

MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 12
June 16, 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:

- * Retirement of Bob Voigt, Firefighter
- * Juneteenth Day - Lyn Stinson

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: Davidson 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

RESOLUTIONS:

Introduced By: Thomas

Seconded By: Scott

1. Resolution Providing for the Sale and Issuance of \$3,475,000.00 General Obligation Street Improvement and Refunding Bonds, Series 2008A and Providing for the Levy of Taxes to Pay the Same

DISCUSSION: The City Manager stated that the proposed Resolution provides for the sale and issuance of \$3,475,000.00 General Obligation Street Improvement and

Refunding Bonds, Series 2008A and would provide for the levy of taxes to pay the

same. He stated that the bond sale would provide for street improvements and the refunding of the City's outstanding General Obligation Bonds, Series 1997,

1998, 1999 and 2001. He stated that the City would be saving approximately \$87,200.00 in interest over the life of the debt. Rex Ramsay of Piper Jaffray and Company stated that the bond sale was held on June 16, 2008 at noon in the City Manager's office with four bids being received. He stated that the low bidder was Morgan Keegan and Company, Inc. of Minneapolis, Minnesota with the true interest rate of 4.023817%. The City Manager stated that there were some indications that the flood and the increase of interest rates last week resulted

in the higher than anticipated interest rate. 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

2. Resolution Providing for the Sale and Issuance of \$2,165,000.00 General Obligation Urban Renewal Economic Development Bonds, Series 2008B and Providing for the Levy of Taxes to Pay the Same

DISCUSSION: The City Manager stated that the Resolution provides for the sale and issuance of \$2,165,000.00 General Obligation Urban Renewal Economic Development Bonds, Series 2008B and provides for the levy of taxes. He stated that in February 2008 the City Council authorized applications and agreements relating to State programs to assist Federal Mogul Ignition Company in the modernization of their Burlington plant. He stated that the interest on the bonds were taxable. He further stated that Federal Mogul Ignition Company guarantees the repayment of the bonds with repayment from revenues from the Targeted Jobs Withholding Tax Credit Program. He explained that the Withholding Tax Credit Program allows the City to capture part of the State income tax dollars paid by the employees of Federal Mogul Ignition Company to fund the project. He stated that the bond sale was held on June 16, 2008 at noon in his office with two bids being received. Rex Ramsay of Piper Jaffray and Company stated that the low bidder was Northland Securities of Minneapolis, Minnesota with the true interest rate of 5.986000%. He stated that due to the increase of interest rates last week resulted in the higher interest rate. The

City Council thanked Rex Ramsay for assisting in the sale of the bonds. 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: Thomas

3. Resolution Awarding Contract for the 2008 Cliff Road Sidewalk Project

DISCUSSION: The City Manager stated that the proposed Resolution awards the contract for the 2008 Cliff Road Sidewalk Project to Shipley Contracting Corporation in the amount of \$91,833.31. He stated that the budget and grant amount was for \$70,950.00. He stated that the City and the Burlington Community

School District have agreed to each pay one-half of the difference between the low bid and the available funding. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

HEARINGS:

1. Statement: Consideration of Resolution of Necessity for the 2008 Hayes Court Reconstruction Project Tabled from the June 2, 2008 City Council Meeting

COMMENTS: The City Manager stated that the hearing on the Resolution of Necessity for the 2008 Hayes Court Reconstruction Project was the last step in the assessment process prior to taking bids for the project. He stated that the

project was originally going to be constructed at 27-feet and now the plans and specifications provide for 31-feet with the property owners paying the additional cost between 27-foot wide and a 31-foot wide street. He stated that the City Council had already approved the preliminary assessment schedule. 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: Davidson Seconded By: Scott

Resolution Approving Resolution of Necessity for the 2008 Hayes Court
Reconstruction Project

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

ADOPTED

2. Statement: Consideration of a Permanent Encroachment Agreement Between the
City of Burlington, Iowa and John Archer dba/Kelly O Sheas Shamrock Pub & Grille

at 607/609 South Main Street

COMMENTS: The Development Director stated that a hearing was being held for
approval of an encroachment agreement between the City and John Archer dba/Kelly

O Sheas Shamrock Pub and Grille at 607/609 South Main Street. He stated that
the encroachment agreement provides for a handicap ramp and hand rails on City
right-of-way as well as a sign, balcony and awning above City right-of-way. All

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

Introduced By: Scott

Seconded By: Murray

Motion to Close

CARRIED

Introduced By: Scott

Seconded By: Thomas

Resolution Approving Permanent Encroachment Agreement Between the City of
Burlington, Iowa and John Archer dba/Kelly O Sheas Shamrock Pub & Grille at
607/609 South Main Street

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:20 p.m.

Approved: July 7, 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 Demolition/Nuisance Abatements for Various Properties
2. Resolution Approving Final Acceptance, Final Payment and Release of Retention

Monies for the 2007 Burlington RecPlex Trail, Phase I

3. Resolution Approving Forgiving the Agreement with Steamboat Senior Center Related to the Parking Lot at Fifth and Valley

SET DATE FOR PUBLIC HEARING: July 7, 2008

1. Consideration of an Ordinance Rezoning Lot 14 of Block 35, Barrett's Addition Subdivision from R-2 (Single-Family Residential) to C-1 (Limited Commercial Zoning District)

APPOINTMENTS:

Library Board of Trustees - Craig Borchard