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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 42
September 16, 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 and Rinker present. Council Member Wilson was absent.

BURLINGTON CITY COUNCIL

PROCLAMATION:

* Recovery Month - Nicolas Foss

MAYOR'S AWARD:

* Kevin and Mona Ash

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: Graham-Murray

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. He announced those individuals appointed to various City commissions and boards. Leon Shahan of 1821 Mt. Pleasant requested the removal of the Resolution Approving Purchase of Hesco Flood Barriers from Two Rivers Bank and Trust 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 - "AYES")

CARRIED

RESOLUTIONS:

Introduced By: Graham-Murray

Seconded By: Rinker

1. Resolution Approving an Amended Agreement Between the City of Burlington and the Burlington/West Burlington Area Chamber of Commerce for Use of the Port of

Burlington Building by the Chamber

DISCUSSION: The City Manager stated that the proposed amended agreement was between the City and Burlington/West Burlington Area Chamber of Commerce for use of the Port of Burlington building by the Chamber. He stated that the Burlington/West Burlington Area Chamber of Commerce was taking over the space where the Iowa Store was located in the Port. He stated that they plan on taking over the sale of consignment items at the Welcome Center. He stated that the following Resolution is the actual lease agreement for the space. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Rinker

Seconded By: Graham-Murray

2. Resolution Approving a Commercial Lease Agreement Between the City of Burlington and the Burlington/West Burlington Area Chamber of Commerce for Exclusive Use of Portions of the Burlington Port Building

DISCUSSION: The City Manager stated that the proposed Resolution provides for a commercial lease agreement between the City of Burlington and the Burlington/West Burlington Area Chamber of Commerce for exclusive use of portions of the Burlington Port building. He stated that the lease agreement was for two years with an automatic renewal. He stated that the exhibit attached to the agreement shows the area that the Chamber of Commerce will be leasing for \$1.00. He stated that the City is in charge of paying for upkeep of the outside of the building. He stated that the Chamber of Commerce was in charge of upkeeping the inside of the building and paying for utilities. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Rinker

Seconded By: Graham-Murray

3. Resolution Approving Additional Asbestos Removal with SERVPRO in the Memorial Auditorium

DISCUSSION: The Assistant City Manager for Public Works stated that asbestos has been found wrapped on piping that will be removed for the cost of \$4,600.00 and insurance will cover the costs due to flood related costs. He stated that asbestos was also found above the flood waters at a cost of \$18,368.00 and will not be paid for by insurance since the asbestos was found above the flood waters. He stated those costs would be paid with hotel/motel tax funds. The City Manager stated that there was approximately \$40,000.00 to \$50,000.00 in the hotel/motel tax fund and it makes sense to pay for the costs out of that fund. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Billups

Seconded By: Graham-Murray

4. Resolution Approving Purchase of Hesco Flood Barriers from Two Rivers Bank and Trust

DISCUSSION: Leon Shahan of 1821 Mt. Pleasant Street stated that he did not think the City should be spending money on Hesco Flood Barriers when they had an issue this past Spring of 2019. 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: The following people spoke about the violence happening in Burlington: Tom and Nancy Courtney of 2609 Clearview Drive, Tim Scott of 2017 South 15th Street, Samantha Hellberg of 803 North 4th Street, Phoebe McNeece of 1025 North 10th Street and Leon Shahan of 1821 Mt. Pleasant Street. Nancy Courtney stated that guns needed to be off the streets and more mental health facilities are needed. Tim Scott suggested that the Mayor contact the governor, state and federal legislators and tell them that Burlington needs help. He stated that Burlington needs grants without stipulations. He stated that he was getting close to not wanting to live here. Phoebe McNeece handed out information on "Cure Violence Program" that the City of Los Angeles has used with good results. Tom Courtney suggested an area-wide meeting to see what people in the community think. Samantha Hellberg stated that she was the person that posted on Facebook for people to come to the meeting and speak. She suggested a community meeting as it is needed to be a whole group effort. Leon Shahan stated that the problem was testosterone, alcohol and the shortage of good paying jobs for young people. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 6:33 p.m.

Approved: October 7, 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 an Agreement Between the City of Burlington, Iowa and Alliant Energy Incorporated for All Night Lighting Service at the Dead End of Sunset Avenue
3. Resolution Approving Fiscal Year 2018-2019 Street Finance Report, Road Use Tax
4. Resolution Approving the Purchase of Temporary Construction Easements for the 2019 Locust Sewer Separation

SET DATE FOR PUBLIC HEARINGS: OCTOBER 7, 2019

1. Consideration of Sale of Property Locally Known as 1607 Osborn Street, City of Burlington, Iowa, with Conditions
2. Consideration of an Ordinance Vacating and Selling a Portion of Right-of-Way Located Adjacent to 1815-1845 Des Moines Avenue, Burlington, Iowa

APPOINTMENTS:

Animal Hearing Board: Richard McEntyre
DesCom Control Board: Matt Rinker