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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 13  
July 5, 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 McCampbell, Council Members Davidson, Fleming, Scott and Wilson 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 no separate discussion of these items. If discussion was desired, that item was removed from the Consent Agenda and was considered separately.

Introduced By: Davidson                      Seconded By: Fleming  
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. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

CARRIED

HEARING:

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

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the Permanent Encroachment Agreement with CMM Co., LC for Encroachment into City Right-of-Way at 101 Valley Street. He stated that CMM Co., LC (Frank Millard Company) plans on constructing an elevated concrete platform, electrical transformer, electrical cabinets, stairway and emergency generator. He stated that the platform would be placed adjacent to the southwest corner of the existing fabrication shop at the corner of Market and Front Streets. The applicant has met with Alliant Energy and they concur with the platform design and location. He stated that at the work session there was some concern about the water-main location. He stated

that he received an e-mail from Shane Johnson, Manager of the Waterworks, and they do not have a problem with the proposed location of the encroachment. He stated that there was more than six ½ feet to the center of the water-main and at least seven ½ feet from the curb line, which allows more setbacks than what was previously discussed at the work session. He stated that the applicant was available for questions. Council Member Davidson, Scott and Wilson were happy with the location of the permanent encroachment. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming  
Motion to Close

Seconded By: Scott

CARRIED

Introduced By: Fleming

Seconded By: Davidson

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

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

ADOPTED

ORDINANCE:

Introduced By: Scott

Seconded By: Davidson

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Rezoning a Portion of 2400 Sunnyside Avenue to Include a Planned Unit Development Overlay Zone (Arbor View Estates PUD)

DISCUSSION: The Development and Parks Director stated that there were no changes to the Ordinance Rezoning a Portion of 2400 Sunnyside Avenue to Include a Planned Unit Development Overlay Zone (Arbor View Estates PUD) from the first reading. This rezoning would allow zero lot line development of 14 units on the south portion of this area being rezoned, with the remaining area following typical R-1 standards. He stated that the City has received a preliminary site plan. A subdivision plat would be required to create the lots in the planned development and this would require drainage plans meeting Code requirements. Council Member Scott stated that he would only approve the rezoning of the property and not the plat as he was not going to approve a zero lot line development until the City Code reflects zero lot lines. 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: Davidson

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption 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: 5 - "AYES")

CARRIED

RESOLUTIONS:

Introduced By: Wilson

Seconded By: Scott

1. Resolution Approving Final Plat of Christine Subdivision

DISCUSSION: The Development and Parks Director reviewed the final plat of Christine Subdivision with Council and the viewing audience. He stated that it was a 7-lot subdivision located north off of Plank Street. He stated that the lot sizes ranged from 1/8 acre to 1/2 acre and would be used for storage/office type buildings. He stated that the City Planning Commission recommended approval 5-0 of the preliminary plat of Christine Subdivision. He stated that the City Council approved the preliminary plat of Christine Subdivision on February 16, 2016. Council Member Scott stated that it was a good use of the property. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Wilson

Seconded By: Scott

2. Resolution Waiving the 2016 Rental Permit Fee for the Burlington Area Homeless Shelter

DISCUSSION: Council Member Scott stated that he had received a request from Char Blodgett of the Burlington Area Homeless Shelter requesting the waiving of the 2016 rental permit fee for the Burlington Area Homeless Shelter. He stated that the fee was \$300.00 and the City Council waived the fee three years ago. He stated that he has asked the City Manager to create an Ordinance waiving the rental permit fee for the Burlington Area Homeless Shelter, so that the City Council does not have to waive the fee every three years. Char Blodgett of the Burlington Area Homeless Shelter stated that housing and food was free at the Burlington Area Homeless Shelter and she would be very happy if the Council waived the \$300.00 rental permit fee. 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: 5:54 p.m.

Approved: July 18, 2016

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

BEER, LIQUOR, WINE AND CIGARETTES

REPORTS AND BONDS

RESOLUTIONS:

1. Resolution Approving Nuisance Abatements for Various Properties
2. Resolution Approving Purchase of a Chipper Truck for the Parks Department

SET DATE FOR PUBLIC HEARINGS: JULY 18, 2016

1. Consideration of Sale of Property Locally Known as 925 Wells Court, City of Burlington, Iowa
2. Consideration of Sale of Property Locally Known as 1014 Court Street, City of Burlington, Iowa
3. Consideration of an Ordinance Rezoning the Property Located at 2635 Mount Pleasant Street from C-2, General Commercial to R-4, Multi-Family Residential Zoning District
4. Consideration of an Ordinance Vacating and Selling a Portion of Gordon Street Right-of-Way Located West of Baumberger Street and a Portion of Baumberger Street Right-of-Way Located South of Monroe Street
5. Consideration of Plans and Specifications for the 2016 Former Dresser Rand Site Cleanup Project