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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 4
February 18, 2014

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

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

DISCUSSION: Mayor McCampbell reviewed the items listed on the consent agenda to the viewing audience. Leon Shahan of 1821 Mt. Pleasant Street requested the removal of the following Resolution: Resolution Approving Urban Revitalization Tax Exemptions Pursuant to Chapter 404 of the State Code of Iowa from the Consent Agenda for discussion at the close of the meeting. The Council removed the following Resolutions from the Consent Agenda: Resolution Setting Date for Public Hearing for March 3, 2014 for Consideration of a General Obligation Corporate Purpose and Refunding Loan Agreement in a Principal Amount Not to Exceed \$5,650,000 and Authorizing Use of a Preliminary Official Statement in Connection with the Sale of General Obligation Corporate Purpose Bonds, Series 2014A and General Obligation Refunding Bonds, Series 2014B and the Resolution Approving Appointments. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

CARRIED

RESOLUTIONS:

Introduced By: McCampbell Seconded By: Scott

1. Resolution Approving Final Plat of 1st Addition to Stonegate Village Sunnybrook Addition Subdivision

DISCUSSION: The Development and Parks Director reviewed the final plat of 1st Addition to Stonegate Village Sunnybrook Addition Subdivision. He stated that it was a one lot subdivision located to the west of Indian Hills Drive and south

of West Avenue and was approximately 4.96 acres. He stated that there was an existing sewer and water at Indian Hills Drive so there are no extensions needed

for this property. The property may be used for future expansion of Sunnybrook Assisted Living. He reviewed with Council and the viewing audience the proposed

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

(VOTE: 4 - â AYESâ)

ADOPTED

Introduced By: Scott

Seconded By: Fleming

2. Resolution Awarding Bid for Removal of Right-of-Way Trees Associated with Emerald Ash Borer

DISCUSSION: The Development and Parks Director stated that the City had sent out

bids for removal of right-of-way trees associated with Emerald Ash Borer (EAB).

He stated that the lowest bid was for \$31,950.00 and would remove 40 plus trees. He stated that he felt the bid was reasonable. Council Member Scott confirmed with the Development and Parks Director that the primary trees that were being removed were in high traffic or unsafe and inconvenient locations for

the Cityâ s forestry department to remove. Council Member Anderson asked if th e

City would be bidding for the removal of more trees in 2014. The Development and Parks Director stated that the City would be bidding for the removal of more

trees the summer or fall of 2014. He stated that the forestry department would be removing trees that were easily accessible. He further stated that the City would also be bidding for treatment of approximately 200 trees that would extend

the life span of the tree for removal later. He stated that there were property

owners that are treating trees on the City right-of-way. He stated that Thursday, March 6, 2014 from 4:00 p.m. to 7:00 p.m. at the Public Library there will be a public open house for information on the emerald ash borer. He stated

that the information will also be available on the Cityâ s website. All presen t

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

(VOTE: 4 - â AYESâ)

ADOPTED

Introduced By: Fleming

Seconded By: Scott

3. Resolution Approving Agreement with Burlington Baseball Association, Inc. for Adjustment to Financial Arrangement to the City of Burlington

DISCUSSION: The City Manager stated that the proposed Resolution approves an agreement with Burlington Baseball Association, Inc. for an adjustment to the financial arrangement with the City. He stated that the agreement would suspend

the annual ten monthly payments of \$628.50 made by the City to the Burlington Baseball Association for a term of not to exceed five years, with such suspension commencing on July 1, 2014. He stated that agreement was at the request of the Council and in recognition of the Cityâ s financial circumstance s.

