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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 36  
June 20, 2011

The Burlington City Council met in regular session at 6:30 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor Ell, Council Members Davidson, Fleming and Murray present. Council Member Reed was absent.

BURLINGTON CITY COUNCIL

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: Murray

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 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

RESOLUTION:

Introduced By: Davidson

Seconded By: Fleming

1. Resolution Awarding Sale of \$5,340,000.00 Sewer Revenue Bonds, Series 2011

DISCUSSION: The City Manager stated that the proposed Resolution awards the sale

of \$5,340,000.00 Sewer Revenue Bonds, Series 2011. He stated that Moody had rated the City with an A1 rating. He stated that the interest rate the City received was below what was projected by Travis Squires of Piper Jaffray and would be saving the City \$419,000.00 in interest than originally projected. Travis Squires of Piper Jaffray stated that the sale of the bonds was at 1:00 p.m. on June 20, 2011 and three electronic bids were received. He stated that the winning bidder was Hutchinson, Shockey, Erley and Company of Chicago, IL with a true interest rate of 3.649650%. He further reviewed with the City Council and the viewing audience the bond debt service and the sources and uses of funds. Council Member Davidson stated that he was very interested in paying off the bonds early. Travis Squires stated that the bonds could not be paid off

earlier than June 2019. Stan Stratton of 2809 Shamrock Drive asked if the sewer

would now be brought up to par. The City Manager stated that the sale of bonds would be used to address operational issue at the Wastewater Treatment Facility and would also increase capacity at the facility. He stated that they were also

having a Consulting Engineer look at the hydraulics at the facility to help mitigate operations. Mayor Ell stated that the improvements at the facility

would make the facility in compliance with the DNR. The City Manager stated that there would still be additional sewer rate increases to help pay for separating the sewers. He stated that it would be approximately ten to eleven years before the sewers in Burlington were separated. Stan Stratton stated that

he was being charged \$6.00 quarterly for sewer runoff and questioned the City Manager why he was being charged this when he did not feel he was benefitting from it. The City Manager explained that everyone pays the storm water fee and he was benefitting by less flow into the river. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES )

ADOPTED

HEARINGS:

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

COMMENTS: The City Manager stated that the proposed Resolution provides for the sale of property locally known as 1315 Washington Street. He stated that the property was purchased through the Neighborhood Stabilization Program (NSP). He

stated that the home was demolished and the property would now be sold to the adjacent property owner. The Planning and Development Director reviewed with the Council and the viewing audience the proposed area. He stated that the adjacent property owner plans on combining the two lots and construct a garage.

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

Introduced By: Fleming  
Motion to Close

Seconded By: Murray  
CARRIED

Introduced By: Fleming Seconded By: Davidson  
Resolution Approving Consideration of Sale of Property Locally Known as 1315 Washington Street, City of Burlington, Des Moines County, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES )

ADOPTED

2. Statement: Consideration of a Permanent Encroachment Agreement Between the City of Burlington and Burlington Community School District for Encroachment into Market Street Right-of-Way on the North Side of the Building at 919 Market Street, Burlington, Iowa

COMMENTS: The City Manager stated that the proposed Resolution provides for an encroachment between the City and the Burlington Community School District for Encroachment into Market Street right-of-way on the north side of the building at 919 Market Street. The Planning and Development Director reviewed with the City Council and the viewing audience the location of the railings and the ramp access to Clark Field House within the Market Street right-of-way. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming Seconded By: Murray  
Motion to Close

CARRIED

Introduced By: Fleming Seconded By: Davidson  
Resolution Approving a Permanent Encroachment Agreement Between the City of Burlington and Burlington Community School District for Encroachment into Market

Street Right-of-Way on the North Side of the Building at 919 Market Street,  
Burlington, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES )

ADOPTED

3. Statement: Consideration of a Permanent Encroachment Agreement Between the City of Burlington and the Capitol Theater Foundation for Encroachment into North 3rd Street and Alley Right-of-Way on the East and West Sides of the Building, 207-209, 211 North 3rd Street, Burlington, Iowa

COMMENTS: The City Manager stated that the proposed Resolution provides for an encroachment agreement between the City and the Capitol Theater Foundation for encroachment into North 3rd Street and alley right-of-way on the east and west sides of the building, 207-209, 211 North 3rd Street. The Planning and Development Director reviewed with the City Council and the viewing audience the

location of the awning and ramp access to the building within the North 3rd Street right-of-way and ramp access into the public alley adjacent to the property. 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: Davidson  
Resolution Approving a Permanent Encroachment Agreement Between the City of Burlington and the Capitol Theater Foundation for Encroachment into North 3rd Street and Alley Right-of-Way on the East and West Sides of the Building, 207-209, 211 North 3rd Street, Burlington, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES )

ADOPTED

COMMENTS FROM AUDIENCE: Stan Stratton of 2809 Shamrock Drive asked the City Manager if the traffic signal at Corse Street and Sunnyside Avenue would be taken down. The City Manager stated that the traffic signal would be removed. Stan Stratton also asked the City Manager if the wall that was left standing after the removal of the building owned by Hope Haven's Hopefully Yours would be

stucco or just left as it. He stated that the wall where Daisana's was removed

looks nice. The City Manager stated that the Paddlewheel Lounge improved the wall after Daisana's was demolished. Stan Stratton further stated that buildings on Main Street were in bad condition. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:00 p.m.

Approved: July 5, 2011

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 Accepting Property Adjacent to Dehn Street Property
2. Resolution Approving the Contract with the Iowa Department of Economic Development for the Neighborhood Stabilization Program
3. Resolution Authorizing a Contract between the City of Burlington and the Southeast Iowa Regional Planning Commission to Complete Administration for the Neighborhood Stabilization Program
4. Resolution Granting the City Manager Permission to Sign off on Correspondence and Forms Required for the Iowa Department of Economic Development for the Neighborhood Stabilization Program

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of an Ordinance Amending Section 17.80.809 Streets of the Zoning and Subdivision Regulations of the City of Burlington Municipal Code (July 5, 2011)
2. Consideration of an Ordinance Amending the Sunrise West Planned Unit Development Overlay District, by Making Changes to Section 4. Land Use Requirements and Allow Single-Family Uses on Lot 2 and 3 (July 18, 2011)
3. Consideration of an Ordinance Rezoning the Property Located at 1831 Des Moines Avenue from R-2, Single-Family Residential to C-2, General Commercial (July 18, 2011)

APPOINTMENTS:

Parks Advisory Committee: Peggy Hunt  
Library Board of Trustees: Brandon Kipp and Emily Roane