WATER CONDITIONING	DISP. RENTAL & WATER	31.80
DAVIS RADIOLOGY	PARTIAL SELF FUNDING	189.63
DIAMOND VOGEL PAINT	PAINT	286.67
DORSEY & WHITNEY	LEGAL SERVICES	4,387.10
EBS	FLEX	1,962.67
ELECTRONIC APPLICATIONS	SERVICED RADIO	117.24
EMS LEARNING RESOURCES	INSTRUCTOR CARD	12.00
EYE SURGEONS ASSOC.	PARTIAL SELF FUNDING	126.40
FAMILY MEDICINE OF MT PLEASANT	PARTIAL SELF FUNDING	55.20
FASTENAL COMPANY	MISC. EXP.	199.58
FEDERAL ELECTRONIC TAX PAY	FEDERAL TAXES	22,411.22
FP MAILING SOLUTIONS	POSTAGE	400.00
FRENCH-RENEKER-ASSOC.	SERVICES	1,763.18
FRY, RANDY	PARTIAL SELF FUNDING	311.22
FT MADISON PHYSICIANS	PARTIAL SELF FUNDING	64.80
GEORGE'S LAWNMOWER	ROPE	4.00
GIFFORD, DAN	PARTIAL SELF FUNDING	71.79
GRANDSTAY RESIDENTIAL SUITE	LODGING	256.50
GRMC	PARTIAL SELF FUNDING	3,164.52
HAYS MD,CARL H	PARTIAL SELF FUNDING	245.83
HOLTKAMP'S TRAILER REPAIR	STEEL & REPAIR BLOWER	770.00
HUFFMANS FARM & HOME	MISC. EXP.	236.11
HY-VEE #1042	PARTIAL SELF FUNDING	252.54
HY-VEE #1044	PARTIAL SELF FUNDING	2,173.91
HYGIENIC LABORATORY	WATER TESTING	489.00
IDEAL READY MIX	CONCRETE	1,339.63
IL DEPT. OF REVENUE	IL W/H	54.21
IA DEPT. OF TRANSPORATION	TRAFFIC PAINT & GLASS BEADS	3,769.25
IA LEAGUE OF CITIES	DRUG & ALCHOL TESTING	50.00
IA PUBLIC EMPLOYEES' RETIRMENT	IPERS	6,730.55
IA STATE UNIVERSITY	ARSON SCHOOL	557.00
JIM'S LOCK & SAFE	PADLOCKS	268.17
LAW ENFORCEMENT SYSTEMS	CITATION FORMS	330.00
LISCO/LTDS	PHONE SERVICE	477.29

