

Subject to change as finalized by the City Clerk.
For a final official copy, contact the City Clerk's office at (319) 753-8124.

MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 4
February 20, 2018

The Burlington City Council met in regular session at 5:30 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor McCampbell, Council Members Billups, Murray and Rinker present. Council Member Wilson was absent.

BURLINGTON CITY COUNCIL

PROCLAMATION:

2017 Officer of the Year, Police Officer Lucas Peterson

MAYOR'S AWARDS:

* Kay Russell, Margie Marshall, Barbara Carlson, Len Osinski, JoAnn Williams and Mac Coffin

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: Rinker Seconded By: Billups

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. He further announced those individuals appointed to various City commissions and boards. Council Member Rinker removed the Resolution Approving Beer, Liquor, Wine and Cigarettes 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: 4 - "AYES")

CARRIED

HEARINGS:

1. Statement: Consideration of an Application for CDBG Pilot Program - Upper Story Rental Rehab Program Funds Through IEDA

COMMENTS: Dan Eberhardt, Regional Planner II for the Southeast Iowa Regional Planning Commission, stated that the City of Burlington was applying for CDBG Pilot Program - Upper

Story Rental Rehab Program funds through IEDA. He stated that the need for this project was determined through a 2016 Housing Needs Assessment for Des Moines County identifying the necessity for additional housing units. He stated that the proposed activity would be funded by the Community Development Block Grant (CDBG) Pilot Program through the Iowa Economic Development Authority and other private and public sector funds. He stated that the building is located at 512-522 Jefferson Street, locally known as the “Book Ends.” He stated that the City of Burlington was requesting \$500,000.00 from the Iowa Economic Development Authority (IEDA) for an Upper-Story Rental - Rehab Conversion Program. He stated that the application for the CDBG Pilot Program for Upper-Story Rental - Rehab Conversion is due on February 23, 2018. He stated that the City will know if grant funds are approved by March 8, 2018. He stated that the City of Burlington will hold a lien on the property for five years. He stated that federal funds would benefit low and moderate income persons with 51% of the rental units being rented to persons or households at or below 80% of the median income limits (LMI) by household size as established by HUD for Des Moines County (example: 1-person with an income of \$35,800.00). He further stated that the upper floors of 512-522 Jefferson Street were vacant so there would not be any displacement of persons as a result of funded activities. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Rinker
Motion to Close

Seconded By: Billups

CARRIED

Introduced By: Rinker Seconded By: Billups
Resolution Approving Application for CDBG Pilot Program - Upper Story Rental Rehab Program Funds Through IEDA

DISCUSSION: None.
(VOTE: 4 - “AYES”)

ADOPTED

2. Statement: Consideration of Approval of a Development Agreement with Park West, LLC, Including Annual Appropriation Tax Increment Payments in an Amount Not to Exceed \$350,000

COMMENTS: The Development and Parks Director stated that the Development Agreement with Park West, LLC, Including Annual Appropriation Tax Increment Payments in an Amount Not to Exceed \$350,000 was the final phase of the process. He stated that the development agreement lays out the process for reimbursement of funds through the TIF process. He stated that it was an annual appropriation. He stated that the developer was building a 16-lot subdivision with both single family and 2-family residential homes located south of West Avenue with homes ranging from \$180,000.00 to \$275,000.00. He stated that current taxable value for the property was \$22,000.00. Any increment above that would be what the rebate would be based on. He stated that infrastructure connections should be completed by May/June 2018 with construction of homes starting upon completion of the infrastructure connections. He stated that Dan Cahill, developer, was out-of-town and was unable to attend the meeting. Leon Shahan of 1821 Mt. Pleasant Street stated that he was opposed to Tax Increment Financing (TIF) even with new development. Robert Critser of 810 North 5th Street stated that Burlington needs to grow to

succeed and there needs to be incentives to build and live in Burlington. Eric Renteria of 907 High Street stated that he was neither for or against the project, but there should be a long term plan that dictates. Council Member Rinker stated that in regard to Eric Renteria's comment, he felt that different City Council's are going to have different ideas. Council Member Billups stated that the City Planning Commission was working on Tax Increment Financing (TIF) guidelines. Mayor McCampbell stated that he was ready to step on the brake and allow development to happen organically. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Billups
Motion to Close

Seconded By: Murray

CARRIED

Introduced By: Billups Seconded By: Murray
Resolution Approving a Development Agreement with Park West, LLC, Including Annual Appropriation Tax Increment Payments in an Amount Not to Exceed \$350,000

DISCUSSION: None.

