

additional was filed in the office of the City Clerk.

Introduced By: McCampbell
Motion to Close

Seconded By: Reed

CARRIED

Introduced By: McCampbell

Seconded By: Reed

Motion for Preliminary Adoption of the First Reading of an Ordinance Vacating

and Selling a Portion of the Alley Located North of the Property Located at 2400

Kirkwood Street, Burlington, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

2. Statement: Consideration of an Ordinance Vacating and Selling a Portion of the Alley Located North of the Property Located at 2112 South 3rd Street, Burlington, Iowa

COMMENTS: The Parks and Development Director stated that the proposed Ordinance vacates and sells a portion of the alley located north of the property at 2112 South 3rd Street. He stated that the alley was located across from City owned property at 2112 South 3rd Street. He stated that the City plans on demolishing

the home at 2112 South 3rd Street through the NSP program and will rebuild a single-family home. He stated that the vacation would allow room for the construction of the home, meeting current City Codes. He stated that with the north/south alley being maintained as an alley, it would not prohibit any access

to the area. Mayor Davidson asked the Parks and Development Director to review the type of home that would be built with the NSP funds. The Parks and Development Director stated that the home would be owner-occupied and would sell

for approximately \$100,000.00. All present had opportunity to speak and nothing

additional was filed in the office of the City Clerk.

Introduced By: McCampbell
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: McCampbell

Seconded By: Reed

Motion for Preliminary Adoption of the First Reading of an Ordinance Vacating

and Selling a Portion of the Alley Located North of the Property Located at 2112

South 3rd Street, Burlington, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

3. Statement: Consideration of Sale of Property Locally Known as 236 South 9th Street, City of Burlington, Des Moines County, Iowa

COMMENTS: The Parks and Development Director stated that the City was selling the property locally known as 236 South 9th Street, which is located at the corner of Aetna Street and South 9th Street. He stated that the City acquired

Introduced By: McCampbell

Seconded By: Reed

Resolution Approving Sale of Property Locally Known as 1000 South 13th Street,
City of Burlington, Des Moines County, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES)

ADOPTED

5. Statement: Consideration of Sale of Property Locally Known as 617 Jefferson Street, City of Burlington, Des Moines County, Iowa

COMMENTS: The Parks and Development Director stated the City was selling City property at the corner of 7th Street and Jefferson Street, formerly the Daisanna

building. He stated that Hope Haven Area Development Center Corporation would like to purchase the property for the appraised value of \$10,288.00 for construction of a thrift store. He reviewed with Council and the viewing audience the conditions to the property. He stated that the conditions were set

after discussions with Downtown Partners, Inc. and Main Street of Iowa so the newly constructed property meets the character of the downtown. He stated that Hope Haven Area Development Center Corporation does have concern about some of the conditions based as it relates to the cost of the project. He stated that Hope Haven Area Development Center Corporation may come back once they have a firm cost of their building and ask the City Council to have the conditions be reevaluated. 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: McCampbell

CARRIED

Introduced By: Fleming

Seconded By: Reed

Resolution Approving Sale of Property Locally Known as 617 Jefferson Street,
City of Burlington, Des Moines County, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES)

ADOPTED

6. Statement: Consideration of an Ordinance Amending Various Sections of Chapter 154, Residential Code of the City of Burlington Municipal Code

COMMENTS: The Parks and Development Director reviewed with the Council and the viewing audience the proposed Ordinance Amending Various Sections of Chapter 154, Residential Code of the City of Burlington Municipal Code. He explained that the City was updating the Residential Code from the 2009 edition to the 2012 edition. 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: McCampbell

CARRIED

Introduced By: Fleming

Seconded By: Reed

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Various Sections of Chapter 154, Residential Code of the City of Burlington

Municipal Code

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

CARRIED

7. Statement: Consideration of \$4,500,000 General Obligation Corporate Purpose and Refunding Loan Agreement, Series 2013C

COMMENTS: The Director of Administrative Services stated that the public hearing was for

consideration of \$4,500,000 General Obligation Corporate Purpose and Refunding Loan Agreement, Series 2013C. She stated that the City was refunding sewer bonds that were issued in 2003 for a sewer separation project at that time. She

stated that they are to be paid off in 2023. She stated that the reason for refunding was to save interest cost. She stated that the City should save approximately \$60,000.00 per year for 10-years, for a total of approximately \$600,000.00 in savings. Mayor Davidson explained to the viewing audience that refinancing was similar to a person refinancing their home to save interest cost. 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: Reed

CARRIED

Introduced By: Fleming
Resolution Taking Additional Action to Enter into a Loan Agreement, Series 2013C

Seconded By: McCampbell

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

ADOPTED

8. Statement: Consideration of \$1,250,000 General Obligation Refunding Bonds, Series 2013D

COMMENTS: The Director of Administrative Services stated that the public hearing was for

consideration of \$1,250,000 General Obligation Refunding Bonds, Series 2013D. She stated that this was another refunding of bonds that will be paid off in fiscal year 2018. She stated that the City should save approximately \$10,000.00

per year for 4-years, for a total of approximately \$40,000.00 in savings. 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: McCampbell

