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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 38  
July 18, 2011

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

BURLINGTON CITY COUNCIL

PROCLAMATION OF RETIREMENT:  
Milt Yeiter, Property Maintenance Supervisor

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

DISCUSSION: Mayor Pro-Tem Davidson 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: 4 - AYES ) CARRIED

HEARINGS:

1. Statement: Consideration of an Ordinance Amending the Sunrise West Planned Unit Development Overlay District, by Making Changes to Section 4. Land Use Requirements and Allow Single-Family Uses on Lot 2 and 3

COMMENTS: The Planning and Development Director presented a map of Sunrise West Planned Unit Overlay District with the City Council and the viewing audience. He stated that the proposed Ordinance would allow for future use of single-family

uses on lots 2 and 3. He stated that the area was approximately eight to ten acres. Mayor Pro-Tem Davidson asked how many times a PUD could be amended. The

Planning and Development Director stated that a PUD was a rezoning and could be amended as many times as necessary. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

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

Introduced By: Fleming Seconded By: Reed  
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending the Sunrise West Planned Unit Development Overlay District, by Making Changes to

Section 4. Land Use Requirements and Allow Single-Family Uses on Lot 2 and 3

DISCUSSION: None.

(VOTE: 4 - AYES )

CARRIED

2. Statement: Consideration of an Ordinance Rezoning the Property Located at 1831 Des Moines Avenue from R-2, Single-Family Residential to C-2, General Commercial

COMMENTS: The Planning and Development Director stated that the proposed Ordinance rezones property recently purchased by Carl A. Nelson Company to expand their business. He stated that Carl A. Nelson Company demolished the home that was located at 1831 Des Moines Avenue. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Reed  
Motion to Close

Seconded By: Murray

CARRIED

Introduced By: Reed  
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Property Located at 1831 Des Moines Avenue from R-2, Single-Family Residential to C-2, General Commercial

Seconded By: Murray

DISCUSSION: None.

(VOTE: 4 - AYES )

CARRIED

3. Statement: Consideration of an Ordinance Amending Section 17.65 Floodplain Regulations of the Zoning and Subdivision Regulations of the City of Burlington Municipal Code

COMMENTS: The City Manager stated that the proposed Ordinance amends Section 17.65 Floodplain Regulations of the Zoning and Subdivision Regulations, which consist of a new floodplain map and minor changes. He stated that FEMA was requiring the new map in order for the community to be a part of the Flood Insurance Program. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Murray  
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Murray  
Motion to Amend the Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Section 17.65 Floodplain Regulations of the Zoning and Subdivision Regulations of the City of Burlington Municipal Code

Seconded By: Fleming

DISCUSSION: None.

(VOTE: 4 - AYES )

CARRIED

Introduced By: Murray  
Motion for Waiver of Preliminary Consideration and Adoption of the First and Second Readings and for Final Adoption of an Ordinance Amending Section 17.65 Floodplain Regulations of the Zoning and Subdivision Regulations of the City of Burlington Municipal Code

Seconded By: Fleming

DISCUSSION: None.  
(VOTE: 4 - â AYESâ )

CARRIED

ORDINANCE:

Introduced By: Murray Seconded By: Reed

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Section 17.80.809 Streets of the Zoning and Subdivision Regulations of the City of Burlington Municipal Code

DISCUSSION: The City Manager stated that there were no changes to the Ordinance Amending Section 17.80.809 Streets of the Zoning and Subdivision Regulations 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: 4 - 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 Section 17.80.809 Streets of the Zoning and Subdivision Regulations of the City of Burlington Municipal Code

DISCUSSION: None.  
(VOTE: 4 - â AYESâ )

CARRIED

COMMENTS FROM AUDIENCE: Patricia Anderson of 119 South Adams Street presented the City Council with a handout of information on the Saunderson Heights Association and a picture of the back parking lot behind Apollo School. She stated that it has become a junk yard and she urged the City Council to enforce the City's Nuisance laws by placing a tax lien on the property. The Development

Director stated that with two part-time Nuisance Inspectors that they would be targeting unlicensed abandoned vehicles this fall and winter. Mayor Pro-Tem Davidson and the City Council agreed that the area is blighted. Council Member Fleming stated that something needed to be done about Apollo School. The following local developers spoke in regard to development in Burlington: Todd Darnall of 401 Jefferson Street; Mike Darnall, Bob Breuck of West Burlington; Scott Peck of 2636 Cliffwood Drive; Joe Skelley; Steve Zaeger, Becky Shockley of

501 North 5th Street and Dennis Wilson of 1700 River Street. Bob Breuck urged the City to provide a handout of what the City expects that could be given to local developers. The City Manager stated that a handout was very close to being finalized. Many of those who spoke stated that they would like to meet with the City Council to work together to create a public/private partnership. The City Manager stated that he would be preparing a report to present to the City Council at the July 25, 2011 Work Session. Council Member Murray stated that he feels the frustration of the developers and he wants to listen to their concerns. Mayor Pro-Tem Davidson stated that he wants to see upper story development, but the City cannot give away the kitchen sink. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:29 p.m.

Approved: August 1, 2011

City Clerk

Mayor Pro-Tem

(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

RESOLUTION:

1. Resolution Approving Nuisance Abatements for Various Properties

SET DATE FOR PUBLIC HEARINGS: AUGUST 1, 2011

1. Consideration of Sale of Property Locally Known as 3003 Flint Hills Drive,  
City of Burlington, Des Moines County, Iowa

2. Consideration of Sale of Property Locally Known as 621 North 10th Street,  
City of Burlington, Des Moines County, Iowa

3. Consideration of Sale of Property Locally Known as 1301 South 13th Street,  
City of Burlington, Des Moines County, Iowa

4. Consideration of Burlington Baseball Association Lease