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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 5
March 6, 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: Campbell Seconded By: Ell

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. Council Member Campbell requested the removal of the Resolution approving beer license for Tom s Market and Meats 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

HEARINGS:

1. Statement: Consideration of Fiscal Year 2006-2007 Budget

COMMENTS: The City Manager reviewed the following items of the proposed fiscal year 2006-2007 budget: combined property tax rates; lost revenue and police and fire pension impact; impact of rollback; rollback percentages for fiscal years 2002-2006; assessable tax value (down \$10,727,049.00 and tax receipts down \$82,685.00 heating, electricity and fuel and gas costs up); total expenditures

\$32,130,303.00; City tax rate \$14.89; residential property City tax portion; commercial property City tax portion; fund accounting; general fund; general fund cost saving measures and cuts; road use tax fund \$83.80 per capita; sales tax fund \$3,200,000.00; solid waste management fund \$8.75 per month; sewer fund 15% rate increase and capital projects fund \$4,149,031.00. Leon Shahan of 1821 Mt. Pleasant Street felt that many homes in Burlington were assessed over their actual value; questioned economic development projects for the upcoming year; more should be done to control health care costs; RecPlex keeps losing money, he

suggested that the hotel/motel tax monies should be used to keep the RecPlex in the black; staffing at Police Department should be cut back and concern with sewer rate increase and how much of the cut rate water fees which was granted for the Ethanol Plant. The City Manager stated that the total valuation numbers

were very clear. He stated that \$160,000.00 was being set aside from sales tax monies for economic development projects. He stated that health care costs have gone down and employees have made health care concessions. The RecPlex is an enterprise fund and the deficits need to be addressed, but no tax dollars are being used at this point. He stated that there were currently only 40 police officers not 57. He further stated that Burlington does not supply water to the Ethanol plant as they have dug their own wells. Council Member Thomas stated that the City was currently having an energy audit by Alliant Utilities. He further stated that he was forming an Iowa Renewable Energy AdHoc Committee. He urged those interested in joining the group should let him know. After further discussion by the City Council they voted unanimously to approve the fiscal year 2006-2007 budget. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Introduced By: Scott

Seconded By: Edwards

Resolution Approving Fiscal Year 2006-2007 Budget

DISCUSSION: None.
 (VOTE: 5 - AYES)
 ADOPTED

2. Statement: Consideration of an Ordinance Creating and Adopting the Sunrise West Planned Unit Development (PUD) Overlay District as Allowed by Section 17.20.40 of the Burlington Municipal Code

COMMENTS: The Development Director reviewed the site map for Sunrise West Planned Unit Development (PUD) with the City Council and the viewing audience. He stated that Messiah Lutheran Church has purchased an additional 40-acres to their present Sunrise West Subdivision and has plans for four-lots which would include lot one construction of two-family condo units; lot two was currently open; lot three would be a residential care facility and lot four would be for a church social service type providers that need a large lot. He stated that the property was being rezoned as a PUD due to the property consisting of 40 acres and several kinds of uses being used on the 40 acres. He reviewed the proposed names of the streets that will be constructed in Sunrise West PUD. Council Member Scott stated that a concerned citizen had contacted him concerned that storm water run-off would increase in that area. The Development Director stated that there would be an on-site detention area and there would be less storm water run-off in the proposed area. Council Member Thomas questioned if sidewalks were planned for Sunrise West PUD. The Development Director stated that the developer is required to construct sidewalks unless the Council would waive that requirement. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Introduced By: Thomas

Seconded By: Scott

Motion for Preliminary Adoption of the First Reading of an Ordinance Creating and Adopting the Sunrise West Planned Unit Development (PUD) Overlay District as

Allowed by Section 17.20.40 of the Burlington Municipal Code

DISCUSSION: None.
(VOTE: 5 - AYES)
CARRIED

ORDINANCE:

Introduced By: Ell

Seconded By: Edwards

1. Motion for Final Adoption 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 the only change to the Ordinance creating and adopting Fun City Planned Unit Development (PUD) was a corrected legal description which is an attachment to the proposed Ordinance. Those who spoke against the proposed Ordinance were as follows: Leon Shahan of 1821 Mt. Pleasant Street; Brad Cranston of 501 South Garfield Avenue; Freddie Starling of

517 South 7th Street and Patrick Lacey of 601 Parkway Drive. Those who spoke against the proposed Ordinance felt that gambling preys on the weakest of all citizens, the poor and elderly; that money was the root of all evil; the casino does not provide good paying jobs and that government should not have an equity income in a casino. Dave Walker of 708 Terrace Drive presented Council with a letter of support from the Southeast Iowa Regional Riverboat Commission. Beth McClain, Director of the Welcome Center, stated her support for the casino, as it would draw visitors to the area. Randy Winegard of 3000 Kirkwood Street reminded those in attendance that the voters of Des Moines County and Lee County

have voted twice in favor of gambling. He stated that the issue was rezoning the property, not deciding if Des Moines County should keep gambling. Mayor Edwards stated that he respected the clergy and their concerns but his instincts

were to approve the proposed PUD. Council Member Thomas stated that he also respected the pastors but that he would support the proposed PUD as it would grow the revenue base. Council Member Campbell thanked Randy Winegard for everything that he does for Burlington. He stated that he would be voting against the proposed PUD. He stated that the casino would have a negative impact on area business, as the monies that would have been spent in area stores

would now be spent at the casino, creating a transfer of wealth. He further stated that the word casino appeared throughout the PUD Ordinance. He further stated that the casino would be constructed in the most traveled part of Burlington. He also stated that the pros do not outweigh the cons. 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: Edwards

Seconded By: Thomas

1. Resolution Approving Beer License

DISCUSSION: Council Member Campbell stated that he removed the Resolution Approving Beer License for Tom s Market and Meats as he is a full-time employee and he wanted to avoid any conflict of interest. He further stated that he would abstain from voting. 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 - ABSTAINED Campbell

ADOPTED

COMMENTS FROM AUDIENCE: None

Adjournment: 8:45 p.m.
20, 2006

Approved: March

Kathleen P. Salisbury, MMC
ards
City Clerk

Mike Edw
Mayor

(See tapes on file in the office of the City Clerk for complete discussion and documentation.)