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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 1  
January 6, 2014

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

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 McCampbell reviewed the items listed on the consent agenda to the viewing audience. Council Member Anderson announced those individuals appointed to various City commissions and boards. Margaret Hanson of 1629 Dill Street requested the removal of the Resolution Establishing No Parking Zones in the 1600 and 1700 Blocks of Dill Street 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: 5 - AYES)

CARRIED

HEARINGS:

1. Statement: Consideration of Grant Application to the Community Development Block Grant Program in Order to Construct a New Building on Jefferson Street in Burlington to House the Hopefully Yours Thrift Store

COMMENTS: The Development and Parks Director stated that there was a need for the behavioral health services for persons with intellectual disabilities in Burlington and Des Moines County that are provided by Hope Haven Area Development Center Corp. The community of Burlington recognizes the need for Hope Haven Area Development Center Corporation, a 501 (c)3 not-for-profit organization, to purchase the lot at 617 Jefferson Street, in order to build a new Hopefully Yours thrift store and expand the services it provides in the areas of vocational rehabilitation, community housing and support services to Des Moines, Henry, Lee and Louisa County. He stated that the proposed activity will be funded with the Community Development Block Grant (CDBG) Program through

the Iowa Department of Economic Development. Hope Haven Area Development Corporation will provide the remainder of the funds necessary in order to finance the project. He stated that the CDBG application is due January 15, 2014. The amount requested in federal funds by the City of Burlington is \$800,000.00 from the Iowa Department of Economic Development Community Development Block Grant (CDBG) Program. He stated that 51% of the grant funds will benefit the low and moderate-income persons in the area where the project

is located. This was determined because the facility has a limited clientele with a presumed 50% LMI. He stated that the project will take place at 617 Jefferson Street. During construction of the project, there will be no residents that will have to be displaced. He stated that the City of Burlington

has adopted or will adopt a Residential Anti-Displacement and Relocation Assistance agreement and will update to meet HUD guidelines. He further stated that the Hope Haven Area Development Corporation will construct a building in Burlington in order to provide behavioral health services to persons with intellectual disabilities in order to expand the services already available to the population. Tracey Lamm of SEI Regional Planning Commission stated that she

was assisting Hope Haven in putting together the grant application and could answer any questions about the grant. She stated that Julie Anderson from Hope Haven could answer any questions that Council may have about the project. Council Member Anderson asked about the cost of the project. Julie Anderson of Hope Haven stated that the project would cost \$1,600,000.00 and would be funded through the grant and private donations. Mayor McCampbell asked how much money Hope Haven has raised thus far for the project. Julie Anderson of Hope Haven stated that Hope Haven has raised \$200,000.00 for the project in private funds. Council Member Scott asked how many square feet the building will be. Julie Anderson of Hope Haven stated that the building will be approximately 12,000 square feet. She presented the Council with a drawing of the proposed building.

Tracey Lamm of SEI Regional Planning Commission stated that the grant process was very competitive and this will be the second time that Hope Haven has applied for the grant. Mayor McCampbell reminded the viewing audience that the \$800,000.00 was grant money and there was no City match. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Anderson  
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Anderson  
Resolution Authorizing Execution of a Grant Application to the Iowa Economic Development Authority in Connection with a Community Facilities Community Development Bock Grant for Hope Haven

Seconded By: McCampbell

DISCUSSION: None.

(VOTE: 5 - â AYESâ )

ADOPTED

2. Statement: Consideration of an Ordinance Amending Various Sections of Chapter 151, Trees of the City of Burlington Municipal Code

COMMENTS: The Development and Parks Director reviewed with Council and the viewing audience the proposed Ordinance Amending Various Sections of Chapter 151, Trees of the City of Burlington Municipal Code. He stated that the proposed changes include a permitting process for treatment of any tree for Emerald Ash Borer and how those trees can be treated. Council Member Scott asked if the Tree Standards, would it apply to Alliant Energy. He also asked if

ash trees could be used for firewood. The Development and Parks Director stated

that ash trees could be used for firewood and mulch, but could not be transported out of the quarantined area. He stated that the University of Iowa has a plant to take the materials to, but eventually that site will fill up due to the volume of material being sent there from other Cities. He further stated

that there would be a public input open house at the Burlington Public Library on Thursday, March 6, 2014 from 4:00 p.m. to 7:00 p.m. with information about the Emerald Ash Borer. 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: Scott

CARRIED

Introduced By: Fleming  
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Various Sections of Chapter 151, Trees of the City of Burlington Municipal Code

Seconded By: Scott

DISCUSSION: None.

