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MINUTES OF THE PROCEEDINGS  
 OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 19  
 October 2, 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, Ell, Scott and Thomas present.

BURLINGTON CITY COUNCIL

PROCLAMATIONS:

Fire Prevention Week - Mark Crooks  
 Domestic Violence Awareness Month - Char Blodgett

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. Council Member Ell announced those individuals appointed to various City commissions and boards. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES ) CARRIED

RESOLUTIONS:

Introduced By: Thomas      Seconded By: Edwards  
 1. Resolution Approving Final Plat of the First Addition to Fun City Subdivision

DISCUSSION: The Development Director stated that the proposed Resolution approves the final plat of the First Addition to Fun City Subdivision. He stated that it was a 2-lot subdivision located at Long John Silvers and the new Pizza Hut. He explained that Randy Winegard had obtained the building permits and was now transferring the ownership back to the owners of the businesses. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTES: 5 - AYES ) ADOPTED

Introduced By: Ell    Seconded By: Scott  
 2. Resolution Awarding Contract for the 2006 Enhancements to Burlington Memorial Auditorium

DISCUSSION: The Public Works Director stated that the 2006 Enhancements to Burlington Memorial Auditorium were a part of the Vision Iowa project. He explained that he was recommending that the project be awarded to First Construction Group, Inc. of Burlington, Iowa for the base bid and alternates 1, 2 and 3 in the amount of \$1,186,914.00. He

stated that the plans and specifications for the project were very clear that the project would be awarded in one lump sum to the bidder submitting the lowest combination of base bid plus the alternates selected by the City. He further stated that a part of the bidding requirements was that the contractor would have expertise in the services that they are providing. Architect Dave Metzger explained that alternate no. 2 included the removal of the northeast corner of the wood flooring and the refinishing of the entire wood flooring with a water-based poly finish instead of an oil-based product. The project also provides for the replacing of wood on conduit trenches. Steve Freeze of First Construction Group, Inc. explained the process that the subcontracting firm from Des Moines would be using on the wood floor of Memorial Auditorium. Bobby Wilson of 2492 Herman Avenue expressed his appreciation for the enhancements to the Memorial Auditorium. He hoped that the Memorial Auditorium would continue to be the home to Civic Music. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTES: 5 - AYES )

ADOPTED

Introduced By: Campbell                      Seconded By: Thomas  
3. Resolution Authorizing the Purchase of Telecommunications and Data Services from Lisco Internet Service Company

DISCUSSION: The Deputy City Manager stated that the proposed Resolution authorizes the purchase of a new phone system for the City from Lisco Internet Service Company in the amount of \$50,375.81. He stated that currently the City was using a Centrex system through Qwest which provides the City's basic telephone services. Currently the City is paying \$3,396.33 per month for 121 Centrex lines, additionally, City Hall, Fire Department and the Wastewater Treatment Facility have a Partners II system which allows voice mail. The Public Works Facility has an NEC phone system with voice mail and the Police Department has a Telerad system with no voice mail. He explained that Lisco Internet Service Company would provide a NEC system at a cost of \$1,125.00 per month, the same system as the Public Works Facility. At this time the phones at Public Works would not be replaced. Lisco will finance the new system through an additional monthly charge for a period of two to six years. The plans are to make a \$10,000.00 down payment with the balance of \$40,375.81 being paid over a three-year period at a cost of \$1,300.00 per month. The total monthly charge for the first three years would be \$2,425.00 per month, a savings of \$971.00 per month over the current charges. At the end of the three years the savings would be \$2,271.00 per month. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTES: 5 - AYES )

ADOPTED

INSERT CITY CLAIMS, PAYROLL AND DISBURSEMENT OF FUND

COMMENTS FROM AUDIENCE/COMMENTS FROM COUNCIL: Al Sparks of 302 South Garfield Avenue stated his concern that many streets in Burlington were in need of repair. He urged Council to use the \$6,000,000.00 that they were using for Flint Hills Manor as follows: \$3,000,000.00 for the street projects and \$3,000,000.00 to rehabilitate Flint Hills Manor. He further felt that Burlington did not need more retail/commercial businesses or minimum paying jobs. The Development Director stated that \$3,000,000.00 would not come close to renovating Flint Hills Manor. He stated that the last two weeks he has spent

a lot of time at Flint Hills Manor and many of the people who live there are glad to be able to leave that area. He explained that the City does not have the \$6,000,000.00 unless there is a project. The commercial/retail area will increase the City's tax base and will pay for the project. The Deputy City Manager stated that when Greenway and Newbury Village were renovated more than twenty years ago, the costs were more than \$3,000,000.00. He further reviewed how TIF works to the viewing audience. Rod Kellogg of 722 South Garfield Avenue

urged the Council not to resign from their jobs as it is not their job to create

jobs. He stated that the Mayor and City Council had spent an entire day with the Governor, Senators, president of SCC and officials of Burlington Northern Railroad in hopes that they would keep the Burlington Northern Railroad shops open. He stated that Burlington Northern Railroad dealt with the City in bad faith. He felt that the Council has done a good job with offering incentives to

businesses so that jobs could be retaining. He further stated that retaining jobs in Burlington was the same as creating jobs. Freddie Starling of 517 South 7th Street urged Council to defend themselves, whether right or wrong. He stated his concern for gambling in Burlington, the destruction of closed session

tapes and the high cost of the Burlington Northern Railroad lawsuit. The City Manager defended his actions in regard to destroying closed session tapes after one year. He stated that he was following State law. Mayor Edwards stated that he would be holding a press conference to discuss the Burlington Northern Railroad lawsuit. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 9:15 p.m.

Approved: October 16, 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

RESOLUTIONS:

1. Resolution Approving Demolition/Nuisance Abatements/South Hill Roofing Program Match Dollars for Various Properties
2. Resolution Approving Final Acceptance, Payment No. 1 and Final Payment for the 2006 Mt. Pleasant Street Bridge Railing Repair

SET DATE FOR PUBLIC HEARINGS: October 16, 2006

1. Consideration of a Permanent Encroachment Agreement between David Hazell and the City of Burlington, Iowa for the Encroachment Upon Public Right-of-Way Along the

Property Located at 306 Washington Street, Burlington, Iowa

2. Consideration of a Permanent Encroachment Agreement between William Thom as and the City of Burlington, Iowa for the Encroachment Upon Public Right-of-Way Along the Property Located at 1602 Valley Street, Burlington, Iowa

3. Consideration of Sale of 508 Hagemann Avenue to the Burlington Housing Partnership

APPOINTMENTS:

City Planning Commission - Bryan Bross

Human Rights Commission - Sivongilique Ellis-Williams