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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 22
November 19, 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 and Rinker present. Council Member Wilson was absent.

BURLINGTON CITY COUNCIL

PROCLAMATION:

- * Giving Tuesday - Val Giannettino

TENURE AWARDS:

- * Lois Blythe, Senior Librarian-Info Technology, 30 Years
- * Breydn Hill, Property Maintenance Manager, 40 Years

MAYOR'S AWARDS:

- * Jenna Knudson
- * Michelle Lekander

MAYOR'S EXTRAORDINARY SERVICE AWARD:

- * Ryan Gourley

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: Billups Seconded By: Graham-Murray
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. Chris Roepke of 2228 Madison Avenue removed the following Resolutions from the consent agenda for discussion at the close of the meeting: Resolution Approving Annual Financial Report; Resolution Approving Annual Urban Renewal Report and Resolution Approving Sub-License Agreement Between the City of Burlington, Zeco Systems, Inc. and

Huckleberry Hotel, LLC for Use by the Renewable Energy Committee, Read-Only Access to the Plug-In Electric Vehicle Charging Station Data Derived from Huckleberry’s Use of the Licensed Software at Their Location in Burlington, Iowa. 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 1006 Elm Street, City of Burlington, Iowa with Conditions

COMMENTS: The Development and Parks Director stated that the City acquired the property at 1006 Elm Street through the abandoned building program. He stated that the one-story home was built in 1858 and has 2 bedrooms and 1-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; off-street parking shall accommodate two vehicles on the property; sidewalks along Elm Street and parking areas shall be improved to meet current code standards as necessary; all permits shall be received and codes shall be met, as applicable for work and/or 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. He further stated that there was quite a bit of work that needed to be done to the property. Mayor McCampbell led an auction for the Sale of Property Locally Known as 1006 Elm Street, City of Burlington, Des Moines County, Iowa. Esteban Gonzalez of 511 South 9th Street was the high bidder at \$700.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Billups
Motion to Close

Seconded By: Graham-Murray

CARRIED

Introduced By: Billups
Motion to Amend Exhibit “C” of the Resolution Approving the Sale of Property Locally Known as 1006 Elm Street, City of Burlington, Des Moines County, Iowa that the Property be Sold to Esteban Gonzalez of 511 South 9th Street in the amount of \$700.00

Seconded By: Graham-Murray

DISCUSSION: None.
(VOTE: 4 - “AYES”)

CARRIED

Introduced By: Billups
Resolution Approving Sale of Property Locally Known as 1006 Elm Street, City of Burlington, Des Moines County, Iowa

Seconded By: Rinker

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

ADOPTED

2. Statement: Consideration of an Ordinance Amendment to Ordinance No. 3220, an Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay District, by Making Changes to Section 4 Land Use Requirements

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the proposed Ordinance Amendment to Ordinance No. 3220, an Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay District, by Making Changes to Section 4 Land Use Requirements. He stated that the base zoning shall be considered R-2, Single-family Transitional Zoning District for the area originally platted as Lot 1 of the Preliminary Plat of the First Addition to Sunrise West Subdivision. He reviewed the building setbacks and separation distances for the subdivision. He further stated that the preliminary plat will be coming forward at a later date. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Rinker
Motion to Close

Seconded By: Billups

CARRIED

Introduced By: Rinker
Motion for Preliminary Adoption of the First Reading of an Ordinance Amendment to Ordinance No. 3220, an Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay District, by Making Changes to Section 4 Land Use Requirements

Seconded By: Graham-Murray

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

CARRIED

3. Statement: Consideration of an Ordinance Amending Various Sections of Chapter 161, Housing Code of the City of Burlington Municipal Code

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the proposed Ordinance Amending Various Sections of Chapter 161, Housing Code of the City of Burlington Municipal Code. Council Member Rinker asked if a window opening could be reframed to allow a stock window verses a special order window on an older home. Building Inspector Caston stated that the answer was no as there has to be two sashes. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Rinker
Motion to Close

Seconded By: Billups

CARRIED

Introduced By: Rinker
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending

Seconded By: Billups

Various Sections of Chapter 161, Housing Code of the City of Burlington Municipal Code

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

CARRIED

RESOLUTIONS:

Introduced By: Billups

Seconded By: Graham-Murray

1. Resolution Awarding Contract for the 2018 West Burlington and Agency Intersection Traffic Signal Detection

DISCUSSION: The City Engineer stated that bids were received for the 2018 West Burlington and Agency Intersection Traffic Signal Detection. He stated that one bid was received from Dave Bessine Electric in the amount of \$46,930.00. He stated that the purpose of the project was to install traffic control cameras at the intersection of West Burlington Avenue and Agency Street. These cameras will monitor traffic and control the intersection more efficiently. Once installed the intersections of Agency Street with West Burlington, Plaza West and Roosevelt can be coordinated to better control traffic flow through the corridor. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Billups

Seconded By: Graham-Murray

2. Resolution Approving the 5-Year Road Plan for the City of Burlington, Iowa

DISCUSSION: The City Engineer stated that the proposed Resolution approves the 5-Year Road Plan for the City of Burlington from fiscal year 2020 to 2024. He stated that the 5-Year Road Plan serves as a planning document for road construction. He explained the criteria the City uses for which streets will be on the City's 5-Year Road Plan. Chris Roepke of 2228 Madison Avenue urged Council to reconsider the 2022 plan for removing parking on Madison Avenue as it will hurt resale value of homes on Madison Avenue. He further stated that bike lanes and children cannot be a safe practice. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Graham-Murray

