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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 18  
September 19, 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

MAYOR'S AWARDS:

- \* Jackie Swink
- \* Cree Gully
- \* Chuck Siekman
- \* Larry Dirth
- \* Kevin Moore

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: Fleming      Seconded By: Scott

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

HEARINGS:

1. Statement: Consideration of the Sale of Property Locally Known as 1118 Maple Street, Burlington, Iowa, with Conditions

COMMENTS: The Development and Parks Director stated that the property at 1118 Maple Street was located on the north side of Maple Street. He stated that the home was built in 1890. He reviewed details of the home with the Council and the viewing audience. He reviewed the following conditions for the sale of the property: Purchaser shall pay a minimum of \$500 or 10% down (whichever is greater) upon approval of sale. The entire amount shall be paid within 30 days of approval of sale by the City Council. Defective items shall be repaired as needed. A licensed plumber and electrician shall inspect and sign off that such items in the property meet or are brought up to code. Sidewalks along Maple Street and parking areas shall be improved to meet current code standards as necessary. Paved parking shall be installed to accommodate two off-street vehicles on the property. All permits shall be received and codes shall be met, as applicable, for work and occupancy of the home. Purchaser shall maintain property and yard and hold insurance on such property upon approval of sale by the City Council. Work shall be initiated within 60 days and completed within 180 days of approval by the City Council. An extension of 180 days may be granted if significant progress is made. Failure to meet time frames may result in forfeiture of sale and purchase; with resale of the property by the City. He stated that the quit claim deed shall be transferred to purchaser upon substantial completion of renovation of the residential home. Mayor McCampbell led an auction for the Sale of Property Locally Known as 1118 Maple Street, City of Burlington, Des Moines County, Iowa. Donald L. Harter of 1018 Monticello Drive was the high bidder at \$1,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott  
Motion to Close

Seconded By: Davidson

CARRIED

Introduced By: Scott                      Seconded By: Davidson  
Motion to Amend Exhibit "C" of the Resolution Approving the Sale of Property Locally Known as 1118 Maple Street, City of Burlington, Des Moines County, Iowa that the Property be Sold to Donald L. Harter in the amount of \$1,000.00

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

CARRIED

Introduced By: Scott                      Seconded By: Fleming  
Resolution Approving the Sale of Property Locally Known as 1118 Maple Street, Burlington, Iowa, with Conditions

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

ADOPTED

2. Statement: Consideration of Sale of Property Locally Known as 1505 Aetna Street, Burlington, Iowa, with Conditions

COMMENTS: The Development and Parks Director stated that the property at 1505 Aetna Street was located on the south side of Aetna Street. He stated that the home was built in 1910. He reviewed details of the home with the Council and the viewing audience. He reviewed the following conditions for the sale of the property: Purchaser shall pay a minimum of \$500 or 10% down (whichever is greater) upon approval of sale. The entire amount shall be paid within 30 days of approval of sale by the City Council. Defective items shall be repaired as needed. A licensed plumber and electrician shall inspect and sign off that such items in the property meet or are brought up to code. Sidewalks along Aetna Street and parking areas shall be improved to meet current code standards as necessary. Paved parking shall be installed to accommodate two off-street vehicles on the property. All permits shall be received and codes shall be met, as applicable, for work and occupancy of the home. Purchaser shall maintain property and yard and hold insurance on such property upon approval of sale by the City Council. Work shall be initiated within 60 days and completed within 180 days of approval by the City Council. An extension of 180 days may be granted if significant progress is made. Failure to meet time frames may result in forfeiture of sale and purchase; with resale of the property by the City. He stated that the quit claim deed shall be transferred to purchaser upon substantial completion of renovation of the residential home. Mayor McCampbell led an auction for the Sale of Property Locally Known as 1505 Aetna Street, City of Burlington, Des Moines County, Iowa. Terry A. Arellano of 2800 South Main Street was the high bidder at \$15,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott  
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Scott                      Seconded By: Wilson  
Motion to Amend Exhibit "C" of the Resolution Approving the Sale of Property Locally Known as 1505 Aetna Street, City of Burlington, Des Moines County, Iowa that the Property be Sold to Terry A. Arellano in the amount of \$15,000.00

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

CARRIED

Introduced By: Scott                      Seconded By: Davidson  
Resolution Approving Sale of Property Locally Known as 1505 Aetna Street, Burlington, Iowa, with Conditions

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

ADOPTED

3. Statement: Consideration of an Ordinance Rezoning the Property Located on the West Side of South Main Street between Maple Street and Spruce Street from M-1, Light Industrial to C-1, Limited Commercial Zoning District

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the proposed Ordinance Rezoning the Property Located on the West Side of South Main Street between Maple Street and Spruce Street from M-1, Light Industrial to C-1, Limited Commercial Zoning District. He stated that Transitions DMC was the petitioner of the rezoning. He stated that the property needed to be rezoned to allow for residential apartments or a homeless shelter. He stated that property owners on the west side of South Main Street between Maple Street and Spruce Street were contacted to see if they wanted their properties to be included in the rezoning. He stated that since the proposed Ordinance was written to include the southern two lots located north of Spruce Street, which is now for sale. He stated that the person purchasing the property may want to use the property for light industrial use, so at the next City Council meeting that property may be excluded from the rezoning. He further stated that the City Planning Commission voted 4-0 to recommend approval of the requested rezoning to the City Council. He stated that their recommendation was based on the current and planned use of the properties as commercial and residential, on the Future Land Use Map for this area being Neighborhood Mixed Use and Downtown Mixed Use, which provides a mix of residential and commercial uses and the elimination of existing non-conforming use properties in this corridor. Craig Fenton, of Transitions DMC, spoke about plans for the dormitory type building they were planning for those that are homeless. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Davidson      Seconded By: Fleming  
Motion to Close

