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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 9
May 5, 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:

Building Safety Week - Eric Larson
Teen Pregnancy Prevention Month - Kara Roberts
Historic Preservation Month - Steve Frevort
National Association of Letter Carriers, and Local #222 Day - Milburn Lietsch

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: Murray Seconded By: Thomas

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

HEARINGS:

1. Statement: Consideration of Plans and Specifications for the 2008 Hayes Court

Reconstruction Project

COMMENTS: The Public Works Director reviewed the plans and specifications for the 2008 Hayes Court Reconstruction Project with the City Council and the viewing audience. He stated that the street was presently 31 foot and would be designed as a 27-foot wide street, which is the new street standard as part of the City's Comprehensive Plan. He stated that bids would be received on June 4,

2008 with the City Council awarding the project on June 16, 2008. He stated that the budget for the project was \$120,000.00 and would be funded as follows: \$20,000.00 in local option sales tax monies and \$100,000.00 in general obligation bonds. He stated that the estimated cost of the project was \$142,000.00. Dana Crouner of 109 Hayes Street requested more time to contact property owners to see if they were interesting in petitioning to keep the street 31-foot and paying the additional cost. Charlene Waddell of 102 Hayes Street also stated that she would like to see the street remain 31-feet. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Murray Seconded By: Scott
Motion to Close

CARRIED

Introduced By: Scott Seconded By: Thomas
Motion That the Resolution Approving Plans and Specifications for the 20
08
Hayes Court Reconstruction Project, be tabled to the May 19, 2008 City Council
Meeting

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

CARRIED

2. Statement: Consideration of Plans and Specifications for the 2008 Burlington
RecPlex Trail, Phase II

COMMENTS: The City Manager stated that the 2008 Burlington RecPlex Trail, Phase
II was a grant-funded project and would complete the trail around the RecPlex.
The Public Works Director reviewed the plans and specifications for the 2008
Burlington RecPlex Trail, Phase II with the City Council and the viewing
audience. He stated that the budget for the project was \$150,000.00 and would
be funded as follows: \$120,000.00 in federal surface transportation funds and
\$30,000.00 in general obligation bonds (local match). He stated that the
estimated cost of the project was \$156,460.00. He stated that the Iowa
Department of Transportation would receive bids on June 17, 2008 and the project

would be awarded by the City Council on July 7, 2008. Construction should be
completed the in Fall of 2008. Council Member Scott stated that the previous
City Manager had been speaking with Two River Bank about completing the trail to

Roosevelt Avenue. The City Manager stated that he would speak with the bank
about the issue. 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 Plans and Specifications for the 2008 Burlington Re
cPlex
Trail, Phase II

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

ADOPTED

3. Statement: Consideration of an Ordinance Vacating a Portion of a 20-Foot Wide
Sanitary Sewer Easement Located in the Northwest Corner of Lot 1 of Hy-Vee First
Addition Subdivision, City of Burlington, Des Moines County, Iowa

COMMENTS: The Development Director stated that the old Hy-Vee store on Agency
Street, now occupied by Slumberland Furniture, wishes to vacate a portion of a
20-foot wide sanitary sewer easement located in the northwest corner of lot one
of Hy-Vee First Addition Subdivision. He stated that there were no utilities in

that section and that staff recommends the vacation of the easement. All
present opportunity to speak and nothing additional was filed in the office of
the City Clerk.

Introduced By: Thomas Seconded By: Scott
Motion to Close

CARRIED

Introduced By: Thomas Seconded By: Scott
Motion for Preliminary Adoption of the First Reading of an Ordinance Vacating a Portion of a 20-Foot Wide Sanitary Sewer Easement Located in the Northwest Corner of Lot 1 of Hy-Vee First Addition Subdivision, City of Burlington, Des Moines County, Iowa

DISCUSSION: None.
(VOTE: 5 - â AYESâ)

CARRIED

RESOLUTION:

Introduced By: Davidson Seconded By: Scott
1. Resolution Establishing a New Fee and Charge Schedule for Septic Haulers

DISCUSSION: Upon tabling the Resolution Establishing a New Fee and Charge Schedule for Septic Haulers, the City Manager stated that the Resolution would automatically come back up for discussion and approval at the next scheduled Council Meeting. Mayor Ell stated that the City Council would like to gather more information on the issue. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott Seconded By: Ell
2. Motion That the Resolution Establishing a New Fee and Charge Schedule for Septic Haulers, Be Tabled

DISCUSSION: None.
(VOTE: 5 - â AYESâ)

CARRIED

COMMENTS FROM AUDIENCE: Spencer Larson of 601 South Roosevelt Avenue, trailer no. 19, reviewed details of his arrest on April 23, 2008 for trespassing and disorderly conduct. He complained of Burlington detectives threatening him. He stated that he would be hiring an attorney and take the issue to court. The City Manager explained that the Burlington Police Department nor any Burlington detectives were involved with the arrest of Spencer Larson. He stated that the issue was with the Sheriff's office. Police Chief Luttenegger also stated that Spencer Larson was confused as to who arrested him. He stated that the Burlington Police Department was not involved in the arrest. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:59 p.m.

Approved: May 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 Outdoor Service Area for Liquor License for Coyote Productions, Inc. dba/The Crazy Coyote for Event on May 15, 2008
2. Resolution Awarding Contract for the 2008 Grimes Elementary Intersection Improvements
3. Resolution Establishing Sewer User Fees, Solid Waste Fees and Ambulance Fees Effective July 1, 2008
4. Resolution Approving Participation in a Water Needs Assessment Study

SET DATE FOR PUBLIC HEARINGS: MAY 19, 2008

1. Consideration of Amending the Boundaries of the Urban Renewal Plan for the Neighborhood Development Program Urban Renewal Area in the City of Burlington, Des Moines County, Iowa
2. Consideration of Budget Amendment for Fiscal Year 2007-2008

APPOINTMENTS:

Civil Service Commission: Tracy McCampbell