

the City of Burlington, Iowa by Creating a PUD (Planned Unit Development) Overlay Zone for the Property at the Southeast Corner of South Gear Avenue and West Avenue as Allowed by Section 17.20.40 of the Burlington Municipal Code

COMMENTS: The City Planner stated that the proposed Ordinance amends the official zoning map for the City and would create a PUD (Planned Unit Development) Overlay Zone for the property located at the southeast corner of South Gear Avenue and West Avenue for the development of a 66-unit assisted living facility. He reviewed with the Council and the viewing audience the land use map and the zoning map of the area. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Campbell
Motion to Close

Seconded By: Scott

CARRIED

Introduced By: Campbell
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Creating a PUD (Planned Unit Development) Overlay Zone for the Property at the Southeast Corner

of South Gear Avenue and West Avenue as Allowed by Section 17.20.40 of the Burlington Municipal Code

DISCUSSION: None.
(VOTE: 5 - â AYESâ)

CARRIED

RESOLUTIONS:

Introduced By: Thomas

Seconded By: Edwards

1. Resolution Authorizing the Acquisition of Certain Real Estate in Flint Hills Manor by Eminent Domain

DISCUSSION: The City Manager stated that the proposed Resolution allows the City's corporate counsel to acquire seven properties in Flint Hills Manor by eminent domain, if necessary, if further negotiations with the individual property owners are not successful. He stated that Columbia Townhouse is considered one property. He further stated that the City has acquired 33 buildings (69% of the land) to date out of 59 buildings. Negotiations are still

taking place and three other properties should soon be purchased. Paul Niemann of 2913 Madison Avenue, Apt. 2, former resident of Flint Hills Manor area, stated that he liked the new location of his apartment and that it was nicer. Tammy Johnson of 1409 Grove Street, former resident of Flint Hills Manor area, stated that she is now living in a nice large home thanks to the City project. Amy Laue, representing Ronald G. Sourwine, read a prepared statement objecting to the proposed acquisition of his Roosevelt Avenue/Valley Street property. The

statement stated that he felt the City has not negotiated in good faith forcing all property owners to sell their homes or investments at a very low market value. The statement was made a part of the City record. Ron Sourwine stated that he owns two properties on Roosevelt Avenue and wondered when his property would be listed for acquisition by eminent domain. He further stated that the property he owns is an income for him as he is retired. The City Manager stated

that a second list of properties would be on the February 5, 2007 City Council meeting. Amy Laue stated that she was not happy with the appraised value of her property that the City hired appraiser gave her property. She asked why the

City did not bring in a second appraiser. She further stated that she would not be able to purchase a similar property at the price the City was offering her. She further stated that she received \$9,000.00 in income per year on her rental property and that it was rarely vacant. The City Manager stated that Amy Laue has every right to hire a licensed appraiser and to sit back down with the City to negotiate. He further presented to Council and the viewing audience comparable of properties in Flint Hills Manor, the tax assessed price, the appraisal price and the purchase price in which the City purchased the properties for approximately 110% of the appraised value for renter-occupied homes and 125% percent higher than the appraised value of owner-occupied homes. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

ADOPTED

Introduced By: Scott

Seconded By: Thomas

2. Resolution Approving Purchase of a Sign and Electronic Message Board at Burlington Memorial Auditorium

DISCUSSION: The Public Works Director stated that the proposed Resolution provides for the purchase of a sign and electronic message board to be located half way between Memorial Auditorium and the Port of Burlington. He stated that

the sign/electronic message board would be 25 feet high and approximately 5 feet by 10 feet. He stated that the sign/electronic message board would be funded by

Vision Iowa. He reviewed the proposal process and stated that the sign/electronic message board would be purchased from Sherwood Company of West Burlington in the amount of \$64,466.00. He further stated that Sherwood Company

submitted five different designs and the one chosen by staff was the second lowest proposal. Council Member Scott asked if the sign/electronic message board would be a revenue generator. The City Manager stated that a fee schedule

for advertising would need to be established. Council Member Thomas thanked Mayor Edwards for serving on the Vision Iowa board and stated that the sign was very much needed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:43 p.m.

Approved: February 5, 2007

Kathleen P. Salisbury, MMC
City Clerk

Mike Edwards
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 to Establish a New Fee Schedule for the RecPlex
2. Resolution Approving Intergovernmental Agreement between the City of Burlington and the Southeast Iowa Regional Airport Authority for Shared Services and for the Continued Operation and Maintenance of an Airport Facility

SET DATE FOR PUBLIC HEARING: FEBRUARY 5, 2007

1. 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 Maple Street and South 9th Street from C-1 (Limited Commercial Zoning District) to C-2 (General Commercial Zoning District)

APPOINTMENTS:

Downtown Partners, Inc. Board of Directors: Tim Scott
Convention and Visitor's Bureau Steering Committee: Garry Thomas