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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 3
February 6, 2012

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

BURLINGTON CITY COUNCIL

PROCLAMATION OF RETIREMENT: Cindy Henry, Library Assistant

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: Anderson Seconded By: Fleming

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor Davidson reviewed the items listed on the consent agenda to the viewing audience. Council Member Reed 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

RESOLUTIONS:

Introduced By: Anderson

Seconded By: Reed

1. Resolution Awarding Sale of General Obligation Refunding Bonds, Series 2012B

DISCUSSION: The Interim City Manager stated that Travis Squires of Piper Jaffray

Company was present and would review the awarding of the sale of General Obligation Refunding Bonds, Series 2012B. Travis Squires of Piper Jaffray Company stated that the City received bids at 1:00 p.m. online with a total of three bidders submitting bids. He stated that UMB Bank with Farmers and Merchants Bank and Trust was the low bidder. He stated that the true interest rate was 0.802522%. He stated that the City was saving approximately \$290,000.00 with the refinancing of existing debt. He stated that the bid was very easy to recommend to the City Council. Council Member Anderson thanked Farmers and Merchants Bank and Trust for helping the City receive a better interest rate. Council Member Reed stated that the City would receive an annual

savings of approximately \$60,000.00 over the next five years. Stan Stratton of 2809 Shamrock Drive asked if the sale of the bonds was for just paying off existing debt. Mayor Davidson explained that it was for refinancing of existing

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

(VOTE: 5 - AYES)

ADOPTED

Introduced By: McCampbell

Seconded By: Fleming

2. Resolution Approving the Final Plat of Martin Subdivision

DISCUSSION: The Planning and Development Director stated that the proposed Resolution approves the final plat of Martin Subdivision, a one-lot subdivision located behind Keystone Products that was being split for a beauty salon. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

HEARINGS:

1. Statement: Consideration of an Ordinance Vacating and Selling a Portion of Alley Right-of-Way, Located Between Main Street and South 3rd Street and Running

From Division Street to Elm Street, City of Burlington, Des Moines County, Iowa

COMMENTS: The Planning and Development Director stated that the City received a request by Frank Millard and Company for a vacation and sale of a portion of alley right-of-way, located between Main Street and South 3rd Street and running

from Division Street to Elm Street. He stated that an easement would be maintained over the right-of-way for any above ground public utilities and a perpetual easement will be maintained by CMM Co. L.C. or future owner of vacated

property for ingress and egress for access to the building at the southwest corner of the alley. 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: Reed

Motion for Preliminary Adoption of the First Reading of an Ordinance Vacating and Selling a Portion of Alley Right-of-Way, Located Between Main Street and South 3rd Street and Running From Division Street to Elm Street, City of Burlington, Des Moines County, Iowa

DISCUSSION: None.

(VOTE: 5 - AYES)

CARRIED

2. Statement: Consideration of Sale of Property Locally Known as 316 Summer Street, City of Burlington, Des Moines County, Iowa

COMMENTS: The Planning and Development Director stated that the City acquired 316 Summer Street through the Courts. He stated that the City demolished the home that was located on it and was now selling the lot, which measures 40 feet by 70 feet in size and was a non-conforming lot. He stated that the City has received bids from two adjacent property owners located to the north and east of

the lot. He stated that the lot would be combined with the owner's lot and the

owner would need to take care of the lot. Council Member Reed asked if the owner to the east would be able to build the same size home if something happened to their home. The Planning and Development Director stated that they could not rebuild the same size home unless they purchased the lot. Mayor Davidson announced that anyone could place a bid and anyone that previously had

placed a bid could state a new bid. Bidding commenced between Norma Quinones and Tristan Edmunds with Tristan Edmunds having the high bid price of \$4,500.00.

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

Introduced By: Reed
Motion to Close

Seconded By: McCampbell
CARRIED

Introduced By: Reed
Resolution Approving Sale of Property Locally Known as 316 Summer Street, City of Burlington, Des Moines County, Iowa

Seconded By: Fleming

DISCUSSION: None.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Reed
Motion to Amend Exhibit C of the Resolution Approving the Sale of Property

Seconded By: Anderson

Locally Known as 316 Summer Street, City of Burlington, Des Moines County, Iowa that the property be sold to Tristan Edmunds in the amount of \$4,500.00

DISCUSSION: None.

(VOTE: 5 - AYES)

CARRIED

COMMENTS FROM AUDIENCE: Leon Shahan of 1821 Mt. Pleasant Street stated that he was annoyed that the City was struggling for money after handing out economic incentives to poverty wage employers. He further stated his annoyance on the war on drugs, the City's high health care cost, the underused transit system and

the hotel/motel monies that he felt were used to promote the casino. Stan Stratton of 2809 Shamrock Drive asked when the Dresser Rand building was going to be demolished. The Interim City Manager stated that the Planning and Development Director was working on a proposal. Stan Stratton further spoke about fixing the facade at the Senior Center. Council Member Anderson explained

that the facade program was a grant and the City has to show some participation in the program. Stan Stratton asked that with the retirements of former City Manager Doug Worden and his secretary Nancy Patterson if Nancy Patterson's position was being filled which could save the City money. The Interim City Manager stated that those duties were added to a part-time position and that person was made full-time. Stan Stratton also stated that a block of Maple Street had been torn out and he did not understand why it was necessary as the street was in good condition. The Interim City Manager stated that the City had

ran the cost for replacement and the cost were too high to replace. Stan Stratton further asked if the City Council work sessions were going to be televised. Mayor Davidson stated that the City Council had not decided if they want to televise work sessions. Council Member McCampbell stated that he felt televising work sessions would limit how he talks at work sessions with fellow Council Members. Council Member Reed stated that with the use of microphones, sidebar conversations on subjects could be jumbled. All present had opportunity

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

CITY MANAGER SEARCH: Mayor Davidson announced that the City Council had narrowed

down the list of candidates to six. He stated that the City Council would narrow that choice down the weekend of February 17, 2012. All present had opportunity to speak and nothing additional was filed in the office of the City

Clerk.

Adjournment: 7:14 p.m.

Approved: February 21, 2012

Kathleen P. Salisbury, MMC
City Clerk

Jim Davidson
Mayor

(See recording 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 Nuisance Abatement for Property
2. Resolution Approving Refund of Liquor License for Ronald Houge, Sr dba/Dewie's Just One More
3. Resolution Approving Intergovernmental Agreement between the City of Burlington and the Southeast Iowa Regional Airport Authority for Shared Services and for the Continued Operation and Maintenance of an Airport Facility

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of a Permanent Encroachment Agreement between the City of Burlington and Patrick Jackson for Encroachment into Alley Right-of-Way Adjacent to the Building at 510 Jefferson Street, Burlington, Iowa (February 21, 2012)
2. Consideration of Sale of Property Locally Known as 1613 Lincoln Street, City of Burlington, Des Moines County, Iowa (February 21, 2012)
3. Consideration of an Ordinance Rezoning the Properties Locally Known as 2270 and 2280 Florence Avenue to Include a Planned Unit Development (The Masters PUD) Overlay Zone as Allowed by Section 17.20.40 of Title 17 of the Burlington Municipal Code (March 5, 2012)

APPOINTMENTS:

Parks Advisory Committee: Susan Diehl
Historic Preservation Commission: David Roed and Hal Morton
City Planning Commission: Chuck Griffin
Joint Safety Committee: Ryan Gourley
Low Rent Housing Board: Tom Cameron and Delbert Diercks