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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 32
April 15, 2019

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

MAYOR'S AWARDS:

- * Former Mayor Jerry Rigdon
- * Former Mayor Jeff M. Heland
- * Former Mayor John K. Sandell
- * Former Mayor Timothy E. Scott
- * Former Mayor Mike Edwards
- * Former Mayor William L. Ell
- * Former Mayor Jim Davidson

PROCLAMATIONS:

- * A Day of Prayer - Karen Brownlee
- * Arbor Day - Patrick Moore

CITIZEN'S ACADEMY GRADUATION

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: 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 requested the removal of the following Resolution from the consent agenda for discussion at the close of the meeting: Resolution Approving the Engineering Services Agreement with Veenstra and Kimm for Green

Infrastructure Project in Locust Basin. 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 Application for Housing Sustainability Grant from the Iowa Economic Development Authority, Community Development Block Grant Program

COMMENTS: The Development and Parks Director stated that Susan Coffey of the Southeast Iowa Regional Planning Commission to present to the City Council and the viewing audience the details of the Housing Sustainability Grant application from the Iowa Economic Development Authority, Community Development Block Grant Program. Susan Coffey reviewed the following: Need For The Activities Was Identified: The housing sustainability project was identified by City of Burlington and Southeast Iowa Regional Planning Commission staff. It is also a goal of Burlington’s Comprehensive Plan to encourage owner occupied rehabilitation programs and opportunities for homeownership for low to moderate income families through grant opportunities; How the Proposed Activity will be funded and the sources of funds: The Community Development Block Grant (CDBG) Housing Fund through the Iowa Economic Development Authority, the City of Burlington, and Great River Housing Trust Fund; Date Application will be submitted: The application for the Burlington CDBG Housing Sustainability Grant will be submitted Friday, May 3, 2019; Requested Amount of Federal Funds (Housing Fund): The City of Burlington will request \$238,994 from the Iowa Economic Development Authority for a Housing Sustainability Grant; Federal Funds That Will Benefit Low-and Moderate-Income Persons: All households assisted through this program will qualify based on income guidelines not to exceed 80% of median income for Des Moines County.

% MFI	1 person	2 person	3 person	4 person	5 person	6 person	7 person	8 person
80%	\$38,000	\$43,400	\$48,850	\$54,250	\$58,600	\$62,950	\$67,300	\$71,650

Where the Activity will be conducted: The rehab activity will take part in Burlington’s targeted neighborhood, which is roughly bounded by 9th Street and 4th Street to Locust Street and Lewis Street; Minimize Displacement of Persons as a result of funded activities: Under the rehab process with the housing sustainability grant, households will not be permanently displaced. Some households may be asked to move temporarily while such things as plumbing, electrical or lead based paint issues need to be dealt with. Proper coordination between the contractor and homeowner can prevent displacement; Plans to Assist Persons Displaced: Any household that would have to temporarily relocated will be told to do so for their own safety. The temporarily displacement will be paid for out of the Housing Sustainability Grant and Nature of the Proposed Activity: The Housing Sustainability Grant will be used to stabilize homes in the targeted neighborhood. The rehab items that would be covered are things such as electrical, plumbing, heating and venting, lead mitigation, windows, roof, siding and foundation repair. The program does not cover things such as new construction, landscaping and appliances. Chris Roepke of

2228 Madison Avenue stated that he would actually like to see the City give a bigger match toward the grant for homeowners. 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 Seconded By: Billups
Resolution Approving an Application for Housing Sustainability Grant from the Iowa Economic Development Authority, Community Development Block Grant Program

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

ADOPTED

2. Statement: Consideration of Transit Grant Application

COMMENTS: The Assistant City Manager for Public Works stated that annually the City has a public hearing for Burlington Urban Service (BUS) to announce the intended receipts from the State and Federal funding for public transit. He stated that this year the anticipated amounts for State Transit Operating Assistance was \$257,536.00 and Federal Transit Operating Assistance was \$453,716.00 He stated that the Transportation Improvement Plan (TIP) reflects the purchase of four light duty buses in the event federal funding becomes available and a local match is found in the next fiscal year. The total projected costs of the four buses are anticipated to cost \$427,380.00 with 85% potential grant funding costing \$75,420.00 local match should all four buses have enough points to justify replacement. Council Member Billups asked how many people fit in a light-duty bus. The Assistant City Manager for Public Works stated that approximately 25-35 people can fit in a light-duty bus. 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: Graham-Murray

CARRIED

Introduced By: Rinker Seconded By: Graham-Murray
Resolution Approving Transit Grant Application

