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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 14
July 17, 2006

The Burlington City Council met in regular session at 7:00 p.m. in Thomas J. Smith Council Chambers, City Hall with Mayor Edwards, Council Members Campbell, Scott and Thomas present. Council Member Ell was absent.

BURLINGTON CITY COUNCIL

PROCLAMATION:

* Mississippi River Shoreline Cleanup Day - Kathleen Hemmesch

CONSENT AGENDA: To the Public:

All matters listed under Item I., Consent Agenda, having been discussed were considered to be routine by the City Council and were enacted by one motion. There was not separate discussion of these items. If discussion was desired, that item was removed from the Consent Agenda and was considered separately.

Introduced By: Scott

Seconded By: Thomas

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor Edwards reviewed the items listed on the consent agenda to the viewing audience. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTES: 4 - AYES)

CARRIED

ORDINANCE:

Introduced By: Campbell Seconded By: Edwards

1. Motion for Preliminary Adoption of the First Reading of An Ordinance Amending

Section 65.32 Vicious Domestic Animals of Chapter 65 Animal Control

DISCUSSION: The City Manager reviewed with the City Council and the viewing audience the Ordinance Amending Section 65.32 Vicious Domestic Animals of Chapter 65 Animal Control. The Police Chief stated that the Police Department receives over 2,000 animal complaints annually and less than one percent of those calls are regarding a vicious animal. He stated that the Police Department has written a policy for handling vicious animals. He stated that a committee will be formed to assess all reports and follow City Code. Leon Shahan of 1821 Mount Pleasant Street questioned why the City needs an Ordinance for an issue that is only one percent of the problem. He further questioned if the Police Department would seize a dog exclusively on the claims of a citizen. The Police Chief stated that the Ordinance states that the Police Department will investigate to determine if the animal is vicious. He further stated that once that determination has been made by the investigating officer, it will go to a committee. The committee will make a recommendation to the Police Chief's office and his office will make the final decision as to whether or not the animal needs to be put down or not. If the owner of the animal would like to contest the decision made, they can do so between five and thirty days with the court system in regards to the due process. He stated that this is a safe guard and that the City is looking out for the safety of the citizens. He further

stated that there has to be enough information so that it can be proved without a reasonable doubt to the court. Council Member Scott stated that the animal shelter destroyed 560 dogs and cats because they were not adopted. He stated that it costs the City \$4.63 a day to house an animal at the animal shelter. He

commended the Police Chief for his work on the Ordinance and policy. Council Member Thomas stated that he had mixed emotions about the Ordinance but felt that the Police Chief has presented a very strong case. Council Member Campbell

questioned who approved the procedure that gives vicious animal owners the option of fighting the matter in court. The Police Chief stated that he writes and approves the procedures. Council Member Campbell stated that he has concerns about giving complete power for the decision to the department that takes the initial call. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTES: 3 - AYES - Scott, Thomas, Edwards)

CARRIED

1 - NAY - Campbell)

RESOLUTION:

Introduced By: Thomas Seconded By: Scott

1. Resolution Authorizing the Burlington City Council to Execute an Application

for Financial Assistance to the Iowa Department of Economic Development in Connection with the Retention of Dresser-Rand Company

DISCUSSION: The City Manager stated that the City has reached an agreement with Dresser-Rand Company to retain 163 jobs in Burlington. He thanked Dresser-Rand Company officials for designing a plan to keep employment in Burlington. He stated that Dresser-Rand has decided to consolidate locally at their West Avenue

location and will be adding approximately 35,000 square feet to the location (20,000 square feet in production and 15,000 square feet in office space). The total cost of the project will be approximately \$8.5 million (\$2.5 million will be through State assistance and \$800,000.00 will be local monies). The City is being asked to support and sponsor the funding assistance application to the State. Leon Shahan of 1821 Mount Pleasant Street stated that he was against granting funds to Dresser-Rand Company to keep jobs as he felt it was shifting the tax burden to residential property owners and the small business person. Mayor Edwards stated that if the City doesn't take advantage of this opportunity, other communities will. He stated that if the City doesn't provide

grant money, the other alternative would be to lose 163 jobs. Council Member Scott stated that the City approached Dresser-Rand in order to keep the company in Burlington as Dresser-Rand had plans to consolidate in another state. He stated that Dresser-Rand is a good place to work. The City Manager stated that Dresser-Rand is paying approximately \$150,000.00 per year in property taxes and that the proposed addition will be approximately \$80,000.00 per year in property

taxes. Council Member Campbell stated that he hated to spend money to keep jobs

in Burlington but was glad to help stimulate the economy in Burlington. He stated that his hopes were for Dresser-Rand Company to consolidate in Burlington. Doug Martin, General Manager of Dresser-Rand thanked everyone that was involved with the process. He encouraged the City Council to vote in favor of the Resolution. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTES: 4 - AYES)

ADOPTED

INSERT CITY CLAIMS, PAYROLL, DISBURSEMENT OF FUNDS AND RECEIPT OF FUNDS FOR JUNE

2006

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:52 p.m.
7, 2006

Approved: August

Katie Music, CMC, Deputy City Clerk
for Kathleen P. Salisbury, MMC, City Clerk

Mike Edwards
Mayor

(See tapes on file in the office of the City Clerk for complete discussion and documentation.)

ITEM I.
Consent Agenda

FINANCES AND MISCELLANEOUS
Minutes of Previous Meetings
Payroll and City Claims

BEER, LIQUOR, WINE AND CIGARETTES

REPORTS AND BONDS

RESOLUTIONS:

1. Resolution Approving Demolition/Nuisance Abatements for Various Properties
2. Resolution Approving Outdoor Service Area for Paddlewheel Lounge, Inc. dba/Paddlewheel Lounge for Birthday Parties on July 29, 2006
3. Resolution Approving Outdoor Service Area for Paddlewheel Lounge, Inc. dba/Paddlewheel Lounge for a Fund-Raising Event on September 9, 2006
4. Resolution Approving City Council's Strategic Plan