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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 37
July 5, 2005

The Burlington City Council met in regular session at 7:00 p.m. in the City Hall, Council Chambers with Mayor Edwards, Council Members Baker, Ell, Campbell and King present.

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 not seperate discussion of these items. If discussion was desired, that item was removed from the Consent Agenda and was considered separately.

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

DISCUSSION: Mayor Edwards reviewed the items listed on the consent agenda to the viewing audience. Council Member Ell 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.
(VOTES: 5 - AYES) CARRIED

HEARINGS:

1. Statement: Consideration of Loan Agreement in the Principal Amount of \$4,400,000

COMMENTS: The Deputy City Manager stated that the Council would be holding two public hearings in the amount of \$600,000.00 and \$4,400,000.00. He stated that the reason for the two public hearings was that the hearing on the \$600,000.00 was subject to a reverse referendum and provides funding for the local share of the Memorial Auditorium Improvement Project funded by Vision Iowa. He stated that normally the City would not be going into the bond market until next year, however, there was a recent demise of the City s fire aerial truck which caused the change of plans. He stated that since the City would be going to market a year sooner than originally planned he has elected to include all known borrowing for the next three years. Unless something unanticipated arrives over the next three years, the City should not have to borrow funds until 2008. Based

upon the current five year CIP, the 2008 issue should only be approximately \$1,500,000.00. The \$4,400,000.00 issue includes the fire aerial truck, a future garbage truck replacement, a future ambulance replacement, numerous street projects, the cost of issuance, a contingency and the first two years interest which the City is capitalizing in this issue. He stated that since the City was capitalizing the first two-year interest, the first year for which the City needs to levy a tax is 2007-2008. Principal payments will commence in 2009-2010.

He stated that both of these coincide with the retirement of existing debt and he anticipated smaller future bond issues to assure no increase in the debt service tax asking. He stated that the debt would be retired in 2020 keeping

within the City's policy of retiring debt as rapidly as possible. He further stated that the bond market was favorable and he anticipated an interest rate slightly more than 4%. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close CARRIED

2. Statement: Consideration of Loan Agreement in the Principal Amount of \$600,000

COMMENTS: None.

Motion to Close CARRIED

Resolution Approving Combined Loan Agreement in the Principal Amount of \$5,000,000

DISCUSSION: None.

(VOTE: 5 - AYES) ADOPTED

3. Statement: Consideration of an Ordinance Vacating and Selling 267 Feet of the East West 60 Foot Hagemann Avenue Right-of-way, Located West of Plane Street and Running from Division Street to Smith Street

COMMENTS: Council Member Campbell stated that it has come to the attention of the City Council that all parties involved in the vacation and sell of the property are not in agreement. He offered a motion that the hearing regarding consideration of an Ordinance vacating and selling 267 feet of the east west 60 foot Hagemann Avenue right-of-way, located west of Plane Street and running from

Division Street to Smith Street, be continued to the July 18, 2005 City Council Meeting. Council Member King seconded the motion. After roll call vote the motion was unanimously approved. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion that the Hearing Regarding Consideration of An Ordinance Vacating and Selling 267 Feet of the East West 60 Foot Hagemann Avenue Right-of-way, Located West of Plane Street and Running from Division Street to Smith Street, be Continued to the July 18, 2005 City Council Meeting

DISCUSSION: None.

(VOTE: 5 - AYES) CARRIED

RESOLUTIONS:

1. Resolution Approving Final Plat of Werner Subdivision

DISCUSSION: The Development Director stated that Werner Subdivision was a one-lot subdivision located within the City's 2-mile zone. He stated that Mr. Werner's son is planning on building a home on the same lot as his father. He stated that in order for the son to borrow money from the bank the son must have

his own separate legal description. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES) ADOPTED

2. Resolution Approving Final Plat of Roberts First Subdivision

DISCUSSION: The Development Director stated that Roberts First Subdivision was

also a two-lot subdivision located within the City's 2-mile zone. He stated that presently lot two has a home on it and the owner would like to subdivide lot one for building of another home or to sell the lot. He stated that the Des Moines County Health Department and the Des Moines County Planning Department have approved the final plat. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES) ADOPTED

3. Resolution Approving Vision Iowa Program Grant Award Agreement by and Between the City of Burlington and the Vision Iowa Board for the Construction of the Great River Gateway

DISCUSSION: The City Manager stated that the Resolution provides for an agreement between the City of Burlington and the Vision Iowa Board for the construction of the Great River Gateway Projects. The total grant is \$4,250,000.00 from Vision Iowa. He stated that the projects consist of the following: Burlington Memorial Auditorium Improvements; Burlington Public Library; Community Field Improvements; Des Moines County Historical Center; Des Moines County Recreational Trail and River Park Place Redevelopment. The Big Hollow Recreation Project was separated from the Vision Iowa Projects and was funded by a \$1,000,000.00 CAT Grant. He stated that the contract for the Big Hollow Project will be between the County and Vision Iowa Board and will not be a part of this contract. He stated that the total project cost was \$22,380,674.00 of which private monies consist of \$14,367,265.00; public monies \$3,763,409.00 and Vision Iowa \$4,250,000.00. The maximum grant percentage was 19% so the grant proceeds cannot exceed 19% of the total project costs. He stated that the City shall complete all projects by August 30, 2008 and the City

will be required to approved sub-recipient agreements with each entity responsible for each project. He stated that as sub-recipient they will also be accepting the terms of this agreement. He stated that the agreement will be in effect for 21 years. He also stated that throughout the terms, without prior written consent of the Vision Iowa Board, the City cannot sell, transfer, convey, encumber or dispose of any interest in these projects. He further stated

that the Mayor and the Chairperson for Vision Iowa Board would be signing the agreement on July 13, 2005. Council Member King thanked all who were involved in

the Vision Iowa Projects. He stated that the projects were for the betterment of

the entire region. Mayor Edwards stated that the projects would provide for a better quality of life. He also thanked all who were involved in the Vision Iowa

process. Council Member Ell stated that Vision Iowa was a long process which began in 2003. He also stated that the projects would be a positive impact for the community. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES) ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:28 p.m. Approved: July 18, 2005

Kathleen P. Salisbury Mike Edwards
City Clerk, C.M.C. 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 Approving Outdoor Service Area for Liquor License for J and J Wheeler, Inc. dba/Doris Tavern for Event on July 23, 2005

2. Resolution Approving Outdoor Service Area for Liquor License for The Burlington Iowa Tavern, Inc. dba/The Iowa Tavern for Event on July 23, 2005

3. Resolution Approving Final Acceptance, Final Payment and Release of Retention

Monies for the 2003 Division Street Reconstruction

SET DATE FOR PUBLIC HEARING: JULY 18, 2005

1. Consideration of a Permanent Encroachment Agreement for Placement of a Message Center Sign at the Port of Burlington Welcome Center

APPOINTMENTS:

Parks Advisory Committee - Paula Renard