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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 13  
July 2, 2018

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 Billups, Graham-Murray, Rinker and Wilson present.

BURLINGTON CITY COUNCIL

MAYOR'S AWARD:

- \* Ralph Montrone
- \* Sgt. Carlos Ruiz, Sgt. Austin Allen & 1<sup>st</sup> Sgt. Jesse Howard

PRESENTATION:

- \* Alliant, Nancy Snaadt

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: Wilson                      Seconded By: Rinker

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 Wilson announced those individuals appointed to various City commissions and boards. Marlin McKee of 1121 South 12<sup>th</sup> Street requested the removal of the following Resolutions from the consent agenda for discussion at the close of the meeting: Resolution Approving the Purchase of an Easement from 2500 Mason Road (PIN: 16-07-127-008) for Public Utilities and a Pedestrian Trail Associated with the 2018 Mason Road Sidewalk; Resolution Approving the Purchase of a Permanent Easement and Temporary Easement for First Presbyterian Church (PIN: 16-07-201-006) for Public Utilities, a Pedestrian Trail and Construction and Grading Associated with the 2018 Mason Road Sidewalk; Resolution Approving the Purchase of a Temporary Easement for SS. Mary and Patrick Church of West Burlington, Iowa and John and Paul Church of Burlington, Iowa (PIN: 16-07-126-011) for Construction and Grading Associated with the 2018 Mason Road Sidewalk; Resolution

Approving the Purchase of a Temporary Easement for 1431 Cambridge Drive (PIN: 16-07-127-013) for Construction and Grading Associated with the 2018 Mason Road Sidewalk and Set Date for Public Hearing for Consideration of Plans and Specifications for the 2018 Mason Road Shared Use Path Project (July 16, 2018). All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTE: 5 - "AYES")

CARRIED

HEARINGS:

1. Statement: Consideration of Sale of Property Locally Known as 209 South Gunnison Street, City of Burlington, Iowa with Conditions

COMMENTS: The Development and Parks Director stated that the City acquired the property at 209 South Gunnison Street and had previously sold it for rehabilitation. He stated that the property has reverted back to the City as the owner failed to meet the time-frames for rehabilitation of the home. He stated that the home was build in 1900 and was a 2 bedroom with one full bathroom. He stated that the purchaser must meet the following conditions: defective items shall be repaired as needed; a licensed plumber and electrician shall inspect and sign off that such times in the property meet or are brought up to code; sidewalks along Gunnison Street and parking areas shall be improved to meet current code standards as necessary; off-street parking shall accommodate two vehicles on the property; all permits shall be received and codes shall be met, as applicable for work and occupancy of the home; purchaser shall maintain property and yard and hold insurance on such property upon approval of sale of the City Council; and work shall be completed within 180 days of approval of sale by the City Council, with an extension of 180 days may be granted if significant progress is made; failure to meet time frames may result in forfeiture of sale and purchase with resale of the property by the City. He stated that the property would be transferred by quit claim deed. Mayor McCampbell led an auction for the Sale of Property Locally Known as 209 South Gunnison Street, City of Burlington, Des Moines County, Iowa. A.H. Ltd., L.C. (Ronald J. Rettig) was the high bidder at \$1,600.00. 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: Graham-Murray

CARRIED

Introduced By: Wilson  
Motion to Amend Exhibit "C" of the Resolution Approving the Sale of Property Locally Known as 209 South Gunnison Street, City of Burlington, Des Moines County, Iowa that the Property be Sold to A.H. Ltd., L.C. (Ronald J. Rettig) in the amount of \$1,600.00

Seconded By: Rinker

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

CARRIED

Introduced By: Wilson

Seconded By: Billups

Resolution Approving the Sale of Property Locally Known as 209 South Gunnison Street, City of Burlington, Iowa with Conditions

DISCUSSION: None.