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

ADOPTED

3. Statement: Consideration of Plans and Specifications for the 2019 RecPlex Road Extension Project

COMMENTS: The Assistant City Manager for Public Works reviewed the plans and specifications for the 2019 RecPlex Road Extension with Council and the viewing audience. He stated that the Engineer's estimated cost (includes design and oversight) is \$1,414,750.00. He

stated that bids would be received by the State on May 7, 2019. Marlin McKee of 1121 South 12th Street questioned if the project would affect soccer games at the RecPlex. The City Manager stated that the project will be done in two phases and there would be access to the RecPlex during construction. Chris Roepeke of 2228 Madison Avenue urged the Council to vote no as the older parts of town need funds to upgrade their neighborhoods for roads and other infrastructure. 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
Resolution Approving Plans and Specifications for the 2019 RecPlex Road Extension Project

Seconded By: Graham-Murray

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

ADOPTED

4. Statement: Consideration of the Plans and Specifications for the 2019 Dankwardt Park Pool Project

COMMENTS: The Development and Parks Director reviewed the plans and specifications for the 2019 Dankwardt Park Pool Project. He stated that upgrades to Dankwardt Park Pool will consist of pool concrete deck work, including footings, sewer upgrades, and improvements to the Pool House to condition the space for year-round use of this facility associated with the installation of a bubble over the pool. He stated that the Engineer's estimate for the project was \$225,000.00 with bids being received on May 7, 2019. He stated that the project completion date will be no later than November 1, 2019. He stated that the project is funded by the Southeast Iowa Swim Club with the funds being guaranteed by a local bank to the City prior to approval of the contract. 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
Resolution Approving Plans and Specifications for the 2019 Dankwardt Park Pool Improvement Project

Seconded By: Graham-Murray

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

ADOPTED

5. Statement: Consideration of an Ordinance Amending Various Sections of Chapter 34 Human Rights Commission of the Burlington Municipal Code

COMMENTS: The Director of Administrative Services reviewed with Council and the viewing audience the proposed Ordinance Amending Various Sections of Chapter 34 Human Rights Commission of the Burlington Municipal Code. She stated that the changes to the proposed Ordinance reflect that the Human Rights Commission does not investigate and research, but refers complaints to the Civil Rights Commission along with changing the quorum from five members present to four members present. She further stated that the City Attorney had reviewed the proposed Ordinance and was okay with the changes. 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: Graham-Murray

CARRIED

Introduced By: Rinker
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Various Sections of Chapter 34 Human Rights Commission of the Burlington Municipal Code

Seconded By: Graham-Murray

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

CARRIED

RESOLUTIONS:

Introduced By: Rinker

Seconded By: Billups

1. Resolution Approving Permanent Closure of Cascade Bridge

DISCUSSION: The Assistant City Manager for Public Works read the letter from Calhoun-Burns and Associates, Inc. recommending that Cascade Bridge be permanently closed to pedestrian use due to structural deficiencies. He stated that a chain link fence and signage will go up if Council chooses to permanently close Cascade Bridge. Those who spoke against closing Cascade Bridge were as follows: Dean Phenise of Northen Drive, Steve Roland of 2838 South Main Street, Marda Smith of 2011 Orchard Street, Joann Ott of 2106 Osborn Street, Amanda Mansheim of 28 Cascade Terrace and Bob Christiansen of 14 Cascade Terrace. Many of those that spoke against closing Cascade Bridge urged Council to seek out state and federal funding and felt the street below should be closed if the bridge is too unsafe. Those who spoke in favor of closing Cascade Bridge due to safety issues were as follows: Robert Crister of 810 North 5th Street, Lisa Walsh representing the Mississippi River Parkway Commission, Chris Roepke of 2228 Madison Avenue, Monica Hudson of 714 Wightman Street and Norman Schaffer of Des Moines County. Marlin McKee of 1121 South 12th Street stated that he could hear his footsteps while walking on the concrete portion of Cascade Bridge. Mayor McCampbell stated that the closure of Cascade Bridge was needed to protect the citizens. He stated that he was all in favor of replacing Cascade Bridge, but it was not a top priority on his list. He stated that he would be voting in favor of the Resolution. Council Member Billups stated that he was all for closing Cascade Bridge. He stated that he did not want to be the Council that did not take precautions and someone got hurt, but he also would like to be the

Council that puts some plans in place where we do replace the bridge whether 2024 or look at other options. He stated that the next Work Session that Council will be discussing Cascade Bridge, but there will probably be many work sessions in the future where Cascade Bridge is discussed. Council Member Rinker stated that he walked across and below Cascade Bridge, he has read the reports and information from the City Attorney and he was going to support the closure due to safety issues. He stated that there needed to be a short term action in order to make sure it is safe for people on top of the bridge and below the bridge and to provide access to the park from the north side. Council Member Graham-Murray stated that she was a heavy user of Cascade Bridge, but the bridge needed to be closed for the safety of the public. She stated that she was impressed with the support of the people that spoke tonight and she hoped that Cascade Bridge can be moved up on the City's budget sooner than 2024. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Rinker