CARRIED

Introduced By: Fleming
Resolution Taking Additional Action to Enter into a Loan Agreement, Series 2013D

Seconded By: Reed

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

ADOPTED

ORDINANCES:

Introduced By: Reed

Seconded By: Fleming

1. Motion for Final Adoption of an Ordinance Renewing the City's Gas Franchise Agreement with Interstate Power and Light Company, and Establishing a Gas Franchise Fee Equal to 3% of the Company's Gross Revenues; Including the City's Revenue Purpose Statement for Use of the Franchise Fee Revenues

DISCUSSION: John Sandell of 917 Willow Avenue stated that he would be presenting a petition with more than 500 signatures calling for a special election on the 3% gas franchise fee after the Ordinance has been published. He stated that the City Council needs to look at other means to balance their budget instead of asking the taxpayers to pay more money. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 3 - AYES Reed, Davidson and Fleming

1 - NAY McCampbell)

CARRIED

Introduced By: Reed

Seconded By: Fleming

2. Motion for Final Adoption of an Ordinance Renewing the City's Electric Franchise Agreement with Interstate Power and Light Company, and Establishing an Electric Franchise Fee Equal to 3% of the Company's Gross Revenues; Including the City's Revenue Purpose Statement for Use of Franchise Fee Revenues

DISCUSSION: John Sandell of 917 Willow Avenue stated that he would be presenting a petition with more than 500 signatures calling for a special election on the 3% electric franchise fee. Council Member Reed explained to the viewing audience that the 3% franchise fee was only an additional 2% as property owners already pay a 1% local option sales tax fee on their utilities. He stated that he was in favor of the franchise fee so the City can move forward with Cascade Bridge and other various capital improvement projects. Council Member Fleming stated that he was in favor of the franchise fee. Council Member McCampbell stated that he did not like the surprise of it as the fee will be higher in the summer months and cold winter months. He stated that he would prefer a higher tax rate and more cuts. Mayor Davidson stated that he was in favor of the franchise fee. He stated that he had always said he would vote in favor of the franchise fee if it would result in a property tax reduction. He stated that the franchise fee would be less than a \$1.50 tax increase. He stated that people have control over their utility bill by turning up or down their thermostat. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 3 - AYES Reed, Davidson and Fleming

1 - NAY McCampbell)

CARRIED

Introduced By: Reed

Seconded By: Fleming

3. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amendment to Ordinance No. 3220, an Ordinance Creating the Sunrise

West Planned Unit Development (PUD) Overlay District, By Making Changes to Section 4. Land Use Requirements

DISCUSSION: The Parks and Development Director reviewed with Council and the viewing audience the proposed Ordinance Amendment to Ordinance No. 3220, an Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay District, By Making Changes to Section 4. Land Use Requirements. He stated that

the proposed Ordinance would allow multi-family dwelling units on lot three, at the corner of Mason Road and Cambridge Drive. He stated that Village Cooperative Developments was planning a 35-multi-family development at that location. He further stated the Ordinance also allows for minor setback requirements for lots in the Madewell Subdivision. Shane Wright, Real Estate Equities Development Company from Twin Cities, Minnesota stated that they were working with Village Cooperative Developments and was planning a 35-unit multi-family residential development that will be 100% control and ownership by the buyers age 55 plus. He urged Council to waive the second reading and final adopt. All present had opportunity to speak and nothing additional was filed in

the office of the City Clerk.

(VOTE: 4 - â AYESâ)

CARRIED

Introduced By: Reed

Seconded By: Fleming

4. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amendment to Ordinance No. 3220, an Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay District, By Making Changes to Section 4. Land Use Requirements

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

CARRIED

Introduced By: Reed

Seconded By: McCampbell

5. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Various Sections of Chapter 155, International Building Code of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

CARRIED

Introduced By: Reed

Seconded By: Fleming

6. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Various Sections of Chapter 155, International Building Code of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - â AYESâ)

CARRIED

Introduced By: Reed

Seconded By: McCampbell

7. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Various Sections of Chapter 156, International Existing Building Code of the City of Burlington Municipal Code

CARRIED

Introduced By: Reed

Seconded By: Fleming

13. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Various Sections of Chapter 165, Code Inspection Division of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

Introduced By: Reed

Seconded By: McCampbell

14. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Various Sections of Chapter 165, Code Inspection Division of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

Introduced By: Reed

Seconded By: McCampbell

15. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Various Sections of Chapter 162, Fire Prevention Code of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

Introduced By: Reed

Seconded By: McCampbell

16. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Various Sections of Chapter 162, Fire Prevention Code of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

RESOLUTIONS:

