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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 22
November 19, 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

PROCLAMATION OF RETIREMENT:

Kathleen â Kathyâ R. Houlton, Police Officer

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: Reed

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

(VOTE: 4 - â AYESâ)

CARRIED

HEARINGS:

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

COMMENTS: The Parks and Development Director stated that he met with the representatives from the Southeast Iowa Property Owners Association and came up with a new Housing Code Ordinance. He reviewed the proposed Ordinance with the Council and the viewing audience. Ron Brozene representing the Southeast Iowa Property Owners Association reviewed with the Council a few unresolved issues: property manager at inspection; window size and sill height; ceiling height; smoke alarms; electric service and pest treatment. Larry Caston, Code Inspector, stated that the National Electrical Code requires a 100-amp service. He stated that a 60-amp

service was not enough service for a home. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Reed

Seconded By: Fleming

Motion to Close

CARRIED

Introduced By: Reed

Seconded By: Fleming

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending

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

DISCUSSION: Council Member Anderson stated that she hoped the Parks and Development Director would continue to work with the Southeast Iowa Property Owners Association on the proposed Ordinance. Council Member Reed stated that he would vote in favor of the Ordinance to keep it going, but he was not totally

in favor of the proposed Ordinance. Mayor Davidson agreed with Council Member Reed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

CARRIED

2. Statement: Consideration of an Ordinance Amending Section 36.01 Membership of Chapter 36 Economic Development Advisory Board of the City of Burlington Municipal Code

COMMENTS: Mayor Davidson stated that the proposed Ordinance amends the Economic Development Advisory Board from five members to six members with the Finance Director serving as an ex officio member. The City Manager explained that the Finance Director would not be a voting member. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Reed

Seconded By: Fleming

Motion to Close

CARRIED

Introduced By: Reed

Seconded By: Fleming

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending

Section 36.01 Membership of Chapter 36 Economic Development Advisory Board of the City of Burlington Municipal Code

DISCUSSION: Council Member Anderson stated that the proposed Ordinance amendment to the Economic Development Advisory Board was a good idea. Mayor Davidson agreed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

CARRIED

3. Statement: Consideration of Sale of Property Locally Known as 307 Summer Street, City of Burlington, Des Moines County, Iowa

COMMENTS: Mayor Davidson led an auction for the Sale of Property Locally Known as 307 Summer Street, City of Burlington, Des Moines County, Iowa. Sergio Quinones of 315 South Central Avenue was the high bidder at \$13,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Reed
Motion to Close

Seconded By: Fleming
CARRIED

Introduced By: Reed
Motion to Amend Exhibit â Câ of the Resolution Approving the Sale of Property Locally Known as 307 Summer Street, City of Burlington, Des Moines County, Iowa that the Property be Sold to Sergio Quinones in the amount of \$13,000.00

Seconded By: Fleming

DISCUSSION: None.
(VOTE: 4 - â AYESâ)
CARRIED

Introduced By: Reed
Resolution Approving Sale of Property Locally Known as 307 Summer Street, City of Burlington, Des Moines County, Iowa

Seconded By: Fleming

DISCUSSION: None.
(VOTE: 4 - â AYESâ)
ADOPTED

4. Statement: Consideration of a Resolution Approving and Adopting the Burlington 2032 Comprehensive Plan

COMMENTS: Chris Janson, Community Development Specialist with MSA Professional Services, Inc. reviewed the 2032 Comprehensive Plan with the Council and viewing

audience as follows: why update; plan document outline; project schedule; elements of public interaction; Burlington Comp Plan.com; wrapping up; executive

summary; future land use categories and map; plan implementation and an action plan continued and housing action plans. He stated that the plan could be amended at anytime. The Parks and Development Director announced the names of those who served on the Comprehensive Plan Committee. Council Member Reed thanked Chris Janson for all of his hard work. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Reed
Motion to Close

Seconded By: Fleming
CARRIED

Introduced By: Fleming

Seconded By: Reed

Resolution Approving and Adopting the Burlington 2032 Comprehensive Plan

DISCUSSION: Mayor Davidson stated that it was critical to keep the Comprehensive Plan alive by constantly evaluating it and sticking to it. Council Member Anderson stated that Burlington would be a more progressive City with the plan. All present had opportunity to speak and nothing additional was field in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

RESOLUTIONS:

Introduced By: Fleming

Seconded By: Reed

1. Resolution Approving Preliminary Plat of the Masters Subdivision

DISCUSSION: The Parks and Development Director reviewed with Council and the viewing audience the preliminary plat of the Masters Subdivision. He stated that the City Planning Commission recommended approval of the preliminary plat.

