

(VOTE: 5 - â AYESâ)

CARRIED

Introduced By: Scott

Seconded By: Campbell

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property Located at 211 North 3rd Street (Capitol Theater) to Include a H-1, Historical Preservation Overlay Zoning District

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

CARRIED

Introduced By: Campbell Seconded By: Scott

3. Motion for the Final Adoption of an Ordinance Vacating All Public Right-of-Way Located Within the Boundaries of the Manor Revisited Project Area, City of Burlington, Des Moines County, Iowa

DISCUSSION: The City Manager stated that there were no changes to the Ordinance

Vacating All Public Right-of-Way Located Within the Boundaries of the Manor Revisited Project Area, City of Burlington, Des Moines County, Iowa from the second reading. All present had opportunity to speak and nothing additional was

filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

CARRIED

HEARING:

1. Statement: Consideration of Sale of All Public Property Located Within the Boundaries of the Manor Revisited Project Area Continued from the July 2, 2007 City Council Meeting

COMMENTS: The City Manager stated that the hearing continued from the July 2, 2007 City Council Meeting was for the sale of all public property located within

the boundaries of the Manor Revisited Project Area. He reviewed the boundaries of the Manor Revisited Project Area with Council and the viewing audience. He stated that the property consisted of 23.7 acre site that the City will be selling to Robert Muir Company for \$2,400,000.00. He reviewed the conditions of

the purchase agreement. He stated that there was an old 10-foot vacated alley that was mistakenly left off of an abstract that still needs to have a corrected

legal description. Ron Kelly urged the Council to hold off on the sale of the property until the issue of the 10-foot vacated alley was cleared up. Mayor Ell

stated that he has spoken with the City Attorney and the issue should soon be resolved. Leon Shahan of 1821 Mt. Pleasant Street questioned how much of the taxpayer's monies has been spent on the project plus any capitalized interest.

The City Manager stated that the budget for the project was \$5,000,000.00. He stated that he did not have any figures for capitalized interest. Leon Shahan felt that the City should be asking at least the \$5,000,000.00 for the property.

Council Member Thomas stated that many Cities give incentives to developers. He further stated that Burlington was in competition with other Cities for economic development. Leonard Johnson of 2513 Yoder Drive questioned if all bills have been submitted and paid in regard to the Manor Revisited Project. The City Manager stated that currently the City was under budget, but there were

still items outstanding that could affect the cost of the project. Council Member Scott questioned if the Council should hold off approving the sale until everything is finalized. The City Manager stated that the City would still have

to provide title to the new owner and the sooner the sale happens the sooner the

City receives their monies for the project. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Campbell Seconded By: Thomas
Motion to Close

CARRIED

Resolution Approving Sale of All Public Property Located Within the Boundaries of the Manor Revisited Project Area Continued from the July 2, 2007 City Council

Meeting

DISCUSSION: None.

(VOTE: 5 - AYES)

ADOPTED

RESOLUTIONS:

Introduced By: Thomas Seconded By: Campbell

1. Resolution Approving Final Plat of Parochetti's First Addition Subdivision

DISCUSSION: The City Planner reviewed the final plat of Parochetti's First Addition Subdivision with Council and the viewing audience. He stated that the subdivision would be split into two 3/4 acre lots. He stated that a new Taco Bell will be constructed once the present Taco Bell is demolished. He stated that the second lot would provide for a commercial building for sale or lease. Al Sparks of 302 South Garfield Avenue questioned who owned Taco Bell. The City

Planner stated that Taco Bell was owned by Dave Parochetti of the Quad Cities. Council Member Scott stated that the second lot did not have a big parking lot.

