

Introduced By: Scott
Resolution Approving Lease of Two Toyota Prius C Vehicles for the
Development/Inspections Department

Seconded By: Fleming

DISCUSSION: None.

(VOTE: 4 - AYES)

ADOPTED

2. Statement: Consideration of an Ordinance Rezoning the Properties Located at 724 and 813 North 3rd Street and 200 and 204 Arch Street from C-2, General Commercial to R-4, Multi-Family Residential Zoning District

COMMENTS: The Development and Parks Director stated that the City Planning Commission voted 4-1 to recommend approval of the request to rezone the properties from C-2, General Commercial to R-4, Multi-Family Residential to the City Council based on the current and surrounding land uses, demand for the vacant property, owner's request to sell the property as residential and conformance to the Future Land Use Map of Burlington. He stated that the property owner has been trying to sell the properties for over a year and they feel that the rezoning would make the properties more marketable and will enable

them to sell the properties in a more timely manner. Council Member Scott stated that he would prefer that the properties remain commercial, but he understood the predicament the property owner was in. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Scott
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Properties Located at 724 and 813 North 3rd Street and 200 and 204 Arch Street from C-2, General Commercial to R-4, Multi-Family Residential Zoning District

Seconded By: Fleming

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

3. Statement: Consideration of an Ordinance Rezoning the Property Located at 2131 Summer Street from R-2, Single-Family Residential to A-1, Airport Zoning District

COMMENTS: The Development and Parks Director stated that the City Planning Commission voted 0-5 to recommend approval of the request to the City Council based on the current and surrounding land uses, non-conformance of the current use, environmental nuisance concerns and lack of conformance to the Future Land Use Map of Burlington. Larry Williams of 1567 Mason Lane stated that he was a member of the City Planning Commission. He stated that three residents spoke at

the City Planning Commission meeting to share their concerns. Mary Beaird, Southeast Iowa Regional Airport Director stated that she spoke with Ken Floyd, owner of Floyd's EZ-Way Container Service, who rents the property from the Southeast Iowa Regional Airport Authority. She stated that the business has been at that location for over ten years. She stated that the Airport Authority

has no record of the property being rezoned to residential. She stated that recent allegations made at the City Planning Commission meeting regarding the property at 2131 Summer Street made by others include dirty containers, trucks and containers being washed, gasoline and diesel deliveries and an increase in

varmints. She stated that airport personnel have not witnessed any of these activities, nor have they received complaints, photos or videos or proof that those activities are taking place on the property. Larry Williams stated that the business is run 24 hours a day and suggested that the City Council restrict the hours of operation. Ed Prill, Attorney for Floyd's EZ-Way Container Service

stated that the business has normal business hours, operating from 5:00 a.m. until 5:00 p.m. and they don't operate on regular holidays. He stated that Floyd's does not have a license to haul toxic materials and they do not have toxic materials on the property. He stated that there is no solid waste materials on the property, all mechanical issues are not dealt with on the property and trucks are not washed on the property. He stated that all empty containers that are on the property are only used for storage purposes. He stated that there is no basis or foundation for the public allegations of violations. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott
Motion to Close

Seconded By: Anderson

CARRIED

Introduced By: Scott
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Property Located at 2131 Summer Street from R-2, Single-Family Residential to A-1, Airport Zoning District

Seconded By: Fleming

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

ORDINANCE:

Introduced By: Anderson

Seconded By: Scott

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Authorizing an Addendum to Mutual Aid Box Alarm Systems Agreement

DISCUSSION: The Fire Chief stated that this is an addendum to the current agreement that allows the City to recoup costs if mutual aid is provided to a MABAS Fire Department for more than eight hours at a time. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

CARRIED

Introduced By: Anderson

Seconded By: Fleming

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Authorizing an Addendum to Mutual

Aid Box Alarm Systems Agreement

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

RESOLUTIONS:

Introduced By: Fleming

Seconded By: Scott

1. Resolution Amending the Future Land Use Map of the Burlington 2032 Comprehensive Plan Continued from the October 20, 2014 City Council Meeting

DISCUSSION: The Development and Parks Director stated that the area changes to the Future Land Use Map include: Des Moines Avenue: west side, north of Cash Street, south of Silver Street (Low Density Residential to Neighborhood Mixed Use); Mason Road: north side, east of Lawrence Drive (Low Density Residential to

Commercial) and Angular Street: north side, west of South 7th Street (Low Density Residential to Neighborhood Mixed Use). 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
2. Resolution Approving an Agreement Between the City of Burlington, Iowa and Alliant Energy Inc. for All Night Lighting Service in the 500 Block of South 10th Street

