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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 41  
September 3, 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

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: Wilson                      Seconded By: Billups

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. 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 Application for Multi-Family (Rental) Unit Production – New Construction Program, Round 6 for the Tama Building Site from the Iowa Economic Development Authority, Community Development Block Grant Program

COMMENTS: The Development and Parks Director stated that the Historic Tama, LLC is submitting an application for multifamily (Rental) Unit Production - New Construction Program, Round 6 application. He stated that the planned project would include 22 new rental housing units with 12 units at or below 80% of the County median income. He stated that the 1<sup>st</sup> floor would be commercial use and was not a part of the application. He stated that the development agreement lays out the responsibility of the developer. He stated that Southeast Iowa Regional Planning Commission (SEIRPC) would assist with the income qualifications and payment. Doug Wells, developer, stated that the building would be 3-stories and Myers Construction of

Mediapolis, Iowa was the contractor. Council Member Rinker asked if there would be parking accommodations. Doug Wells stated that he owns a 56-indoor parking facility at 110 North 3<sup>rd</sup> Street. Steve Frevert, Executive Director of Downtown Partners, stated that he was happy to see the building plans as a mixed-use building with moderate income. He stated that he was eager to see the project take place. Mayor McCampbell urged Doug Wells to keep moving forward with the project. 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: Wilson

CARRIED

Introduced By: Billups  
Resolution Approving Application for Multi-Family (Rental) Unit Production – New Construction Program, Round 6 for the Tama Building Site from the Iowa Economic Development Authority, Community Development Block Grant Program

Seconded By: Graham-Murray

DISCUSSION: None.  
(VOTE: 5 - “AYES”)

ADOPTED

2. Statement: Consideration of Plans and Specifications for the 2019 North End Odor Control Project at the Burlington, Iowa Wastewater Treatment Facility

COMMENTS: The WWTF Superintendent reviewed the plans and specifications for the 2019 North End Odor Control Project at the Burlington, Iowa Wastewater Treatment Facility with the City Council and the viewing audience. He reviewed the following: schedule control project; issue opinion of probable construction cost; changes to project increasing cost; issue FY 2018-2019 CIP Air Scrubber WWTF 17-002 \$475,000.00 and FY 2019-2020 CIP Air Scrubber WWTF 17-002 \$430,000.00; City Treasurer’s Report Ending Fund Balance as fo July 31, 2019 for Account 5450 - \$498,317.42; Project Engineering Costs; Options (Proceed, Cancel or Reduce Scope). Mayor McCampbell asked if there was another way besides reducing the scope of the project and get the same affect. The WWTF Superintendent that there was not a way to tweak the project to get the same affect. Council Member Rinker asked if there would be yearly maintenance costs involved in the air scrubber. The WWTF Superintendent stated that maintenance cost should be approximately \$14,000.00 to \$16,000.00 yearly. The City Manager stated that the majority of projects at the WWTF are in the WWTF’s operational budget. 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: Wilson

CARRIED

Introduced By: Billups  
Resolution Approving Plans and Specifications for the 2019 North End Odor Control Project at the Burlington, Iowa Wastewater Treatment Facility

Seconded By: Graham-Murray

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

ADOPTED

RESOLUTIONS:

Introduced By: Graham-Murray      Seconded By: Wilson

1. Resolution Authorizing Purchase of Real Property Locally Known as 123 North 5<sup>th</sup> Street, Burlington, Iowa

DISCUSSION: The City Manager stated that the proposed Resolution provides for purchase of property locally known as 123 North 5<sup>th</sup> Street from BNSF Railway Company in the amount of \$62,500.00. He stated that the property will be transferred by quit claim deed. He stated that the City plans to have additional parking for residents and visitors of the City. He stated that the property must remain as a parking lot for the next 99-years. Marlin McKee of 1121 South 12<sup>th</sup> Street asked if the Environmental Protection Agency (EPA) would be involved. The City Manager stated that the Department of Natural Resources (DNR) does the cleanup process and they were the ones that sign off on the groundwater. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Rinker      Seconded By: Wilson

2. Resolution Approving Planning Option Agreement for the Former Police Department Building at 424 North 3<sup>rd</sup> Street

DISCUSSION: The Development and Parks Director reviewed with the City Council and viewing audience the proposed Planning Option Agreement for the Former Police Department Building at 424 North 3<sup>rd</sup> Street. He stated that the agreement with the developer is requesting a planning option to allow time to complete all due diligence necessary to determine the physical and financial feasibility of removing the building and constructing a mixed-use development with rental units and light-retail space. He stated that the initial term was for four months then an extension of an additional four months. He stated that to secure the initial four month term the developer will pay the City \$1,000.000 and if awarded the extended four month term the developer will pay the City an additional payment in the amount of \$5,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Rinker      Seconded By: Wilson

3. Resolution Providing for a Salary Adjustment for the City Manager

DISCUSSION: The Mayor stated that the City Manager was receiving a 2.25% salary increase, which was the same percentage increase as all City employees. 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: Former Mayor Jerry Rigdon passed out a handout to the City Council inviting them to a free event at the Capitol Theater on September 10, 2019 at 7:00 p.m. He stated that it was a National Geographic Documentary “Paris to Pittsburgh” on climate change. He urged the City Council to attend. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:26 p.m.

Approved: September 16, 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 Departments
2. Resolution Approving Purchase for the Replacement of Damaged Hesco Flood Barriers
3. Resolution Authorizing Staff to Inform American Water Resources that the City of Burlington Does Not Desire to Renew Our Contract with American Water Resources for an Additional 5 Years
4. Resolution Approving Termination and Reversion of Real Estate Purchase Agreement Concerning Property Locally Known as 424 North 3<sup>rd</sup> Street, City of Burlington
5. Resolution of Support for Application to Iowa Economic Development Authority Main Street Iowa Challenge Grant

APPOINTMENTS:

Historic Preservation Commission: Jane Schulte  
Renewable Energy Committee: Judy Smithson-Hilkin