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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 7  
April 5, 2010

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, Fleming, Murray and Reed present.

BURLINGTON CITY COUNCIL

PROCLAMATION:

Earth Day - Eric Larson

CERTIFICATE OF RECOGNITION:

Thomas Walz, Patrol Officer, 30 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: Murray    Seconded By: Davidson

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 Davidson requested the removal Resolution Approving Purchase of EF Johnson Stargate I.P. Dispatch Radio Consoles from the consent agenda for discussion at the close of the meeting. He further 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 - AYES )

CARRIED

HEARINGS:

1. Statement: Consideration of Plans and Specifications for the Ongoing Sealcoat Reclamation Project

COMMENTS: The City Manager stated that the Ongoing Sealcoat Reclamation Project was the second year of a multi-year program. The Deputy Director of Public Works presented a map and the listing of streets that will be sealcoated this construction season. He stated that \$725,000.00 has been budgeted for the project, so some streets may not get done this construction season if the money runs out. He stated that the lists of streets were ranked according to needs. Council Member Reed stated that the viewing audience could check the City's website for a listing of the streets that are scheduled for sealcoating. Council Member Davidson stated that he has been on every street listed and the top six were gruesome streets. All present had opportunity to speak and nothing

additional was filed in the office of the City Clerk.

Introduced By: Murray      Seconded By: Fleming  
Motion to Close

CARRIED

Introduced By: Murray      Seconded By: Ell  
Resolution Approving Plans and Specifications for the Ongoing Sealcoat  
Reclamation Project

DISCUSSION: None.

(VOTE: 5 - â AYESâ )

ADOPTED

2. Statement: Consideration of an Ordinance Amending Section 73.04 (4) Special  
25 MPH Speed Zones and Section 73.04 (5) Special 30 MPH Speed Zones of Chapter  
73 Speed Regulations of the Burlington, Iowa Municipal Code

COMMENTS: The City Manager stated that the proposed Ordinance Amending Section  
73.04 (4) Special 25 MPH Speed Zones and Section 73.04 (5) Special 30 MPH Speed  
Zones of Chapter 73 Speed Regulations of the Burlington, Iowa Municipal Code was

a correction to the City Code when it was recodified several years ago. He  
stated that the issue came up when a Police Officer issued a ticket and the sign

posted and the City Code did not match. Mary Baker of 320 South 6th Street  
stated that motorists on Maple Street are driving over the speed limit. Council

Member Murray stated that he would like to look at the speed limit at the  
Central Street Overpass area as it goes from 30 mph to 25 mph. The City Manager

stated that he would have the Police Chief and the Public Works Department  
review the speed limits in that area. All present had opportunity to speak and  
nothing additional was filed in the office of the City Clerk.

Introduced By: Reed                      Seconded By: Fleming  
Motion to Close

CARRIED

Introduced By: Reed                      Seconded By: Murray  
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending  
Section 73.04 (4) Special 25 MPH Speed Zones and Section 73.04 (5) Special 30  
MPH Speed Zones of Chapter 73 Speed Regulations of the Burlington, Iowa  
Municipal Code

DISCUSSION: None.

(VOTE: 5 - â AYESâ )

CARRIED

3. Statement: Consideration of an Ordinance Amending Section 16.04 (1) Council  
Meetings of Chapter 16 Council of the Burlington, Iowa Municipal Code to Set the

Time for Regular Council Meetings

COMMENTS: The City Manager stated that last Fall the City Council changed the  
Call In Show time from 6:00 p.m. to 6:30 p.m. He stated that the City Council  
has now decided to change the City Council meeting time from 7:00 p.m. to 6:30  
p.m. Tim Scott of 2017 South 15th Street and Mary Baker of 320 South 6th Street  
questioned what time the Call In Show would be. Mayor Ell stated that the  
Council would still have comments from the audience at the end of the City  
Council meeting, just not two opportunities. Council Member Murray stated that  
presently the Call In Show and the comments from the audience at the end of the  
meeting feels like it is duplication. Mayor Ell stated that many times the City

Council only received one or two calls during the Call In Show. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming Seconded By: Reed  
Motion to Close

CARRIED

Introduced By: Fleming Seconded By: Murray  
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Section 16.04 (1) Council Meetings of Chapter 16 Council of the Burlington, Iowa Municipal Code to Set the Time for Regular Council Meetings

DISCUSSION: None.  
(VOTE: 5 - AYES )

CARRIED

4. Statement: Consideration of an Ordinance Amending Various Sections of the Zoning and Subdivision Regulations of Title 17, City of Burlington Development Program of the City of Burlington Municipal Code

COMMENTS: None.

