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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 42  
September 16, 2013

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:

Leonard â Ikeâ Blythe, Auto Mechanic II, Public Works Department, Vehicle Mtn ce.  
Division

PROCLAMATION:

Fire Prevention Week - Mark Crooks

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. Leon Shahan of 1821 Mt. Pleasant Street requested the removal of the following Resolution: Resolution Approving a 28E Agreement Between the City of Burlington, Iowa and Des Moines County for Prosecution of Municipal Offenses from the Consent Agenda for discussion at the close of the meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ )

CARRIED

HEARING:

1. Statement: Consideration of Sale of Property Locally Known as 721 Vine Street, City of Burlington, Des Moines County, Iowa

COMMENTS: The Development and Parks Director stated that the City had acquired the property at 721 Vine Street through the abandoned property program. He stated that a licensed electrician and plumber would be required to inspect and sign off that items in the property meet or are brought up to adopted codes. He

stated that the property would be transferred by quit claim deed to the purchaser upon substantial completion of the home repairs. Mayor Davidson led an auction for the Sale of Property Locally Known as 721 Vine Street, City of Burlington, Des Moines County, Iowa. Charles Hester of 419 South Starr Avenue was the high bidder at \$2,300.00. 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

Seconded By: Fleming

Motion to Amend Exhibit A C of the Resolution Approving the Sale of Property

Locally Known as 721 Vine Street, City of Burlington, Des Moines County, Iowa  
that the Property be Sold to Charles Hester in the amount of \$2,300.00

DISCUSSION: None.

(VOTE: 4 - AYES )

CARRIED

Introduced By: Reed

Seconded By: Anderson

Resolution Approving Sale of Property Locally Known as 721 Vine Street, City of  
Burlington, Des Moines County, Iowa

DISCUSSION: None.

(VOTE: 4 - AYES )

ADOPTED

ORDINANCE:

Introduced By: Anderson

Seconded By: Fleming

1. Motion for Final Adoption of an Ordinance Amending Various Sections of Title  
17, Development Program (Zoning Code) of the Burlington Municipal Code

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

to the Ordinance Amending Various Sections of Title 17, Development Program  
(Zoning Code) of the Burlington Municipal Code from the second reading. Council

Member Reed thanked those that stepped forward requesting an amendment to the  
proposed Ordinance. 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: Reed

Seconded By: Anderson

1. Resolution Approving Agreement with Venuworks of Burlington LLC for Contract  
Management of Auditorium and Port Facilities Continued from the September 3,  
2013 City Council Meeting

DISCUSSION: Mayor Davidson stated that the proposed Resolution Approving  
Agreement with Venuworks of Burlington LLC for Contract Management of Auditorium

and Port Facilities was continued from the September 16, 2013 City Council  
meeting. The Public Works Director stated that it has been decided to have  
Venuworks have the liquor license for Memorial Auditorium and Burlington  
Steamboat Days would have the liquor license for the Port of Burlington. He  
stated that any events in the parking lot would need to be licensed. The City  
Manager stated that the agreement with Venuworks that is in the Council packet  
may be changing per the City's attorney. He stated that Steamboat Days will b  
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reviewing the agreement at their board meeting on September 26, 2013 and they  
would prefer to keep the liquor license at the Port of Burlington. The Public  
Works Director stated that the agreement with Venuworks will commence  
approximately November 1, 2013. He suggested the Council hold a special meeting



\$2,600.00 monthly fee that the City presently spends. He stated that the Des Moines County Attorney office agreed to provide the service for \$2,500.00 (\$30,000.00 yearly), which would be a savings of \$18,000.00. The agreement would take effect October 15, 2013. He stated that Attorney Brent Ruther had handled the prosecution of City offenses and he did a fantastic job. He stated that it was strictly a financial decision on the City's part. Leon Shahan of 1821 Mt. Pleasant Street asked the Police Chief what offenses the Des Moines County Attorney's office would be prosecuting. The Police Chief stated that it would be strictly City offense (traffic offenses or simple misdemeanor criminal offenses). 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: Brandon Kipp of 1117 Aspen Drive urged the Council when making budget cuts to not cut library funding as he felt the library was an important educational tool to the residents. Joyce Wauters of 2501 Charette Lane stated her concern with cutting fire and police services. She urged the Council to let the public know how much a tax increase would cost a homeowner on

a typical home in Burlington. Mary Krohlow of 2524 South Main Street stated that she was very proud of the library, police and fire services. She urged Council to not cut those services. Jerry Parks of 2729 South Main Street stated

that he felt most people in Burlington would be in favor of a moderate tax increase. Leon Shahan of 1821 Mt. Pleasant Street stated that his property taxes went up 7%. He stated that he does not work and that his wife's wages did

not go up 7%. He urged the Council to not spend money on economic development.

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

Adjournment: 7:25 p.m.

Approved: October 7, 2013

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 Refund of Liquor License for Walker Amusements, Inc. dba/Whiteys Bar and Billiards
2. Resolution Approving Fiscal Year 2012-2013 Street Finance Report, Road Use Tax
3. Resolution Establishing a Single Handicap Parking Stall Adjacent to 1304 North 6th Street

SET DATE FOR PUBLIC HEARINGS: OCTOBER 7, 2013

1. Consideration of a Permanent Encroachment Agreement between the City of Burlington and Karel Van Haefen and Terry Arellano for Encroachment into North 3rd Street Right-of-Way Along the East Side of 300 Jefferson Street, Burlington,

Iowa

2. Consideration of an Ordinance Amendment to Ordinance No. 3348, Westbrook Meadows PUD, by Amending Section 4. Land Use and Section 5. Platting