

City of Burlington Development Program of the Burlington Municipal Code from the first reading. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 5 - AYES)

CARRIED

COMMENTS FROM AUDIENCE/COMMENTS FROM COUNCIL: John Fenton of 1332 Griswold Street made derogatory personal comments against City Manager Slagle, Mayor Edwards and Mayor Pro-Tem Ell. He asked for their resignations. He further made comments about the Burlington Northern Railroad lawsuit. Mayor Pro-Tem Ell urged John Fenton to do his homework in regard to the Burlington Northern lawsuit. Mayor Edwards defended the City's action prior to the lawsuit. The City Manager defended his actions in regard to destroying closed session tapes after one year. He cited legal advice from the City Attorney, the

Iowa Freedom of Information Council Director Kathleen Richardson, the State Historical Society of Iowa, the Iowa League of Cities, and the Iowa Municipal Finance Officers Association, which state that closed meeting tapes may be disposed of after one year because at that point the administrative and legal value ends. He further stated that he was following State law. Leon Shahan stated his concern about payment to the Aspelmeier, Fisch, Power, Engberg and Helling for legal counsel for the Burlington Northern Railroad lawsuit. Council

Member Scott stated that there would be public discussion in regard to issues relating to the Burlington Northern lawsuit, once the railroad's 30-day window to appeal is over. Council Member Thomas stated that he would like to see a policy change in regard to when closed session tapes can be destroyed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:37 p.m.

Approved: September 18, 2006

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

RESOLUTION:

1. Resolution Approving Final Acceptance, Final Payment and Release of Retention Monies for the 2005 Market Street Lift Station Modifications

SET DATE FOR PUBLIC HEARING: September 18, 2006

1. Consideration of the Creation of Dehn Street Park for Public Purpose

APPOINTMENTS:

Low Rent Housing Agency: Ron Snyder, Tom Cameron, Richard Tiemeyer, George Newman and Dennis Zegarac

Parks Advisory Committee: Peggy Hunt, Robert Cameron, Paula Renard, Charles Leaming and Linda Ahrold