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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 43  
October 5, 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

PROCLAMATIONS:

- \* Visiting Nurses Association of Burlington Month - Kim Helmick
- \* Burlington Area United Way Time - Brian Isom and Kathleen Hemmesch
- \* Domestic Violence Awareness Month - Ruby McGraw

PRIDE OF THE COMMUNITY AWARD RECIPIENTS:

Bruce and Susan Dichraff, 400 Sweeney Avenue  
Jay and Barbara Brown, 2707 West Avenue  
Edward and Julie Schulthies, 1501 Division Street  
Robert and Rebecca Dotseth, 2225 Mason Road  
Michael Moffitt, 2001 South 12th Street

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: 5 - AYES )

CARRIED

PRESENTATION - CASCADE BRIDGE

DISCUSSION: The City Manager stated that Cascade Bridge was closed September, 2008 due to its deteriorated condition. He stated that staff had solicited proposals last spring for an engineering firm to review the options for the bridge. He stated that the local firm of Klingner and Associates was hired. Alan Lukens of Klingner and Associates stated that Cascade Bridge was built in 1896 and was listed on the National Historic Register. He stated that upon a visual inspection of the bridge, it was determined it was not safe for vehicular

traffic and it may not support pedestrian traffic or the weight of itself. He reviewed with the City Council and the viewing audience various options for railings, sidewalks and bridges. Options ranged from \$3,500,000.00 to \$6,000,000.00 depending on the type of bridge structure constructed. He stated that a life span for a new bridge would be approximately 75 years. He also reviewed realigning South Main Street or the option of a permanent 2.1 mile detour with the removal of Cascade Bridge and resloping of the area at approximately \$250,000.00. Those who spoke were as follows: Scott Smith of 2807

South Main Street, Carlos Capdevila of 2835 South Main Street, Shawn Gerhardt of

1000 Spring Street, Terry Arellano of 2800 South Main Street and Mary Baker of 320 South 6th Street. Many of those who spoke would like to see the bridge closed to pedestrian traffic due to safety, were willing to pay more in property

taxes to construct a new bridge and were concerned with the safety of children by the softball fields due to increased traffic due to the detour. Council Member Davidson questioned what would be the time line and if there would be an environmental impact study. Alan Lukens stated that it could take as long as 18

months as there would be a hearing on the plans and specifications and a bid opening. He further stated it would take a full construction season to replace the bridge. He felt that an environmental impact study would be minimal. Council Member Scott stated that he would like to see the bridge closed immediately, have it removed before it falls down and a permanent closure on both ends of the street. He further asked that Cascade Bridge be placed on the next work session. The Public Works Director stated that the bridge could be closed for pedestrian traffic and signed for it, but there was no way to enforce

pedestrians to stay off of the bridge. Alan Lukens stated that first there would be a design process and should the City Council decide to replace the bridge it would be less expensive to remove the bridge at the time of construction. He further felt that due to the recession the City should receive

competitive bids. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

HEARING:

1. Statement: Consideration of an Ordinance Vacating a Portion of Terrace Drive Right-of-Way as Shown on the Plat of Westland Subdivision, City of Burlington, Des Moines County, Iowa

COMMENTS: The City Manager stated that the proposed Ordinance vacates a portion of Terrace Drive right-of-way that had not been accepted for maintenance and operation as a street. The area has been under current ownership by the Burlington Community School District. The City Planner reviewed the map of the proposed area. 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  
Motion for Preliminary Adoption of the First Reading of an Ordinance Vacating a Portion of Terrace Drive Right-of-Way as Shown on the Plat of Westland Subdivision, City of Burlington, Des Moines County, Iowa

DISCUSSION: None.

(VOTE: 5 - AYES )

CARRIED

RESOLUTIONS:

Introduced By: Murray Seconded By: Davidson

1. Resolution Approving the Preliminary Plat of the First Addition to Westland Subdivision

DISCUSSION: The City Manager stated that the proposed Resolution approves the preliminary plat of the First Addition to Westland Subdivision. He stated that regardless if the City Council approves or disapproves the preliminary plat, the

Burlington Community School District can still build a school on their property as they own the land. He stated that the City's comprehensive plan shows a school at that location. The City Planner showed the actual plat of the property to the City Council and the viewing audience. Those who spoke were as

follows: Noble Boyd of 2913 Lawn Avenue, John Kinney of 2913 Dill Street, Smoky Crawford of 2808 Dill Street, Pat Walker of 2804 Dill Street, Christine Bush of 2813 Dill Street, Jeff Miller of Smith Engineering, Debra Brinkley of 1116 Aspen

Drive, Dennis Grizzle of 2924 Dill Street, Maria Kivlahan, Ken Weinreich of 1021 Willow Avenue, Brian Messer of 2919 Dill Street, Ed Eland of 2909 Dill Street, Judy Weinreich of 1021 Willow Avenue, Sheree Boyd of 2913 Lawn Avenue and Mary Baker of 320 South 6th Street. Many of those who spoke stated that they didn't object to a new school, just not at the proposed location as the building site was too small compared to the property at the new Aldo Leopold Middle School. They also objected to higher taxes, concern for storm water drainage, the blocking of sunlight on their homes, a 3-story building located in

a residential area, increased traffic and safety of school children. They also objected to a school being constructed in a residential area. The City Manager explained that schools are zoned for residential areas. After considerable discussion by residents and the City Council, Council Member Scott stated that he would like to see other options prior to the final plat approval. Council Member Murray stated that he would abstain from voting as he is an employee of the Burlington Community School District. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES DAVIDSON, ELL, SCOTT AND THOMAS

1- ABSTAINED MURRAY)

ADOPTED

Introduced By: Davidson Seconded By: Scott

2. Resolution Approving an Agreement with Howard R. Green Company for Engineering Services for the Wastewater Treatment Facility Improvements - 2010, Phase I

DISCUSSION: The City Manager stated that the City Council had directed staff at an August 11, 2009 work session to hire an engineering firm for improvements for

increasing the capacity of the WWTF using the anaerobic digestion scheme. He stated that the agreement was with Howard R. Green Company. He stated that the

Finance Director has reviewed the sewer fees and an increase of approximately 9% over the next four years would be needed to finance the improvements. 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: John Kinney of 2913 Dill Street reiterated his concern with the preliminary plat approval of the First Addition to Westland Subdivision. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 9:46 p.m.

Approved: October 19, 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 Awarding Contract for the 2009 Riverfront Sidewalk Repairs

APPOINTMENT:

Board of Housing Standards and Appeals - Maria Moeller