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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 1
January 4, 2016

The Burlington City Council met in regular session at 5:30 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor McCampbell, Council Members Davidson, Fleming, Scott and Wilson present.

BURLINGTON CITY COUNCIL

NOMINATIONS FOR MAYOR: (By Mayor)

Council Member Davidson nominated Council Member McCampbell for Mayor, seconded by Council Member Scott. There were no other nominations for Mayor. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott Seconded By: Fleming

MOTION: That nominations for Mayor be closed.

(VOTE: 5 - "AYES")

CARRIED

Introduced By: Scott Seconded By: Fleming

MOTION: To Approve Mayor for Two Year Term

(VOTE: 5 - "AYES")

CARRIED

SWEARING-IN MAYOR: (By City Clerk)

Council Member McCampbell was elected and sworn in as Mayor by the City Clerk for a two-year term.

NOMINATIONS FOR MAYOR PRO-TEM: (By Mayor)

Council Member Scott nominated Council Member Davidson for Mayor Pro-Tem, seconded by Council Member Fleming. There were no other nominations for Mayor Pro-Tem. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming Seconded By: Scott

MOTION: That nominations for Mayor Pro-Tem be closed.

(VOTE: 5 - "AYES")

CARRIED

Introduced By: Fleming Seconded By: Scott
MOTION: To Approve Mayor Pro-Tem for Two Year Term
(VOTE: 5 - "AYES")

CARRIED

SWEARING-IN MAYOR PRO-TEM: (By City Clerk)

Council Member Davidson was elected and sworn in as Mayor Pro-Tem for a two-year term.

STATEMENTS: (By New Mayor and Mayor Pro-Tem)

Mayor Pro-Tem Davidson stated his appreciation and that it was an honor to serve as Mayor Pro-Tem. Mayor McCampbell stated that he made a lot of mistakes in his first term, but he plans to a better job in his second term as Mayor. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

STATEMENTS: (By All Council Members)

Council Members Scott congratulated Mayor McCampbell and Mayor Pro-Tem Davidson. Council Member Wilson also echoed congratulations and stated that she was willing to help the Mayor and Mayor Pro-Tem. Council Member Fleming also congratulated the Mayor and Mayor Pro-Tem and stated that they were both very capable and that he supported them most of the time. Mayor McCampbell stated that he appreciated Council Member Fleming's honesty. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

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 no separate discussion of these items. If discussion was desired, that item was removed from the Consent Agenda and was considered separately.

Introduced By: Davidson Seconded By: Scott
MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor McCampbell reviewed the items listed on the consent agenda to the viewing audience. Council Member Davidson 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

ORDINANCE:

Introduced By: Scott Seconded By: Fleming

1. Motion for Preliminary Adoption of the Second Reading of an Ordinance Vacating and Selling a Portion of Alley Right-of-Way Located South of the Properties at 623 and 627 Acres Street, Burlington, Iowa

DISCUSSION: The Development and Parks Director stated that there were no changes to the Ordinance Vacating and Selling a Portion of Alley Right-of-Way Located South of the Properties at 623 and 627 Acres Street, Burlington, Iowa from the last meeting. Greg Martin of 629 Acres Street representing four property owners read a letter dated December 19, 2015 to the City Council strongly opposed to the vacation and sale of the alley. He stated that Lori Parker had room in the back of her property to have a driveway. He stated that children play in the alley. He questioned who would maintain the alley from his property on down. Council Member Davidson stated that this was a public alley and not a private alley. He stated that once the portion of the alley is vacated Lori Parker would maintain the alley and could park her vehicle in the vacated portion of the alley. Council Members Scott and Wilson stated that they would like to take a look at the alley before the final adoption of the Ordinance. Lori Parker of 627 Acres Street presented a map of the properties at 623 Acres Street and 627 Acres Street. She stated that she would like to fix the back of the property so that there would not be such a big drop-off by hauling in dirt. 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: Fleming Seconded By: Davidson

1. Resolution Ratifying Tentative Agreement Between the City of Burlington, Iowa and Local 301, International Association of Firefighters, AFL-CIO

DISCUSSION: City Attorney O'Connell stated that Local 301, International Association of Firefighters, AFL-CIO ratified the tentative agreement with the City of Burlington. He stated that this was the last step in the process. He stated that there was give and take from both sides. He stated that the agreement was for five years with an across the board increase of 2.25% in all classifications. He stated that the 2.25% was a good average and was very reasonable. He stated that the union would start paying toward their health insurance as they historically have never paid toward their health insurance. He stated that the agreement retains the current 5% cap escalator provision. He further stated that the agreement made the following change: "If voluntarily agreed between the Fire Chief and the employee, the Fire Chief may assign employees who are injured off the job and unable to perform their regular duties to light duties." All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Wilson Seconded By: Davidson