The City Planner stated that the size of the constructed building dictates the parking. He stated that whoever builds at that location would be limited as what they could build. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Murray Seconded By: Scott

2. Resolution Approving the Final Plat of Dry Creek Subdivision

DISCUSSION: The City Manager stated that Dry Creek Subdivision was located in the County, but within the City's two-mile zone. The City Planner reviewed the

final plat of Dry Creek Subdivision with the Council and the viewing audience. He stated that the subdivision was one lot and the property owners were requesting that their existing home be split off from their farm so that they could build a new home. He stated that the property was located off of the Y Camp Road. He further stated that the Des Moines County Supervisors have approved the final plat of the Subdivision. 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: Ell

3. Resolution Authorizing the Des Moines County Regional Solid Waste Commission to Issue Not To Exceed \$3,100,000.00 in Aggregate Principal Amount of Solid Waste Revenue Bonds

DISCUSSION: Council Member Scott stated that he requested the removal of the Resolution Authorizing the Des Moines County Regional Solid Waste Commission to Issue Not to Exceed \$3,100,000.00 in Aggregate Principal Amount of Solid Waste Revenue Bonds from the consent agenda as he wanted to know what the bonds would be used for. Mayor Ell stated that the Des Moines County Solid Waste Commission

would be using the bonds for new cell development due to DNR regulations, a new scale house and HazCom 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: Thomas Seconded By: Scott

4. Resolution Approving Purchase of a Vehicle for Public Works Department

DISCUSSION: Council Member Thomas stated that he requested the removal of the Resolution for the purchase of a vehicle for the Public Works Department from the consent agenda as the 2008 Ford Escape was a not a hybrid vehicle. He stated that he serves on the Renewal Energy AdHoc Committee and he felt strongly

about the issue. The City Manager stated that the 2008 Ford Escape was a State

Bid price. He stated that a hybrid vehicle would cost \$3,000.00 higher than the

Ford Escape. Council Member Thomas stated that in the long-run monies could be saved by the use of a hybrid vehicle. Council Member Scott commended Council Member Thomas for educating the Council and staff on the subject. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 2 - AYES ELL AND SCOTT

3 - NAYS THOMAS, CAMPBELL AND MURRAY)

FAILED

COMMENTS FROM AUDIENCE: Al Sparks of 302 South Garfield Avenue stated that he has looked through the City's budget and could find areas where the City could

save monies. He stated that the City has a School Resource Officer with a yearly salary of \$55,000.00 and a firefighter has a salary of \$32,338-\$42,479.00. He stated that the firefighter's job was more risky than a

School Resource Officer. Council Member Scott stated that the \$55,000.00 was for the School Resource Program. Al Sparks stated that he knew that, but just wanted to see if the City Council knew what was in the City's budget. Todd Oetken of 413 Maple Street stated that he has been having problems with cats and

wild dogs in his yard. He stated that there needed to be more traps for animals

and the City needed to hire an additional Humane Officer to help with the growing problem. The Chief of Police stated that the Police Department receives

many animal calls. He stated that the City has budgeted for only a part-time Humane Officer. He stated that Todd Oetken was not the only person in Burlington with cat/dog issues. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 8:08 p.m.

Approved: August 6, 2007

Kathleen P. Salisbury, MMC
City Clerk

William L. Ell
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 Final Acceptance, Final Payment and Release of Retention Monies for the 2006 Sunnyside Avenue HMA Resurfacing Project
3. Resolution Approving Final Acceptance and Final Payment for Asbestos Abatement Phase I â Manor Revisited Projectâ
4. Resolution Approving Final Acceptance and Final Payment for Asbestos Abatement Phase II â Manor Revisited Projectâ
5. Resolution Approving Agreement with the Southeast Iowa Regional Planning Commission for Services with the City of Burlington for Administration of Contract No. 06-ED-002, Economic Development Set-Aside Grant Program for CNH
6. Resolution Approving Purchase of a John Deere 4320 Tractor for Flint Hills Golf Course

SET DATE FOR PUBLIC HEARINGS: AUGUST 6, 2007

1. Consideration of an Ordinance Amending the Zoning and Subdivision Regulations by Adding Chapter 17.34 Architectural Design Guidelines
2. Consideration of an Ordinance Amending Chapter 105 Solid Waste Control of the Burlington Municipal Code

APPOINTMENTS:

Parks Advisory Committee: Cynthia House and John Schulte
Grow Greater Burlington: Bill Ell
Emergency Management Commission: Matt Murray and Alternate Garry Thomas
SEIA Economic Development Coalition: Tim Scott and Alternate Matt Murray
Assessorâs Conference Board: Bill Ell and Alternate Garry Thomas
Burlington Bees Association: Matt Murray