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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 13
July 7, 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 Pro-Tem Murray, Council Members Davidson, Scott and Thomas present. Mayor Pro-Tem Murray announced that Mayor Ell was on vacation and would be unable to attend the meeting.

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

DISCUSSION: Mayor Pro-Tem Murray reviewed the items listed on the consent agenda to the viewing audience. Council Member Thomas 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: 4 - AYES) CARRIED

HEARINGS:

1. Statement: Consideration of \$4,000,000.00 Sewer Revenue Loan and Disbursement Agreement

COMMENTS: The City Manager stated that this was the first time the City was using the State Revolving Loan Fund. He stated that the \$4,000,000.00 Sewer Revenue Loan would be used for the 2007 Hawkeye Sewer Separation, Phase IV, Equalization Tanks. He stated that the project was awarded in May, 2008. He stated that the City Council had a public hearing in May of 2007, but recently found out that a different public hearing is needed. The Finance Director reviewed the details of the loan and disbursement agreement. He stated that the City will draw down the funds as needed through the State. He stated that the interest rate was approximately 3.5% and would be repaid with sewer revenues. Council Member Scott asked when the City would start paying on the loan. The Finance Director stated that the City would start paying on the loan one year after the project is completed. All present had 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

Resolution Taking Additional Action to Enter into a Sewer Revenue Loan and Disbursement Agreement

DISCUSSION: None.

(VOTE: 4 - AYES) ADOPTED

2. Statement: 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) - 1209 Madison Avenue

COMMENTS: The Development Director stated that Jet Stop purchased property located at the southwest corner of South Street and Madison Avenue last fall and

plans to construct a car wash. He stated that the property needs to be rezoned to a C-1 (Limited Commercial Zoning District). He stated that landscaping would

be moved to the south and the sidewalk on the east of the property will be replaced. He stated that the rezoning was coming to the City Council without a recommendation by the City Planning Commission due to lack of a quorum at their May 12, 2008 and June 9, 2008 City Planning Commission meetings. He stated that

his office has received no negative comments from the neighborhood. Council Member Davidson questioned how the traffic would flow from the car wash. The Development Director stated that Jet Stop will submit to the Development Department at a later date a site plan, which will show the traffic flow pattern. 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: Davidson Seconded By: Thomas
Motion for Preliminary Adoption of the First Reading 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) - 1209 Madison Avenue

DISCUSSION: None.

(VOTE: 4 - AYES) CARRIED

RESOLUTION:

Introduced By: Davidson Seconded By: Thomas
1. Resolution Awarding Contract for the 2008 Hayes Court Reconstruction Project

DISCUSSION: The City Manager stated that the proposed Resolution awards contract

for the 2008 Hayes Court Reconstruction Project to Shipley Contracting Corporation in the amount of \$126,016.59. He stated that the City's cost was \$117,977.62 and the assessed property owners cost was \$8,038.97. Council Member

Scott stated that the 2008 Hayes Court Reconstruction Project was government at its best. He commended the two women who obtained all the property owners' signatures for the assessment so that they could keep their street at 31 feet. All present had opportunity to speak and nothing additional was on file in the office of the City Clerk.

(VOTE: 4 - AYES) ADOPTED

COMMENTS FROM AUDIENCE: Leon Shahan of 1821 Mt. Pleasant Street asked if the City has received any more payments from the water park. The City Manager stated that a quarterly report is due by the end of July 2008. All present had

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

Adjournment: 7:16 p.m.

Approved: July 21, 2008

Kathleen P. Salisbury, MMC
City Clerk

Matthew Murray
Mayor Pro-Tem

(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 Purchase of a Used Stump Cutter for Parks Department, Forestry Division
3. Resolution Approving Purchase of a Zero Turn Toro Groundskeeper for the Parks Department
4. Resolution Authorizing the Filing of an Application for Iowa State Recreational Trails Program Funding for Acquisition and Construction Costs for Phase One of the Flint River Trail Located in the City of Burlington
5. Resolution Appointing City Treasurer

SET DATE FOR PUBLIC HEARINGS: July 21, 2008

1. Consideration of Plans and Specifications for the 2008 Jefferson Street Reconstruction, Main Street to Front Street
2. Consideration of an Ordinance Establishing an Economic Development Advisory Board to Designating the Duties, Therefore

APPOINTMENTS:

Human Rights Commission: Reverend John Herring