(VOTE: 5 - "AYES")

ADOPTED

2. Statement: Consideration of Plans and Specifications for the 2018 Depot Whiteboxing

COMMENTS: The Assistant City Manager for Public Works reviewed the plans and specifications for the 2018 Depot Whiteboxing. He stated that the \$120,000.00 was budgeted for the project along with the \$75,000.00 Challenge Grant. He stated that estimated cost of the project was \$134,000.00. He stated that there was approximately \$30,000.00 in remaining work to be done in the Great Room for a total cost up to \$164,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Rinker

Seconded By: Wilson

Motion to Close

(VOTE: 4 - "AYES" McCampbell, Rinker, Wilson and Billups

1 - "ABSTAIN" Graham-Murray)

CARRIED

Introduced By: Rinker

Seconded By: Wilson

Resolution Approving Plans and Specifications for the 2018 Depot Whiteboxing

DISCUSSION: None.

(VOTE: 4 - "AYES" McCampbell, Rinker, Wilson and Billups

1 - "ABSTAIN" Graham-Murray)

ADOPTED

3. Statement: Consideration of Plans and Specifications for the 2018 Tama Building Permeable Alley

COMMENTS: The Assistant City Manager for Public Works reviewed the plans and specifications for the 2018 Tama Building Permeable Alley with the City Council and the viewing audience. He stated that the project was a public/private partnership with the owner of the Tama building. He stated that the owner of the Tama building has agreed to construct the southern half with the City constructing the north half with an IDALS Grant. He stated that the project needs to be completed by December 31, 2018 or the City is financially obligated to pay for the project. Marlin McKee of 1121 South 12<sup>th</sup> Street questioned if the sewer lines would be replaced in the alley prior to construction. The Assistant City Manager for Public Works stated that there will be utility conflicts in the area, but he did not know if there were any sewer lines in the alley. He further stated that the City of Dubuque has constructed approximately 200 permeable alleys. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Rinker

Seconded By: Billups

Motion to Close

CARRIED

Introduced By: Rinker

Seconded By: Billups

Resolution Approving Plans and Specifications for the 2018 Tama Building Permeable Alley

DISCUSSION: None.

(VOTE: 5 - "AYES")

ADOPTED

RESOLUTIONS:

Introduced By: Graham-Murray

Seconded By: Wilson

1. Resolution Awarding Contract for the 2018 Mt. Pleasant Street HMA Overlay Project

DISCUSSION: The Assistant City Manager for Public Works stated that bids were received by the Iowa Department of Transportation on June 19, 2018 for the 2018 Mt. Pleasant Street HMA Overlay Project. He stated that the purpose of the project was to resurface 1.46 miles of Mt. Pleasant Street. The project limits are from Gear Avenue in West Burlington to Highway 61. He stated that as part of the project, traffic lanes will be reconfigured. Instead of two lanes of traffic each way, the roadway will be converted to one through lane each way with a center two-way left turn lane. He stated that in addition to the resurfacing, minor storm water improvements will be made throughout the corridor. He stated that 80% of the project is being funded by the STBG Program with the remaining 20% to be split between the City of Burlington and the City of West Burlington based upon work occurring in each municipality. He stated that the project was awarded to Norris Asphalt Paving in the amount of \$1,664,597.11 All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Graham-Murray

Seconded By: Wilson

2. Resolution Approving Preliminary Plat of The Ridge Subdivision

DISCUSSION: The Development and Parks Director reviewed with the City Council and the viewing audience the preliminary plat of The Ridge Subdivision located in Des Moines County within the two-mile growth area. He stated that the City Planning Commission voted 6-0 on June 19, 2018 to recommend approval of the preliminary plat based on meeting the county standards for subdivision in lieu of meeting all the Site Design Standards of the Zoning Code; and conditioned upon lots 20 and 21 having frontage on a public roadway. He stated that staff recommendation was that all lots along a dead-end roadway greater than 750 feet in length and only open at one end be required to have a residential sprinkler system was not carried forward by the City Planning Commission. The Fire Chief stated that the City follows the International Fire Code. He stated that the sprinkler system would be fine using Rathbun water. The Assistant City Manager for Public Works stated that the reason for reviewing subdivisions within the two-mile growth area was should that area ever be annexed into the City. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Billups

Seconded By: Wilson

3. Resolution Providing for a Salary Adjustment for the City Manager

DISCUSSION: Mayor McCampbell stated that the proposed Resolution provides for a salary adjustment of 2.25% effective July 1, 2018. Council Member Billups stated that the 2.25% was the same salary increase for City employees. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Billups

