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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 8
April 18, 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

MAYOR'S AWARDS:

- * Burton and Joanne Prugh
- * Art Gordon
- * Burlington Fire Department

PROCLAMATIONS:

- * Youth Appreciation Week - Jamie Blow
- * Teach Children to Save Day - C.E. Walsh, Vicki Bredar, Macklyn Palmer, Brady Heuvelmann, Katherine Taylor, Bailey Ryan, David Hoth, Dylan Kipp & Carmen Wendt

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: Scott Seconded By: Fleming

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

HEARINGS:

1. Statement: Consideration of Sale and Conveyance of Real Property, Approximately

0.184 Acre Parcel Located South of Agency Road and East of North Roosevelt Avenue

COMMENTS: The City Manager stated that the City had previously acquired a section of property for a north-south access point from Agency Road southward toward the planned development at the Flint Hills Manor site. He stated that the north-south access point would allow for access immediately across from the former K-Mart site. He stated that the proposed Resolution provides for the sale of the 0.184 acre parcel located south of Agency Road and east of Roosevelt Avenue to the developer. He stated that the 0.184 acre parcel would be sold for \$2.00 a square foot per the development agreement. He further stated that he was hoping to close this week with the developer. 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: Fleming

CARRIED

Introduced By: Scott
Resolution Approving Sale and Conveyance of Real Property, Approximately 0.184 Acre Parcel Located South of Agency Road and East of North Roosevelt Avenue

Seconded By: Davidson

DISCUSSION: None.
(VOTE: 5 - "AYES")

ADOPTED

2. Statement: Consideration of a Permanent Encroachment Agreement with Downtown Partners, Inc. for Encroachment into City Right-of-Way for the Burlington Lightscape Project

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the proposed permanent encroachment agreement with Downtown Partners, Inc. for an encroachment into City right-of-way for the Burlington Lightscape Project. He stated that the following properties were included in the lightscape encroachment: St. Paul's Catholic Church, 508 North 4th Street; Christ Episcopal Church, 623 North 5th Street; First Presbyterian Church, 321 North 5th Street; First United Methodist Church, 421 Washington Street; Zion United Church of Christ, 402 North 5th Street; First Congregational Church, 313 North 4th Street; First United Church of Christ, 611 Columbia Street; Heritage Center Museum (former Public Library), 501 North 4th Street and Majestic Estate (former German Methodist Episcopal Church), 620 Washington Street. He stated that the Burlington Lightscape Project was a private project and funds were raised for the project. Steve Frevert, Executive Director for Downtown Partners, Inc. stated that the project started four years ago and he hoped to have the buildings lit up by the summer of 2016. Mayor McCampbell stated that he could not wait to see the buildings lit up. 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: Wilson

CARRIED

the office of the City Clerk.
(VOTE: 5 - "AYES")

CARRIED

Introduced By: Davidson Seconded By: Fleming

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Ordinance No. 3360, Being an Ordinance Creating the Burlington Crossing PUD (Planned Unit Development) by Making Changes to Section 5, E. Signage

DISCUSSION: None.
(VOTE: 5 - "AYES")

CARRIED

RESOLUTIONS:

Introduced By: Fleming Seconded By: Davidson

1. Resolution Approving Preliminary Official Statement

DISCUSSION: The City Manager stated that the proposed Resolution approves the preliminary official statement, which provides details related to the sale of the Bonds and was necessary to make provision for the approval of the preliminary official statement and to authorize its use by Piper Jaffray and Company. He stated that the City has entered into a General Obligation Corporate Purpose Loan Agreement for the purpose of paying the cost for constructing street improvements and purchasing an ambulance. Council Member Davidson asked if the City had a new rating. The City Manager stated that he has not heard back from Standard and Poors about what the City's new rating will be. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Fleming Seconded By: Davidson

2. Resolution Awarding Contract for the 2016 Sealcoat Streets Reconstruction Project

DISCUSSION: The City Engineer stated that the 2016 Sealcoat Streets Reconstruction Project consisted of sealcoat reconstruction of various streets as follows: Potter Drive in Crapo Park; Brooks Street in Crapo Park; Schneider Drive in Crapo Park; Hillary Avenue from Summer Street to Central Avenue; Lynnwood Drive from 14th Street to Central Avenue; Central Avenue from Parkway Street to Lynnwood Drive and Haskell Street sealcoat portion southwest of the Airport. He stated that bids were received on April 6, 2016 with W. L. Miller Company of Hamilton, Illinois being the low bidder at \$337,447.54. He stated that the award was based upon the bid with pea gravel for cover aggregate with the intention as stated in the plans to adjust the project to the budget of \$400,000.00 with change order. Mayor McCampbell and Council Member Scott stated that they were happy with the bid pricing and were anxious to see how the pea gravel works. 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

