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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Special Meeting No. 10
September 25, 2006

The Burlington City Council met in special session at 6:00 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor Edwards, Council Members Campbell, Ell, Scott and Thomas present.

SPECIAL MEETING NOTICE ACKNOWLEDGED

HEARING:

1. Statement: Consideration of a Resolution Amending Resolution 5113 by Creating Stages I-IV Within Phase III of the Flint Hills Urban Revitalization Plan Adopted by the Burlington City Council on August 20, 1979

COMMENTS: The Development Director presented a Powerpoint Presentation to the City Council and the viewing audience the following items in regard to the Flint

Hills Urban Revitalization Plan: What is urban renewal; Why now?; the Manor revisited; profile of Manor (objectives/goals/history/current conditions); impact assessment (population/social factors); housing impact; strategies (stage

I, stage II, stage III and stage IV); planning principles (proposed land use/guiding laws/financial) and conclusions (summary/timeline). The following individuals spoke in regard to the project: Attorney David Hirsch representing Michael and Mary Massick of Market Street; Leonard Lilla of 2200 Mt. Pleasant Street; Leon Shahan of 1821 Mt. Pleasant Street; Faith Mattoon of 224 Union Court; Dave Hanrahan of 1709 Oak Street; Mary Baker of 320 South 6th Street; Amy

and Jeff Laue of 10394 155th Street; Rachel Oddoye of 337 Columbus Drive; Alice Dumenil of 232-234 Roosevelt Avenue; Paul Niemann of 3020 Columbia; Ron Sourwine

of 1733 West Acres Drive; Melvin Paton of 2224 Division Street; Jolene Bice of 3030 Columbia Street; John Fenton of 1332 Griswold Street; Archie Allen; Rick Johnson of 800 North Third Street; Ron Kelly of 3204 Market Street and Dennis Hinkle of 11941 42nd Street. Many of those who spoke were against the project due to the following concerns: the process that the City has undertaken on the project; do not need more commercial development; why the area is considered a blighted area when the City Rental Inspector has inspected the rental buildings;

felt they were not given enough notice of the project; concern for their new residence would not be handicapped accessible; concern for where they will live in Burlington and the cost associated with moving. Many of the property owners of Flint Hills Manor were concerned that they would not receive from the City a fair price for their property and that the City would end up taking their property through eminent domain. Dennis Hinkle of 11941 42nd Street stated that

both the Chamber of Commerce and Grow Greater Burlington was in favor of the project and urged Council to vote in favor of the project. The Development Director stated that the City has hired John Mercer, former Development Director, to serve as Project Coordinator and his office will be located at Flint Hills Manor. He explained to those living in Flint Hills Manor that the City would find housing for everyone that lives in Flint Hills Manor and that the City would not leave them homeless. He further stated that handicapped

accessibly would be addressed. He also stated that the City has a Building Inspector that inspects single family homes every three years and apartments on an annual basis and follows minimum State Code standards. As far as those who own property in Flint Hills Manor that Appraiser Roy Fisher of the Quad Cities had been hired to give an appraisal for their properties. If the property owner

is unhappy with the appraisal they can hire an appraiser then negotiations will take place prior to eminent domain playing any kind of role. Council Member Thomas stated that when he was young his family was forced to move from their South Hill home due to the construction of Walgreens on Ninth Street. He stated

that the construction of Walgreens prompted other new retail/commercial stores in that area. He further stated that the move improved his quality of life. Mayor Edwards stated that the development of a commercial area in Flint Hills Manor will increase Burlington's regional draw for shopping, living in Burlington and the City's revenue stream. Council Member Scott stated that the recent Angelou Economic Study specifically stated that commercial and retail development was needed and necessary for Burlington and southeast Iowa. Council

Member Campbell stated that he believed the project would improve the quality of life for many people in the Burlington area, whether it would be the consumer or tenants who would be living in nicer apartments. He further stated that he would be available for service on his days off of work, if needed. Council Member Ell

stated that he hoped the project would move forward and hoped that the City would be fair and equitable. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott
Motion to Close

Seconded By: Thomas

CARRIED

Introduced By: Scott
Resolution Amending Resolution 5113 by Creating Stages I-IV Within Phase III of the Flint Hills Urban Revitalization Plan Adopted by the Burlington City Council

Seconded By: Thomas

on August 20, 1979

DISCUSSION: None.
(VOTE: 5 - AYES)

ADOPTED

RESOLUTIONS:

Introduced By: Thomas

Seconded By: Scott

1. Resolution Relating to Financing of a Certain Proposed Project to Be Undertaken by the City of Burlington, Iowa; Establishing Compliance with Reimbursement Bond Regulations under the Internal Revenue Code

DISCUSSION: The Deputy City Manager stated that the proposed Resolution relates to the financing of the Flint Hills Urban Revitalization Plan that was discussed

in the public hearing. He stated that the City Council would be setting date for a public hearing in a few weeks to proceed with the debt. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Campbell

Seconded By: Thomas

2. Resolution Authorizing the Submittal of an Application for Pilot City Designation Under the Targeted Jobs Withholding Tax Credit Program

DISCUSSION: The City Manager stated that the proposed Resolution would authorize

the submittal of an application for a Pilot City designation under the Targeted Jobs Withholding Tax Credit Program. He stated that it was an incentive package for expanding or startup businesses located in any Urban Renewal Area in the City. The program is offered through the Iowa Department of

Economic Development. Businesses are eligible for up to 3% tax credit of their gross paid wages and they would have to meet the current County wage threshold to be eligible. The awarded incentive has to be matched dollar for dollar either from the City or the business, which is determined on a case-by-case basis. He explained that two cities were eligible on the eastern side of the state and Burlington was competing for the Pilot City designation with Dubuque, Clinton, Bettendorf, Davenport, Muscatine, Fort Madison and Keokuk. He

further stated that if Burlington is chosen, a prospective business has to formally apply to the program through the Iowa Department of Economic Development. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Ell

Seconded By: Scott

3. Resolution of the City of Burlington, Iowa Authorizing Corporate Counsel to

Accept the Offer of Burlington Northern Santa Fe Corporation and BNSF Railway Company to Mutually Not Appeal Case No. 3:04-CV-80040-CRW-CFB in the United States District Court for the Southern District of Iowa

DISCUSSION: Mayor Edwards stated that the Resolution of the City of Burlington, Iowa Authorizing Corporate Counsel to Accept the Offer of Burlington Northern Santa Fe Corporation and BNSF Railway Company to Mutually Not Appeal Case No. 3:04-CV-80040-CRW-CFB in the United States District Court for the Southern District of Iowa was self-explanatory. All present had opportunity to speak and

nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

ADJOURNMENT: 8:46 p.m.

APPROVED: October 2, 2006

Kathleen P. Salisbury, MMC
City Clerk

Mike Edwards
Mayor

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