CARRIED

Introduced By: Davidson      Seconded By: Wilson  
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Property Located on the West Side of South Main Street between Maple Street and Spruce Street from M-1, Light Industrial to C-1, Limited Commercial Zoning District

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

CARRIED

RESOLUTION:

Introduced By: Wilson      Seconded By: Scott

1. Resolution Authorizing Staff to Proceed with the Process of Demolishing the Apollo School Property at 1201 Valley Street

DISCUSSION: The City Manager stated that the City acquired the former Apollo School property located at 1201 Valley Street approximately a year ago. He stated that the property was purchased to clean up the area for either redevelopment or demolition. He stated that the TIF Plan was amended to include the area. He stated that TIF funds could be used for demolition of the property. He reviewed the history of developers who had given proposals for the building in the past. He stated that the estimated cost of demolition could be between \$500,000.00 and \$600,000.00. Dave Wagaman of 201 Spring Street, West Burlington stated that he was a member of the screen actor guild. He stated that the building would be an ideal place for a movie

studio. Mayor McCampbell stated that this should have been brought up five years ago. He stated that this was a done deal for him and he was ready for the property to be demolished. Zach James, Planning Director for Southeast Iowa Regional Planning Commission offered a process to identify potential developers for the property. He stated that the City could go ahead and move forward with asbestos removal and removal of historic material. He stated that he could send out a RFP (Request for Proposal) to development firms across the Midwest. Mayor McCampbell asked the time frame. Zach James stated that a RFP would take approximately 6-months to send out. Don Harter of 1018 Monticello Drive encouraged Council to get the property back on the tax rolls. He urged the City to use the TIF funds to make the property more attractive for developers. Jake Tanumihardjo of 713 Avenue E, Ft. Madison, Iowa stated that he works at GRMC and he moved to Ft. Madison, Iowa due to not being able to find affordable housing for young professionals. He stated that the property could be used for professional housing. Council Member Wilson stated that a lot of good ideas have been presented at the meeting. She questioned how aggressive the City has been in the past for redevelopment of the property. Council Member Scott stated that the City has never put together an incentive package for the property. He stated that the City should get the asbestos taken care of first then those that want to promote the property could. He stated that he would vote against the Resolution so that the property will not be demolished at this point. Council Member Fleming stated that if a legitimate company would come in to redevelop the property he would be in favor of not demolishing the property. He stated that so far all proposals were based on grants and low-income housing. Council Member Davidson stated that he would be voting in favor of removing the asbestos, historical material and demolition of the property. The City Manager stated that the City could proceed with asbestos removal, but should wait for removal of historical items, should the Council vote down the demolition of the property. He stated that someone that may want to develop the property would not want any historical items removed for salvage. He suggesting giving them until April 2017 to get a response, if not proceed with demolition. Council Member Davison stated that he would be voting in favor of demolition. Council Member Scott stated that he was willing to give SEIRPC a shot at finding a developer and liked the April 1, 2017 deadline. He stated that he did not want to draw this out for three years while a developer finds federal funding. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 2 - "AYES" McCampbell and Davidson  
3 - "NAYS" Fleming, Scott and Wilson)

FAILED

COMMENTS FROM AUDIENCE: None.

Adjournment: 6:53 p.m.

Approved: October 3, 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 Final Acceptance, Final Payment and Release of Retention Monies for the 2016 Sealcoat Streets Reconstruction Project
3. Resolution Approving the Purchase of Easements from 2128 South 16<sup>th</sup> (PIN: 16-08-377-007) and from 2203 Seneca (PIN: 16-08-377-010) for Construction of Storm Sewer Associated with the 2016 Cascade Watershed Sewer Separation Project, Phase 2
4. Resolution Approving Fiscal Year 2015-2016 Street Finance Report, Road Use Tax
5. Resolution Approving the Purchase Agreements for Right-of-Way for Roundabout

SET DATE FOR PUBLIC HEARINGS: OCTOBER 3, 2016

1. Consideration of Sale of Property Locally Known as 209 South Gunnison Street, Burlington, Iowa, with Conditions
2. Consideration of Sale of Property Locally Known as 915 North Central Avenue, Burlington, Iowa, with Conditions
3. Consideration of an Ordinance Amending Various Sections of Chapter 154, Residential Code of the City of Burlington Municipal Code
4. Consideration of an Ordinance Rezoning the Property Located at 3107 South 14<sup>th</sup> Street from R-1, Single Family Residential to R-4, Multi-Family Residential Zoning District, with Conditions
5. Consideration of an Ordinance Rezoning the Property Located at 2910 Madison Avenue from R-1, Single Family Residential to C-1, Limited Commercial Zoning District, with a Planned Unit Development (PUD) Overlay Zone
6. Consideration of an Ordinance Amending Section 150.07 Affixing Numbers of Chapter 150 Building Numbering of the City of Burlington Municipal Code