3. Resolution Awarding Contract for the 2016 BN Sanitary Sewer Repair Project

DISCUSSION: The City Engineer stated that the 2016 BN Sanitary Sewer Repair Project was for repairs under the Mt. Pleasant Street Bridge near the inlet to the Hawkeye Storm Sewer. He stated that due to the configuration of the piping from an old regulator chamber for the combined sewer overflows, the City experiences occasional sanitary sewer overflows. He stated that due to the location of a pair of clean-outs a bottleneck is located near the inlet of the Hawkeye Storm Sewer. He explained that the bottleneck has caused flooding of Brockway Company on Whitaker Street. He stated that the project would include the replacement of the undersized sanitary sewer pipe making it consistent with the remainder of the sewer to alleviate the situation and the removal of the two clean-outs to eliminate the bottleneck in the storm sewer. He stated that the project was budgeted and funded by the Sewer Mainline Repair Fund. He stated that one quote was received from Abolt, Inc., of Ft. Madison, Iowa in the amount of \$70,882.50. Council Member Scott asked how critical the project was. The City Manger stated that the project was not critical, but certainly it was critical to Brockway Company as they have been flooded three times in the last ten years causing \$150,000.00 in damage for each flooding. He stated that the City could rebid the project, but there was no guarantee for a better price. Council Member Wilson stated her concern that if the Council rebids the project the bids could be higher. Mayor McCampbell stated that he was seeing a trend of only one contractor bidding projects for the City. He stated that he did not feel a rebid of the project would be cheaper. The City Engineer stated that even though the project was a small project, it was very complicated. Council Member Fleming stated that the City has an obligation to do this repair. Council Member Davidson asked if the flooding of Brockway Company was the only reason for the project. The City Engineer stated that the City is presently not under a consent order to eliminate the sanitary sewer overflow, but from the City's standpoint it needs to be addressed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES" Fleming, McCampbell, Wilson and Davidson

1 - "NAY" Scott)

ADOPTED

Introduced By: Wilson Seconded By: Davidson

4. Resolution Adopting the Personnel Manual for Non-Union Employees

DISCUSSION: The Director of Administrative Services stated that the proposed Resolution adopts the personnel manual for non-union employees. She stated that the City used the Gov HR study for new non-union pay classifications and ranges. She stated that the personnel manual includes a transition plan for those employees below midpoint, a 2.25% wage increase, which is the same wage increase as the unions, insurance would match what the unions would currently be paying effective July 1, 2016. She stated that the minimum wage, midpoint wage and maximum wage were changed for each classification. Council Member Scott asked if some of the jobs were upgraded and if it was the feeling of the Director of Administrative Services that employees were being compensated for comparable jobs. She stated that Gov HR did a salary survey and she felt the issue of compensation for comparable jobs were addressed. Council Member Scott asked the Police Chief if the issue with Police Sergeants salary was addressed.

Chief Bearid stated that he had no concerns. Council Member Scott asked how the City ranked with vacation, sick leave and insurance with other cities in Iowa. The City Manager stated that the City offers a very good benefit plan and was comparable with other Iowa cities. Council Member Scott stated that his main concern was that when the City needs to replace a person that the City can replace them with a fair and comparable wage. He stated that the City has a tremendous group of non-union employees. Council Member McCampbell stated that for him one of the issues behind the Gov HR study was health insurance. He stated that the City cannot continue to pay the total cost of health insurance. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Davidson Seconded By: Fleming

5. Resolution Ratifying Tentative Agreement Between the City of Burlington, Iowa and Local 828 of the American Federation of State, County and Municipal Employees, AFL-CIO

DISCUSSION: The City Manager stated that Local 828 of the American Federation of State, County and Municipal Employees, AFL-CIO ratified the tentative agreement with the City of Burlington. He stated that the tentative agreement was very similar to Local 301, International Association of Firefighters, AFL-CIO and the CWA. 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 union would start paying toward their health insurance as they historically have never paid toward their health insurance. He stated that the amount that the employees will be paying was the same as what the Firefighter and CWA tentative agreements. He stated that the agreement retains the current 5% cap escalator provision. He stated that the full-time transit employees requested that their wages adjust to where it was when significant changes were made to their pay plan. He stated that an adjustment was made to get them part-way to where they were before. He stated that approximately three years ago the transit employees took a pay cut and pay freeze for the life of the contract. Council Member Davidson thanked the City Manager for keeping with the plan and not changing the wages for full time transit back to where it would have been. 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: None.

Adjournment: 7:02 p.m.

Approved: May 2, 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

BEER, LIQUOR, WINE AND CIGARETTES

REPORTS AND BONDS

RESOLUTIONS:

1. Resolution Approving Nuisance Abatements for Various Properties
2. Resolution Approving Engagement Letter with Jaffray and Company to Serve as Underwriter for the Issuance of General Obligation Bonds, Series 2016 A & B
3. Resolution Approving an Amendment to the Agreement with Piper Jaffray and Company to Serve as Dissemination Agent for Secondary Market Disclosure
4. Resolution Awarding Contract for the 2016 3rd Street and Washington Street Parking Deck Repair Project

SET DATE FOR PUBLIC HEARING: MAY 2, 2016

1. Consideration of a General Obligation Parking Lot Improvements Loan Agreement in a Principal Amount Not to Exceed \$70,000

APPOINTMENTS:

Library Board of Trustees: Martin Salino-Hugg and Jerry Parks
Parks Advisory Committee: Mark Miller and Linda Ahrold