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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 37  
July 1, 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, Rinker and Wilson present.

BURLINGTON CITY COUNCIL

TURF INDOOR SPORTS FACILITIES AWARD FROM THE GREATER BURLINGTON  
AREA SPORTS FACILITIES IMAGINE

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: Billups                      Seconded By: Wilson

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 Wilson announced those individuals appointed to various City commissions and boards. Council Member Billups requested the removal of the Resolution Approving the Expenditures of Flood Related Projects 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: 5 - "AYES")

CARRIED

HEARINGS:

1. Statement: Consideration of Plans and Specifications for the 2019 Dankwardt Park Pool Improvement 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 and electrical 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 \$416,000.00 with bids being received on July 23, 2019 at 2:00 p.m. He stated that the project is funded by the Southeast Iowa Swim Club. He further stated that the pool heater is running but it would need to be replaced with year round swimming. He stated that the expense for a new pool heater was \$30,000.00. The City Manager stated that there was also an HVAC issue at Flint Hills Golf Course for \$4,700.00 and the Police Department also has HVAC issues in the amount of \$30,000.00. Council Member Murray asked if the pool would be open to the general public in the winter months. The Development and Parks Director stated that there has been discussion about staffing and availability. Council Member Rinker asked if the deck of the swim pool would be larger. The Development and Parks Director stated that the deck of the swim pool would be slightly larger. 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: Wilson

DISCUSSION: None.  
(VOTE: 5 - "AYES")

ADOPTED

2. Statement: Consideration of an Encroachment Agreement with Y and J Properties, LLC for Encroachment into City Right-of-Way Adjacent to 425 Valley Street, Burlington, Iowa

COMMENTS: The Development and Parks Director reviewed the proposed encroachment agreement with Y and J Properties, LLC for Encroachment into City Right-of-Way Adjacent to 425 Valley Street. He stated that the encroachment would consist of a stair access to the east side of the building located within the alley right-of-way, sidewalk railings on the west side of the building within North 5<sup>th</sup> Street right-of-way, and signage on the north and west side of the building. 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: Wilson

CARRIED

Introduced By: Rinker  
Resolution Approving a Permanent Encroachment Agreement with Y and J Properties, LLC for Encroachment into City Right-of-Way Adjacent to 425 Valley Street, Burlington, Iowa

Seconded By: Billups

DISCUSSION: None.  
(VOTE: 5 - "AYES")

ADOPTED

- 3. Statement: Consideration of Plans and Specifications for the 2018 Front Street Hawkeye Arch Sewer Repair Project

COMMENTS: The Assistant City Manager for Public Works reviewed the plans and specifications for the 2018 Front Street Hawkeye Arch Sewer Repair Project with Council and the viewing audience. He stated that the project was originally bid last July/August and the contract was terminated due to the stop-log of the project. He stated that instead of stop-log the project will be using sheet-pile wall. Council Member Rinker asked what was the Engineer's estimated cost of the project. The Assistant City Manager for Public Works stated that he did not have the estimated cost but the previous cost a year ago was approximately \$250,000.00. 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  
Resolution Approving Plans and Specifications for the 2018 Front Street Hawkeye Arch Sewer Repair Project

Seconded By: Wilson

DISCUSSION: None.  
(VOTE: 5 - "AYES")

ADOPTED

RESOLUTIONS:

- Introduced By: Wilson  
1. Resolution Approving the Final Plat of Border Run Subdivision

Seconded By: Graham-Murray

DISCUSSION: The Development and Parks Director reviewed the final plat of Border Run Subdivision with Council and the viewing audience. He stated that Taco Bell plans to make a 2-lot subdivision and sell the lot located on the southern half. He stated that Taco Bell is located on the northern half of the property. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

- Introduced By: Wilson  
2. Resolution Approving the Final Plat of Sweettooth Subdivision

Seconded By: Graham-Murray

DISCUSSION: The Development and Parks Director reviewed the final plat of Sweettooth Subdivision with Council and the viewing audience. He stated that the subdivision was 1-lot with the lot running through the common wall of the building and not through the building itself. There is a small area in the back of the building that is also a part of Sweettooth Subdivision.

