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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 14
July 16, 2012

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

BURLINGTON CITY COUNCIL

CERTIFICATES OF RECOGNITION:

Sharon Stonehouse, Records Clerk II, 40 Years of Service
Theresa Norton, Records Clerk II, 30 Years of Service

PROCLAMATION OF RETIREMENT:

Detmer F. Kobza, Firefighter/Paramedic

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: McCampbell

Seconded By: Reed

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

DISCUSSION: Mayor Davidson reviewed the items listed on the consent agenda to the viewing audience. Council Member Reed announced those individuals appointed

to various City commissions and boards. 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 an Ordinance Amending Section 160.04 Unsafe Buildings of Chapter 160, Abandoned or Unsafe Buildings of the City of Burlington Municipal Code

COMMENTS: The Development and Parks Director reviewed with the Council and the viewing audience the proposed Ordinance Amending Section 160.04 Unsafe Buildings

of Chapter 160, Abandoned or Unsafe Buildings of the City of Burlington Municipal Code. He stated that under Chapter 160.04 Unsafe Buildings any building or structure that has been used in the making, manufacturing or cooking

of methamphetamine, the amount of residue present in the building or structure would need to be 0.5 micrograms per square foot prior to any occupancy or to the

issuance of a new certificate of occupancy. He stated that under the proposed Ordinance amendment it would be 0.1 micrograms per one hundred square centimeters or less prior to any occupancy or to the issuance of a new

certificate of occupancy. He stated that the change is primarily due to the testing results. He further stated that the proposed Ordinance also clarifies which rooms have to be tested. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: McCampbell
Motion to Close

Seconded By: Reed
CARRIED

Introduced By: McCampbell
Motion for Preliminary Adoption of an Ordinance Amending Section 160.04 Unsafe Buildings of Chapter 160, Abandoned or Unsafe Buildings of the City of Burlington Municipal Code

Seconded By: Fleming

DISCUSSION: None.

(VOTE: 5 - AYES)

CARRIED

2. Statement: Consideration of an Ordinance Amending Ordinance No. 2947 as Previously Amended, Amending the Provisions of the Urban Revitalization Plan for the City of Burlington, Iowa

COMMENTS: The Development and Parks Director reviewed with the City Council and the viewing audience the proposed Ordinance Amending Ordinance No. 2947 as Previously Amended, Amending the Provisions of the Urban Revitalization Plan for

the City of Burlington, Iowa. He stated that the proposed Ordinance eliminates the \$75,000.00 cap for residential properties and provides that all qualified real estate assessed as residential or commercial is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years and the amount of the partial exemption is equal to a percent of the actual value added by the improvements. He explained that the exemption amounts range from 80% for the first year to 20%

in the tenth year. He further stated that the application has also been amended. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming
Motion to Close

Seconded By: Reed

CARRIED

Introduced By: Fleming
Motion for Preliminary Adoption of an Ordinance Amending Ordinance No. 2947 as Previously Amended, Amending the Provisions of the Urban Revitalization Plan for the City of Burlington, Iowa

Seconded By: Reed

DISCUSSION: Mayor Davidson stated that the proposed Ordinance Amending Ordinance No. 2947 as Previously Amended, Amending the Provisions of the Urban Revitalization Plan for the City of Burlington, Iowa was a good plan. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

CARRIED

ORDINANCE:

Introduced By: Reed

Seconded By: McCampbell

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of

an Ordinance Rezoning the Property Locally Known as 3460 Augusta Road from M-2, Heavy Industrial Zoning District to M-1, Light Industrial Zoning District

DISCUSSION: The Development and Parks Director stated that there were no changes to the Ordinance Rezoning the Property Locally Known as 3460 Augusta Road from M-2, Heavy Industrial Zoning District to M-1, Light Industrial Zoning District from the first reading. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

CARRIED

Introduced By: Reed

Seconded By: Fleming

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Rezoning the Property Locally Known as 3460 Augusta Road from M-2, Heavy Industrial Zoning District to M-1, Light Industrial Zoning District

DISCUSSION: None.

(VOTE: 5 - AYES)

CARRIED

RESOLUTIONS:

Introduced By: Reed

Seconded By: Fleming

1. Resolution Approving the Final Plat of Forney - Mellinger Subdivision

DISCUSSION: The Development and Parks Director stated that Forney - Mellinger Subdivision was currently a 2-lot subdivision and is locally known as the Bookend Building in downtown Burlington. He stated that the proposed Resolution

would make the building a 3-lot Subdivision, which will aid in the sale and rehabilitation of the property. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Anderson

Seconded By: McCampbell

2. Resolution of Support and Financial Commitment for the Main Street Program in City of Burlington, Iowa

DISCUSSION: Steve Frevert, Executive Director of Downtown Partners, stated that the Main Street Iowa Program Agreement was an agreement that the City Council approves every two years to reconfirm their philosophical support for the Main Street Program. He stated that in regard to the financial support, the agreement does not obligate the City to any dollar figure. He further stated that the financial support will be a discussion item when the City does their budget. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES)

ADOPTED

Introduced By: Anderson

Seconded By: Reed

3. Resolution Approving Funding for the Dresser Rand Building Re-Development from the Local Option Sales Tax Economic Development Fund

DISCUSSION: The Finance Director/Treasurer stated that the City had acquired the Dresser-Rand building at 1106 Washington Street and received a \$1,000,000.00 PIAP loan from the Iowa Department of Economic Development. She stated that the City's monthly payment was approximately \$10,000.00. She stated that the interest rate was 2% and the loan would be paid off in 2018. She stated that the City Manager had requested that the City's remaining balance of the PIAP loan from the Iowa Department of Economic Development be forgiven. She stated

that after negotiations with the City Manager, the Iowa Economic Development Authority offered to accept \$447,642.35 or 80% of the City's remaining principal balance to settle the loan. She further stated that the savings was approximately \$111,000.00 in principal plus \$36,800.00 in interest savings. Council Member Anderson stated that she serves on the City's Economic Development Advisory Committee and the issue was recently discussed by the Committee. She stated that it will deplete their funds for a year, but the Committee felt it was in the best interest of the City to pay off the Dresser Rand building. Council Members Fleming and Reed agreed that it was a good move.

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

(VOTE: 5 - AYES)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 6:50 p.m.

Approved: August 6, 2012

Kathleen P. Salisbury, MMC
City Clerk

Jim Davidson
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 Approving Purchase of a Toro Groundsmaster 3280-D for Parks Department
3. Resolution Awarding Contract for the Design and Construction Observation of Phase III of the Flint River Trail
4. Resolution Approving an Agreement with Phelps the Uniform Specialist to Provide Uniform Rental and Service

APPOINTMENTS:

Historic Preservation Commission: Inez Metzger

Animal Hearing Board: Amiee Egan