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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 44  
October 21, 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 and Graham-Murray. Council Member Wilson was absent. Council Member Rinker arrived at 5:35 p.m.

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

(VOTE: 3 - "AYES")

CARRIED

HEARING:

1. Statement: Consideration of an Ordinance Amending Section 58.13 Type A. Permit - General Standards of Chapter 58 Noise Control of the Burlington Municipal Code

COMMENTS: Police Major reviewed the proposed Ordinance Amending Section 58.13 Type A. Permit - General Standards of Chapter 58 Noise Control of the Burlington Municipal Code with the City Council and the viewing audience. He stated that the proposed change would allow Type A Sound Permits that are in a non-residential area to have music until 11:00 p.m. verses 9:00 p.m. He stated that the business would still need to apply for a permit and the Police Chief has discretion to allow longer time in a residential zone. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Billups                      Seconded By: Graham-Murray

Motion to Close

CARRIED

Introduced By: Billups                      Seconded By: McC Campbell  
Motion for Preliminary Adoption of the First Reading of an Ordinance Amending  
Section 58.13 Type A. Permit - General Standards of Chapter 58 Noise Control of the  
Burlington Municipal Code

DISCUSSION: None.  
(VOTE: 3 - "AYES")

CARRIED

(Council Member Rinker arrived at 5:35 p.m.)

ORDINANCE:

Introduced By: Graham-Murray                      Seconded By: Billups  
1. Motion for Preliminary Adoption of the Second Reading of an Ordinance Vacating and  
Selling a Portion of Right-of-Way Located Adjacent to 1815-1845 Des Moines Avenue,  
Burlington, Iowa

DISCUSSION: The Development and Parks Director stated that there were no changes to the  
proposed Ordinance Vacating and Selling a Portion of Right-of-Way Located Adjacent to 1815-  
1845 Des Moines Avenue, Burlington, Iowa from the first reading. 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: Billups  
1. Resolution Approving Application for Funds Through the Community Catalyst Building  
Remediation Program from the Iowa Economic Development Authority

DISCUSSION: The Development and Parks Director reviewed with the City Council and the  
viewing audience the proposed application for funds through the Community Catalyst Building  
Remediation Program from the Iowa Economic Development Authority. He stated that the  
proposed Resolution supports and approves the application to IEDA for the Community Catalyst  
Building Remediation Program Grant for the redevelopment of property located at 300  
Washington Street, owned by Downtown Partners, Inc., and authorizes the contribution of  
\$20,000.00 towards the project from City Economic Development funds, contingent upon the  
City's receipt of a letter of credit from Downtown Partners, Inc. He stated that the grant was  
essentially a \$100,000.00 grant to stabilize the building. Steve Frevert, Executive Director of  
Downtown Partners, Inc., stated that Downtown Partners, Inc. does not want the City to pay back  
the \$100,000.00 should the property not be sold within twelve months to a developer with a plan  
for occupancy. He stated that they were meeting with a contractor and lining up a letter of credit  
from a bank. He stated that the 12-month time period will not start until July 2020 and the

property must be sold to a developer with a plan for occupancy by July 2021. Mayor McCampbell stated that it made him nervous. Steve Frevert reminded the Mayor that Downtown Partners, Inc. was taking the risk for the City by taking out a letter of credit. Council Member Graham-Murray asked if Downtown Partners, Inc. has any interest from developers in the building. Steve Frevert stated that the building has been shown to several developers. 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 Establishing Free Parking in Certain Public Parking Lots

DISCUSSION: The Development and Parks Director stated that the Downtown Parking Committee was recommending free parking in certain public parking lots for 24 hours, except those spaces that are leased from the City. The following parking lots will be free: 6<sup>th</sup> Street and Washington Street parking lot; 5<sup>th</sup> Street and Valley Street parking lot and the 3<sup>rd</sup> Street and Washington Street parking lot (upper ramp only). He stated that the change was to further promote existing parking options and requirements and to improve the downtown area. He stated the 7<sup>th</sup> Street parking lot is already free and there are two other City lots that are fully leased. Council Member Graham-Murray asked how people will be made aware of changes. The Development and Parks Director stated that there would be sign changes, Facebook and information at downtown businesses. Steve Frevert, Executive Director of Downtown Partners, Inc., stated that he was in favor of all three parking changes. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk. (VOTE: 4 - "AYES")

