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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 35
June 1, 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 and Thomas present. Mayor Ell announced that Council Member Scott was unable to attend the City Council meeting due to another commitment.

BURLINGTON CITY COUNCIL

PROCLAMATION: Juneteenth Day - John Herring

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: Thomas Seconded By: Murray

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: 4 - AYES) CARRIED

ORDINANCES:

Introduced By: Davidson Seconded By: Murray

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Section 79.04 Angle Parking of Chapter 79, Parking Regulations, of the Burlington Municipal Code

DISCUSSION: The City Manager stated that there were no changes to the Ordinance

Amending Section 79.04 Angle Parking of Chapter 79, Parking Regulations, of the Burlington Municipal Code from the first reading. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES) CARRIED

Introduced By: Davidson Seconded By: Murray

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of An Ordinance Amending Section 79.04 Angle Parking of Chapter 79, Parking Regulations, of the Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - AYES) CARRIED

Introduced By: Davidson Seconded By: Thomas

3. Motion for Preliminary Adoption of the Second 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: The City Manager stated that there were no changes to the 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

from the first reading. He stated that at the public hearing two women were concerned with truck traffic on Kirkwood Street and Belmont Court. He stated that the weight limit sign was posted east of the driveway to Winegard Company on Kirkwood. He stated that trucks using Belmont Court were for deliveries. He reminded those in attendance that the City Code does allow trucks to make deliveries by using the most direct route. All present had opportunity to speak

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

(VOTE: 4 - AYES)

CARRIED

RESOLUTION:

Introduced By: Murray Seconded By: Thomas

1. Resolution Approving Final Plat of Haas Subdivision

DISCUSSION: The City Manager stated that Haas Subdivision was located in Des Moines County and was located within two miles of the City of Burlington. The Development Director stated that Haas Subdivision was located on Y Camp Road and

was presently a one-lot subdivision of approximately 32 acres and plans were to create 2-lots with the second lot being approximately 7.5 acres. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

COMMENTS FROM AUDIENCE: Robert D. Walker of 1018 South 12th Street thanked Council Member Davidson for asking him to give an update of the May 20, 2009 crime meeting he held at the Burlington Public Library. He stated that his group was working with the Police Department and the Sheriff Department to get the Neighborhood Watch Program working again at no cost to the City of Burlington. He stated that his group was also using the 1997 crime report summary. He also urged the Council to support Police Chief Luttenegger's Red Light Program as it would free up police officers. Council Member Davidson thanked Robert D. Walker for validating what Council Member Murray and Council Member Thomas have already come up with for solutions. Council Member Murray commended Robert D. Walker for being concerned, but questioned why the change of

tune as he had previously made unfavorable comments about the Police Chief in the newspaper. He questioned Robert D. Walker if he was genuinely concerned or trying to receive political points. Robert D. Walker stated that he was not a one platform candidate, but was concerned with many issues. He reminded Council

Member Murray that he had submitted a petition to the City Council approximately

18 months ago with signatures of citizens concerned about crime. Leon Shahan of 1821 Mt. Pleasant Street stated that he thought the use of cameras on traffic lights were a good deal, but was concerned with getting through the lights in the winter time when it is icy without a ticket. He stated that with the upcoming public hearing for the 2009 Mt. Pleasant Street HMA Resurfacing Project

if the City Council would consider having two lanes of vehicle traffic with two lanes for bike traffic or construct a speed bump on Mt. Pleasant Street at Curran Street. He stated that traffic moves at 70 miles per hour on Mt. Pleasant Street and it is a safety issue for bikers. Mark Gerst of 910 Spring Street suggested that a stop sign be installed at Mt. Pleasant Street at Curran Street. The City Manager stated that every time Public Works has done a traffic

count that it does not warrant any type of traffic light or stop sign. He further reminded the City Council and the viewing audience that Mt. Pleasant Street was an arterial street which means it is meant to move traffic freely without stopping. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:38 p.m.

Approved: June 15, 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 Authorizing the Mayor to Sign Iowa Department of Transportation Federal Recreational Trails Grant Award Agreement for the Flint River Trail
2. Resolution Authorizing the Mayor to Sign Iowa Department of Transportation Statewide Enhancement Grant Award Agreement for Flint River Trail
3. Resolution Authorizing the Filing an Application for the City of Burlington, Upper Mississippi Watershed Fund Through the U.S. Fish and Wildlife Foundation for Otter Island
4. Resolution Approving an Agreement with the Iowa Department of Transportation to Provide for Surface Transportation Program (STP) Funds for 2009 Summer Street

HMA Resurfacing Project

5. Resolution Authorizing Transit Investments for Greenhouse Gas and Energy Reduction (Tigger) Grant Bus Hybrid Upgrade Request

SET DATE FOR PUBLIC HEARINGS: June 15, 2009

1. Consideration of Plans and Specifications for the 2009 Mt. Pleasant Street HMA Resurfacing Project
2. Consideration of Plans and Specifications for the 2009 Railroad Quiet Zone Project

APPOINTMENTS:

Historic Preservation Commission: Cathy Gordon and Inez Metzger