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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 6
March 17, 2008

The Burlington City Council met in regular session at 7:00 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor Ell, Council Members Davidson, Murray, Scott and Thomas present.

BURLINGTON CITY COUNCIL

PROCLAMATION:

2007-2008 Burlington Notre Dame Varsity Basketball Team - Principal Ron Glasgow, Athletics Director and Coach Ryan Rump and basketball players

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: Scott Thomas

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor Ell reviewed the items listed on the consent agenda to the viewing audience. Council Member Murray 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: 5 - AYES)

CARRIED

HEARINGS:

1. Statement: Consideration of Plans and Specifications for the 2008 HMA Resurfacing Project

COMMENTS: The Public Works Director reviewed the plans and specifications for the 2008 HMA Resurfacing Project with the City Council and the viewing audience.

He stated that the City would be resurfacing approximately 40 blocks of City streets. He stated that the budget available was \$1,259,000.00 and construction

estimate was \$1,240,288.00. Funding for the project would consist of \$355,000.00 in Local Option Sales Tax monies and \$904,000.00 in General Obligation Bonds. He stated that bids would be received on April 9, 2008, with the City Council awarding the contract on April 21, 2008 and construction would be completed during the Summer of 2008. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott

Seconded By: Murray

Motion to Close

CARRIED

Introduced By: Scott

Seconded By: Davidson

Resolution Approving Plans and Specifications for the 2008 HMA Resurfacing Project

DISCUSSION: None.

(VOTE: 5 - AYES)

ADOPTED

2. Statement: Consideration of Plans and Specifications for the 2008 Grimes Elementary Intersection Improvements

COMMENTS: The Interim City Manager stated that the 2008 Grimes Elementary Intersection Improvements was funded by the Safe Routes to School Program Grant.

The Public Works Director reviewed with the City Council and the viewing audience the plans and specifications for the 2008 Grimes Elementary Intersection Improvements. He stated that the project consists of the reconfiguration of the south leg of the intersection of Madison Avenue and South

Street primarily for increased pedestrian safety. Through pavement removal and reconstruction of curbs and sidewalks the intersection will be converted to a conventional 4-way intersection, eliminating the eastern most north-south pedestrian crossing that routed pedestrians behind cars stopped at the westbound

stop sign. He stated that the budget available was \$31,963.00 with the Engineer's estimate of \$37,230.00. He stated that funding consisted of Safe Routes to School Program Grant (\$31,963.00 and \$5,267.00 local unbudgeted monies). He stated that the Iowa Department of Transportation would receive bids on April 15, 2008 with the City Council awarding the contract on May 5, 2008. Construction would be finished the Summer of 2008. Jane Evans, of the Burlington Community School District, stated that the Safe Routes to School Program Grant promotes safety, fitness by allowing children to walk and ride their bikes to school and also provides for the conservation of energy due to less gas consumption. Pete Hageman of 805 South Street stated that the intersection was unsafe and he was glad to see that improvements would be made. Mayor Ell echoed Pete Hageman's comment. All present had opportunity to speak

and nothing additional was filed in the office of the City Clerk.

Introduced By: Davidson

Seconded By: Scott

Motion to Close

CARRIED

Introduced By: Davidson

Seconded By: Scott

Resolution Approving Plans and Specifications for the 2008 Grimes Elementary Intersection Improvements

DISCUSSION: None.

(VOTE: 5 - AYES)

ADOPTED

3. Statement: Consideration of Plans and Specifications for the 2008 Cliff Road Sidewalk Project

COMMENTS: The Interim City Manager stated that the 2008 Cliff Road Sidewalk Project was funded by the Safe Routes to School Program Grant. The Public Works Director reviewed the plans and specifications for the 2008 Cliff Road Sidewalk Project with the City Council and the viewing audience. He stated that

the project consists of the construction of one-half mile of four feet wide PCC sidewalk 3.5 feet behind the curb along the east side of Cliff Road from Sunnyside Avenue to Florence Avenue. The project will also include ADA accessible ramps, some driveway modifications and the reseeded of disturbed

areas. He stated that the budget available was \$70,950.00 with the Engineer's estimate of \$76,063.00. He stated that funding for the project would be as follows: \$70,950.00 Safe Routes to School Program Grant and \$5,113.00 Local monies (unbudgeted). He stated that the Iowa Department of Transportation would

receive bids on April 15, 2008 with the City Council awarding the contract on May 5, 2008. Construction would be finished the Summer/Fall of 2008. Those who spoke in favor of the project were Bob Glaser of 2525 Sunnycliff who enjoys riding his bike in Burlington. He urged Council to focus on developing a multi-use pathways for walking and biking. He urged Council to look at placing the sidewalk on the west side of the street due a to hill on the east side of the street. Those who spoke against the project were as follows: Nancy Wischmeier of 2642 Cliff Road, Tom Broeker of 2531 Quail Ridge Drive and Pamela Broeker of 2531 Quail Ridge Drive. Those who were against the project felt that

