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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 42  
September 18, 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 Anderson, Davidson, Fleming and Wilson present.

BURLINGTON CITY COUNCIL

COUNCIL MEMBER VACANCY

Introduced By: Davidson      Seconded By: Wilson

\* Motion: That the resignation of Council Member Tim Scott, effective August 14, 2017 caused a vacancy to occur on the Burlington City Council. Section 372.13 of the Iowa Code provides that the City Council has the option for filling the vacancy by appointment. The Burlington City Council now appoints Becky Anderson to fill the Council vacancy created by the resignation of Council Member Tim Scott effective September 18, 2017 until Regular Election Canvass Certified and Top Non-Incumbent Winning Candidate is Sworn In.

DISCUSSION: None.

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

CARRIED

\* Swearing-In New Council Member (by City Clerk)

PROCLAMATION OF RETIREMENT:

\* Kenneth Hillyer, Street/Sewer Maintenance Worker II

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: Davidson

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

(VOTE: 5 - "AYES")

CARRIED

HEARING:

1. Statement: Consideration of a Permanent Easement Associated with the 2017 Harrison Street Storm Sewer Reconstruction Project

COMMENTS: The Assistant City Manager for Public Works stated that the permanent easement was associated with the 2017 Harrison Street Storm Sewer Reconstruction Project contingent to BNSF approval. He recommended approval of the permanent easement. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Wilson  
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Wilson      Seconded By: Fleming  
Resolution Approving the Purchase of an Easement from 2100 River Street  
(PIN: 16-09-326-032) for the Construction of Storm Sewer Associated with the  
2017 Harrison Street Storm Sewer Reconstruction Project

DISCUSSION: None.

(VOTE: 5 - "AYES")

ADOPTED

ORDINANCE:

Introduced By: Davidson      Seconded By: Fleming

1. Motion for Final Adoption of an Ordinance Amending the Code of Ordinances of the City of Burlington, Iowa, by Amending the Standard Penalty for Violation of the City Code

DISCUSSION: The Police Chief stated that there were no changes to the proposed Ordinance Amending the Code of Ordinances of the City of Burlington, Iowa, by Amending the Standard Penalty for Violation of the City Code from the prior readings. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

CARRIED

RESOLUTION:

Introduced By: Anderson      Seconded By: Fleming

1. Resolution Authorizing Proceeding with the Sale Process for Flint Hills Golf Course

DISCUSSION: The City Manager stated that he met with Attorney Jim Whipple representing Randy Winegard of Winegard Realty Company for the purchase of Flint Hills Golf Course for the goal of shutting it down. He stated that the offer was to purchase the property and assets for \$200,000.00 and would provide a provision that any redevelopment and resale which may include agricultural, residential and/or business use or any combination thereof, with buyer assuming all costs of redevelopment and resale, but the buyer would pay the City 50% of net proceeds from the sale of the redeveloped property after recovery of all transaction costs. He stated that part of the land was from the State of Iowa so the City would need to do negotiations with the State to see if the City would need to return that portion of the land back to the State. Mike Elmer of 620 Iowa Street stated that he hated for the City to sell Flint Hills Golf Course as many people enjoy golfing and it actually makes money for the City. Jon Billups of 800 North Front Street stated that if the City was going to sell Flint Hills Golf Course it should be posted and listed. He urged the Council to not sell Flint Hills Golf Course as it is used by youth and high school leagues and was a great course for beginner and average golfers. The City Manager stated that Flint Hills Golf Course does not make money for the City. Council Member Davidson stated that if the property was made into residential lots, the property taxes would go to Des Moines County as the property is located in Des Moines County. He stated that he came up with the whole idea to sell Flint Hills Golf Course last year on how to balance the budget, but this was not what he had in mind. He stated that he would like to see Flint Hills Golf Course pay its own way, instead of being subsidize. Mayor McCampbell agreed with Council Member Davidson. Council Member Fleming stated that he was opposed to the sale of Flint Hills Golf Course. Council Member Anderson stated that she has only heard from citizens that the City should keep Flint Hills Golf Course. She further stated that she did not care for the offer of \$200,000.00 for 172 acres. Council Member Wilson stated that she was opposed to the sale of Flint Hills Golf Course as it offers a level of play for beginners. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "NAYS" Davidson, Fleming, McCampbell, Wilson and Anderson) FAILED

COMMENTS FROM AUDIENCE: Eric Renteria of 907 High Street stated that he attended all the downtown parking meetings. He stated that the three goals of the downtown parking study were as follows: enough parking for those that live downtown, work downtown and shop downtown. He stated that there was supposed to be some type of an incentive for those to switch from 24-hour parking to parking from 7:00 a.m. to 5:00 p.m. He stated that instead the cost doubled, which was not an incentive. He stated that he was very frustrated. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:05 p.m.

Approved: October 2, 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 Nuisance Abatements
2. Resolution Approving Final Acceptance, Final Payment and Release of Retention Monies for the 2017 WWTF Emergency Water Main Repair
3. Resolution Establishing a No Parking Zone on the 1500 Block of Sioux Street
4. Resolution Approving Fiscal Year 2016-2017 Street Finance Report, Road Use Tax
5. Resolution Authorizing the City of Burlington to Financially Support the Great River Housing Trust Fund for Fiscal Year 2019 and 2020
6. Resolution Authorizing Grant Application for Improvements to the Dankwardt Park Pool
7. Resolution of Support for the Application of a Challenge Grant for the Burlington Depot and Grier's Restaurant

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of a CDBG Grant Application for the MASL Locust Basin (September 25, 2017)
2. Consideration of Sale of Property Locally Known as 312 South 10<sup>th</sup> Street, City of Burlington, Iowa with Conditions (October 2, 2017)
3. Consideration of Sale of Property Locally Known as 425 Hagemann Avenue, City of Burlington, Iowa with Conditions (October 2, 2017)
4. Consideration of an Ordinance Rezoning Outlot 3 of Swisher Subdivision from R-1, Single-Family Residential to R-2, Single-Family Residential (Transitional) District (October 2, 2017)

5. Consideration of an Ordinance Amending Section B Land Use Design Criteria of Ordinance No. 3104 for the Burlington Senior Living Campus PUD (October 2, 2017)
6. Consideration of Plans & Specifications for the Flint Hills Golf Course Pump House Project (October 2, 2017)
7. Consideration of an Ordinance Amending Section 126.16 Financial Responsibility of Chapter 126 Taxicabs and Vehicles for Hire of the Burlington Municipal Code (October 2, 2017)
8. Consideration of a Proposed 2017 Amendment to the Burlington Urban Revitalization Plan (October 2, 2017)