Seconded By: Billups

3. Resolution Approving Purchase of a Used 2012 JCB All Terrain Forklift for Public Works Department

DISCUSSION: The Operations Manager stated that the proposed Resolution provides for the purchase of a used 2012 JCB All Terrain Forklift for the Public Works Department. He stated that initially it was thought to purchase a telehandler as it would be best suited for the installation of the new flood wall panels based on information gathered from visit to Davenport, Iowa to observe their process and discussion with other cities and wall manufacturers. He stated that

when the wall was taken down for the first time and then reset it for the recent flooding, it became apparent that the telehandler was not the best piece of equipment to use in a tight space. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Graham-Murray Seconded By: Rinker

4. Resolution Approving Final Acceptance, Final Payment and Release of Retention Monies for the 2017 Vineyard Street Area Drainage Project

DISCUSSION: The City Engineer stated that the Vineyard Street Drainage Project mitigates local flooding of Vineyard Street by rehabilitation the area ditches, replacing deteriorated culverts and redirecting storm water sewer pipes to outlet into the nearby creek. He stated that the City was petitioned by property owners in August 2015 requesting the City grade existing ditches and provide adequate safe storm drainage for the area surrounding Vineyard Street. He stated that the work is now completed by the contractor and the Resolution provides for acceptance of the improvements for maintenance and operation and payment to the contractor. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: McC Campbell Seconded By: Graham-Murray

5. Resolution Approving Annual Financial Report

DISCUSSION: None.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: McC Campbell Seconded By: Rinker

6. Resolution Approving Annual Urban Renewal Report

DISCUSSION: Chris Roepke of 2228 Madison Avenue questioned how much does Tax Increment Financing (TIF) cost the property owner in property taxes. The City Manager stated that it would be hard to track. He stated that the TIF Revenue was \$2,471,382.00. He stated that it was approximately \$1.00 tax levy to do TIF projects. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: McC Campbell Seconded By: Billups

7. Resolution Approving Sub-License Agreement Between the City of Burlington, Zeco Systems, Inc. and Huckleberry Hotel, LLC for Use by the Renewable Energy Committee, Read-Only Access to the Plug-In Electric Vehicle Charging Station Data Derived from Huckleberry's Use of the Licensed Software at Their Location in Burlington, Iowa

DISCUSSION: Chris Roepke of 2228 Madison Avenue questioned why the sub-license

agreement between the City of Burlington, Zeco Systems, Inc. and Huckleberry Hotel, LLC for use by the Renewable Energy Committee, read-only access to the Plug-In Electric Vehicle Charging Station Data derived from Huckleberry's use of the licensed software at their location in Burlington, Iowa was it following California law and not Iowa law. The City Manager explained that the company is located in California and the Renewable Energy Committee just wants to be able to read the data derived from the car charging station that is located at the Huckleberry Hotel. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

COMMENTS FROM AUDIENCE: Dean Phenicie of Northern Drive urged the City Council to be more careful when giving TIF Monies to companies such as Siemens. He applauded the quality of work on the Roosevelt/Agency Area Street project. He thanked the Council for doing a great job. He stated that the Tama building should be torn down and there should be a grocery store in that area for people that live downtown. He suggested a telethon to raise money for Cascade Bridge Project. Chris Roepke of 2228 Madison Avenue stated that the he had read about a proposed land swap between the City and Burlington Northern Railroad. He stated it might be a good idea, except he had read in a report that there was a \$500,000.00 parking lot with the swap. He stated that the City was spending \$500,000.00 for a parking lot at the RecPlex dome and now another \$500,000.00 for a parking lot. He stated that there were many older neighborhoods that would need the \$1,000,000.00 more than using those funds for parking lots. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:52 p.m.

Approved: December 3, 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 Authorizing Internal Loan from General Fund to Tax Increment Revenue Fund
3. Resolution Obligating Funds from the Greater Burlington Partnership TIF Rebate Subfund of the City's Urban Renewal Tax Revenue Fund for Appropriation to the Payment of Annual Appropriation Tax Increment Rebate Payments Due to be Paid in the Succeeding Fiscal Year
4. Resolution Obligating Funds from the Winegard TIF Rebate Subfund of the City's Urban Renewal Tax Revenue Fund for Appropriation to the Payment of Annual Appropriation Tax Increment Rebate Payments Due to be Paid in the Succeeding Fiscal Year
5. Resolution Obligating Funds from the Burlington Crossing TIF Rebate Subfund of the City's Urban Renewal Tax Revenue Fund for Appropriation to the Payment of Annual Appropriation Tax Increment Rebate Payments Due to be Paid in the Succeeding Fiscal Year
6. Resolution Approving Maintenance and Operation of Public Infrastructure for Park West Subdivision
7. Resolution Approving Resignation and Release Agreement Between the City of Burlington, Iowa and Alex Place, as a Burlington Fire Department Firefighter

SET DATE FOR PUBLIC HEARINGS: DECEMBER 3, 2018

1. Consideration of an Application to Iowa Economic Development Authority for the Microenterprise Assistance Pilot Program
2. Consideration of Lease Agreement between the City of Burlington and MOST, LLC for Use of Dankwardt Park Pool