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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 40
August 17, 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

Certificate of Recognition: James Whitaker, Fire Captain, 35 Years of Service

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 Thomas requested the removal of the Resolution

Establishing Fees Per Chapter 65.13 (Animals) of the Burlington Municipal Code 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

ORDINANCE:

Introduced By: Scott Seconded By: Thomas
Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Rezoning the Property Located at 1204 Washington Street (Hibernia Hall) to Include a H-1, Historical Preservation Overlay Zoning District as Allowed by Section 17.20.50 of the Burlington Municipal Code

DISCUSSION: The City Manager stated that there were no changes to the Ordinance

Rezoning the Property Located at 1204 Washington Street (Hibernia Hall) to Include an H-1, Historical Preservation Overlay Zoning District as Allowed by Section 17.20.50 of the Burlington Municipal Code from the first reading. Mary Baker of 320 South 6th Street asked what the former St. Patrick School was being

used for. The City Manager explained that the Ordinance was only for the property located at 1204 Washington Street (Hibernia Hall). Council Member Thomas asked if the H-1, Historical Preservation Overlay Zoning District would allow the owner to receive tax credits. The City Manager stated that it would allow for some advantages to the owner, but that it was a zoning designation and

had to do with the exterior of the building not being able to be changed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

CARRIED

Introduced By: Scott

Seconded By: Murray

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of An Ordinance: An Ordinance Rezoning the Property Located at 1204 Washington Street (Hibernia Hall) to Include a H-1, Historical Preservation Overlay Zoning District as Allowed by Section 17.20.50 of the Burlington Municipal Code

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

CARRIED

RESOLUTION:

Introduced By: Thomas Seconded By: Scott

1. Resolution Establishing Fees Per Chapter 65.13 (Animals) of the Burlington Municipal Code

DISCUSSION: The City Manager stated that the Dog Park Grand Opening will be August 30, 2009 and the Dog Park Committee has asked that the user fee be established per the Burlington City Code. He stated that the annual dog park tag would be \$10.00. He stated that the Resolution reaffirms the annual dog license fee of \$5.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:14 p.m.

Approved: September 8, 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 2009 Gilbert Street Reconstruction Project

2. Resolution Approving Final Acceptance, Final Payment and Release of Retention
Monies for the 2008 Cliff Road Sidewalk Project

3. Resolution Approving Purchase of a 2008 Ford 2500 Cargo Van for Public Works
Department, Property Maintenance Division

4. Resolution Awarding Contract for the 2009 Mt. Pleasant Street HMA Resurfacing
Project

5. Resolution Approving Refund of Special Class â Câ Liquor License (BW) for
Kevin Douglas Bangert dba/Mister Motoâ s Cafe

SET DATE FOR PUBLIC HEARING: SEPTEMBER 8, 2009

1. Consideration of Exchange of Land at 715 Valley Street