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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 9
May 3, 2010

The Burlington City Council met in regular session at 6:30 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor Ell, Council Members Davidson, Fleming, Murray and Reed present.

BURLINGTON CITY COUNCIL

PROCLAMATIONS:

- * Motorcycle Safety Awareness Month - Stewart Wallace
- * Historic Preservation Month - Hal Morton
- * Building Safety Month - Eric Larson
- * Police Week - Police Chief Luttenegger
- * Day of Prayer - Pastor Sam Fratt

PRIDE OF THE COMMUNITY AWARDS:

Gregory Anderson, 1823 Delmar Street
Larry and Charlotte Coursey, 717 South Plane Street
Donald and Gale Lofgren, 1420 Jefferson Street
Robert and Sharon Poggemiller, 122 Glendale Drive
Michael and Marcia Rosenblatt, 1605 Haskell Drive

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: Davidson Seconded By: Fleming

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

(VOTE: 5 - â AYESâ)

CARRIED

HEARING:

1. Statement: Consideration of Sale of Property Locally Known as 554 South Central Avenue, City of Burlington, Des Moines County, Iowa

COMMENTS: The City Manager stated that the proposed Resolution provides for the sale of property locally known as 554 South Central Avenue. He stated that the property was previously on a list for demolition until the property owner approached the City about deeding the property to the City. He stated that the City was now planning on selling the property for rehabilitation. The Development Director stated that the property at 554 South Central Avenue had been vacant for 6 to 7 years and Sunshine Builders plans to rehabilitate the property for future sale. He stated that the City was selling the property for just the cost of transferring the property. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Davidson Seconded By: Murray
Motion to Close

CARRIED

Introduced By: Davidson Seconded By: Murray
Resolution Approving Sale of Property Locally Known as 554 South Central Avenue,
City of Burlington, Des Moines County, Iowa

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

ADOPTED

ORDINANCE:

Introduced By: Murray Seconded By: Davidson

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Various Sections of the Zoning and Subdivision Regulations

of Title 17, City of Burlington Development Program of the City of Burlington Municipal Code

DISCUSSION: The City Manager stated that there were no changes to the Ordinance Amending Various Sections of the Zoning and Subdivision Regulations of Title 17,

City of Burlington Development Program of the City of 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: 5 - â AYESâ)

CARRIED

Introduced By: Murray Seconded By: Fleming

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Various Sections of the Zoning and Subdivision Regulations of Title 17, City of Burlington Development Program of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 5 - â AYESâ)

CARRIED

RESOLUTIONS:

Introduced By: Murray Seconded By: Fleming

1. Resolution Approving the Final Plat of Kinneer Subdivision

DISCUSSION: The Development Director presented an aerial view of the final plat of Kinneer Subdivision to the City Council and the viewing audience. He stated

that it was a simple one-lot subdivision. He stated that the owner of the property plans on selling a lot to his son. He stated that staff has reviewed the final plat and has recommended approval. Council Member Davidson asked about the utility located along the property. Ron Kinneer of 2216 Mason Road stated that it was a City lift station and that it would not be visible from the

home after putting in landscaping and driveway. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

ADOPTED

Introduced By: Reed

Seconded By: Murray

2. Resolution Approving the Final Plat of Pollpeter Subdivision

DISCUSSION: The Development Director presented an aerial view of the final plat of Pollpeter Subdivision to the City Council and the viewing audience. He stated that it was a simple one-lot subdivision. All present had opportunity to

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

(VOTE: 5 - â AYESâ)

ADOPTED

Introduced By: Reed

Seconded By: Murray

3. Resolution Approving the Final Plat of the Replat of Lot 3 of Stonegate Crossing Subdivision

DISCUSSION: The Development Director presented an aerial view of the final plat of the Replat of Lot 3 of Stonegate Crossing Subdivision to the City Council and

the viewing audience. He stated that Lot 3A and Lot 3B would be combined, Lot 4 would shrink in size and Lot 5 has been sold. He stated that staff has reviewed

the final plat and has recommended approval. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

ADOPTED

Introduced By: Fleming Seconded By: Davidson

4. Resolution Approving the Final Plat of the Second Addition to Stonegate Crossing Subdivision

DISCUSSION: The Development Directed presented an aerial view of the final plat of the Second Addition to Stonegate Crossing Subdivision to the City Council and

the viewing audience. He stated that Lot 2 has not been platted and Lots 3 and 5 have been sold. He stated that Lot 1 has a proposed development planned and Lot 4 will be transferred to the owner of

Lot 3. He stated that staff has reviewed the final plat and has recommended approval. All present had opportunity to speak and nothing additional was filed

in the office of the City Clerk.

(VOTE: 5 - â AYESâ)

ADOPTED

Introduced By: Fleming Seconded By: Murray

5. Resolution Awarding Contract for the Ongoing Sealcoat Reclamation Project

DISCUSSION: The City Manager stated that this was the second year that the City was awarding contract for the Ongoing Sealcoat Reclamation Project. He stated that last year the City was able to sealcoat 4.8 miles of sealcoated streets. The Deputy Public Works Director stated that the City received one bid from Shipley Construction Company in the amount of \$850,875.30. He stated that he anticipated a future change order to reduce the scope of the project from 91 blocks to 77 blocks. He stated that the areas removed would be placed higher on

the list for next year. Stan Stratton of 2809 Shamrock Drive had various questions about the program. He stated that more streets needed to be fixed instead of spending money on the depot. Council Member Reed asked how the rating system worked for the Ongoing Sealcoat Reclamation Project. The Deputy Public Works Director stated that it was a ranking system of traffic volume, availability to continue maintenance, general condition and general ride. Council Member Davidson stated that the streets listed for sealcoating were in need of repair. Mayor Ell stated that it was a great program. 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: Stan Stratton of 2809 Shamrock Drive stated that he had understood that the City Council was eliminating work sessions. The City Manager stated that the City Council would still be holding work sessions as normal the Monday prior to the City Council meeting. He stated that the City Council was eliminating the City Council Call-In Show. He stated that the public would still have a chance to speak to the City Council at the close of the meeting or they can always contact City Hall. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:22 p.m.

Approved: May 17, 2010

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 Purchase of a New Smart-Till ST101 with Rolling Harrow Attachment for the Burlington Wastewater Treatment Facility

2. Resolution Approving Extension of Forgivable Loan Agreement Between the City of Burlington, Burlington Area Development Corporation n/k/a Grow Greater Burlington, Inc., Des Moines County and IP Real Estate, Inc. (Alfagomma America, Inc.) dated December 20, 2002

SET DATE FOR PUBLIC HEARING: JUNE 7, 2010

1. Consideration of an Ordinance Amendment to Ordinance No. 3220, An Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay Zoning District, By Amending Section 4. Land Use Requirements of Such Ordinance