

Subject to change as finalized by the City Clerk.
For a final official copy contact the City Clerk's office (319) 753-8124.

MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 11
June 1, 2020

Pursuant to Iowa Code Section 21.8 and the Governor's State of Public Health Emergency Declaration, this meeting is being held electronically because the ongoing public health emergency in the state of Iowa has made it impossible to have a meeting in person. The telephone number for the meeting was posted on May 29, 2020 allowing the public access to participate in the meeting. Due to the COVID-19 situation, all public participation was by phone until further notice. City Hall was closed to the public.

The Burlington City Council met in regular session at 5:30 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor Billups, Council Members Graham-Murray, Maupin and Rinker present. Council Member Critser was absent for roll call, but arrived at 5:49 p.m.

BURLINGTON CITY COUNCIL

PROCLAMATION:

* Juneteenth Day

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: Maupin

Seconded By: Graham-Murray

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor Billups reviewed the items listed on the consent agenda to the viewing audience. He announced those individuals appointed to various City commissions and boards. Marlin McKee of 1121 South 12th Street requested the removal of the following Resolutions from the Consent Agenda for discussion at the close of the meeting: Resolution Approving Lease Agreement Between the City of Burlington and Blaul Lofts, LLC for Parking Spaces in the Planned City Parking Lot at the Southwest Corner of Valley Street and North 5th Street and Resolution Approving Lease Agreement Between the City of Burlington and Churchill Lofts, LLC for Parking Spaces in the Planned City Parking Lot at the Southwest Corner of Valley Street and North 5th Street. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

CARRIED

HEARING:

1. Statement: Consideration of Plans and Specifications for 2020 5th Street and Valley Street Parking Lot Project

COMMENTS: The Assistant City Manager for Public Works reviewed the plans and specifications for the 2020 5th Street and Valley Street Parking Lot Project with City Council and the viewing audience. He stated that the parking lot was previously owned by Burlington Northern and includes 91 parking stalls. He stated that part of the project would include an ADA ramp and bio-retention cell components that are funded by IDALS as part of the green infrastructure which will help with storm sewer issues. He stated that the estimated cost of the project was \$560,000.00. He further stated that funding for the project would include \$50,000.00 IDALS monies with remaining funds from the sale of Flint Hills Manor. Marlin McKee of 1121 South 12th Street asked who owns the parking lot at 5th Street and Valley Street. Mayor Billups stated that the City already purchased the parking lot. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Maupin
Motion to Close

Seconded By: Graham-Murray

CARRIED

Introduced By: Maupin
Resolution Approving Plans and Specifications for 2020 5th Street and Valley Street Parking Lot Project

Seconded By: Graham-Murray

DISCUSSION: None.
(VOTE: 4 - "AYES")

ADOPTED

ORDINANCES:

Introduced By: Rinker

Seconded By: Maupin

1. Motion for Final Adoption of an Ordinance Amendment to Ordinance No. 3220, an Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay District, By Removing Outlot G from the Sunrise West PUD

DISCUSSION: The Development and Parks Director stated that there were no changes to the proposed Ordinance Creating the Sunrise West Planned Unit Development (PUD) Overlay District, By Removing Outlot G from the Sunrise West PUD from the first and second readings of the Ordinance. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

CARRIED

Introduced By: Rinker

Seconded By: Graham-Murray

2. Motion for Final Adoption of an Ordinance Rezoning Lot 4 of Swisher Subdivision and Outlot G of 4th Addition to Sunrise West Subdivision, from R-1, Single-Family Residential to R-4 Multi-Family Residential, with a Planned Unit Development Overlay

Zone (Beverly Place PUD) As Allowed by the Zoning Code of the City of Burlington, Iowa

DISCUSSION: The Development and Parks Director stated that there were no changes to the proposed Ordinance Rezoning Lot 4 of Swisher Subdivision and Outlot G of 4th Addition to Sunrise West Subdivision, from R-1, Single-Family Residential to R-4 Multi-Family Residential, with a Planned Unit Development Overlay Zone (Beverly Place PUD) As Allowed by the Zoning Code of the City of Burlington, Iowa from the first and second readings of the Ordinance. Mark Fisher, representing the developers questioned if the zoning of the outlots were correct on the drawings as shown. The Development and Parks Director stated that the outlots match the adjacent lots and could be changed as the lots are developed. 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: Rinker

