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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 12  
June 20, 2016

The Burlington City Council met in regular session at 5:30 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor Pro-Tem Davidson, Council Members Fleming and Scott present. Mayor McCampbell and Council Member Wilson were absent.

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 no separate 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 Pro-Tem Davidson reviewed the items listed on the consent agenda to the viewing audience. He 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.

(VOTE: 3 - "AYES")

CARRIED

HEARINGS:

1. Statement: Consideration of an Ordinance Rezoning a Portion of 2400 Sunnyside Avenue to Include a Planned Unit Development Overlay Zone (Arbor View Estates PUD)

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the proposed Ordinance Rezoning a Portion of 2400 Sunnyside Avenue to Include a Planned Unit Development Overlay Zone (Arbor View Estates PUD). He reviewed the land use; bulk requirements; landscaping - open space; architecture - appearance and storm water management. He stated that the City Planning Commission voted 3-0 with 1 abstain to recommend approval of the requested rezoning to the City Council with the condition that the future land use map be updated from commercial to low density residential. He stated that the approval was based on the request of the applicant, the plan to develop and infill residential site, the size of lots proposed, the type of housing planned within the development, the need for

various housing types as identified in the Housing Needs Assessment Plan and conformance to the Comprehensive Plan. He reviewed the concept plan for the project, the PUD would allow up to 14 attached units with each unit on their own lot on the south side of the development. He stated that the sideyard setback for the yard side where housing is attached shall be allowed to be zero. Council Member Scott asked about the setbacks for the property. The Development and Parks Director stated that the front would have a 30 ft. setback, the back would have a 25 ft. setback and the side yard would have 7 ft. setback. He stated that there would be a landscape buffer on the south side of the property. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott                      Seconded By: Fleming  
Motion to Close

CARRIED

Introduced By: Scott                      Seconded By: Fleming  
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning a Portion of 2400 Sunnyside Avenue to Include a Planned Unit Development Overlay Zone (Arbor View Estates PUD)

DISCUSSION: None.  
(VOTE: 3 - "AYES")

CARRIED

2. Statement: Consideration of City of Burlington Neighborhood Stabilization Program (08-NSP-003, 11-NSP-003)

COMMENTS: Sara Hecox, Grant Administrator for the Southeast Iowa Regional Planning Commission reviewed with Council and the viewing audience the City of Burlington Neighborhood Stabilization Program (08-NSP-003, 11-NSP-003). She stated that Burlington received two NSP grants as follows: 2008 grant in the amount of \$609,500.00 and to date 10 projects have been completed (3 redevelopment projects, 4 demolition projects and 3 rehabilitation projects) and the 2011 grant in the amount of \$452,120.00 and to date 6 projects have been completed (1 down payment project and 5 redevelopment projects). She stated that 25% of the funds have to be spent on households at 50% of the median family income and the rest of the funds have to be spent on households at 120% of the median family income for Des Moines County. She stated that when a property sells the funds revolve and the City can complete another project. She stated that \$891,820.00 has been spent with the 2008 grant in the targeted neighborhood and \$589,607.00 has been spent with the 2011 grant in the targeted neighborhood. She stated that the City still has some funds left for a couple more projects. She reviewed the map showing the NSP Targeted Neighborhoods. She further showed before and after pictures of projects. Mayor Pro-Tem Davidson and Council Member Scott stated that they liked the program. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming                      Seconded By: Scott  
Motion to Close

CARRIED

RESOLUTIONS:

Introduced By: Scott                      Seconded By: Fleming

1. Resolution Approving City of Burlington, Iowa Goal Setting Report, Dated June 2, 2016

DISCUSSION: The City Manager stated that the City Council meets approximately every other year for City Council goal setting. He stated that it was the Council's desire to have the City Council goal setting session closer to the term of the new City Council. He reviewed with Council and the viewing audience the on-going commitments/obligations; new priority projects, programs, and initiatives and organizational effectiveness. He stated the Council's new priority projects, programs, policies and initiatives for the upcoming 24 month period were as follows: Cascade Bridge replacement; review all Codes/Ordinances and eliminate those that are unenforced; establish policy for determining who is responsible for enforcement and update zoning regulations to be more conducive to infill development and fit existing development patterns. He stated that Council would meet periodically to update the progress. Mayor Pro-Tem Davidson stated that the Council needs to finish what was started four to five years ago. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTE: 3 - "AYES")

ADOPTED

Introduced By: Scott                      Seconded By: Fleming

2. Resolution Awarding Contract for the 2016 Cascade Watershed Sewer Separation Project, Phase 2

DISCUSSION: The City Engineer stated that the 2016 Cascade Watershed Sewer Separation Project, Phase 2 was being constructed as part of a City wide sewer separation effort as required under a consent order with the Iowa Department of Natural Resources. He stated that the project will provide for separation of sewers within the Cascade watershed by construction of storm sewer structures and piping. He stated that bids were received on June 8, 2016 with Fye Excavating, Inc. being the low bidder at \$436,403.55. He stated that his estimate for the project was \$507,000.00 and the project would be funded with the Sewer Fund Cascade Sewer Separation Cash Balance. Council Member Scott stated that it was good to see bids coming in lower than the City Engineer's estimate. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTE: 3 - "AYES")

ADOPTED

COMMENTS FROM AUDIENCE: Don Traman of 116 Greenbrier Drive invited the City Council and City staff to attend the activities this Saturday at the depot starting at 10:30 a.m. with the civil war camp and locomotive tours. He stated that there would also be guided progress tours starting at 11:00 a.m. along with Amish baked goods and lunch. He stated that it was a fundraiser for Friends of the Depot. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:03 p.m.

Approved: July 5, 2016

Kathleen P. Salisbury, MMC  
City Clerk

Jim Davidson  
Mayor Pro-Tem

(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

BEER, LIQUOR, WINE AND CIGARETTES

REPORTS AND BONDS

RESOLUTIONS:

1. Resolution Approving Nuisance Abatements for Various Properties
2. Resolution Approving Final Acceptance, Final Payment and Release of Retention Monies for the 2015 Division Street Reconstruction and Silgan Turn Lane (RISE), RM-0977(643)-7D-29
3. Resolution Approving Interlocal Agreement Between the City of Burlington and Des Moines County for the 2016 Byrne Justice Assistance Grant (JAG) Program Award
4. Resolution Approving an Extension to the 2014-2016 Interchange of Employee Agreement Between the City of Burlington, Iowa and Burlington Community School District
5. Resolution Waiving Requirements for Lot Width as Allowed by Chapter 170.80.105 of the Zoning Code for the Property Located at 2750 Florence Avenue, Burlington, Iowa
6. Resolution Approving an Amendment of Access Agreement with Mac's Convenience Stores, LLC for Granting Access to the Subject Premises for the Purpose of Locating a Remediation Station and Conducting Environmental Investigation and Remediation Work

SET DATE FOR PUBLIC HEARING: JULY 5, 2016

1. Consideration of a Permanent Encroachment Agreement with CMM Co., LC for Encroachment into City Right-of-Way at 101 Valley Street, Burlington, Iowa

APPOINTMENTS:

Animal Hearing Board: Melenda McCampbell  
Low Rent Housing Agency: Tammy King  
Renewable Energy Committee: Jerry Rigdon and Dan Wischmeier