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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 29
March 6, 2017

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

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. Council Member Davidson 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

PRESENTATION:

Alliant Annual Report, Nancy Snaadt

DISCUSSION: Nancy Snaadt with Alliant Energy gave a presentation about Alliant Energy's involvement with the community during the past year. She also presented the City with a check in the amount of \$14,368.00 for energy efficiency for the depot. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

HEARING:

1. Statement: Consideration of Fiscal Year 2017-2018 Budget

COMMENTS: The Director of Administrative Services reviewed the following items of the proposed fiscal year 2017-2018 budget: comparison of revenue by fund; total revenues \$63,901,204.00 (OpenGov); comparison of expenditures by program; total expenses \$66,176,940.00 (OpenGov); proposed property tax rate (\$16.33632, increase of \$.40); property tax rate calculated with a \$.40 increase for public safety; property tax rate calculated; what is being added with property tax increase; where does my tax dollars go; how Burlington compares to other cities in Iowa with populations over 20,000; factors impacting the budget; taxable valuation; total property taxes (an increase of \$611,027.00); health insurance premiums projected to increase 3.9%, budgeted at 5%; health insurance cap; general fund revenues by source; general fund expenditures by department; sewer fund (3.0% increase in sewer user fees as of July 1, 2017); solid waste fund (\$.25 increase (1.8%) in solid waste fee for July 1, 2017, \$14.00 per month from \$13.75); capital projects; hotel/motel tax fund \$900,000.00 budgeted in hotel/motel tax revenue (70/30 split between City and Convention and Visitors Bureau up to \$700,000.00, then 60% City and 40% Convention and Visitors Bureau); sales tax fund (local option sales tax revenue \$4,242,200.00, budget increase of \$42,200.00); elimination of existing account deficits and legal debt margin. Those who spoke regarding the budget were as follows: Mike Crowner of Burlington; Rose Kendall of 621 Barret Street; Leon Shahan of 1821 Mt. Pleasant Street; Scott Diehl of 613 North Garfield Avenue; Helen Rawlings of 1215 South 14th Street; David Selmon of 226 South 10th Street; Freddie Starling of 517 South 7th Street and Ron Sourwine of 2712 Clearview. Many of those that spoke were in favor of hiring more fire and police officers, but were concerned how senior citizens, low wage earners and the disabled were going to afford their property taxes. They were also concerned with the money spent on economic development incentives and tax abatement. Freddie Starling reminded the Council to include a shelter house and equipment for DeEdwin and Gladys White Park in the proposed budget. Helen Rawlings, president of the Senior Center, stated that the seniors need a better arrangement for parking close to the Senior Center. Council Member Davidson stated that he had visited with the Director of Administrative Services and he would like to see the property tax levy at \$16.3008 which would be a \$26,500.00 reduction and the library could absorb the reduction. Council Member Scott stated that he was opposed to the budget as presented. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming Seconded By: Davidson

Motion to Close

(VOTE: 4 - "AYES" Davidson, Fleming, McCampbell and Wilson

1 - "NAY" Scott)

CARRIED

Introduced By: Davidson Seconded By: Fleming

Motion to Amend the Resolution Adopting Budget for Fiscal Year Ending June 30, 2018 by Removing the Word "published" and Change \$16.33632 to \$16.3008

DISCUSSION: None.

(VOTE: 3 - "AYES" Davidson, Fleming and Scott

2 - "NAYS" McCampbell and Wilson)

CARRIED

Introduced By: Fleming Seconded By: Davidson
Resolution Adopting the Budget for Fiscal Year Ending June 30, 2018 (\$16.3008)

DISCUSSION: None.

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

FAILED

Introduced By: Wilson Seconded By: Fleming
Motion to Reconsider the Resolution Adopting Budget for Fiscal Year Ending June 30,
2018 with the \$16.3008 Property Tax Levy

DISCUSSION: None.

