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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 8
April 21, 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

PROCLAMATIONS:

Arbor Day - Casey Chadwick
A Day of Prayer - Pastor Frank Beaty
Teach Children to Save Day - Vickie Bredar, Charlie Walsh, Addison Snyder, Andrew Giese, Kayleigh Allen, Jarod Fogle, Jonathan Langerud and Emily Cradic
Equal Pay Day - Marlis Roberts
Clean Out Your Files Day - Hal Morton
Law Day - Susan Diehl

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 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

RESOLUTIONS:

Introduced By: Murray Seconded By: Scott

1. Resolution Approving Employment Agreement for the City Manager

DISCUSSION: Mary Baker of 320 South 6th Street congratulated Interim City Manager, Doug Worden, for his promotion to City Manager. Council Member Scott stated that he was glad the search was over and felt the City Council made the right decision. Council Member Thomas concurred with Council Member Scott. He also stated that sometimes those individuals who have served the City for many years do not receive the honor due to them. Council Member Davidson stated that

he was glad that Doug Worden accepted the position of City Manager and wished him many exciting fulfilling years. Council Member Murray stated that Doug Worden has served the City of Burlington for thirty years. He stated that part of the reason Burlington is such a vibrant community was due to Doug Worden. He stated that Doug Worden would be one of Burlington's best City Managers. M

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Ell stated that he has known Doug Worden for many years. He stated that Doug was a great Finance Director and will be a great City Manager. He stated that he was extremely proud and happy for him. Doug Worden thanked the City Council for the opportunity to serve the City Council, staff and the community as their City Manager. He stated that it was an honor to serve as City Manager for his hometown. He further stated that he would do his best. 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 Approving Preliminary Plat of Lime Rock Subdivision, Located in the 2-Mile Jurisdiction of the City of Burlington, in Des Moines County

DISCUSSION: The City Manager stated that Lime Rock Subdivision is in the 2-mile jurisdiction of the City of Burlington, so therefore, approval by the City Council was needed. He stated that Lime Rock Subdivision was located north of Spirit Hollow and adjacent to Oak Valley Estates. The Development Director stated that the Des Moines County Supervisors have already approved the preliminary plat of Lime Rock Subdivision. All present had opportunity to speak

and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

ADOPTED

HEARING:

1. Statement: Consideration of Annual Consolidated Transit Funding Application

COMMENTS: The Deputy Public Works Director stated that the public hearing on the

filing of an application to the Iowa Department of Transportation for Federal and State operating assistance for B.U.S. was a required hearing. He stated that the City was anticipating receiving approximately the following: \$126,798.00 in STA monies and \$200,403.00 in FTA monies. He stated that those figures were based on miles driven and the number of passengers hauled for the previous year. He stated that the estimated current request for federal capital

assistance was \$441,560.00 for replacement of four medium duty buses. The City asked for four buses because they have similar rankings. To attempt to gain some funding, the City placed all four on the request list in hopes that at least one ranks within the funding threshold. He stated that medium duty bus no. 705 is currently included in this request, but may be substituted with a light duty or different medium duty bus for the final request. He further stated that bus no. 705 was completely destroyed in a fire earlier in the month.

The City Manager stated that there was currently a grant for an expansion bus, but that grant monies may be used toward replacing the recently burnt bus. Council Member Thomas asked if hybrid/renewable energy buses have been looked at

for purchase. The Deputy Public Works Director stated that he would present a report to the City Council at funding time next year. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Resolution Approving Annual Consolidated Transit Funding Application

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

ADOPTED

ORDINANCES:

Introduced By: Davidson Seconded By: Murray

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending the Future Land Use Map and Rezoning Designated Property Between Gnahn Street and the Railroad Tracks, North of Whittaker Street from R-2

(Single-Family Residential, Non-Traditional) and R-3 (Two-Family Residential) to M-1 (Light Industrial Zoning District)

DISCUSSION: The City Manager stated that there were no changes to the Ordinance Amending the Future Land Use Map and Rezoning Designated Property Between Gnahn Street and the Railroad Tracks, North of Whittaker Street from R-2

(Single-Family Residential, Non-Traditional) and R-3 (Two-Family Residential) to

M-1 (Light Industrial Zoning District)

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

(VOTE: 5 - â AYESâ)

CARRIED

Introduced By: Scott

Seconded By: Davidson

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending the Future Land Use Map and Rezoning Designated Property Between Gnahn Street and the Railroad Tracks, North of Whittaker Street from R-2 (Single-Family Residential, Non-Traditional) and R-3 (Two-Family Residential) to M-1 (Light Industrial Zoning District)

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

CARRIED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:43 p.m.

Approved: May 5, 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 Outdoor Service Area for Liquor License for Paddlewheel Lounge, Inc. dba/Paddlewheel Lounge for Event on May 16, 2008

2. Resolution Approving Refund of Liquor License for Huckleberry Entertainment, LLC dba/Fun City
3. Resolution Approving Final Acceptance, Final Payment and Release of Retention Monies for the 2007 Plane/Curran Diamond Grinding Project
4. Resolution Awarding Contract for the 2008 HMA Resurfacing Project
5. Resolution Authorizing a Purchase Contract for Video Surveillance Equipment for Buses
6. Resolution Authorizing the Filing an Application for FFY 2009 Regional Surface Transportation Program (STP) Funds for Development Costs for the City's Portion of the Flint River Trail

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of Plans and Specifications for the 2008 Hayes Court Reconstruction Project
(May 5, 2008)
2. Consideration of Plans and Specifications for the 2008 Burlington RecPlex Trail, Phase II
(May 5, 2008)
3. Consideration of an Ordinance Vacating a Sanitary Sewer Easement Located in the Northwest Corner of Lot 1 of Hy-Vee First Addition Subdivision (May 5, 2008)
4. Consideration of an Ordinance Amending Ordinance No. 3129, Creating the Diewold Plaza Planned Unit Development (PUD) (May 19, 2008)
5. Consideration of an Ordinance Rezoning the Property Located at 1501 Osborn Street from R-3 (Two-Family Residential) to C-1 (Limited Commercial Zoning District) (May 19, 2008)

APPOINTMENTS:

Enterprise Zone Commission: Bryan Bross
Human Rights Commission: Sivon Williams