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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 33
May 4, 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

PROCLAMATIONS:

- * Day of Prayer - Sam Fratt
- * Motorcycle Safety Awareness Month - Stewart â Wallyâ Wallace

- * Teen Pregnancy Prevention Month - Stacy Hillyer
- * Police Week - Police Chief Luttenegger
- * Emergency Medical Services Week - Battalion Chief Matt Trexel
- * Building Safety Week - Eric Tysland
- * Historic Preservation Month - Steve Frevert and Keith Schulz
- * National Association of Letter Carriers and Local #222 Day

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 Scott requested the removal of the Resolution Establishing a New Fee and Charge Schedule for Septic Haulers for discussion at the close of the meeting. 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: Scott

Seconded By: Thomas

1. Resolution Awarding Contract for the Ongoing Sealcoat Reclamation Project

DISCUSSION: The City Manager stated that the Ongoing Sealcoat Reclamation Project would generally consist of pulverizing the existing surface to a minimum

depth of 4 inches, incorporating one gallon of emulsion per square yard of roadway into the pulverized surface and shaping and compacting the blended mixture. The newly stabilized roadway would be allowed to cure and then would receive two layers of sealcoat consisting of washed aggregate and MC3000 cutback asphalt. He stated that approximately 4.7 miles of streets would be sealcoated.

He stated that the project would be awarded to Shipley Contracting Corporation at \$11.00 per square yard, which was \$2.10 less than last year's bid for the project. He further stated that Dill Street, from Garfield Avenue to Summer Street has been removed due to a Waterworks project schedule for 2010. Dankwardt Street, Madison Avenue to Main Street will now be a part of this project and Crapo Park Main Drive, from Madison Avenue to Dankwardt Drive will be in next year's project schedule. Mary Wiegard of 1018 Cook Street presented

the City Council with pictures of 80-ton trucks going down her street carrying debris from Flint Hills Manor and North Hill School. She stated that the hauling has caused her street to deteriorate and asked the Council to consider sealcoating her street. The City Manager stated that the debris from the Flint Hills Manor went to the landfill, but that he would investigate the hauling and let her know what he finds out. Alan Larson of 2319 Charette Lane stated that he was glad to have Charette Lane included in the project. He stated that he hoped the footprint of the street would remain and not be widened. Council Member Scott stated that it would probably take 7 years to resealcoat the City streets instead of the 4 years as planned due to the cost of the projects. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Scott

Seconded By: Davidson

2. Resolution Establishing a New Fee and Charge Schedule for Septic Haulers

DISCUSSION: Council Member Scott stated that the reason he pulled the Resolution

Establishing a New Fee and Charge Schedule for Septic Haulers from the Consent Agenda was that last year he did not vote in favor of raising the fees and he would not vote in favor of it this year. He stated that the charge schedule for

septic haulers was really a charge schedule for grease producers. He stated that he was out to protect the underdog and felt it was not a fair process. The

City Manager stated that the City Council had directed staff to spread out the increase for septic haulers over three annual adjustments effective July 1, 2008, 2009 and 2010 as it had been a long time since the fees were adjusted and they needed to be kept current with cost. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES THOMAS, DAVIDSON, ELL AND MURRAY

1 - NAY SCOTT)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:49 p.m.

Approved: May 18, 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 Final Acceptance, Final Payment and Release of Retention

Monies for the 2008 Hayes Court Reconstruction Project

2. Resolution Authorizing Mayor to Sign Cooperation Agreement with U.S. Army Corps of Engineers Concerning Repair to the North Bottoms Levee

3. Resolution Approving Contract with the Iowa Department of Economic Development for the Neighborhood Stabilization Program

SET DATE FOR PUBLIC HEARINGS: MAY 18, 2009

1. Consideration of an Ordinance Amending Chapter 79 Parking Regulations of the Burlington Municipal Code

2. Consideration of a Permanent Encroachment Agreement Between the City of Burlington and Burton Prugh (Prugh Funeral Home) for a Handicap Accessible Ramp at 317 North 4th Street, Burlington, Iowa