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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 16
August 20, 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 and Reed present. Council Member McCampbell was absent.

BURLINGTON CITY COUNCIL

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: Anderson Seconded By: Fleming
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. He requested the removal of the Resolution Establishing a

School Zone and a Reduced School Speed Limit Around Edward Stone Middle School from the Consent Agenda for discussion at the close of the meeting. Council Member Reed announced those individuals appointed to various City commissions and boards. David Wiemer stated that he would take his appointment to the Riverfront Committee very seriously and he would accept the challenge that comes

with it and he would do his best to promote recreational use of the riverfront.

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: Anderson Seconded By: Reed
1. Resolution Approving the Appointment of Chief of Police

DISCUSSION: The City Manager reviewed the process for hiring a new Chief of Police. He stated that he was recommending Major Beard for the position. Major Beard thanked the City Manager and City Council for their support and confidence in him. He further thanked his wife and two children for their support and role as a police family. He further thanked his extended family, the Burlington Police Department for their support and lastly he thanked the community. The City Clerk then swore in Major Beard as the new Chief of Police for the City of Burlington. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

Introduced By: Fleming Seconded By: Reed

Introduced By: Fleming

Seconded By: Reed

5. Resolution Approving Solid Waste Fee Effective October 1, 2012

DISCUSSION: The City Manager stated that the Solid Waste fund presently has a deficit of approximately \$220,000.00 and having a rate structure in place would provide \$200,000.00 to the good. He stated that the rate structure would also incorporate the purchase of replacement vehicles instead of purchasing vehicles with general obligation bond issue, which has been done the past several years.

He stated that the proposed Resolution provides for an increase for October 1, 2012. He stated that the plan would call for a significant rate increase next year followed by modest increases the following years. He further stated that part of the plan is evaluating overtime as to how cost competitive is the City's

service. He stated that the City needs to provide service in the best way possible. Council Member Reed stated that he would be voting against the increase as the City just had an increase effective July 1, 2012. He stated that he would like to bring back Fall Cleanup and the City needs to look at their tag program. He further stated that property owners are paying more with decreased services. Council Member Fleming stated that he did not like rate increases, but the Council needs to be able to make decisions that are not going

to be popular with many property owners. Council Member Anderson stated that many lower income property owners may not be able to purchase extra tags. The City Manager stated that the City could go to 90-gallon containers, but the reasoning behind the smaller container was to promote recycling. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 3 - AYES DAVIDSON, FLEMING AND ANDERSON)

1 - NAY REED)

ADOPTED

ORDINANCES:

Introduced By: Reed

Seconded By: Anderson

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Rezoning the Property Locally Known as 2814 Mt. Pleasant Street from M-2, Heavy Industrial to C-2, General Commercial Zoning District

DISCUSSION: The Development and Parks Director stated that there were no changes to the Ordinance Rezoning the Property Locally Known as 2814 Mt. Pleasant Street from M-2, Heavy Industrial to C-2, General Commercial 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: 4 - 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 2814 Mt. Pleasant Street from M-2, Heavy Industrial to C-2, General Commercial Zoning District

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

Introduced By: Reed

Seconded By: Fleming

3. Motion for Final Adoption of an Ordinance Amending Section 160.04 Unsafe

Buildings of Chapter 160, Abandoned or Unsafe Buildings of the City of Burlington Municipal Code

DISCUSSION: The Development and Parks Director stated that he has met with Ron Brozene after the second reading of the Ordinance and Ron Brozene was in agreement with the proposed Ordinance. Ron Brozene representing the Southeast Iowa Property Owners stated that they were behind the proposed Ordinance as written. He stated that the City of Iowa City does not have an Ordinance dealing

with meth homes. He further stated that Burlington should be commended for being proactive. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ)

CARRIED

RESOLUTION:

Introduced By: Anderson

Seconded By: Reed

1. Resolution Establishing a School Zone and a Reduced School Speed Limit A round

Edward Stone Middle School

DISCUSSION: The Police Chief stated that traffic flow did not go well this morning at Edward Stone Middle School. He stated that traffic flow did go better in the afternoon as school dismissed at 1:00 p.m. and there was less traffic on Mason Road. He stated the following problems: vehicles turning left into Edward Stone Middle School from Mason Road had problems due to the left turn lane being too short to hold very many vehicles, which then stops east bound traffic, which caused traffic to be backed up to Lawrence Drive; the west bound traffic turning right into Edward Stone Middle School was backed up to Hagemann Avenue; and school buses trying to turn right and leave the school had a difficult time as the turning radius is too short that the bus has to go over the curb and sidewalk to avoid vehicles turning into the school. He stated that

this afternoon the Police Department blocked the right turn lane, which forced them to be in the left turn lane and forced them to turn right, and even then the buses went over the curb to turn onto Mason Road. The Interim Public Works Director stated that he spent time on site at Edward Stone Middle School and there were some challenges such as there are only two main access points to the school: on Mason Road and on West Avenue. He suggested the Council could approve the proposed Resolution Establishing a School Zone and a Reduced School Speed Limit around Edward Stone Middle School and make any additional changes at

a later date. The Police Chief stated that police patrol would be at Edward Stone Middle School until the speed signs are in place. Both the Police Chief and the Interim Public Works Director stated that signing, signaling, or infrastructure changes would need to be made to accommodate traffic. The City Manager stated that the City could not apply for the Safe Routes to School Grant

(SRTS) for sidewalks until after the school was built. He stated that the deadline was October 1, 2012 and it may actually be harder to obtain funding this year from SRTS or there may not even be funding available this year from SRTS. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ)

ADOPTED

COMMENTS FROM AUDIENCE: None.

Adjournment: 7:14 p.m.
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Approved: September 4, 2

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 Agreement with Southeast Iowa Regional Planning Commission (SEIRPC) for Evaluation of Transit Service Delivery Options
3. Resolution Authorizing the Filing of Applications for the 2012 and 2013 Certified Local Government (CLG) Grant Rounds for Hosting the 2013 Preserve Iowa

Summit in Burlington, Iowa

SET DATE FOR PUBLIC HEARING: SEPTEMBER 4, 2012

1. Consideration of Sale of Property Locally Known as 547 South Central Avenue, City of Burlington, Des Moines County, Iowa

APPOINTMENTS:

Low Rent Housing Board: Kelli Johnson

Riverfront Advisory Committee: David Wiemer