2. Resolution Authorizing Purchase of Real Property and the Leasing of Same

DISCUSSION: The City Manager reviewed with Council and the viewing audience the purchase agreement with US Bank. He stated that the City was purchasing the US Bank building for \$1,200,000.00. He stated that the earnest money escrow agreement was for \$50,000.00 and there

was an inspection process. He stated that an outside firm would be hired by the City for the inspection. He stated that the City would lease back the building to US Bank for a monthly rent of \$12,545.00 per month for the first 15 full calendar months of the term and thereafter in an amount equal to \$15,440.00 per month while they build a new building. He stated that the \$12,545.00 per month equals to the \$6.50 per square foot of the premises and was a “full service” or “gross” lease and the \$15,440.00 per month equals to \$8.00 per square foot of the premises. He stated that the lease was for 2-years. He stated that the City’s goal was to have an agreeable amount and that the City was covering their costs in the transition process. Council Member Davidson asked if the City had access to the building to develop plans, etc. The City Manager stated that the City will own the building so they could allow Estes Company in the building to do preliminary design work. He stated that a local construction manager would also need access to the building for construction work. The Mayor stated that he was glad about the purchase of the building. Council Member Davidson thanked the City Manager and the Police Chief for their work on the lease. Council Member Fleming stated that it was a great building and will be an excellent facility. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - “AYES”)

ADOPTED

Introduced By: Scott Seconded By: Davidson

3. Motion to Reconsider the Resolution Ratifying Tentative Agreement Between the City of Burlington, Iowa and Local 301, International Association of Firefighters, AFL-CIO

DISCUSSION: Council Member Scott made a motion to Reconsider the Resolution Ratifying Tentative Agreement Between the City of Burlington, Iowa and Local 301, International Association of Firefighters, AFL-CIO. Motion was seconded by Council Member Davidson. Council Member Scott stated that the reason he made the motion was that the Council did not have an opportunity to make comments. Council Member Davidson seconded the motion. City Attorney O’Connell stated that Council Member Scott could make the motion since the motion was made at the same meeting and he was one of the people that voted in favor of the Resolution he was entitled to make the motion to reconsider. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - “AYES”)

CARRIED

Introduced By: Fleming Seconded By: Scott

5. Resolution Ratifying Tentative Agreement Between the City of Burlington, Iowa and Local 301, International Association of Firefighters, AFL-CIO (Re-Voted)

DISCUSSION: Council Member Scott stated that he was in favor of the Resolution Ratifying Tentative Agreement Between the City of Burlington, Iowa and Local 301, International Association of Firefighters, AFL-CIO, but wanted to point out parts of the agreement to the public. He stated that members of the International Association of Firefighters Local No. 301, AFL-CIO would start paying toward their health insurance premiums as follows: year 1 - 3% of the cost of a single or family coverage, not to exceed a dollar amount of \$20.00 for single

coverage and \$40.00 for family coverage; year 2 - 4% of the cost of a single or family coverage, not to exceed a dollar amount of \$30.00 for a single coverage and \$60.00 for family coverage per month; year 3 - 6% of the cost of the cost for single or family coverage, not to exceed \$45.00 for single coverage and \$70.00 for family coverage per month; year 4 - 8% of the cost of single or family coverage, not to exceed a dollar amount of \$60.00 for a single coverage and \$90.00 for family coverage per month. He stated that the agreement would maintain the 5% cap that was established in previous contracts in regard to insurance premium cost. He stated that a lot of people that he has spoken with want to see City employees pay toward the cost of their health insurance. He stated that has been the trend in the private sector and also in the public sector as well. He appreciates the Fire Department recognizing this. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

COMMENTS FROM AUDIENCE: Freddie Starling of 517 South 7th Street stated his gratefulness and appreciation to the City Council for their support in years past in attending the Martin Luther King celebration. He stated that the celebration will take place on January 18, 2016 at 5:00 p.m. Mayor McCampbell presented Freddie Starling with a packet of minutes in regard to the former Apple Trees building as requested at the December 21, 2015 City Council meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:17 p.m.

Approved: January 4, 2016

Kathleen P. Salisbury, MMC
City Clerk

Shane A. McCampbell
Mayor

(See recording 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

REPORTS AND BONDS

RESOLUTIONS:

1. Resolution Reappointing City Officers of the City of Burlington (City Clerk and City Treasurer)

2. Resolution Designating City Officer to Sign Redemption Notice as Required by State Code Chapter 447.9

APPOINTMENTS:

Grow Greater Burlington: Mayor

Convention and Tourism Bureau: Bob Fleming

Emergency Management Commission: Mayor and Mayor Pro-Tem (Alt.)

Des Moines County Solid Waste Commission: Annie Wilson and Jim Davidson (Alt.)

Downtown Partners: Jim Davidson

Economic Development Board: Annie Wilson

Resource Enhancement and Protection County Committee (REAP): Annie Wilson

Regional Planning Commission: Jim Davidson and Bob Fleming (Alt.)

Renewable Energy Commission: Shane A. McCampbell

Southeast Iowa Economic Development Coalition (SEID): Tim Scott and Annie Wilson (Alt.)

Southeast Iowa Homeless Coordinating Board: Jim Davidson

Assessor's Conference Board: Mayor and Bob Fleming (Alt.)

Enterprise Zone Commission: Tim Scott

Burlington Bees Association: Bob Fleming and Jim Davidson (Alt.)

Habitat for Humanity: Annie Wilson and Tim Scott (Alt.)

Steamboat Senior Citizen Corporate Board: Shane A. McCampbell

Youth Commission: Shane A. McCampbell

COBCO: Tim Scott

DesCom Control Board: Tim Scott