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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 24  
December 17, 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. Council Member Wilson left the City Council Meeting at 6:39 p.m.

BURLINGTON CITY COUNCIL

TENURE AWARD:

\* Arthur Roberts, Streets/Sewer Maintenance, Worker II, 30 Years

MAYOR'S AWARD:

\* Darren Grimshaw

MAYOR'S LIFETIME ACHIEVEMENT AWARD:

\* Darren Grimshaw

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: Rinker                      Seconded By: Wilson

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. Chris Roepke of 2228 Madison Avenue removed the following Resolutions from the consent agenda for discussion at the close of the meeting: Resolution Authorizing the Filing of an Application with the State of Iowa and Southeast Iowa Regional Planning for STBG Funds for Improvements on Agency Street from the Existing PCC Pavement Near Melrose Court to the Curran Street Intersection and the Resolution Accepting Iowa Clean Air Attainment Program Funds for Roosevelt Avenue. 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 Plans and Specifications for the 2019 DeEdwin and Gladys White Park Renovations

COMMENTS: The Development and Parks Director reviewed the plans and specifications for the 2019 DeEdwin and Gladys White Park Renovations with Council and the viewing audience. He stated that the project was previously bid and there were no bids. Council Member Rinker asked if the improvements were going to be constructed where it would have to be ripped up for sewer issues. The Development and Parks Director stated that they were doing the best they could to try to miss all manholes. Owen T. Sloan of 1621 South 14<sup>th</sup> Street stated that he was happy to see the improvements being made to DeEdwin and Gladys White Park. He stated that he would like a rededication of the park once all the improvements are made. He stated that DeEdwin and Gladys White did a lot for civil rights and were involved with various organizations and groups. 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  
Resolution Approving Plans and Specifications for the 2019 DeEdwin and Gladys White Park Renovations

Seconded By: Wilson

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

ADOPTED

2. Statement: Consideration of an Ordinance Rezoning a Portion of Property Locally Known as 1621 Dodge Street from R-2, Single-Family Residential Transitional to R-4, Multi-Family Residential Zoning District

COMMENTS: The Development and Parks Director stated that an out-of-town developer was requesting the rezoning of 1621 Dodge Street from R-2, Single-Family Residential Transitional to R-4, Multi-Family Residential Zoning District. He stated that the City Planning Commission voted 0-3 (1-abstain) to recommend approval of the requested rezoning to the City Council. He stated that the recommendation of the Planning Commission was based the concern of the higher density of the proposed development, concern over infrastructure capacity, and type of development fitting with the surrounding neighborhood. The proposed request does not meet the current Future Land Use Map designation of the Comprehensive Plan - Neighborhood Mixed Use, which indicates R-4 as a suitable zoning district. He stated that the developer plans to have 24-30 condos or apartments over the next 3-4 years. The following property owners were opposed to the rezoning: Amy Walters of 1729 West Acres; Owen Sloan of 1621 South 14<sup>th</sup> Street; Rick Masters of 1515 South 15<sup>th</sup> Street; Deb Dickson of 1411 Perkins Street; Becca Archie of 1505 Summer Street; Rex Zaiser of 1633 West Acres Drive; Larry Meyers of 1613

Acres Street and Dean Phenise of 2117 Northern Drive. Those that spoke against the rezoning were concerned with the following: increased traffic; increased usage on sewer system; water pressure issues; higher crime rate; decrease in property valuation and safety of children. Amy Walters of 1729 West Acres Street presented the City Council with a handout on the history of the property. She also submitted a letter from Rose Lee of 1409 South 15<sup>th</sup> Street opposed to the rezoning. David Pounders of Pounders Engineering in Phoenix, Arizona called into the meeting to speak along with John (last name unknown), co-owner of the property at 1621 Dodge Street. David Pounders stated that it would be closer to 24 units in the building. He stated that once the property is rezoned then the sewer could be evaluated. John (last name unknown), co-owner of the property, stated that he was thinking of doing 12-units verses the 24 units. He stated that demolition of the building was not reasonable. He stated that the lots on the north side of the property would be sold for approximately \$5,000.00 for each lot, which would be consistent with the area. He stated that he was thinking of converting a classroom one at a time into an apartment to rent, then convert a second apartment. He stated that once all are converted to apartments then change the rezoning to sell the apartments as condos. He stated that there would be HOA fees. He urged the Council to vote no on the rezoning as he has decided to do 12-units verses his original plan of 24-30 units. He stated that each apartment would be 2-bedrooms with 2-bathrooms. He further stated that he would look at having a driveway off of Summer Street also besides Dodge Street once the rezoning is approved. After considerable discussion by the City Council it was determined to vote no on the rezoning as recommended by the developer at this time. 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                      Seconded By: Graham-Murray  
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning a Portion of Property Locally Known as 1621 Dodge Street from R-2, Single-Family Residential Transitional to R-4, Multi-Family Residential Zoning District

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

FAILED

6:39 p.m. - Council Member Wilson left the City Council Meeting.