Seconded By: Graham-Murray

2. Resolution Approving Loan Agreement, Authorizing the Issuance of \$4,800,000 General Obligation Corporate Purpose Bonds, Series 2019A and Providing for the Levy of Taxes to Pay the Same

DISCUSSION: The City Manager stated that the proposed Resolution approves the loan agreement and authorizes the issuance of \$4,800,000.00 General Obligation Corporate Purpose Bonds, Series 2019A and provides for the levy of taxes to pay the same. He stated that the purpose of financing the planning for and construction of improvements to streets, the municipal airport runway, acquisition of traffic signalization, acquisition of a pumper truck for the Fire Department and demolition of the former Police Department. He stated that on April 1, 2019 the Council had approved a bond purchase agreement with Piper Jaffray and Company for the sale of the City's \$4,800,000.00 General Obligation Corporate Purpose Bonds. 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 City Council Chamber AV Update with Tri-City Electric Communications

DISCUSSION: The Director of Administrative Services stated that one of the City Council's goals was to have an assessment of the Council Chambers audio/video set up, which includes cameras, improve video output with Mediacom, sound and wi-fi. She stated that RFP (Request for Proposals) were received by three vendors. She stated that there would be 2-70 inch TV's located on the east wall of the City Hall Council Chambers. She stated that two rows of the City Council's pictures would need to be relocated. She suggested that the City Council's pictures could be placed in a stand-up type picture holder or they could be moved to a different wall of the City Council Chambers. Mayor McCampbell stated that he loved the history of the City Council Chambers and he would like to see them located on a wall not in a stand-up type picture

holder. 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

4. Resolution Approving the Advanced Construction Funds Associated with TIGER IX Funding

DISCUSSION: The Assistant City Manager for Public Works stated that the Resolution Approving the Advanced Construction Funds Associated with TIGER IX Funding was added to the agenda after the work session. He stated that the City had requested \$90,000.00 and the advanced construction authorized FHWA and the Iowa Department of Transportation was \$76,000.00 to begin the environmental review, start surveying and preliminary engineering. The City Manager stated that it states an 80 percent/20 percent match, but actually the project will be fully funded. 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

5. Resolution Approving Engineering Services Agreement with Veenstra and Kimm for Advanced Construction Funds Associated with TIGER Grant

DISCUSSION: The Assistant City Manager for Public Works stated that the City went through a RFP (Request for Proposals) for engineering services for advanced construction funds associated with the TIGER Grant. He stated that five firms were reviewed and the proposed Resolution approves engineering services agreement with Veenstra and Kimm in the amount of \$1,665,000.00. 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: Rinker

6. Resolution Approving the Engineering Services Agreement with Veenstra and Kimm for Green Infrastructure Project in Locust Basin

DISCUSSION: Chris Roepke of 2228 Madison Avenue stated that the City was tearing out a perfectly good parking lot at Grimes School for the Green Infrastructure Project in Locust Basin. He stated that he would like to see the City save the \$600,000.00. The City Manager stated that the majority of the funds were State funding and can only be used for that project. He stated that a project like this helps when the City speaks with the State about the City's combined sewer separation work. He stated that this was the type of project the State wants to see for clean water quality. 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: Chris Roepke of 2228 Madison Avenue stated that the City doesn't have to take grant money for projects as he would rather see those funds used to improve older neighborhoods. Dean Phenise of Northern Drive stated that the Council did a good job serving the citizens of Burlington and that the street department did an excellent job on the streets this past winter. He stated that Mt. Pleasant Street Bridge Project was moving along nicely. He further stated that he would like to see more empty buildings occupied verses taking more farm land to build new buildings. Mary Saxton stated that she was very impressed when she met the department heads at the Citizen Academy. Jamie Weinrich stated his concern that with school now getting out past 4:00 p.m., people are driving too fast through school zones. He stated that his children attend Sunnyside School and he has seen people drive 60 miles per hour on Sunnyside Avenue. He urged the City Council to change the signage to reflect the longer school hours. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:48 p.m.

Approved: May 6, 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 Liens for Nonpayment Pursuant to Chapters 99, 100 and 106 of the Burlington Municipal Code
2. Resolution Approving Historical Resource Development Program Grant Application for Depot Renovation
3. Resolution Adopting Guidelines for Small Cell Facilities

SET DATE FOR PUBLIC HEARING: MAY 6, 2019

1. Consideration of 2018-2019 Budget Amendment No. 1

APPOINTMENT:

Renewable Energy Committee: Crystal Pope