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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 3  
February 4, 2008

The Burlington City Council met in regular session at 7:00 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor Ell, Council Members Davidson, Murray, Scott and Thomas present.

BURLINGTON CITY COUNCIL

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: Thomas      Seconded By: Scott

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor Ell reviewed the items listed on the consent agenda to the viewing audience. Council Member Thomas requested the removal of Resolution Approving Purchase of a Vehicle for the Public Works Department from the consent agenda for discussion at the close of the meeting. Council Member Murray 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 of Property at 848 Washington Street

COMMENTS: The Interim City Manager stated that the proposed Resolution provides for the sale of 848 Washington Street to Steven Schleif, owner of Steve's Place for \$9,000.00. He stated that the City had previously purchased the parking lot

from the bakery after having to purchase their parking lot to use during the construction of the Central Avenue overpass project. He stated that the property was a non-buildable lot. The Development Director reviewed with the City Council and the viewing audience the proposed property location and details

of the bidding process. Mayor Ell stated that he was happy to see the property put back on the tax rolls. Council Member Thomas echoed Mayor Ell's comment.

All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott

Seconded By: Thomas

Motion to Close

CARRIED

Introduced By: Scott

Seconded By: Thomas

Resolution Approving Sale of Property at 848 Washington Street

DISCUSSION: None.

(VOTE: 5 - â AYESâ )

ADOPTED

2. Statement: Consideration of Plans and Specifications for Perkins Park Shelter/Restroom Project

COMMENTS: The Parks Director stated that the proposed Perkins Park Shelter/Restroom Project was Phase I of the Master Park Plan. He stated that the present restroom was not located at a convenient site nor was it handicapped

accessible. He stated that the shelter was in poor condition. Dave Metzger of Klinger and Associates reviewed the plans and specifications for the project with the Council and the viewing audience. He stated that the construction cost

was \$300,000.00 plus additional cost to connect the water and sewer lines. The Interim City Manager stated that his concern was funding for the project. He stated that the project would be funded 100% by Starker Trust. He stated that presently there were not enough funds to cover the project until three years. The Parks Director stated that construction cost increase 4% each year. He stated that plans were to bid the project in the Spring of 2008 and to construct

the project during the Summer of 2008. He further stated that he did not realize there was a financial issue in regard to the project. After discussion by the City Council, it was decided to continue the Resolution to the March 3, 2008 City Council Meeting to allow staff more time to review financing options.

All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Davidson Seconded By: Scott

Motion to Close

CARRIED

Introduced By: Scott

Seconded By: Ell

Motion that the Resolution Approving Plans and Specifications for Perkins Park Shelter/Restroom Project be Continued to the March 3, 2008 City Council Meeting

DISCUSSION: None.

(VOTE: 5 - â AYESâ )

CARRIED

RESOLUTIONS:

Introduced By: Murray

Seconded By: Thomas

1. Resolution Approving Final Plat of Replat of Lot 2 and Lot A in Sunrise West Subdivision

DISCUSSION: The Interim City Manager stated that the proposed Resolution provides for the approval of the final plat of replat of Lot 2 and Lot A in Sunrise West Subdivision located south of Messiah Lutheran Church. The Development Director reviewed with Council and the viewing audience the details of the final plat. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ )

ADOPTED

Introduced By: Murray Seconded By: Scott

2. Resolution to Establish a Dog Park in Dankwardt Park

DISCUSSION: The Parks Director stated that the Dog Park Association has spent

the last two years looking for a suitable site for a dog park. He stated that the proposed Resolution would establish the dog park in Dankwardt Park. Binda Knutsen of 1908 Highland Avenue reviewed with Council and the viewing audience the following: a mission statement; proposed rules; notice to all park users; permit application (a \$5.00 fee); release of liability and benefits. She explained that the dog park was not just a want for many of the community, but a