Introduced By: Davidson Seconded By: Fleming  
Motion That the Public Hearing for Consideration of an Ordinance Amending Various Sections of the Zoning and Subdivision Regulations of Title 17, City of Burlington Development Program, Be Continued to the April 19, 2010 City Council Meeting  
(VOTE: 5 - AYES )

CARRIED

RESOLUTIONS:

Introduced By: Davidson Seconded By: Murray  
1. Resolution Approving Professional Service Agreement with Klingner and Associates to Design Cascade Bridge

DISCUSSION: The City Manager stated that the proposed Resolution provides for the approval of a Professional Service Agreement with Klingner and Associates to

do surveys, geotechnical exploration and design, structural bridge and site design, plan production, regulatory permitting, collaboration with IDOT review processes, etc. He stated that the City has already secured \$1,000,000.00 from the IDOT bridge replacement fund which would be used for construction costs. The Deputy Director of Public Works stated that the professional services costs are expected to be less than \$282,000.00 with the maximum amount of \$310,200.00 that includes a contingency clause. Council Member Reed asked if the \$310,200.00 was budgeted for. The City Manager stated that the project was programmed in the next fiscal year but there would be a progress payment during the current year and that Council may do a bond issue toward the project. Council Member Davidson stated that he could not remember which design option the City Council had chosen. The Deputy Public Work Director stated that the design was a combination of two options. Council Member Fleming stated that the

City Council had decided at a work session to go with a hybrid design. Council Member Davidson reminded the City Council and the viewing audience that by committing to the professional service agreement the City Council was committing to the project. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES )

ADOPTED

Introduced By: Davidson Seconded By: Fleming

2. Resolution Approving the City Council's Goal Setting Report

DISCUSSION: The City Manager stated that the proposed Resolution approves the City Council's Goal Setting Report as conducted by Jeff Schott of the Institute of Public Affairs. He stated that Jeff Schott had complimented the City staff and City Council that their lists of major accomplishments were much longer than their list of issues, concerns, trends and opportunities, which is quite the opposite in many Cities. He reviewed with the City Council and the viewing audience the priority projects, programs, policies and initiatives and organizational effectiveness. He stated that upon adoption of the report he would put together an action plan. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES )

ADOPTED

Introduced By: Davidson Seconded By: Fleming

3. Resolution Authorizing the Des Moines County Regional Solid Waste Commission to Issue Not to Exceed \$6,033,000.00 in Aggregate Principal Amount of Solid Waste Revenue Bonds

DISCUSSION: The City Manager stated that the proposed Resolution authorizes the Des Moines County Regional Solid Waste Commission to issue not to exceed \$6,033,000.00 in an aggregate principal amount of Solid Waste Revenue Bonds. He stated that issue was needed due to increased compliance costs under the new landfill permitting rules adopted by the Iowa Environmental Protection Commission. He stated that the Commission would fund the project with the Iowa State Revolving Fund at a lower interest rate and with a longer repayment schedule. Hal Morton, Executive Director of the Solid Waste Commission, reviewed the proposed improvements at the landfill with the City Council and the viewing audience. Council Member Davidson questioned what would happen if the Des Moines County Solid Waste Commission ceased to exist. Hal Morton stated that if the Commission would go bankrupt, then the members were responsible for the pro-rated debt incurred per the 28E agreement. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES )

ADOPTED

Introduced By: Davidson Seconded By: Fleming

4. Resolution Approving Purchase of EF Johnson Stargate I.P. Dispatch Radio Consoles

DISCUSSION: Council Member Davidson stated that he had pulled the Resolution Approving Purchase of EF Johnson Stargate I.P. Dispatch Radio Consoles so that the City Council would have a chance to discuss the bids. 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: Tim Scott of 2017 South 15th Street stated that the City Council had not allowed for comment by the public on the Resolution Authorizing the Des Moines County Regional Solid Waste Commission to Issue Not to Exceed \$6,033,000.00 in Aggregate Principal Amount of Solid Waste Revenue Bonds. Mayor Ell apologized for the error. Mary Baker of 320 South 6th Street stated that in

regard to Earth Day that she does her part by recycling. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 8:13 p.m.

Approved: April 19, 2010

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 Awarding Contract for the 2010 Riverfront Rip-Rap Replacement Project
2. Resolution Awarding Contract for the 2010 Boat Ramp Repair Project
3. Resolution Awarding Contract for the 2010 Hawkeye Sewer Stop-Log Repair Project
4. Resolution Approving Purchase of a 2006 Dodge Dakota Truck for the Burlington Fire Department
5. Resolution Approving One-year Extension to the Agreement with Hammes Bros. Sawmill for the Sale of Timber on Otter Island
6. Resolution Approving Purchase of EF Johnson Stargate I.P. Dispatch Radio Consoles

SET DATE FOR PUBLIC HEARING: April 19, 2010

1. Consideration of Sale of Property Locally Known as 1315 Washington Street, City of Burlington, Des Moines County, Iowa

APPOINTMENTS:

Zoning Board of Adjustment: Ron Snyder  
Animal Hearing Board: Vicki Atteberry, Mark Cameron and Heath Hillyard