DISCUSSION: The Chief of Police stated that the agreement allows for all night lighting service in the 500 block of South 10th Street. He stated that it would include changing the existing street light system with the addition of an 80 watt LED lamp affixed to a new dedicated wood pole at that location. He stated that this spot has been identified as a dark area of the neighborhood. 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: Scott
3. Resolution Approving the Final Plat of Burlington Commons - Plat I Subdivision

DISCUSSION: The Development and Parks Director stated that the Burlington Commons - Plat 1 Subdivision is the former Kmart site that is currently being redeveloped. He stated that it is an initial one lot subdivision with 13 acres.

He stated that this will provide them with a legal description for the entire lot. He stated that this will give them a base to work off of to be sure that the information is accurate. Leon Shahan of 1821 Mt. Pleasant Street stated that this was competing use for what the City was trying to develop across the street. Mayor McCampbell stated that he felt this was not competition, but would help and in turn make the City's property more attractive. 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: Scott
4. Resolution Approving the Final Plat of LAT Subdivision

DISCUSSION: The Development and Parks Director stated that LAT Subdivision is a three lot subdivision that contains Hobby Lobby (in Lot 2), the former Carlos O'Kelly's restaurant and a few other business (in Lot 3) and platting an out lot for new commercial development (in Lot 1). He stated that it will allow for Hobby Lobby to be under individual ownership and to utilize the large parking area that is currently in front of Hobby Lobby that will allow for a potential new business to go in that location. 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: Scott
5. Resolution Authorizing the Submission of an Application to the Iowa Flood Mitigation Program Funding for Flood Mitigation in the Downtown Project Area of the City of Burlington, Iowa

DISCUSSION: The City Manager stated that the group working on the grant application would like to make changes to the format of the resolution so that it matches what is in the grant application. He stated that the format changes

were enough that he would recommend putting off approval of the resolution until December 8, 2014 at a special meeting. He stated that the City will be applying for funds for approximately \$31.5 million. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES)

CARRIED

Introduced By: Scott

Seconded By: Fleming

Motion to Continue Consideration of the Resolution Authorizing the Submission of an Application to the Iowa Flood Mitigation Program Funding for Flood Mitigation in the Downtown Project Area of the City of Burlington, Iowa to the December 8, 2014 Special City Council Meeting

DISCUSSION: None.

(VOTE: 4 - AYES)

CARRIED

Mayor McCampbell left the meeting at 6:25 p.m.

COMMENTS FROM AUDIENCE: Larry Williams of 1567 Mason Lane stated that the City does not maintain his street for snow removal because the street is only 21 feet

wide. The Development and Parks Director stated that it is a private road and was platted as a private drive. The City Manager stated that unless a street is

built to conformity and deeded over to the City, the City does not maintain it.

Larry Williams stated that he felt that the property owners were taken advantage of. The Development and Parks Director stated that it was presented as a private street through the entire process. Blanche McLain of 1430 Mason Lane and president of the condo association stated that she assumed when she moved onto the street that the city would maintain snow removal. She stated that it is not marked and indicated that it is a private drive. Council Member Scott stated that if the street, sidewalk and properties were brought up to City

code, the City would maintain it. Blanche McLain stated that it isn't possible

to widen the street. The City Manager stated that it is the property owners responsibility to mark the drive with a private drive sign. Blanche McLain stated that in the future she would hope that developers would be required to make it a City street. Leon Shahan of 1821 Mt. Pleasant Street asked about the City budget. The City Manager gave a brief overview of the budget and stated that the City is on track or better than hoped. Wendy Mills of 1817 Orchard Street stated that there are too many street signs that are being installed for parking for snow removal on Orchard Street. She stated her concern for the amount of signs being installed. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:52 p.m.

Approved: December 15, 2014

Katie Music, CMC
Deputy 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 Purchase of a 2015 F250 $\frac{3}{4}$ Ton Pickup for Public Works, Street and Sewer Division
3. Resolution Approving Final Acceptance, Final Payment and Release of Retention

Monies for the 2014 Main Street Sewer Repair, Between Valley Street and Jefferson Street

4. Resolution Authorizing a Corrected Permanent Encroachment Agreement with Huckleberry Holdings LLC & Winegard Realty Company for Encroachment into City Right-of-Way at 3001 Winegard Drive, Burlington, Iowa

APPOINTMENTS:

Economic Development Advisory Committee: Joel Sieren