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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 34  
May 18, 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

CERTIFICATE OF RECOGNITION:

Kathleen Houlton, Patrol Officer, 30 Years of Service

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 - â AYESâ ) CARRIED

HEARINGS:

1. Statement: Consideration of an Ordinance Amending Section 79.04 Angle Parking of Chapter 79, Parking Regulations, of the Burlington Municipal Code

COMMENTS: The City Manager stated that when the City recodified the City Code book approximately four years ago, the codifier listed all angle parking in the City Code book. He stated that the previous City Code book did not list the angle parking. He stated that the proposed Ordinance would remove the angle parking list from the City Code book and would state that the City Manager will keep a list of all angled parking. He further stated that Public Works would also maintain a list. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott                                      Seconded By: Davidson

Motion to Close CARRIED

Introduced By: Scott                                      Seconded By: Davidson

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Section 79.04 Angle Parking of Chapter 79, Parking Regulations, of the Burlington Municipal Code

DISCUSSION: None.

(VOTE: 5 - â AYESâ ) CARRIED

2. Statement: Consideration of a Permanent Encroachment Agreement Between the City of Burlington and Burton Prugh (Prugh Funeral Home) for a Handicap Accessible Ramp at 317 North 4th Street, Burlington, Iowa

COMMENTS: The City Planner stated that Prugh Funeral Home plans to construct a handicap accessible ramp at 317 North 4th Street directly east to their entrance. Several planters will need to be removed to allow for pedestrian walking. Burton Prugh of 300 Iowa Street stated that he will replace the sidewalk which is in disrepair when constructing the handicap accessible ramp. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Davidson Seconded By: Thomas  
Motion to Close

CARRIED

Introduced By: Davidson Seconded By: Thomas  
Resolution Approving a Permanent Encroachment Agreement Between the City of Burlington and Burton Prugh (Prugh Funeral Home) for a Handicap Accessible Ramp at 317 North 4th Street, Burlington, Iowa

DISCUSSION: None.  
(VOTE: 5 - AYES )

ADOPTED

3. Statement: Consideration of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Creating a PUD (Planned Unit Development) Overlay Zone for the Property Located at 3000 Kirkwood Street, as Allowed by Section 17.20.40 of the Burlington Municipal Code

COMMENTS: The City Manager stated that Winegard Company was planning on expanding their business which is presently zoned as M-1 Industrial and has requested the creation of a PUD (Planned Unit Development). He stated that the Plan Commission voted 4-0 in favor of the PUD. The City Planner reviewed the area in detail, building setbacks, pedestrian access and landscaping with the City Council and the viewing audience. Jackie Tolson of 918 Belmont Court questioned where the entrance to the plant would be located. She further stated

her concern for heavy trucks driving down Belmont Court. The City Manager stated that the driveway for Winegard would still be off of Kirkwood Street for trucks and that there should be no trucks driving on Belmont Court. Marjorie Shultz of 2815 Kirkwood Street stated concern for trucks driving on Kirkwood Street. The City Manager stated that the City Code does allow trucks to make deliveries by using the most direct route. Ken Jokerst, Vice President of Operations at Winegard Company stated that the addition would reduce traffic in and out of the plant. He stated that he was disturbed that there would be trucks on Belmont Court as the north docks were closed 2-years ago. He stated that the addition would be used for warehousing and not manufacturing. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Thomas Seconded By: Scott  
Motion to Close

CARRIED

Introduced By: Thomas Seconded By: Scott  
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Creating a PUD

(Planned Unit Development) Overlay Zone for the Property Located at 3000 Kirkwood Street, as Allowed by Section 17.20.40 of the Burlington Municipal Code

DISCUSSION: None.

(VOTE: 5 - â AYESâ )

CARRIED

RESOLUTION:

Introduced By: Ell

Seconded By: Murray

1. Resolution Providing for a Salary Adjustment for the City Manager

COMMENTS: Council Member Scott stated he felt the salary adjustment for the City Manager was fully justified. Council Member Davidson agreed with Council Member

Scott. Council Member Thomas stated that the City Council picked the right man for the right job. Mayor Ell stated that the City Manager received an above average evaluation by the City Council. He stated that the Resolution also extends the employment contract by one year for the City Manager. He stated that the increase was fair, but felt that down the road the City Council will need to look at making a bigger adjustment so that his salary is more in line with other City Managers in Iowa. The City Manager thanked the City Council for

their vote of confidence. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ )

ADOPTED

COMMENTS FROM AUDIENCE: Robert D. Walker of 1018 South 12th Street stated that he wanted to extend his hand to the City Council by inviting them to attend a meeting at the Burlington Public Library on May 20, 2009 with a group of citizens that have solutions to the crime problem in the community. Council Member Scott stated that the Council was looking at hiring four more police officers. He stated that the City Council and the Police Department were doing its job and he was offended by his invitation. He stated that the Council listens every day to citizens.

He further stated that crime was down in Burlington. Mayor Ell stated that each

time the Crime Forum was held there were fewer people in attendance. He stated that during hard economic times, there was bound to be more crime, but felt that

the City has arrived at reasonable solutions. Council Member Thomas stated that

Council Member Davidson and he held 40 days of prayers with local Pastors. He urged Robert D. Walker to work and talk with the City Council. Mayor Ell stated

he was also extending his hand out to Robert D.Walker. The City Manager stated that there was no correlation between the number of police officers a community has and the amount of crime. He further stated that a Neighborhood Watch meeting was recently held at City Hall. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:58 p.m.

Approved: June 1, 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

RESOLUTIONS:

1. Resolution Approving Demolition/Nuisance Abatements for Various Properties
2. Resolution Finding the Amount of Cost to Be Assessed upon Acceptance of the Completion of the Work on the 2008 Hayes Court Reconstruction Project and Providing Notice Thereof
3. Resolution Adopting the Final Assessment Schedule for the 2008 Hayes Court Reconstruction Project and Providing for the Number of Installments, the Interest Rate of Unpaid Installments, the Time When Such Assessments Are Payable and Providing Notice Thereof
4. Resolution Approving Agreement with Klingner and Associates for Engineering Services for the Cascade Bridge Replacement Concept Design
5. Resolution Approving Purchase of a Replacement Vehicle for the Burlington Fire Department
6. Resolution Approving Agreement with the Waters Consulting Group, Inc. for a Non-Union Compensation Classification Study
7. Resolution Amending the Personnel Manual for Non-Union Employees