ADOPTED

Introduced By: Graham-Murray

Seconded By: Billups

3. Resolution Eliminating Certain On-Street Reserved Parking Spaces

DISCUSSION: The Development and Parks Director stated that the Downtown Parking Committee was recommending that certain-on street, reserved parking spaces signs be removed in downtown based on the availability of parking in the area and lack of need for such reserved spaces. He stated that the reserved parking signs would be removed at the following locations: City Hall, 400 Washington Street on 4<sup>th</sup> Street; Fire Department, 418 Valley Street and the Post Office, 300 North Main Street (retain two spaces at the north end of Main Street adjacent to the Post Office). 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 Establishing Parking Fine Amount

DISCUSSION: The Development and Parks Director stated that the Downtown Parking Committee was recommending that the parking fine amount be changed from \$10.00 to \$15.00. He stated that the Committee reviewed comparable community's parking fine rate, an effort to

promote the use of off-street parking lots, the implantation of additional free public parking in City-owned parking lots, and to encourage the movement of vehicles utilizing on-street parking spaces. He stated that the increase would take effect on January 1, 2020 to allow time for the public to be aware of the change. Council Member Rinker stated that he would like to see a graduated fee for those receiving parking tickets, but the cost of software could be \$20,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 3 - "AYES" McCampbell, Rinker and Billups  
1 - "NAY" Graham-Murray)

ADOPTED

Introduced By: Billups                      Seconded By: Graham-Murray  
5. Resolution Approving the Final Plat of Ron Laue Subdivision

DISCUSSION: The Development and Parks Director stated that Ron Laue Subdivision was located within the 2-mile growth area of the City. He stated that the property was located on Tama Road. He stated that the petitioner was splitting off the home from the farm land. 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  
6. Resolution Approving the Purchase of a Heil Automated Front Loader Garbage Truck with Currotto Can

DISCUSSION: The Wastewater Treatment Facility Superintendent reviewed with the City Council and the viewing audience some of the pluses and some of the minuses of using a fully automated truck for solid waste pick up. At the end of his presentation he stated that it was the City Council's decision time to decide if a full automated truck for use in the Burlington Solid Waste Program is desired, then the City should continue semi-automatic collection using our upgraded rear loaders and supplement them with the proposed Heil Automated Front Loader with currotto can. He stated that the purchase would be from MacQueen Equipment of Ankeny, Iowa in the amount of \$338,336.19. Council Member Billups asked if the trash pick up routes would need to be reconfigured. The Wastewater Treatment Facility Superintendent stated that there may need to be some reconfiguration to the routes. Council Member Graham-Murray asked what would be the pushback from property owners. The Wastewater Treatment Facility Superintendent stated that there will be some phone calls and visits, but there are many communities that have fully automated trucks. Council Member Graham-Murray asked how long the truck will last. The Wastewater Treatment Facility Superintendent stated that the truck was commercial grade and should last up to 20-years with the arm being replaced in five to eight years at an approximate cost of \$32,000.000. 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: None.

Adjournment: 6:29 p.m.

Approved: November 4, 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 Establishing a No Parking Area on the East Side of the 200 Block of South Woodlawn Avenue
3. Resolution Approving an Agreement Between the City of Burlington, Iowa and Alliant Energy Incorporated for All Night Lighting Service on Horizon Street
4. Resolution Approving Side Agreement Between CWA Local 7176 and City of Burlington

SET DATE FOR PUBLIC HEARING: NOVEMBER 4, 2019

1. Consideration of Plans and Specifications for the 2019 Lewis Street Sewer Repair Project