

Subject to change as finalized by the City Clerk.
For a final official copy, contact the City Clerks office at (319)753-8124.

MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 31
April 6, 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 and Scott present. Mayor Ell announced that Council Member Thomas was unable to attend the meeting as he was out-of-town. A local Boy Scout Troop led the Burlington City Council in the Pledge of Allegiance.

BURLINGTON CITY COUNCIL

PROCLAMATIONS:

- * Fair Housing Month - Barbara Kelley
- * Earth Day - Eric Larson
- * National Library Week - Rhonda Frevert

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: 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: 4 - AYES)

CARRIED

HEARING:

1. Statement: Consideration of an Ordinance Rezoning Property Located at 826 North 7th Street from R-4, Multi-Family Residential to C-1, Limited Commercial Zoning District

COMMENTS: The City Manager stated that the proposed Ordinance rezones property located at 826 North 7th Street from R-4, Multi-Family Residential to C-1 Limited Commercial Zoning District. He stated that the area was overlooked when

the zoning map was revised. The Development Director stated that the Des Moines

County Extension Service has requested the rezoning of the old medical arts building to a C-1, Limited Commercial Zoning District. Council Member Davidson questioned if 831 North 7th Street was included in the rezoning. The Development Director stated that 831 North 7th Street was the parking lot adjacent to the building and it was included in the rezoning. 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: Scott
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning
Property Located at 826 North 7th Street from R-4, Multi-Family Residential to
C-1, Limited Commercial Zoning District

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

CARRIED

ORDINANCE:

Introduced By: Scott Seconded By: Davidson
1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of
an Ordinance Amending Sections 17.20.20 M-2 Heavy Industrial District, 17.30.10
Non-Conforming Uses and Section 17.30.50 Parking Regulations of Title 17 Zoning
and Subdivision Regulations of the Burlington Municipal Code

DISCUSSION: The City Manager stated that there were no changes to the Ordinance
Amending Sections 17.20.20 M-2 Heavy Industrial District, 17.30.10
Non-Conforming Uses and Section 17.30.50 Parking Regulations of Title 17 Zoning
and Subdivision Regulations of the Burlington Municipal Code from the first
reading. All present had opportunity to speak and nothing additional was filed
in the office of the City Clerk.

(VOTE: 4 - 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 Sections 17.20.20 M-2
Heavy Industrial District, 17.30.10 Non-Conforming Uses and Section 17.30.50
Parking Regulations of Title 17 Zoning and Subdivision Regulations of the
Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

CARRIED

RESOLUTIONS:

Introduced By: Scott Seconded By: Davidson
1. Resolution Establishing Sewer User Fees, Solid Waste Fees and Ambulance
Service Fees Effective July 1, 2009

DISCUSSION: The City Manager stated that the proposed Resolution provides for an
8% increase in sewer user fees as a result of the City's debt service, for the
equalization tanks and sewer separation cost. He stated that solid waste fees
would increase by \$.50 a month per household due to tipping fee increases, fuel
costs and the cost associated from a temporary employee to a part time employee
at the Solid Waste Department. There was also a 3% increase in ambulance fees.
The Finance Director explained how an average home in Burlington would be
impacted by the increases. Council Member Scott stated that he would still like
to see a monthly bill instead of a quarterly bill for sewer user fees, which
would help many citizens to plan their budgets. Council Member Murray concurred
with Council Member Scott. Mayor Ell stated that ambulance fees are annually
adjusted to prevent a one-time higher adjustment. He stated that the City still

had a lot of sewer work left to do and that the sewer fees could still go higher along with the solid waste fees due to upcoming changes at the landfill. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ)

ADOPTED

Introduced By: Murray Seconded By: Ell

2. Resolution Authorizing the Contract with Klingner and Associates to Prepare Preliminary Permit Application for a Hydroelectric Project

DISCUSSION: The City Manager stated that the US Corps of Engineers did a study in the early 1980s studying lock and dams on the Mississippi River and found several compatible dams that could be used for hydroelectric usage. He stated that the City has been approached by the Chamber of Commerce and Klingner and Associates to prepare a preliminary permit application for a hydroelectric project at Lock and Dam 18. He stated that Klingner and Associates will submit a

proposal to prepare a permit application to the Federal Energy Regulating Commission in the amount of \$20,000.00. He stated that the \$20,000.00 will be financed with economic development sales tax monies. Bryan Bross of Klingner and Associates stated that he had a good discussion on the issue of hydroelectric with the City's Renewal Energy and Conservation Advisory Committee. He stated that this was the first step in green energy. He stated that if the City Council decides to proceed with the hydroelectric project, the costs would be approximately between \$80,000,000.00 and \$100,000,000.00, but would provide big dividends. Council Member Scott stated that green energy was very much needed with Alliant Energy announcing an 8% increase followed by another 8% increase after that. Council Member Murray also stated that the hydroelectric project was a positive, progressive first step in green energy. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ)

ADOPTED

Introduced By: Murray Seconded By: Scott

3. Resolution Approving Participation in the Partnering for the Future Campaign

DISCUSSION: The City Manager stated that the proposed Resolution approves participation in the Partnering for the Future Campaign with Grow Greater Burlington. He stated that Grow Greater Burlington has undertaken a five-year \$1,500,000.00 fund-raising campaign to supplement its normal economic development efforts and have asked the City to contribute \$10,000.00 per year for the five-year period to fund the campaign. The monies will be funded from the local option sales tax economic development fund pending approval by the City's Economic Development Advisory Committee. Dennis Hinkle, Executive Director of Grow Greater Burlington, stated that Grow Greater Burlington has ambitious plans and that Ken Gaudian has been chosen as chairperson for the campaign. Kent Gaudian stated that the campaign monies raised would be used to create 1,000 primary and 500 secondary jobs. He stated that all investors will receive a quarterly score card on the progress of the campaign. All present had

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

(VOTE: 4 - â AYESâ)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:49 p.m.

Approved: April 20, 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

RESOLUTIONS:

1. Resolution Approving Purchase of 36 Sets of Turn-Out Gear and Accessories as Defined in the FEMA Grant for Burlington Fire Department Personnel
2. Resolution Approving Purchase of 24 Scott Air Pak 75 SCBA's and Accessories as Defined in the FEMA Grant for Burlington Fire Department Personnel
3. Resolution Awarding Contract for the 2009 Gilbert Street Reconstruction Project
4. Resolution Authorizing a Planting Permit Agreement Between the City of Burlington and the Iowa Department of Transportation as Part of the DOT/DNR Roadside Beautification Grant for Landscaping of Highway 61-Roosevelt Avenue
5. Resolution Approving Contract for 2009 Repair of Leaks in the Tunnel and Adjoining Areas at the Burlington Wastewater Treatment Facility
6. Resolution Approving the Signing of an Acknowledgment of Financial Responsibility under Advance Authority to Incur Costs with the Purchase of Two Light Duty Buses

APPOINTMENT:

Low Rent Housing Board - Ron Snyder