



captured in the TIF area. He stated that the effective date of the Resolution that Council would be approving tonight would be October 15, 2012, which is subject to the hearing on the Urban Renewal Amendment scheduled for October 15, 2012. Tim Scott of 2017 South 15th Street asked for clarification of the rebate. The City Manager stated that the rebate was five years at 75% then 50% for the next five years, if the assessed valuation comes in higher than anticipated it is still capped at the \$1,380,330.00 for how much gets rebated over the ten years. Mayor Davidson stated that in essence if Winegard Company reaches the cap the first five years then that would be the end of it. Tim Scott of 2017 South 15th Street stated that it was a great deal for Winegard Company and the City. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Anderson  
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Anderson  
Resolution Approving Development Agreement with Winegard Company, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Seconded By: Fleming

DISCUSSION: None.

(VOTE: 4 - AYES )

ADOPTED

2. Statement: Consideration of a Development Agreement with Greater Burlington Partnership, Including Annual Appropriation Tax Increment Payments in an Amount Not to Exceed \$500,000

COMMENTS: Dennis Hinkle of Greater Burlington Partnership stated that the shell building located in Flint Ridge Business Park which was constructed in 2004, has

been sold to a local company. He stated that Grow Greater Burlington was looking at defraying the cost with a 10-year tax rebate not to exceed \$500,000.00. He stated that the shell building should generate approximately \$706,000.00 in additional taxes and approximately \$650,00.00 would stay within the tax increment financing district. He asked Council to consider a tax increment financing rebate not to exceed \$500,000.00 over a ten year period to assist Greater Burlington Partnership. He stated that if the valuation of the building does not come out as projected, that Greater Burlington Partnership will take the downside of that. Council Member Anderson asked Dennis Hinkle how much it cost to build the shell building. Dennis Hinkle stated that it had cost

\$1,500,000.00. Marlan McKee of 1121 South 12th Street was against the rebate with Greater Burlington Partnership. Tim Scott of 2017 South 15th Street questioned why the development agreement was not with new owner of the building as the new property owner would be paying the taxes. The City Manager stated that this was how it was presented to the City by Greater Burlington Partnership. He stated that the rebate would go to Grow Greater Burlington. Tim Scott of 2017 South 15th Street stated that even though there was nothing wrong with the agreement, it gave an impression to the public that something is not right. Mayor Davidson stated that this was a new arrangement for the City since he has been on the Council. Jason Hutcheson of Greater Burlington Partnership stated that due to the fiscal situation that the City is facing, the

Board of Directors of Greater Burlington Partnership was willing to take an immediate price reduction in the sale of the building and retrieve that cash over time rather than ask the City to incur debt. Council Member Fleming stated

that the arrangement was flexible and low risk as far as the City is concerned.

The City Manager stated that the City was not in the position to borrow and take the risk as to what may or may not happen with the property taxes over the next couple legislative sessions, which could affect the City's ability to pay

back, if the City did the up-front borrowing. He stated that it actually puts the risk on Greater Burlington Partnership rather than the City. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Anderson  
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Anderson

Seconded By: Fleming

Resolution Approving Development Agreement with Greater Burlington Partnership,  
Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax  
Increment Revenues to the Payment of the Agreement

DISCUSSION: None.

(VOTE: 4 - AYES )

ADOPTED

RESOLUTIONS:

Introduced By: Fleming

Seconded By: Anderson

1. Resolution Approving Purchase of a Case 621F Loader for Public Works  
Department, Street and Sewer Division

DISCUSSION: The Interim Public Works Director stated that \$85,000.00 was budgeted for a loader for Public Works for the current fiscal year. He stated that the actual cost of the loader was \$99,500.00, which was the low bid by the Minnesota Department of Transportation. He explained to Council that to stay within budget, the Public Works Department will delay the purchase of a 3/4 ton pickup and reprogram that vehicle purchase in a future year. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES )

ADOPTED

Introduced By: Fleming

Seconded By: McCampbell

2. Resolution Approving Appointment of an Acting Fire Chief

DISCUSSION: The City Manager stated that per the City's news release Chief Clements will be stepping down to Deputy Chief of Operations effective September

17, 2012. He stated that the City will go through a full hiring process, but during the interim the City needs an Acting Fire Chief to fill that role. He stated that his recommendation was to appoint Matthew Trexel as Acting Fire Chief. He stated that Matthew Trexel has agreed to the appointment. He stated that Matt Trexel's salary was presently \$63,596.00 and it would be adjusted to \$72,785.00, which is the minimum salary range for Fire Chief. He further stated

that former Fire Chief Clements salary will remain the same per the Labor Attorney's advice. Fred Starling of 517 South 7th Street asked the City Manager

and Council for more details as to why Fire Chief Clements was demoted. The City Manager explained that he was following the advice of the Labor Attorney as

personnel issues need to be confidential. Fred Starling of 517 South 7th Street

stated that it was his feeling that details of the demotion should be public information. Mayor Davidson stated that the City Manager was in charge of City staff. Council Member Anderson stated that the City Manager individually discussed the issue with the City Council. Al Sparks of 302 South Garfield Avenue stated that The Hawk Eye newspaper made it sound like no one was available for comment. Council Member McCampbell stated that he was out of town

and that he was not hiding anything from anyone. He stated that his constituents feel that former Fire Chief Clements should not be making the same pay if he is stepping down to Deputy Chief. He further stated that he agreed with his constituents. Marlan McKee of 1121 South 12th Street stated that he felt that with the opening of the Battalion Chief's position that everyone should move backwards in position instead of moving everyone up in positions. After roll call vote the City Clerk swore in Matthew Trexel as Acting Fire Chief. All present had opportunity to speak and nothing additional was filed in

the office of the City Clerk.

(VOTE: 4 - AYES )

ADOPTED

COMMENTS FROM AUDIENCE: Tim Scott of 2017 South 15th Street stated that the developer of Mason Meadows needed to follow through with his obligation for constructing sidewalks. He stated that the City should pay for the construction

of the sidewalks and then take the issue to Court instead of charging the property owners of Mason Meadows for a sidewalk that the developer has not constructed. He also stated that a property owner on 5th Street was using the sidewalk to store retaining wall blocks. He stated that citizens that use wheelchairs are then unable to use the sidewalk as it is too narrow. He stated that he was told by the Development Department that the property owner had until

October 31, 2012 to remove the blocks. He stated that the blocks have since been removed. Al Sparks of 302 South Garfield Avenue stated that he had recently visited Auroa, IL where the streets were as smooth as glass. He stated

that the streets in Burlington were not in good condition. He urged the Council

to invest money in the Apple Trees building so that it could be used for the youth of Burlington as J Street Youth Center was too small and dark inside. Marlan McKee of 1121 South 12th Street stated that property owners should have to pay for constructing sidewalks without using City or federal government dollars. He further stated that the City needed to use road use tax money for streets. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 8:02 p.m.

Approved: October

1, 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 Abatements for Various Properties
2. Resolution Approving Final Acceptance and Release of Retention Monies for  
2012 Crystal Drive Reconstruction Project
3. Resolution Selecting Company to Provide Services for the Downtown Facade  
Improvement Project
4. Resolution Approving Fiscal Year 2011-2012 Street Finance Report, Road Use  
Tax

SET DATE FOR PUBLIC HEARINGS: OCTOBER 15, 2012

1. Consideration of an Amendment to Urban Renewal Plan for Neighborhood  
Development Program Urban Renewal Area
2. Consideration of an Amendment to Urban Renewal Plan for Flint Hills Urban  
Renewal Area
3. Consideration of a Development Agreement with Franz Hobart Management  
Services, Including Annual Appropriation Tax Increment Payments in an Amount Not  
to Exceed \$1,244,333