ORDINANCES:

Introduced By: Billups

Seconded By: Graham-Murray

1. Motion for Final Adoption 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

DISCUSSION: The Development and Parks Director stated that there were no changes to the

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

(VOTE: 4 - "AYES")

CARRIED

Introduced By: Billups                      Seconded By: Graham-Murray

2. Motion for Final Adoption of an Ordinance Amending Various Sections of Chapter 161, Housing Code of the City of Burlington Municipal Code

DISCUSSION: The Development and Parks Director stated that there were no changes to the an Ordinance Amending Various Sections of Chapter 161, Housing Code of the City of Burlington Municipal Code from the first and second readings. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

CARRIED

RESOLUTIONS:

Introduced By: Graham-Murray                      Seconded By: Rinker

1. Resolution Approving an Application for Funds from the Transportation Alternatives Program (TAP) for the West Avenue Trail Connection

DISCUSSION: The Development and Parks Director stated that the City was applying for federal funds through the Transportation Alternatives Program (TAP) for the West Avenue Trail Connection. He stated that the funding would be for the year 2023. 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

2. Resolution Approving the Final Plat of Park View Subdivision

DISCUSSION: The Development and Parks Director stated that the final plat of Park View Subdivision was a 3-lot subdivision located on Shoquoquon Drive. He stated that there would be building covenants for the subdivision. 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

3. Resolution Approving the Final Plat of the Fourth Addition to Sunrise West Subdivision

DISCUSSION: The Development and Parks Director stated that the final plat of Fourth Addition to Sunrise West Subdivision consisted of a two-lot subdivision consisting of one buildable lot and outlot G that will remain a non-buildable lot until such time as the lot is subdivided and platted separately along with new public street right-of-way. All present had opportunity to

speaking and nothing additional was filed in the office of the City Clerk.  
(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Graham-Murray      Seconded By: Billups

4. Resolution Approving the Preliminary Plat of Fifth Addition to Sunrise West Subdivision

DISCUSSION: The Development and Parks Director stated that the preliminary plat of the Fifth Addition to Sunrise West Subdivision was a 6-lot subdivision located on the east side of Cambridge Drive. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

5. Resolution Authorizing the Filing of an Application with the State of Iowa and Southeast Iowa Regional Planning for STBG Funds for Improvements on Agency Street from the Existing PCC Pavement Near Melrose Court to the Curran Street Intersection

DISCUSSION: Chris Roepke of 2228 Madison Avenue stated that he would like to see the STBG grant application for funds on the regular agenda instead of the consent agenda. He further stated that he felt the application should be discussed by Council the beginning of October instead of December when the grant is due. Mayor McCampbell stated that items can always be removed from the consent agenda for discussion at the close of the meeting. Council Member Rinker stated that grants allow the City to maintain infrastructures. Council Member Billups stated that he felt the grant funds for Madison Avenue made it a safer street. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

6. Resolution Accepting Iowa Clean Air Attainment Program Funds for Roosevelt Avenue

DISCUSSION: Chris Roepke of 2228 Madison Avenue stated that he did not see a need to spend funds for the timing of lights on Agency Street going west. He stated that he saw no reason to apply for grants especially when using TIF monies. He urged the Council to vote no on accepting the Iowa Clean Air Attainment Program Funds for Roosevelt Avenue as those funds could be used for curbs, sidewalks and approaches for disabled people in older neighborhoods. Council Member Billups stated that he would be voting yes as it will help prevent a bypass around Burlington. Council Member Rinker stated that he would be voting yes as it would improve traffic control. Council Member Graham-Murray stated that she would be voting yes as it would help less vehicle emissions. 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 Pheinse of 2117 Northern Drive questioned how many apartments Burlington needs for single people or families. He also stated that most people he knows cannot afford to live in a high-end apartment. He stated that the Mt. Pleasant Street Bridge project was going well. He stated that the Police Department, Fire Department and the

City employees were doing a fantastic job. He stated that the Cascade Bridge needed replaced. He wished the City Council a Merry Christmas and a Happy New Year. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:09 p.m.

Approved: January 7, 2019

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 Final Acceptance, Final Payment and Release of Retention Monies for the 2018 Central and Washington Bridge Repairs
2. Resolution Approving Purchase of Two New Multiquip 6 Inch Pumps from Star Equipment
3. Resolution Approving Maintenance and Operation of Public Infrastructure for Sunrise West Fourth Addition
4. Resolution Authorizing an Application for Surface Transportation Block Grant Funds for a Medium-Duty Bus

APPOINTMENT:

Riverfront Advisory Committee: David Weimer