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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 4
February 21, 2006

The Burlington City Council met in regular session at 7:00 p.m. in the City Hall, Council Chambers with Mayor Edwards, Council Members Campbell, Ell, Scott and Thomas 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 separate discussion of these items. If discussion was desired, that item was removed from the Consent Agenda and was considered separately.

Introduced By: Thomas Seconded By: Scott

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. Leon Shahan of 1821 Mt. Pleasant Street requested the removal of the Resolution approving extension of forgivable loan agreement with IP Real Estate, Inc. from the consent agenda for discussion at the close of the meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES) CARRIED

ORDINANCES:

Introduced By: Scott Seconded By: Thomas

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Specified Sections of Chapter 157 Electrical Code of the City of Burlington Municipal Code

DISCUSSION: The City Manager stated that there were no changes to the Ordinance amending specified sections of Chapter 157 Electrical Code of the City of Burlington Municipal Code from the first reading. Council Member Scott made a motion to waive the second reading and to final adopt the Ordinance amending specified sections of Chapter 157 Electrical Code of the Burlington Municipal Code. Mayor Edwards 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.

(VOTE: 5 - AYES) CARRIED

Introduced By: Scott Seconded By: Edwards

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of An Ordinance: An Ordinance Amending Specified Sections of Chapter 157 Electrical Code of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 5 - AYES) CARRIED

Introduced By: Ell Seconded By: Edwards

3. Motion for Preliminary Adoption of the Second Reading of an Ordinance Creating and Adopting the Fun City Planned Unit Development (PUD) as Allowed by Section 17.20.40 of the Burlington Municipal Code

DISCUSSION: The City Manager stated that there were no changes to the proposed Ordinance creating and adopting the Fun City Planned Unit Development (PUD) as allowed by Section 17.20.40 of the Burlington Municipal Code from the first reading. He stated that the Development Director has presented a memo answering questions/concerns that Council had from their prior work session. Leon Shahan of 1821 Mt. Pleasant Street stated that gambling hurts the working class the hardest. Brad Cranston of 501 South Garfield questioned if the citizens of Des Moines County were guaranteed a referendum in 2010 or if part of the application

to the Gaming Commission the referendum would be extended. He further questioned

if there was a study done in regard to the location of the casino. The City Manager stated that the next referendum would still be in 2010. Randy Winegard stated that an extensive market study of Burlington/Ft. Madison was done with predictions of revenue at approximately \$60,000,000.00. He stated that the Riverside Casino predicted revenue is approximately \$82,000,000.00. John Billups

representing Downtown Partners read a letter of support of the project. Dennis Hinkle of Burlington/West Burlington Chamber of Commerce Board and Grow Greater Burlington stated that they have voted unanimously in support of the project. Dave Walker of 608 Terrace Drive and treasurer of the Southeast Iowa Riverboat Commission stated that their Commission voted unanimously in favor of the project. Mayor Edwards reviewed how gaming revenues supports the Vision Iowa program, schools, gambling addiction and local City taxes. He stated that most people think of gambling as a form of entertainment. All present had opportunity

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

(VOTE: 4 - AYES Edwards, Ell, Scott and Thomas)

1 - NAY Campbell) CARRIED

RESOLUTION:

Introduced By: Scott Seconded By: Thomas

1. Resolution Approving Extension of Forgivable Loan Agreement with IP Real Estate, Inc.

DISCUSSION: Leon Shahan of 1821 Mt. Pleasant Street stated that he had requested

the removal of the Resolution approving extension of the forgivable loan agreement with IP Real Estate, Inc. as he did not feel it was a consent agenda item. The City Manager stated that the proposed Resolution provides for an extension of the forgivable loan agreement with IP Real Estate, Inc. dated December 20, 2002. He stated that Alfacomma America, Inc. (the operating company

located at the property and a sister corporation to borrower) was obligated to create 85 new jobs within two years. He stated that they were requesting the extension, which will now expire on December 18, 2006. Mayor Edwards stated that

51 jobs have been created so far. Council Member Ell stated that they are in the

process of creating 20 new jobs, which will just leave them with 14 additional jobs, left to create. 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: 7:47 p.m. Approved: March 6, 2006

Kathleen P. Salisbury, MMC Mike Edwards
City Clerk 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 Final Acceptance and Final Payment for the Crapo Park Restroom Project
2. Resolution Awarding the Purchase of Patrol Squad Cars for the Burlington Police Department
3. Resolution Approving the National Scenic Byways Grant Application for the Great River Road Aldo Leopold Interpretive Center Master Plan
4. Resolution Approving Interlocal Agreement Between the City of Burlington and Des Moines County for the 2006 Byrne Justice Assistance Grant (JAG) Program Award for the SEINT Program

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of Fiscal Year 2006-2007 Budget (March 6, 2006)
2. Consideration of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property Located at 710 North Front Street (Big Muddy s) from C-2 (General Commercial Zoning District) to C-3 (Central Business District (Downtown Mixed Use) Zoning District) (March 20, 2006)
3. Consideration of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property Located at the Southwest Corner of Summer Street and Hillary Street from C-1 (Limited Commercial Zoning District) to R-1 (Single-Family Residential Zoning District) (March 20, 2006)

APPOINTMENTS:

Construction Board of Appeals: Robert D. Boyle
Southeast Iowa Regional Airport Authority: Dwight Mulch