

Subject to change as finalized by the City Clerk. For a final official copy, contact the City Clerks office at (319) 753-8124.

MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 30
March 16, 2009

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:

2008-2009 Burlington Notre Dame Varsity Basketball Team - Principal Ron Glasgow, Athletics Director and Coach Ryan Rump and Basketball Players

CERTIFICATE OF RECOGNITION:

Jim Capps, Streets Sewers Maintenance Leadperson, 35 Years of Service

2008 OFFICER OF THE YEAR AWARD:

Officer Grant Hillyer

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: Scott

Seconded By: 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. 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 2009 HMA Resurfacing Project

COMMENTS: The Public Works Director reviewed the plans and specifications for the 2009 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 \$1,264,537.00 and construction

estimate was \$1,365,000.00. Funding for the project would consist of \$971,000.00 in Local Option Sales Tax monies and General Obligation Bonds and \$293,537.00 in FEMA Reimbursed Funding. He stated that bids would be received on April 8, 2009, with the City Council awarding the contract on April 20, 2009 and construction would be completed during the Summer of 2009. 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: Davidson
Resolution Approving Plans and Specifications for the 2009 HMA Resurfacing Project

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

2. Statement: Consideration of an Ordinance Amending Sections 17.20.20 M-2 Heavy Industrial District, 17.30.10 Non-Conforming Uses and Section 17.30.50 Parking Regulations of Title 17 Zoning and Subdivision Regulations of the Burlington Municipal Code

COMMENTS: The Development Director reviewed with the City Council and the viewing audience the proposed Ordinance Amending Sections 17.20.20 M-2 Heavy Industrial District, 17.30.10 Non-Conforming Uses and Section 17.30.50 Parking Regulations of Title 17 Zoning and Subdivision Regulations of the Burlington Municipal Code. He stated that Section 17.20.20 M-2 Heavy Industrial District was a clarification that was left out of the City Code book and would allow the City's codifier to codify that section of the Code; Section 17.30.10 Non-Conforming Uses would allow an exemption for non-conforming structures to be

rebuilt if destroyed by criminal acts or natural disasters by more than 50 percent. Section 17.30.50 Parking Regulations would be amended in reference to stacking, which refers to the room businesses must allow to accommodate cars so lines do not extend into the right-of-way or interfere with pedestrian circulation. Council Member Thomas commended Council Member Davidson and Council Member Scott for bringing up to staff that the City's Ordinance in regard to non-conforming structures being able to rebuild. Council Member Scott

stated that he was glad that staff was listening to the City Council and that the City Council was listening to the citizens. 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
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Sections 17.20.20 M-2 Heavy Industrial District, 17.30.10 Non-Conforming Uses and Section 17.30.50 Parking Regulations of Title 17 Zoning and Subdivision Regulations of the Burlington Municipal Code

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

Introduced By: Davidson Seconded By: Scott
Motion to Amend Section 17.30.107.4 Nonconforming Structures of the Ordinance Amending Title 17 Zoning and Subdivision Regulations of the Burlington Municipal Code

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

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:42 p.m.

Approved: April 6, 2009

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

RESOLUTION:

1. Resolution Approving Renewal of Taxi Cab/Vehicle for Hire License for Joe Fink dba/Shuttle Express

SET DATE FOR PUBLIC HEARING: April 20, 2009

1. Consideration of Annual Consolidated Transit Funding Application