(VOTE: 5 - AYES )

CARRIED

#### RESOLUTIONS:

Introduced By: Fleming

Seconded By: Anderson

1. Resolution Reappointing City Officers of the City of Burlington

DISCUSSION: Mayor McCampbell stated that the proposed Resolution reappoints City Officers (City Clerk and the City Treasurer) for a 2-year period per State Code.

The City Manager stated that the positions of City Clerk and City Treasurer were reappointments by State Code. He stated that Annette Crowner's position of

City Treasurer is separate from the Director of Administrative Services, which is a good segregation of duties. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES )

ADOPTED

Introduced By: Fleming

Seconded By: Anderson

2. Resolution Amending Auctioneer License Fees

DISCUSSION: The City Manager stated that it has been approximately four years since many of the fees had been raised. He stated that the proposed fees were not significant jumps. Council Member Shockley stated that the increase was approximately 1% a year and she felt the fees were not being raised high enough.

She stated that she felt the fees were low and could be raised even higher. She further stated that the fees should be reviewed annually. Mayor McCampbell asked

why the fees were not raised last year. The City Manager stated that the fees were looked at last year. The City Clerk stated that only the solicitor fees were raised last year. Council Member Scott stated that he understood charging a fee for a dumpster that is taking up a parking spot, but he felt the Council should earnestly look at the fees and see if they are justified and at the right

price. He stated that business people were getting hit hard by fees. He further felt that each fee needs to be justified. He stated that if there were no cost to the City, then the business should not be charged a fee. Mayor McCampbell agreed that the Council needs to look at the costs. The City Manager

stated that there were personnel costs in processing applications. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES Shockley, Anderson, Fleming and McCampbell

1 - â NAYâ Scott)

ADOPTED

Introduced By: Scott

Seconded By: Fleming

3. Resolution Amending Closing Out Sales License Fees

DISCUSSION: The City Clerk stated that when a business goes out of business they obtain a closing out sale license and a surety bond. The Police Chief stated that his department provides traffic control for closing out sales. Council Member McCampbell asked how long has the City had closing out sale license fees.

The City Clerk stated that the City has had closing out sales licenses since the 1950s- 1960s. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ Shockley, Anderson, Fleming and McCampbell

1 - â NAYâ Scott)

ADOPTED

Introduced By: Scott

Seconded By: Shockley

4. Resolution Approving New Fees for Leases for Fetter and Otter Island

DISCUSSION: The City Manager stated that the City owns both Fetter and Otter Island and leases lots on those islands. He stated that the amount the City charges was very low compared to the private market. The Police Chief stated that lots along the river range from \$800.00 to \$1,4000.00 with electric hookup and being able to drive to those lots. Those lots without an electric hookup are \$600.00 plus. Council Member Shockley stated that the leases were seriously

under market price. The Police Chief stated that the Police Department has a boat and that they do provide emergency services at the islands. Council Member

Anderson asked how many cabins and how much of an increase for the lease of the island. The City Clerk stated that there were approximately 42-45 leases and the yearly lease fee was \$220.00 for Des Moines County residents and would now be \$250.00 with non Des Moines County residents previously paying \$550.00 and would now pay \$600.00 a year. Council Member Scott stated that the cabins on the islands were primitive and the people leasing only get to use the island for

approximately six months a year due to the island being underwater part of the year. He stated that the lease should be fair market value at some point. He stated that he has heard that there are people from large cities that would be interested in leasing a lot for a weekend home. He further stated that the lease was for leasing the property not for logging as published by The Hawk Eye newspaper. Mayor McCampbell stated that he would like to continue to increase the leases so that the City was not losing money. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ )

ADOPTED

Introduced By: Scott

Seconded By: Fleming

5. Resolution Amending Pawn Shop License Fee

DISCUSSION: Mayor McCampbell stated that the pawn shop license fee was approximately a 5% increase. He stated that he did not have a problem with the small increase. All present had opportunity to speak and nothing additional was

filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ )

ADOPTED

Introduced By: Scott

Seconded By: Anderson

6. Resolution Amending Dumpster and Other Equipment Permit Fees



DISCUSSION: Mayor McCampbell stated that the proposed tree trimmer license fee went up by just a small amount. He stated that the small increase takes the burden off of the taxpayers. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ )

ADOPTED

Introduced By: Shockley                      Seconded By: Fleming

11. Resolution Approving Special Event Fees

DISCUSSION: The Development and Parks Director stated that the Special Event Fees was for Special Events, picnic tables and site reservation fees. He explained that the application fee was a new fee, and some of the fees have been

adjusted to better enable proper scheduling of events and collection of fees. He stated that there used to be just a couple of 5K runs a year and now there are approximately 30 5K runs a year. He stated that there is a large amount of staff time spent on special events. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - â AYESâ    Shockley, Anderson, Fleming and McCampbell

1 - â ABSTAINEDâ    Scott)