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

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Wilson                      Seconded By: Graham-Murray

3.        Resolution Amending Septic Haulers Fees Effective July 1, 2019

DISCUSSION: The City Manager stated that the proposed Resolution amends septic haulers fees effective July 1, 2019. He stated that the fee increase was 3%. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Graham-Murray            Seconded By: Wilson

4.        Resolution Approving Change Orders, Final Acceptance, Final Payment and Release of Retention Monies for the 1106 Washington Street Drainage Improvements

DISCUSSION: The Assistant City Manager for Public Works stated that the purpose of the project at 1106 Washington Street Drainage Improvements was to provide adequate drainage for the former Dresser Rand site at 1106 Washington Street. The project would include setting up new storm catch basins and reshaping the existing site to eliminate ponding of water. He stated that the project was completed and seeded. He stated that the change order was in excess of 10% of the overall project, which was why it was coming before the Council for approval. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Graham-Murray            Seconded By: Wilson

5.        Resolution Approving Change Orders for the Mason Road Shared Use Path

DISCUSSION: The Assistant City Manager for Public Works stated that the purpose of the Mason Road Shared Use Path was to establish 2,832 feet of shared use path adjacent to Mason Road. He stated that the project limits are from Sequoia Drive to Haskell Street and the path is 10' wide and meets all applicable ADA requirements. He project is being funded 80% by the TAP grant and 20% by the City. He stated that the change order was in excess of 10% of the original project value, which was why it was coming before the Council for approval. He stated that the change order was for a retaining wall that needed to be created. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Billups                      Seconded By: Wilson

6.        Resolution Approving the Expenditures of Flood Related Projects

DISCUSSION: The Assistant City Manager for Public Works stated that there will be cleanup after the flood protection breach. He stated that there were many different functions to return the buildings and riverfront to their pre-flood status. These activities will include Hesco barrier

removal, Depot cleanup, Port of Burlington cleanup and Memorial Auditorium cleanup. He stated that to expedite the cleanup, the proposed Resolution approved the expenditures of flood related projects up to \$47,000.00. Council Member Billups asked if anyone has spoken to the owners of Big Muddys about cleanup. The Assistant City Manager for Public Works stated that he had not. Council Member Graham-Murray asked when the Flint River Trail would be fixed. The Assistant City Manager for Public Works stated that he was not certain when the Flint River Trail would be fixed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

COMMENTS FROM AUDIENCE: Eric Renteria of 521 North 5<sup>th</sup> Street stated that there was an article in the newspaper about the Des Moines County Attorney wanting to secure parking spaces in front of their office for parking. He stated that the Council needed to address the downtown parking issue. He stated that there should be 8,000 parking spaces in the downtown. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:17 p.m.

Approved: July 15, 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 Nuisance Abatements for Various Properties
2. Resolution Approving Change Orders, Final Acceptance, Final Payment and Release of Retention Monies for the 2019 DeEdwin and Gladys White Park Renovations
3. Resolution Approving Professional Service Agreement with Klingner and Associates, P.C. for Construction Inspection for the RISE Grant Construction Project
4. Resolution Approving Professional Service Agreement with Klingner and Associates, P.C. to Perform the Design of the Sycamore Street and Virginia Avenue Drainage Improvements Over Bluff
5. Resolution Approving Professional Service Agreement with Midland GIS Solutions, LLC to Perform Storm Sewer GIS Data Collection
6. Resolution Authorizing Adoption of Policies and Procedures Regarding Municipal Securities Disclosure

SET DATE FOR PUBLIC HEARING: JULY 15, 2019

1. Consideration of Sale of Property Locally Known as 209 South Gunnison Street, City of Burlington, Iowa with Conditions

APPOINTMENTS:

Library Board of Trustees: Donald Schmidgall  
Southeast Iowa Regional Riverboat Commission (SIRRC): Matt Rinker