Introduced By: McCampbell

Seconded By: Reed

1. Resolution Approving the Final Plat of Third Addition to Sunrise West Subdivision

DISCUSSION: The Parks and Development Director reviewed with Council and the viewing audience the final plat of the Third Addition to Sunrise West Subdivision. He stated that the subdivision was located at the corner of Mason Road and Cambridge Drive. He stated that it was a 2-lot subdivision. He stated

that both lots would be shifted to the north and would not create any additional

lots. He stated that the final plat was for Village Cooperative and Madewell Subdivision. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

Introduced By: McCampbell

Seconded By: Fleming

2. Resolution Approving the Final Plat of CDH Subdivision

DISCUSSION: The Parks and Development Director stated that the proposed Resolution approves the final plat of CDH Subdivision which is located at the corner of West Avenue and Monticello Drive. He stated that it was a 2-lot subdivision and both lots would allow property lines to be shifted. All present

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

(VOTE: 4 - AYES)

ADOPTED

Introduced By: McCampbell

Seconded By: Fleming

3. Resolution Approving an Amendment to the Agreement with Piper Jaffray to

Serve as Dissemination Agent for Secondary Market Disclosure

DISCUSSION: The Director of Administrative Services stated that the proposed Resolution approves an amendment to the current agreement with Piper Jaffray and

Company by adding the new bonds (2013A to 2013E Bonds) that the City will be bonding for next month. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

Introduced By: McCampbell

Seconded By: Fleming

4. Resolution Approving Acknowledgment of Disclosure Required for Issuing Bonds

with Piper Jaffray and Company as the City's Underwriter

DISCUSSION: The Director of Administrative Services stated that the proposed Resolution acknowledges the disclosure required by law for issuing bonds next month. She stated that Piper Jaffray and Company will serve as the City's underwriter to connect the City with investors that will buy the bonds. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

Introduced By: McCampbell

Seconded By: Reed

5. Resolution Authorizing the Filing of an Application for Statewide Transportation Alternative Program Funds for Costs Associated with Renovation of

the Burlington Depot

DISCUSSION: Zach James with the Southeast Iowa Regional Planning Commission stated that the proposed Resolution provides for the filing of an application for the Statewide Transportation Alternative Program funds for costs associated with renovation of the Burlington Depot. He stated that the grant would be for \$500,000.00, of which the City would need to provide a 20% match or \$100,000.00.

He explained how the City plans to come up with the \$100,000.00 toward the project. He further stated that the funds would be used for the interior of the depot and the roof. Council Member McCampbell stated that he was concerned with

flooding of the depot. Zach James stated that Friends of the Depot were working

on fundraising efforts for a flood wall at the cost of approximately \$50,000.00.

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

(VOTE: 4 - â AYESâ)

ADOPTED

COMMENTS FROM AUDIENCE: Barbara Kissinger stated that she was representing senior citizens of Burlington, because of their outrageous water bills. She suggested to the Council that starting with senior citizens, then single homeowners followed by disabled homeowners be allowed to have water meters. She

stated that young families do not pay attention to what is going on in Burlington. Mayor Davidson thanked Barbara Kissinger for speaking, but there was nothing that Council could say that has already not been said. Carolyn Marshall of 1415 Iowa Street presented the Mayor and Council with a copy of her basic work schedule for riding the BUS. She urged the Council to not combine BUS with SEI Bus. She stated that she was willing to pay more to ride a City bus. She further stated that the working class single people also need affordable apartments. Tim Scott of 2017 South 15th Street stated that Barbara Kissinger made a good point. He urged Council to write a letter to the EPA and tell them that enough was enough as sewer rates have doubled and that the City cannot afford the sewer separation project. He urged Council to give citizens the option of paying their water bill monthly verses quarterly. He also urged the Council to hold off selling Flint Hills Manor as it was prime real estate. He stated that times will get better and the property should not be used for residential. He also stated that sidewalks still have not been constructed at Mason Meadows Subdivision. He stated that a certificate of occupancy should not

have been given until the sidewalks were constructed. Council Member Reed stated that he agreed that it would be nice to have monthly billing on the water

bill or to be able to pay the water bill online. Council Member McCampbell stated that he has always felt the City should be able to tell the EPA that the City has been cooperative, but it now needs more time to separate the sewers. He stated that he did not like being strong armed by the EPA. Barbara Kissinger stated that water meters would help senior citizens more than monthly billing. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment 8:09 p.m.
2013

Approved: May 6,

Kathleen P. Salisbury, MMC
dson
City Clerk

Jim Davi
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 Lease Agreement for the Home at 1720 Dill Street

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of General Obligation Essential Corporate Purpose and General Corporate Purpose Loan Agreements and Authorizing Use of a Preliminary Official Statement in Connection with the Sale of Taxable General Obligation Corporate Purpose and Refunding Bonds, Series 2013A (April 29, 2013)
2. Consideration of an Ordinance Amending Various Sections of Chapter 166, Construction Board of Appeals of the City of Burlington Municipal Code (May 6, 2013)
3. Consideration of Greater Burlington Bicycle and Pedestrian Plan (May 6, 2013)
4. Consideration of Plans and Specifications for the 2013 Bluff Road Reconstruction, RISE Grant (May 6, 2013)