ADOPTED

Introduced By: Shockley                      Seconded By: Fleming

12. Resolution Authorizing the Submittal of a FY2014 Environmental Protection Agency Brownfields Hazardous and Petroleum Assessment Grant Application on Behalf of City of Burlington, Iowa

DISCUSSION: Mayor McCampbell asked how many brownfield sites were located in Burlington. The Development and Parks Director stated that there were old gas station sites, any abandoned properties or asbestos sites. The City Manager stated that brownfields also include not just a site with an actual issue but also a site with a perceived notion that there may be a facility that may have an issue, such as asbestos. He stated that one of the goals of going through the assessment process would be for a clean bill of health for a property. He stated that there were two separate grants of \$200,000.00. He stated that the one \$200,000.00 grant one was for petroleum assessment and the other \$200,000.00

was for non-petroleum hazardous waste assessment. He stated that the old high school would be a good site for an assessment along with the Depot. He stated that Impact 17 is writing the grant application for the City. He stated that if

the City would receive the grant then the City will go through an RFQ process for the firm that would do the assessment for the City. He stated that the EPA would like those places that do assessments to also apply for cleanup grants for

those sites that need cleanup. All present had opportunity to speak and nothing

additional was filed in the office of the City Clerk.

(VOTE: 5 - â AYESâ )

ADOPTED

Introduced By: Anderson                      Seconded By: Scott

13. Resolution Establishing No Parking Zones in the 1600 and 1700 Blocks of Dill Street

DISCUSSION: The Public Works Director stated that a property owner in the Dill Street area contacted Public Works about establishing a no parking zone in the 1600 and 1700 blocks of Dill Street. He stated that the street is 28 feet wide and most streets with parking on both sides of the street are 31 ft. wide. He

stated that the proposed Resolution would provide for no parking on the south side of the 1700 block of Dill Street, from Perkins Avenue to a point 280 feet west. The restriction for the 1700 block of Dill Street will be Monday through Friday 8:00 a.m. until 5:00 p.m. and the 1600 block of Dill Street would be no parking on the south side in its entirety. He explained that the 1600 block of Dill Street, the no parking zone will be in effect all times of the day. Margaret Hanson of 1629 Dill Street stated that she was the property owner that brought the issue up to the Public Works Department. She stated that she wanted

to be pro-active rather than reactive. She stated that there were three businesses located in the Apple Trees Museum and with parking on both sides of the street makes it impossible for two cars to pass. She stated her concern for

a fire truck trying to get to a fire on Dill Street. Mayor McCampbell thanked Margaret Hanson for being pro-active. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES )

ADOPTED

#### DISCUSSION ITEM:

##### 1. Committee/Board Appointments

DISCUSSION: The City Council discussed and made decisions regarding City Council appointments to various organizations. Those appointments will be officially approved by the City Council at the January 20, 2013 City Council meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

COMMENTS FROM AUDIENCE: Reverend Sparks of 302 South Garfield Avenue stated his concern that American Water Resources was using the City's letterhead promoting

water line protection. He stated that American Water Resources were using arm twisting tactics. He also stated his concern that the Chamber of Commerce should be doing a better job at getting decent paying jobs in Burlington. Freddie Starling of 517 South 7th Street congratulated the newly elected City Council and invited the Council to the Dr. King celebration on Monday, January 20, 2014 at 6:00 p.m. at Memorial Auditorium. He stated that he was very encouraged last year to see the City Manager attend the event prior to the 6:30 p.m. City Council meeting. Reverend David Selmon of 226 South 10th Street stated that he was taking classes at SCC for a chemical counseling degree. He stated that there were not very many jobs in Burlington outside of ADDS for chemical counseling. He urged the City to rehabilitate a building that could be

used for chemical counseling. Mayor McCampbell explained that a lot of the problem is the lack of funding. He stated that the tone for 2014 is the year that the medicine doesn't always taste good or feel good at the time but ultimately it will make Burlington a better place. He stated that the budget is

tight and there were no funds to address issues such as rehabilitating a building for chemical counseling. Council Member Scott assured Reverend Sparks that he would be scrutinizing action with the Chamber of Commerce and actions taken by the business community. He stated that the City has an agreement with American Water Resources and they are allowed to use the City's logo. He felt

that American Water Resources was a little heavy handed with their wording. He stated that the issue of American Water Resources needs to be a future work session discussion item. He further stated that he was not particular fond of the company. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 8:12 p.m.

Approved: January 20, 2014

Kathleen P. Salisbury, MMC  
City Clerk

Shane 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

REPORTS AND BONDS

APPOINTMENTS:

Renewable Energy Commission: David Hay

Flint Hills Golf Course Advisory Committee: Robert Washington