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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 38  
July 17, 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 and Scott present. Council Member Wilson was absent.

BURLINGTON CITY COUNCIL

MAYOR'S AWARDS:

- \* Diane Hueschen
- \* Jerry Rigdon
- \* Vicki Lair

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: Davidson

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Council Member Davidson reviewed the items listed on the consent agenda to the viewing audience. He further 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

HEARINGS:

1. Statement: Consideration of Sale of Property Locally Known as 718 Columbia Street, City of Burlington, Iowa with Conditions

COMMENTS: The Development and Parks Director stated that the City acquired the property at 718 Columbia Street through the court system as an abandoned building. He stated that the home needs quite a bit of work. He stated that the home was located in the local historic district,



railroad crossing at Agency Street by Burlington Short Line Railroad, Inc. 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: Fleming  
Motion for Preliminary Adoption of the First Reading of an Ordinance Vacating and Selling a Portion of Oak Street Right-of-Way Located East of Bluff Road, Burlington, Iowa

DISCUSSION: None.  
(VOTE: 4 - "AYES")

CARRIED

3. Statement: Consideration of a Permanent Encroachment Agreement with John and Doris Champagne for Encroachment into City Right-of-Way Adjacent to the Property Located at 1500 Madison Avenue, Burlington, Iowa

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the permanent encroachment agreement with John and Doris Champagne for an encroachment into city right-of-way adjacent to the property located at 1500 Madison Avenue. He stated that John and Doris Champagne had built a retaining wall, which was located on City right-of-way. He stated that they reduced the height of the retaining wall to 3 feet at the corner of Acres Street and Madison Avenue and 6 feet for the rest of the retaining wall. Council Member Davidson stated that the retaining wall looked very nice. 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  
Resolution Approving a Permanent Encroachment Agreement with John and Doris Champagne for Encroachment into City Right-of-Way Adjacent to the Property Located at 1500 Madison Avenue, Burlington, Iowa

DISCUSSION: None.  
(VOTE: 4 - "AYES")

ADOPTED

4. Statement: Consideration of Plans and Specifications for the 2017 Harrison Avenue Storm Sewer Improvements

COMMENTS: The Assistant City Manager for Public Works reviewed with Council and the viewing audience the plans and specifications for the 2017 Harrison Avenue Storm Sewer Improvements. He stated that the plans and specifications were designed by Veenstra and

Kimm. He stated that the Engineer's estimate for the project was \$280,000.00 and the project was budgeted from the Miscellaneous Sewer funds. Bids will be received August 2017 with construction to commence late September 2017 and should be completed by late December 2017. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Davidson      Seconded By: Fleming  
Motion to Close CARRIED

Introduced By: Davidson      Seconded By: Fleming  
Resolution Approving Plans and Specifications for the 2017 Harrison Avenue Storm Sewer Improvements

DISCUSSION: None.  
(VOTE: 4 - "AYES") ADOPTED

5.      Statement: Consideration of the Plans and Specifications for the 2017 Flow Metering Project

COMMENTS: The Assistant City Manager for Public Works reviewed with Council and the viewing audience the plans and specifications for the 2017 Flow Metering Project. He stated that the Engineer's estimate for the project was \$150,000.00 and the project was budgeted from the Miscellaneous Sewer funds. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Davidson      Seconded By: Fleming  
Motion to Close CARRIED

Introduced By: Davidson      Seconded By: Fleming  
Resolution Approving Plans and Specifications for the 2017 Flow Metering Project

DISCUSSION: None.  
(VOTE: 4 - "AYES") ADOPTED

ORDINANCES:

Introduced By: Fleming      Seconded By: Scott  
1.      Motion for Final Adoption of an Ordinance Vacating and Selling a Portion of Denmark Street Right-of-Way Located West of South Main Street

DISCUSSION: The Development and Parks Director stated that there were no changes to the Ordinance Vacating and Selling a Portion of Denmark Street Right-of-Way Located West of South Main Street from the second 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: Fleming      Seconded By: Davidson

2. Motion for Final Adoption of an Ordinance Amending Chapter 126 Taxicabs and Vehicles for Hire of the Burlington, Iowa Code of Ordinances and Deleting Chapter 127 Vehicles for Hire Drivers in Its Entirety

DISCUSSION: The Development and Parks Director stated that there were no changes to the Ordinance Amending Chapter 126 Taxicabs and Vehicles for Hire of the Burlington, Iowa Code of Ordinances and Deleting Chapter 127 Vehicles for Hire Drivers in Its Entirety from the second reading. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

CARRIED

COMMENTS FROM AUDIENCE: The following Otter Island Cabin lease holders spoke: David Myers, Cabin No. 32; Mark Sereda, Cabin No. 31; John Archer, Cabin No. 26; Monte Schafer, Cabin No. 33; Chris Hill, Cabin No. 18; Gregg Ewinger, Cabin No. 11; Steve Perlstein, Cabin No. 5; Brad Sanders, Cabin No. 43; Lea Zaiser, Cabin No. 13 and Paul Vorwerk, Cabin No. 16. Those who spoke were upset with the increase of the lease of Otter Island; that they take care of the island with no city services (trash, fire and police); questioned what expense the City has that warrants the increase in lease; unable to get insurance; unable to sell cabins as banks will not lend money for cabins; and 40% of the time there is flooding so the cabins are unuseable. Council Member Scott suggested that the Council discuss Otter Island lease fees at their next City Council work session. Mayor McCampbell thanked those that came to speak regarding Otter Island. He stated that the next work session is July 31, 2017 at 4:30 p.m. and the next City Council meeting would be August 7, 2017 at 5:30 p.m. Dean Phenise of Northern Drive asked when construction would start on Mt. Pleasant Street bridge. The City Manager stated that designs for Mt. Pleasant Street bridge were approximately 60% completed and construction should take place March 2018. Dean Phenise stated that there should be a telethon for renovation of Cascade Bridge. He stated that there needed to be more public housing. He further stated that the most a City employee should make is \$35,000.00, pay more for their health insurance and changes made to their retirement. The City Manager stated that the City negotiates at the local level with unions and are limited to what they can do. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:57 p.m.

Approved: August 7, 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

SET DATE FOR PUBLIC HEARING: AUGUST 7, 2017

1. Consideration of Sale of Property Locally Known as 1309 South 10th Street, City of Burlington, Iowa with Conditions

APPOINTMENTS:

Parks Advisory Committee: Peggy Hunt

Riverfront Advisory Committee: Sid Carter, Doug Smith and Elizabeth Van Vleck-Sally