Larry Rheinschmidt of 3109 Crystal Drive was concerned with the 10-ft. offset on property compared to 25-ft. offset; provided a map where his brother plans on

building his driveway to his property on Florence Avenue in case it would affect

future utilities; awareness to the City that there was a storm drain that has open pipe (nothing to do with development); asked about total volume of the water retention is now compared to what it was pre-development. The Parks and Development Director stated that he did not know the exact numbers, but it still

meets the Code requirements. Steve Haase of 3101 Crystal Drive had the following questions: why the plat did not note 14-feet between dwellings; why the developer was not finishing the street to the end of Florence Avenue and why

the developer was allowed to start development prior to approval of the preliminary plat. The Parks and Development Director stated the dwellings had nothing to do with the plat as each dwelling would go through a site plan process and would need a building permit. He stated that there were discussions

through the PUD process and it was decided that a public street would go into the development with a turn around, since Florence Avenue to the east serves no other purpose at this time. He further stated that starting the development prior to preliminary plat approval was at the developer's risk. All present had

ad opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

Introduced By: Anderson

Seconded By: Reed

2. Resolution to Establish New Rental Fees and Charge Schedules for Memorial Auditorium and the Port of Burlington Effective January 1, 2013 with Annual

Adjustments Through January 2017

DISCUSSION: The Public Works Director reviewed with Council and the viewing audience the proposed rental fees and charge schedules for Memorial Auditorium and the Port of Burlington that will be effective on January 1, 2013 with annual

adjustments through January 2017. Council Member Fleming asked if the rental fees were comparable with other facilities. The Public Works Director stated that the rates were comparable with other facilities within a 100-mile radius 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: Anderson

Seconded By: Fleming

3. Resolution Approving City of Burlington, Iowa Goal Setting Report, Dated October 11, 2012

DISCUSSION: The City Manager reviewed with Council and the viewing audience the ongoing commitments. Three new priorities over the next 2-years were as follows: new Police Department facility, review current and alternative Ordinances, codes, policies and programs regarding code enforcement, property maintenance, housing, nuisances, garbage/trash in right-of-way, etc. and also to

conduct a study to determine the feasibility/impact of privatizing City services

(ambulance, solid waste, other) and organizational effectiveness. He stated that the next step was developing an action plan for the goals that have been set by the Council and to review those goals on a regular basis. Leon Shahan of 1821 Mt. Pleasant Street stated that the Council needed to evaluate what the City was receiving for money invested in economic development. He urged the Council to look at repairing/replacing the Mt. Pleasant Street viaduct before they replace Cascade Bridge. He further felt that the Hotel/Motel tax money should be used to fix streets instead of using it for the Convention and Tourism

Bureau. The City Manager stated that the City Engineer has been working on a Mt. Pleasant Street Bridge presentation for the City Council. He stated that the City was monitoring the bridge. He further stated that the City Council will be looking at a 5-year budget. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

ADOPTED

Introduced By: Anderson

Seconded By: Fleming

4. Resolution Supporting the Brownfield/Grayfield Redevelopment Tax Credit Application by Franz-Hobart, LLC

DISCUSSION: The City Manager stated that Franz-Hobart was applying for Redevelopment Tax Credits for the redevelopment of downtown properties. He stated that Franz-Hobart was eligible for this tax credit. He stated that there

was evidence of contamination in the buildings that Franz-Hobart was planning to

rehabilitate and redevelop. He explained to Council that Franz-Hobart's application would score better with the City's sponsorship of their application.

He stated that there was no financial commitment by the City or liability by the City. Council Member Anderson stated that she had read through the application and she agreed there was no liability by the City. 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: None.

Adjournment: 7:57 p.m.
er 3, 2012

Approved: Decemb

Kathleen P. Salisbury, MMC
dson
City Clerk

Jim Davi
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 Awarding the Bid for Complete Installation of an Engine Drive
n
Generator at Fire Station Number One 418 Valley Street

2. Resolution Establishing a No Parking Zone on the East Side of Willow Str
eet
Extending from Sequoia to the North Approximately 550 Feet