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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 27
February 2, 2009

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

LETTERS OF RECOGNITION TO SGT. ZAHN, POLICE OFFICERS BLOOMER, MERRYMAN, CARPER, WEBSTER, CAMERON AND CARROLL

DISCUSSION: The Police Chief presented Sgt. Zahn, Police Officers Bloomer, Merryman, Carper, Webster, Cameron and Carroll with letters of recognition for the surveillance and communication that took place the night of December 24, 2008 and during the early morning hours of December 25, 2008 resulting in the arrest of Keith Dunn. He stated that their dedication to the Police Department and the community was demonstrated through their efforts in preventing potential loss of thousands of dollars in property damage and the risk of unnecessary injury or death. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

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: 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. Leon Shahan of 1821 Mt. Pleasant Street requested the removal of the Resolution Authorizing Payment to Federal-Mogul Ignition Products from the Consent Agenda for discussion at the close of the meeting. Council Member Davidson requested the removal of the Resolution Approving Settlement Agreement with Ryder Truck Rental, Inc. 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 - â AYESâ)

CARRIED

RESOLUTIONS:

Introduced By: Davidson Seconded By: Scott

1. Resolution Approving the Collective Bargaining Agreements Between the City of Burlington, Iowa and Local 828 of the American Federation of State, County and

Municipal Employees, AFL-CIO and Local 7176 of the Communication Workers of America, AFL-CIO and Local 301 of the International Association of Firefighters, AFL-CIO for July 1, 2009 through June 30, 2014

DISCUSSION: The City Manager stated that the City was happy to approve five-year collective bargaining agreements with AFSCME, the CWA and the IAFF. He complimented the Human Resource Director, the Finance Director and all bargaining members for their cooperation. The Human Resources Director stated that negotiations started in October 2008 and by December all proposals were accepted, except insurance. She stated that a federal mediator was used for the

issue of health insurance, which was able to bring all together and reach tentative agreements. She presented the City Council and the viewing audience the highlights of the agreements and changes to insurance. She commended the union leaders for their work. Leon Shahan of 1821 Mt. Pleasant Street stated that he wasn't complaining against the City's workers wages, but felt that those

in the private sector are underpaid. Council Member Scott stated that this was the best contract that he has seen since he has served on the City Council. He stated that everyone worked hard and did a tremendous job. Council Member Davidson echoed Council Member Scott's comments. John Stirn, President of CWA

7176, Sherry Riney, President of AFSCME Local 828 and Matt Treasure, Steward for

IAFF Local 301 stated that they were happy to have a 5-year agreement and thanked the City Manager, the Human Resources Director and the Finance Director.

Mayor Ell stated that the City of Burlington was a good employer due to labor unions and that the City has great employees. All present had opportunity to speak and nothing additional was filed in the office of City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Davidson Seconded By: Scott

2. Resolution Approving Settlement Agreement with Ryder Truck Rental, Inc.

DISCUSSION: Council Member Davidson stated that he had requested the removal of the Resolution from the Consent Agenda as the City Council had not discussed the

issue at the previous work session. The City Manager stated that the City's attorney had just reached a settlement agreement with Ryder Truck Rental, Inc. last Thursday. He stated that the proposed Resolution provides for a settlement

agreement with Ryder Truck Rental, Inc. concerning the termination of their lease of property located at 3520 Division Street in the sum of \$104,206.00 to the City of Burlington. He stated that a part of their original lease with the City was that they were required to pave the parking lot. He stated that Ryder Truck Rental, Inc. was subleasing a portion of their building to Ruan and now plans on canceling their lease with the City. Ruan has expressed an interest in

leasing the facility. He stated that the \$104,206.00 will be used toward paving

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

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Ell

Seconded By: Thomas

3. Resolution Authorizing Payment to Federal-Mogul Ignition Products

DISCUSSION: The City Manager stated that several months ago the City had approved an application for Federal Mogul Ignition Company for targeted jobs withholding tax credit program agreement for modernization of their plant. He stated that the City has borrowed \$2,100,000.00 that will be repaid with the Iowa Income Tax Credit. Leon Shahan of 1821 Mt. Pleasant Street stated Federal Mogul supplies spark plugs to the auto industry and questioned what the City's

risk would be if the company failed. The City Manager stated that the City has a guarantee from the Corporate Headquarters that should the company fail that the City would be paid back. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:38 p.m.

Approved: February 17, 2009

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

SET DATE FOR PUBLIC HEARING: February 17, 2009

1. Consideration of Plans and Specifications for the 2009 Gilbert Street
Reconstruction Project

APPOINTMENTS:

Des Moines County Regional Solid Waste Commission: William Ell
Board of Housing Standards and Appeals: Jay Smith