(VOTE: 3 - "AYES" Murray, Rinker and Billups
1 - "NAY" McCampbell)

ADOPTED

RESOLUTIONS:

Introduced By: Billups

Seconded By: Murray

1. Resolution Approving an Agreement with Stanley Consultants, Inc. to Perform Construction Inspection for Mount Pleasant Street Bridge

DISCUSSION: The Public Works Director stated that the Mt. Pleasant Street Bridge Replacement Project was scheduled to commence this summer. He stated the projects scheduled for this construction season and the type of inspection work involved his department does not have the internal resources to perform the construction inspection on this project. He stated that the proposed Resolution provides for an agreement with Stanley Consultants, Inc. to perform construction inspection for the Mount Pleasant Street Bridge in the amount not to exceed \$541,200.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Murray

Seconded By: Billups

2. Resolution Approving Urban Revitalization Tax Exemptions Pursuant to Chapter 404 of the State Code of Iowa (Tax Abatements)

DISCUSSION: The Director of Administrative Services stated that attached to the Resolution Approving Urban Revitalization Tax Exemptions Pursuant to Chapter 404 of the State Code of Iowa is a list of properties that have applied in the past year for tax abatements. She stated that after approval by the Council, the Resolution will be filed with the Des Moines County and the County will abate the homeowner's property taxes for either three years at 100% or the ten-year

sliding scale, depending upon what the property owner chooses. Leon Shahan of 1821 Mt. Pleasant Street stated that the tax abatement program was costing the tax payer \$500,000.00 a year. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Rinker Seconded By: Murray
BEER, LIQUOR, WINE AND CIGARETTES

DISCUSSION: Council Member Rinker stated that he removed the Resolution Approving Beer, Liquor, Wine and Cigarettes as his name was on a beer/wine license for the Rotary and he wanted full disclosure. He 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: 3 - "AYES" Murray, Billups and McCampbell

1 - "ABSTAINED" Rinker)

ADOPTED

COMMENTS FROM AUDIENCE: Christopher Roepke of 1306 Madison Avenue stated that approximately 96 letters were mailed concerning the Madison Avenue project in which they were invited to attend a meeting to sign a petition opposing the City's plan for a bike lane on Madison Avenue. He stated that 24 households have signed the petition resulting in a return of more than 20%. He stated that he has also spoken with Zach James of Southeast Iowa Regional Planning Commission (SEIRPC) about the opposition of the project. Eric Renteria of 907 High Street stated that the downtown parking signs were challenging to read when driving as there was too much information on the parking signs. He further questioned how much revenue comes from the yellow parking boxes. Leon Shahan of 1821 Mt. Pleasant Street stated that on Mt. Pleasant Street between Cook Street and Gertrude Street there are approximately five sink holes that need to be looked at by the Streets Department. He stated his opposition to a franchise tax on utilities as a revenue stream to finance the flood wall and riverfront improvements. He stated that the Mississippi River was too large a river to try to tame with a flood wall. Robert Critser of 810 North 5th Street stated that citizens want more police officers and firefighters. He stated that the City no longer has the "golden goose" as the toll booth was removed, but we need to come up with a new "golden goose" idea. He stated that the City cannot give up on the City's riverfront as it is a draw for Burlington. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:50 p.m.

Approved: March 5, 2018

Kathleen P. Salisbury, MMC
City Clerk

Shane A. 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

REPORTS AND BONDS

RESOLUTIONS:

1. Resolution Approving Renewal of Taxi Cab/Vehicle for Hire License for Robyn Canova dba/A2Z Taxi, LLC
2. Resolution Awarding Bid for the 2017 Law Enforcement Center Site Work Improvements
3. Resolution Approving the Purchase of Easements from 2830 Winegard Drive (Pin: 11-31-176-015) for the Construction of a Storm Sewer Associated with the Vineyard Drainage Project
4. Resolution Approving Americans with Disabilities Act Transition Plan
5. Resolution Approving Application for Funds Through the Community Catalyst Building Remediation Program from the Iowa Economic Development Authority
6. Resolution Supporting and Approving Application to the Wellmark Foundation's Large Match Grant Application for Improvements to DeEdwin and Gladys White Memorial Park

SET DATE FOR PUBLIC HEARINGS: MARCH 5, 2018

1. Consideration of Plans and Specifications for the 2018 Tama Building Permeable Alley
2. Consideration of Plans and Specifications for the 2018 Agency Street Widening Project - East End
3. Consideration of an Ordinance Rezoning the Property Locally Known as 333 Curran Street from R-2, Single-family Residential to C-1, Limited Commercial Zoning District
4. Consideration of an Ordinance Amending the Code of Ordinances of the City of Burlington, Iowa, by Amending Provisions Pertaining to the Standard Penalty Applicable to Certain Sections of the Code and Violations Thereof
5. Consideration of Fiscal Year 2018-2019 Budget

APPOINTMENTS:

Board of Housing Standards and Appeals: Jan Jaeger

Human Rights Commission: Unity Litton

Low Rent Housing Agency: Lynda Hild

Parks Advisory Committee: Kelly Morris

Renewable Energy Committee: Jeff Lionberger, Steve Rowland, Michael Gorman, Keith Jacobs and Roger Gard