(VOTE: 4 - "AYES" Davidson, Fleming, McCampbell and Wilson
1 - "NAY" Scott)

CARRIED

Introduced By: Wilson Seconded By: Fleming
Motion to Amend the Resolution Adopting Budget for Fiscal Year Ending June 30, 2018
with the \$16.3008 Property Tax Levy back to the Original Resolution with the \$16.33632
Property Tax Levy

DISCUSSION: None.

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

CARRIED

Introduced By: Wilson Seconded By: Davidson
Resolution Adopting the Budget for Fiscal Year Ending June 30, 2018 with the \$16.33632
Property Tax Levy

DISCUSSION: None.

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

ADOPTED

ORDINANCE:

Introduced By: Wilson Seconded By: Davidson
1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an
Ordinance Prohibiting the Construction of Wells Within the City Limits for Use as a Potable
Water Source

DISCUSSION: The Assistant City Manager reviewed with Council and the viewing audience
the proposed Ordinance Prohibiting the Construction of Wells Within the City Limits for Use as
a Potable Water Source. He stated that the Ordinance restricts non-potable wells in the area
listed in the Ordinance with free product (gasoline or diesel fuel) still present around the site, the
Iowa DNR recommends restricting wells within the plumes of the monitoring areas. All present

had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 5 - "AYES")

CARRIED

Introduced By: Wilson Seconded By: Scott

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Prohibiting the Construction of Wells Within the City Limits for Use as a Potable Water Source

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

CARRIED

RESOLUTIONS:

Introduced By: Scott Seconded By: Wilson

1. Resolution Approving Bond Purchase Agreement for General Obligation Corporate Purpose Bonds, Series 2017B

DISCUSSION: Travis Squires of Piper and Jaffray reviewed with Council and the viewing audience the proposed Resolution Approving Bond Purchase Agreement for General Obligation Corporate Purpose Bonds, Series 2017B. He stated that the funds would be used for the purpose of financing the construction of flood protection improvements, street improvements and the financing of a building for use as the Burlington Police Station. Leon Shahan of 1821 Mt. Pleasant Street asked when the bonds would be issued. Travis Squires stated that the bonds were sold on March 6, 2017 during the day. He stated that the Council was approving the sale of the bonds. Leon Shahan stated that he had a problem with the City trying to corral the Mississippi River. He stated that the money being spent on the flood wall is not a good investment. Council Member Davidson thanked Travis Squires for his work on the bond issue. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Davidson Seconded By: Fleming

2. Resolution Approving White Boxing at Depot for Grier's Restaurant

DISCUSSION: The Assistant City Manager to Public Works reviewed with Council and the viewing audience the proposed Resolution Approving White Boxing at the Depot for Grier's Restaurant. He stated that white boxing would consist of electric, gas, water with separate meters. He stated that there was a potential for the City to apply for a HRDP Grant in the amount up to \$50,000.00 in grant funds that could be used for windows, doors and sidewalks. The City Manager stated that the next step would be meeting with Matthew Murray to come up with a lease and terms of the lease. Council Member Scott stated that the developer would be paying the cost from the stub to where he needs electrical and water sources for the restaurant. He also stated that a lease was immature at this time as there was no guarantee that the City will have anyone in the building. He stated that the funds should be not expended until there is a lease agreement in place. Elizabeth VanVleck of 501 Harrison Avenue stated that she serves on