the proposed sidewalk should be located on the west side of Cliff Road due to the close proximity of homes to the proposed sidewalk on the east side of Cliff Road. They stated that the sidewalk would be two feet from porches, many would lose their hedges and trees. They also stated that even with a sidewalk, most children would not walk to school. Elmer Pollpeter of 2534 Cliff Road felt it was illegal to ride bikes on sidewalks in residential areas. Chief Luttenegger stated that he would check into it for residential areas. The City Planner stated that the City was unable to get the easements they needed on the west side of Cliff Road to create a sidewalk. Jane Evans, of Burlington Community School District, stated that the goal of Safe Routes to School Program Grant was

to reduce fuel consumption/energy and help promote safety. The Public Works Director stated that few trees would need to be removed, but that they were located on the City right-of-way, not private property. Council Member Scott stated that sidewalks were important and that the City needed to take advantage of the grant. Council Member Davidson stated that it was good for children to walk to school. Council Member Murray stated that he could not support approval

of a sidewalk on the east side of Cliff Road until the City has more time to talk with the property owners on the west side of Cliff Road. Mayor Ell stated that he agreed with Council Member Murray. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Murray Seconded By: Scott
Motion to Close CARRIED

Introduced By: Murray Seconded By: Scott
Resolution Approving Plans and Specifications for the 2008 Cliff Road Sidewalk Project

DISCUSSION: None.
(2 - AYES DAVIDSON AND SCOTT
3 - NAYS ELL, MURRAY & THOMAS) FAILED

RESOLUTIONS:
Introduced By: Ell Seconded By: Scott
1. Resolution Requesting Establishment of No Wake Zones on the Mississippi River

DISCUSSION: The Interim City Manager stated that the City Council held a public hearing on the establishment of a No Wake Zone on the Mississippi River on February 19, 2008. He stated that upon approval by the City Council, he will

forward the Resolution to the Iowa Department of Natural Resources for approval.

He stated that the Iowa Department of Natural Resources will enforce the No Wake Zone. Todd Oetken of 413 Maple Street questioned if the No Wake Zone would

include barges. The Interim City Manager stated that the No Wake Zone would include the area 300 ft. from the shore. He further stated that the No Wake Zone would not apply to barges, but would help slow down boaters. Lisa Walsh, Chairperson of the Riverfront Advisory Committee stated that it would help boaters that are trying to load and unload passengers. She stated that it was a

great safety addition to the riverfront. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Scott

Seconded By: Murray

2. Resolution Approving Plans and Specifications for Perkins Park Restroom Project Continued from the March 3, 2008 City Council Meeting

DISCUSSION: The Interim City Manager stated that the proposed Resolution would approve the plans and specifications for the Perkins Park Restroom Project that the City Council had continued from the March 3, 2008 City Council Meeting. He stated that construction cost was approximately \$140,000.00 and would be funded by Starker Trust monies. The Parks Director reviewed the plans and specifications for the Perkins Park Restroom Project with the City Council and the viewing audience. He stated that the restroom would be similar to the new restroom in Crapo Park. He stated that it was not elaborate but would be easy to clean. He stated that insulation was added due to sled riding in the park. Council Member Murray stated that the location for the new restroom at Perkins Park was a good location and needed to be replaced. All present had opportunity

to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES DAVIDSON, ELL, MURRAY & THOMAS

1 - NAY SCOTT)

ADOPTED

COMMENTS FROM AUDIENCE: Leonard Johnson questioned the amount of monies that residents of Flint Hills Manor received from the City. The Interim City Manager

stated that the City followed federal relocation guidelines in relocating residents. He further explained that costs varied as some residents went from a

rental unit to a home and, therefore, the City was required by law to pay the closing costs. The City Planner explained that those residents in Flint Hills Manor who ended up purchasing homes had to qualify with the bank for a loan or if they purchased a home on a contract they had to qualify. He stated that a home that a renter purchased by contract, the City did not pay any closing cost.

Leonard Johnson stated that the State Auditor should be investigating the monies given to residents in Flint Hills Manor. The City Planner urged Leonard Johnson to stop in his office to review records of the Flint Hills Manor Revisited Project. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 8:43 p.m.

Approved: April 7, 2008

Kathleen P. Salisbury, MMC
City Clerk

William L. Ell
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 Approving Renewal of Taxi Cab/Vehicle for Hire License for Robyn Canova dba/A2Z Taxi and Delivery Service

2. Resolution Approving Renewal of Three Year Lease Agreement for the Operation of the Iowa Store Located in the Port of Burlington Welcome Center

SET DATE FOR PUBLIC HEARING: April 7, 2008

1. Consideration of an Ordinance Rezoning Property Along Gnahn Street from R-2 and R-3 Residential to M-1 Light Industrial

APPOINTMENTS:

City Planning Commission: Chuck Griffin

Board of Electrical Examiners: John Bentler

Human Rights Commission: Elizabeth Shaver