Seconded By: Graham-Murray

4. Resolution Approving a Change Order for Flint River Trail, Phase I South A Trail Project

DISCUSSION: The Development and Parks Director stated that Jones Contracting Corp. was awarded the Flint River Trail, Phase I South A Trail Project for completion of the Flint River Trail, Phase I South A Trail Project. He stated that additional grant funds from REAP remained in the amount of \$61,027.58 based upon total grant award and the amount of the original bid. He stated that plans are to extend the trail further north along Bluff Road to complete additional trail and related work to allow future connection projects to be completed. He stated that the change order with Jones Contracting Corp was for \$64,449.45 based upon availability of REAP grant funds and local match from Local Option Sales Tax funds. He further stated that the change order approval for work will be contingent upon receiving approval of necessary easement from Lamont Limited at 1530 Bluff Road. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Wilson

Seconded By: Graham-Murray

5. Resolution Approving the Purchase of an Easement from 2500 Mason Road (PIN: 16-07-127-008) for Public Utilities and a Pedestrian Trail Associated with the 2018 Mason Road Sidewalk

DISCUSSION: Marlin McKee of 1121 South 12<sup>th</sup> Street stated that he did not understand why the City was developing a pedestrian trail along Mason Road when children walking along Mason Road will get splashed with water due to flooding. He felt that the sidewalk should be constructed in an undeveloped area and not on an arterial street where there is flooding. He stated that he will splash every kid on Mason Road with his vehicle to make his point. The Development and Parks Director stated that the City had applied for a grant four years ago to continue the trail to the RecPlex. He stated that the sidewalk is also a bike trail. He further explained that the funding was to be used specifically for Mason Road. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Wilson                      Seconded By: Rinker

6. Resolution Approving the Purchase of a Permanent Easement and Temporary Easement for First Presbyterian Church (PIN: 16-07-201-006) for Public Utilities, a Pedestrian Trail and Construction and Grading Associated with the 2018 Mason Road Sidewalk

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

ADOPTED

Introduced By: Wilson                      Seconded By: Graham-Murray

7. Resolution Approving the Purchase of a Temporary Easement for SS. Mary and Patrick Church of West Burlington, Iowa and John and Paul Church of Burlington, Iowa (PIN: 16-07-126-011) for Construction and Grading Associated with the 2018 Mason Road Sidewalk

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

ADOPTED

Introduced By: Wilson                      Seconded By: Rinker

8. Resolution Approving the Purchase of a Temporary Easement for 1431 Cambridge Drive (PIN: 16-07-127-013) for Construction and Grading Associated with the 2018 Mason Road Sidewalk

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

ADOPTED

9. Set Date for Public Hearing for Consideration of Plans and Specifications for the 2018 Mason Road Shared Use Path Project (July 16, 2018)

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

ADOPTED

COMMENTS FROM AUDIENCE: Marlin McKee of 1121 South 12<sup>th</sup> Street asked when the issue of garbage containers would be on the City Council agenda. The Assistant City Manager for Public Works urged Marlin McKee to attend the July 9, 2018 Work Session. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:37 p.m.

Approved: July 16, 2018

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 for Various Properties
2. Resolution Accepting the Community Development Block Grant for the Locust Basin Sewer Separation
3. Resolution Amending Fees for Environmental Nuisances

SET DATE FOR PUBLIC HEARINGS: JULY 16, 2018

1. Consideration of Sale of Property Locally Known as 1003 Chalfant Street, City of Burlington, Iowa with Conditions
2. Consideration of Sale of Property Locally Known as 918 Locust Street, City of Burlington, Iowa with Conditions
3. Consideration of a Permanent Encroachment Agreement with Historic Tama, LLC for Encroachment into City Right-of-Way Adjacent to the Property Located at 300-310 Jefferson Street, Burlington, Iowa
4. Consideration of Plans and Specifications for the 2018 Mason Road Shared Use Path Project
5. Consideration of Plans and Specifications for the 2018 White Park Renovations

APPOINTMENTS:

Airport Authority: Charles E. Walsh  
Economic Development Advisory Board: Owen Sloan and Elizabeth Van Vleck-Sally