Council Member Scott asked what the \$628.50 payment was for. The Director of Administrative Services stated that the money was used for general maintenance per the contract with Burlington Baseball Association, Inc. The City Manager stated that the City pays for Burlington Baseball Associations, Inc.â s utiliti es

plus the \$628.50. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ)

ADOPTED

Introduced By: Scott

Seconded By: Fleming

4. Resolution Approving Urban Revitalization Tax Exemptions Pursuant to Chapter

DISCUSSION: Leon Shahan of 1821 Mt. Pleasant Street asked what the total amount of money that was being abated in taxes for the coming year. The Director of Administrative Services that she would have to get that information from the County as the County sets the assessed value. Leon Shahan stated that there was

a problem with the whole tax exempt process. Council Member Scott stated that he does not object to tax abatement unless the tax abatements are in a TIF district. The City Manager stated that some communities, when they do a TIF project, they will have written in the agreement with the developer that the developer cannot receive tax abatement. Council Member Anderson stated that she

would abstain from voting due to having property that she applied for under the proposed Resolution for the urban revitalization tax exemption. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 3 - AYES Fleming, McCampbell and Scott)
1 - ABSTAIN Anderson)

ADOPTED

Introduced By: Scott

Seconded By: Fleming

5. Resolution Setting Date for Public Hearing for March 3, 2014 for Consideration of a General Obligation Corporate Purpose and Refunding Loan Agreement in a Principal Amount Not to Exceed \$5,650,000 and Authorizing Use of a Preliminary Official Statement in Connection with the Sale of General Obligation Corporate Purpose Bonds, Series 2014A and General Obligation Refunding Bonds, Series 2014B

DISCUSSION: Travis Squires, Senior Vice President of Piper Jaffray, reviewed with Council and the viewing audience the proposed Resolution Setting Date for Public Hearing for March 3, 2014 for Consideration of a General Obligation Corporate Purpose and Refunding Loan Agreement in a Principal Amount Not to Exceed \$5,650,000 and Authorizing Use of a Preliminary Official Statement in Connection with the Sale of General Obligation Corporate Purpose Bonds, Series 2014A and General Obligation Refunding Bonds, Series 2014B. He explained that the City was refinancing two bonds for a better interest rate and also issuing new money for capital improvement projects, which are mostly street upgrades. Council Member Fleming asked Travis Squires what he thought of the City Council's proposed \$.15 tax levy increase. Travis Squires stated that if it were higher the City would be able to pay off the debt more quickly and also pay

off the general fund debt more quickly. He stated that Moody's Investor Services would be giving the City a bonding rating in approximately a week. He also cautioned the City Council that Moody's evaluation of extending the sewer

separation project and associated debt may be further scrutinized. He further stated that he would be in attendance at the March 3, 2014 public hearing. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

Introduced By: Anderson

Seconded By: Fleming

6. To Amend the Resolution Approving Appointments to Remove the Low Rent Housing Agency Appointment of James Seaberg, until Further Discussion

DISCUSSION: Council Member Fleming stated that the City Council received three letters against the appointment of James Seaberg to the Low Rent Housing Agency.

He stated that it bears discussion by the City Council. Council Member

Anderson also agreed with Council Member Fleming. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

CARRIED

Introduced By: Anderson Seconded By: Scott

7. Resolution Approving Appointments:

Historical Preservation Commission: Kay Weiss and Steve Frevert

Human Rights Commission: Ann Distelhorst

Low Rent Housing Agency: Austin Schwartz

DISCUSSION: None.

(VOTE: 4 - AYES)

ADOPTED

COMMENTS FROM AUDIENCE: Leon Shahan of 1821 Mt. Pleasant Street stated that he has always had a problem with the Resolution Approving Urban Revitalization Tax Exemptions as it should recognize the liability and taxes should be recognized as gross. He stated that he did not like how the City shows its books. The Director of Administrative Services stated that the City does not have access to

the numbers that Leon Shahan was speaking of. She stated that it was not a Gasby standard. All present had opportunity to speak and nothing additional was

filed in the office of the City Clerk.

Adjournment: 7:24 p.m.

Approved: March 3, 2014

Kathleen P. Salisbury, MMC
City Clerk

Shane McCampbell
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 Amendment to Engagement Letter with Piper Jaffray and Company to Serve as Underwriter or Placement Agent to Include the Series 2014A and B General Obligation and Refunding Bonds

2. Resolution Approving Acknowledgment of Disclosure Required for Issuing Bonds with Piper Jaffray and Company as the City's Underwriter

SET DATE FOR PUBLIC HEARING: MARCH 3, 2014

1. Consideration of Fiscal Year 2014-2015 Budget