Seconded By: Graham-Murray

1. Resolution Approving the Final Plat of Oak Arbor Farm Subdivision

DISCUSSION: The Development and Parks Director reviewed the final plat of Oak Arbor Farm Subdivision with City Council and the viewing audience. He stated that Oak Arbor Farm Subdivision was located partially in the City of Burlington and partially in Des Moines County within the two-mile growth area of Burlington. He stated that the final plat creates a 1-lot subdivision for Oak Arbor Farm Subdivision in order to sell the property. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES" Billups, Graham-Murray, Maupin and Rinker

1 - "ABSTAIN" Critser)

ADOPTED

(Council Member Critser arrived at 5:49 p.m. toward the end of the discussion of the final plat of Oak Arbor Subdivision, which was why he abstained from voting.)

Introduced By: Graham-Murray

Seconded By: Rinker

2. Resolution of Support for a Workforce Housing Tax Credit Program Project by Caston Development LLC at 115 North 4th Street

DISCUSSION: The Development and Parks Director stated that Jesse Caston of Caston Development LLC has acquired the property at 115 North 4th Street, located south of Valley Street to construct new residential units and was applying for incentives through the Iowa Economic Development Authority, including the Workforce Housing Tax incentives. He stated that the application was due June 8, 2020. He stated that there was no financial commitment from the City of Burlington. 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: Rinker

3. Resolution Approving Lease Agreement Between the City of Burlington and Blaul Lofts,

LLC for Parking Spaces in the Planned City Parking Lot at the Southwest Corner of Valley Street and North 5th Street

DISCUSSION: Marlin McKee of 1121 South 12th Street questioned why the City purchased a parking lot for businesses to lease. He asked why the businesses didn't purchase the parking lot on their own. The City Manager stated that it was definitely an option. He stated that a couple of years ago the City Council made an effort to purchase the parking lot as an incentive package for the developer to come to Burlington. He stated that there were 91-parking spaces at \$40.00 per month for a total amount of \$43,000.00 a year in annual revenue. He stated that parking rates normally increase every other year. Marlin McKee stated that he would have liked the developers to purchase the parking lot. Council Member Rinker stated that Marlin McKee needed to keep in mind that the two structures had been vacant for many years and the City giving an incentive encourages development. The Mayor stated that the City will be receiving property taxes on two buildings that have been vacant. 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: Critser

4. Resolution Approving Lease Agreement Between the City of Burlington and Churchill Lofts, LLC for Parking Spaces in the Planned City Parking Lot at the Southwest Corner of Valley Street and North 5th Street

DISCUSSION: Marlin McKee of 1121 South 12th Street stated that he would have liked the developers to purchase the parking lot instead of the City. The City Manager stated that there were two separate lease agreements with this lease agreement not being effective until August 1, 2021. 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: None.

Adjournment: 6:17 p.m.

Approved: June 15, 2020

Kathleen P. Salisbury, MMC
City Clerk

Jon D. Billups
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 an Extension for the 2020-2021 Interchange of Employee Agreement Between the City of Burlington, Iowa and Burlington Community School District
2. Resolution Approving Extension to the Exclusive Listing Agreement - Gross Rent for Lease of Available Space at the Depot, 300 South Main Street with Terrus Real Estate Group
4. Resolution of Support for a Workforce Housing Tax Credit Program Project by Merge Urban Development Group (MERGE) at 412-424 North 3rd Street
5. Resolution Approving Offer to Buy Real Estate and Acceptance for the Property Located at 700 Valley Street, Burlington, Iowa
6. Resolution Adopting the Personnel Manual for Non-Union Employees
7. Resolution Approving Amendment Between CWA Local 7176 and City of Burlington
8. Resolution Burlington is Essential In Support of Fair, Direct Federal Emergency Support to Reopen and Rebuild Local American Economies

SET DATE FOR PUBLIC HEARINGS: JUNE 15, 2020

1. Consideration of Sale of Property Lot 2 of Park View Subdivision (707 Shoquoquon Drive), City of Burlington, Iowa, with Conditions
2. Consideration of a Permanent Encroachment Agreement with CMM Co., LC for Encroachment into Market Street Right-of-Way Adjacent to 107 Valley Street, Burlington, Iowa
3. Consideration of 2020 Amendment to the Burlington Urban Revitalization Plan

APPOINTMENT:

Library Board of Trustees: Becky Godfrey