need. Mary Aringdale stated that her relative, Lydia Dankwardt, who donated the park to the City would not have wanted a dog park located in the park. Ingrid Waters of 2836 South Main Street and Mary Eipert of 2838 South Main Street stated their concern for dogs barking and creating a nuisance. Linda Ahrold of 1024 North 4th Street stated that she has been to dog parks and have not noticed

continued barking, just playful barking. Edward Schneider of 1604 Orchard Meadow Drive stated that the dog park could be used 365 days a year. Mary Baker

of 320 South 6th Street stated that she was in favor of the dog park, but felt the issue needed to be discussed more. Peggy Hunt of the Park Advisory Board and Betty Ratekin, of the Dog Park Association, stated that they have visited dog parks and found that the dogs are not aggressive and do not bark. Bill Wright, president of the National Little League, stated that he would like to see the area that is planned for a dog park to be used as a baseball diamond. Steven Rowland of 2838 South Main Street stated his concern for parking and no trees in the dog park for shade. David Hayes of Des Moines County stated that he was in favor of using the land for a ball diamond over a dog park. After considerable discussion by the City Council, it was decided to continue the Resolution to the February 19, 2008 City Council Meeting to allow staff more time to research other locations for the dog park. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott

Seconded By: Davidson

3. Motion That the Resolution to Establish a Dog Park in Dankwardt Park be continued to the February 19, 2008 City Council Meeting.

DISCUSSION: None.

(VOTE: 5 - AYES )

CARRIED

Introduced By: Ell

Seconded By: Scott

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

DISCUSSION: Council Member Thomas stated that he serves on the Renewable Energy Committee and that he would not be voting in favor of any purchase of a vehicle until there is a vehicle purchase policy in place. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4- AYES DAVIDSON, ELL, MURRAY AND SCOTT)

1 - NAY THOMAS)

APPROVED

COMMENTS FROM AUDIENCE: Leonard Johnson of 2513 Yoder Drive stated that he had owned property at 3004 Market Street and 3006 Market Street in Flint Hills Manor. He stated that the property is now located on two lots. He questioned why the properties were not placed out for bid and why there were no building permits or moving permits. The Development Director stated that John Mercer had

overseen the majority of the Manor Revisited Project. He stated that he had provided demolition permits to Leonard Johnson and he also had building permits.

He stated that it was the responsibility of the purchaser to obtain moving permits. Leonard Johnson also stated that he had a 30-minute video showing

illegal dumping of debris from the Manor Revisited Project. He stated that The Hawk Eye also has a copy of the video. He stated that only 200 ton of demolition material was taken to the landfill from 23 acres of Flint Hills Manor. He also stated that there were no covers on the dump trucks. Council Member Murray questioned who shot the video. Leonard Johnson stated that the video was shot by an Operating Engineer. He also stated that at the end of the video there was proof of an old dirty valve being installed at the new North Hill school. Council Member Davidson suggested that Leonard Johnson speak with the Burlington School Board in regard to North Hill school construction project.

Ron Sourwine of 1734 West Acres Drive stated that the Manor Revisited Project was pushed through and handled with intimidation. He urged the Council to form a committee to view the process and to see how people who previously lived in Flint Hills Manor now felt about where they are living. Leon Shahan of 1821 Mt.

Pleasant Street felt that TIF takes away monies that could be used for schools for economic development projects that do not work. The Interim City Manager urged Leon Shahan to visit his office to review budget figures/issues. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 8:52 p.m.

Approved: February 19, 2008

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 Agreement Between the City of Burlington, Iowa and Burlington Post No. 52 of the American Legion for Use of Banquet Rooms, Storage Areas and an Office at Memorial Auditorium

2. Resolution Approving Agreement with the Iowa Department of Transportation to Provide for Surface Transportation Program (STP) Enhancement Funds for RecPlex Trail Project, Phase II

SET DATE FOR PUBLIC HEARING: FEBRUARY 19, 2008

1. Consideration of Concept for Speed Zone for Riverfront Area

APPOINTMENTS:

RecPlex Advisory Committee: John Jay

Low Rent Housing Agency Board: Tom Cameron, Richard Tiemeyer, George Newman