the Economic Development Board and the board awarded funding up to \$146,400.00 for the white boxing at the depot for Grier's Restaurant. Mike Crowner asked how the restaurant would be protected from flooding. The City Manager stated that until the flood wall is completed in 2023 there would not be adequate flood protection. The Assistant City Manager to Public Works stated that the City may have some Hesco barriers that could be used. He stated that the depot does not flood until the river reaches 24 or 25 ft. Mike Crowner asked if the restaurant floods whose expense would it be. The City Manager stated that it would probably be a fight between insurance companies of the City and Matthew Murray. Becky Anderson of 218 South 6th Street stated that she was in favor of the project. She stated that the white boxing sets a good example to downtown property owners that are interested in renting their buildings. She also stated that the HRDP grant was a good idea and she urged Council to vote in favor of the Resolution. Steve Frevert, Executive Director of Downtown Partners, stated that the Downtown Partners Board was in favor of the project. Leon Shahan of 1821 Mt. Pleasant Street stated that he was opposed to the City spending money in a flood plain. Council Member Davidson made a motion to Amend the Resolution Approving White Boxing at Depot for Grier's Restaurant to Replace the \$146,400 with \$120,000 in the Last Two Paragraphs of the Resolution. Council Member Fleming seconded the motion to amend and the motion was approved four to one with Council Member Wilson against the amendment. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES" Davidson, Fleming, McCampbell and Scott
1 - "NAY" Wilson)

ADOPTED

Introduced By: Davidson Seconded By: Fleming

- 3. Motion to Amend the Resolution Approving White Boxing at Depot for Grier's Restaurant to Replace the \$146,400 with \$120,000 in the Last Two Paragraphs of the Resolution

DISCUSSION: None.

(VOTE: 4 - "AYES" Davidson, Fleming, McCampbell and Scott
1 - "NAY" Wilson)

CARRIED

Introduced By: Davison Seconded By: Scott

- 4. Resolution Naming Depositories for Deposits of the City of Burlington

DISCUSSION: The Director of Administrative Services stated that the proposed Resolution names depositories for deposits at various financial institutions and the maximum deposits that can be made by the City. She stated that the maximum amount needed to be changed for Two Rivers Bank and Trust from \$30,000,000.00 to \$50,000,000.00 due to the upcoming bond issue. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

COMMENTS FROM AUDIENCE: Don Traman of 116 Greenbrier thanked the City Council for voting in favor of the Resolution Approving White Boxing at Depot for Grier's Restaurant. He suggested the senior citizens use the Depot instead of the Senior Center for their activities. Leon

Shahan of 1821 Mt. Pleasant Street stated that he would like to see a diverse community where people get along. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:37 p.m.

Approved: March 20, 2017

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 Memorandum of Understanding Between Des Moines County, Des Moines County Secondary Roads and the City of Burlington for the Construction of Madison Avenue
2. Resolution Approving an Agreement with French-Reneker Associates to Perform Construction Staking for the Roundabout Intersection at West Avenue and West Burlington Avenue
3. Resolution Awarding Bid for Construction of home at the Southwest Corner of South 5th Street and Maple Street Through the Neighborhood Stabilization Program
4. Resolution Approving Renewal of Taxi Cab/vehicle for Hire License for Dennis C. Manes dba/Yellow Cab Company
5. Resolution Approving Amendments to the Terms of the Otter Island Lease Agreement

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of Purchase Agreement for the Property Located at the Southwest Corner of South 5th Street and Maple Street, City of Burlington, Iowa, With Conditions (March 20, 2017)
2. Consideration of a Permanent Encroachment Agreement with Greenway of Burlington Associates for Encroachment into Valley Street Right-of-Way at 2312 Valley Street, Burlington, Iowa (March 20, 2017)
3. Consideration of an Ordinance Vacating and Selling a Portion of Gnahn Street and Whitaker Street Right-of-Ways Adjacent to the Property Located at 1104 Gnahn Street, Burlington, Iowa (March 20, 2017)
4. Consideration of an Ordinance Vacating and Selling the Alley Running from Columbia Street to Washington Street, between Front Street and Main Street, Burlington, Iowa (March 20, 2017)
5. Consideration of Designation of the Deer Point Estates Urban Renewal Area and Urban Renewal Plan and Project (April 3, 2017)

APPOINTMENTS:

Historical Preservation Commission: Steven J. Frevert and Kay Weiss
City Planning Commission: Florence Paterno