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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 12  
June 15, 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 June 12, 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 Critser, Graham-Murray, Maupin and Rinker 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: Rinker                      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. 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 Sale of Property Lot 2 of Park View Subdivision (707 Shoquoquon Drive), City of Burlington, Iowa, with Conditions

COMMENTS: The Development and Parks Director stated that the City has two lots for sale in Park View Subdivision for \$30,000.00 per lot. He stated that he received a bid from HP Enterprise, 5151 Ferres Lane, Burlington, Iowa for lot 2 for \$25,000.00. He stated that the purchaser would need to follow and meet all of the restrictive covenants for the Park View Subdivision and a home would need to be started within 12-months and completed within 24-months of the sale of the property. Mayor Billups led an auction for the Sale of Property Locally Known as Lot 2 of Park View Subdivision, City of Burlington, Des Moines County, Iowa with conditions. HP Enterprise, 5151 Ferres Lane, Burlington, Iowa was the only bidder at \$25,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Rinker  
Motion to Close

Seconded By: Graham-Murray  
CARRIED

Introduced By: Rinker Motion to Amend Exhibit “C” of the Resolution Approving the Sale of Property Locally Known as Lot 2 of Park View Subdivision (707 Shoquoquon Drive), City of Burlington, Des Moines County, Iowa that the Property be Sold to HP Enterprise, 5151 Ferres Lane, Burlington, Iowa in the amount of \$25,000.00

Seconded By: Graham-Murray

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

CARRIED

Introduced By: Rinker Resolution Approving the Sale of Property Lot 2 of Park View Subdivision (707 Shoquoquon Drive), City of Burlington, Iowa, with Conditions

Seconded By: Graham-Murray

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

ADOPTED

2. Statement: 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

COMMENTS: The Development and Parks Director reviewed the proposed Permanent Encroachment Agreement with CMM Co., LC for Encroachment into Market Street Right-of-Way Adjacent to 107 Valley Street, Burlington, Iowa with City Council and the viewing audience. He stated that Frank Millard and Company plans on constructing an addition at the corner of Main Street and Market Street and will be encroaching on the southwest corner of their property for steps into the City right-of-way. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Maupin

Seconded By: Graham-Murray

Motion to Close

CARRIED

Introduced By: Maupin

Seconded By: Critser

Resolution Authorizing a Permanent Encroachment Agreement with CMM Co., LC for Encroachment into Market Street Right-of-Way Adjacent to 107 Valley Street, Burlington, Iowa

DISCUSSION: None.

(VOTE: 5 - "AYES")

ADOPTED

- 3. Statement: Consideration of 2020 Amendment to the Burlington Urban Revitalization Plan

COMMENTS: The Development and Parks Director stated that the 2020 Amendment to the Burlington Urban Revitalization Plan brings in the former YWCA building into the Burlington Urban Revitalization Plan. He stated that once the building is a part of the Burlington Urban Revitalization Plan it would qualify for the City’s tax abatement program. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Critser

Seconded By: Rinker

Motion to Close

CARRIED

Introduced By: Critser

Seconded By: Maupin

Resolution Approving 2020 Amendment to the Burlington Urban Revitalization Plan

DISCUSSION: None.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Critser

Seconded By: Graham-Murray

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Ordinances Related to Designating an Area of Burlington, Iowa as the Burlington Urban Revitalization Area

DISCUSSION: None.

(VOTE: 5 - "AYES")

CARRIED

RESOLUTIONS:

Introduced By: Billups

Seconded By: Graham-Murray

- 1. Resolution Awarding Contract for the 2019 ADA Ramp Improvement Project

DISCUSSION: The Assistant City Manager for Public Works stated that sealed bids were received on June 2, 2020 for the 2019 ADA Ramp Improvement Project. He stated that of the

three bidders, MJ Daly Construction was the low bidder at \$110,620.79. He stated that the City Engineer's estimated cost of the project was \$102,500.00. The project would be funded with RUT (Road Use Tax) funds. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Graham-Murray

Seconded By: Maupin

2. Resolution Awarding Contract for the 2020 ADA Ramp Improvement Project

DISCUSSION: The Assistant City Manager for Public Works stated that sealed bids were received on June 2, 2020 for the 2020 ADA Ramp Improvement Project. He stated that of the three bidders, Hickey Contracting was the low bidder at \$263,521.91. He stated that the City Engineer's estimated cost of the project was \$285,000.00. The project would be funded with General Obligation Bonds and RUT (Road Use Tax) funds. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Graham-Murray

Seconded By: Maupin

3. Resolution Awarding Contract for the 2020 West Avenue and Gear Avenue Dowel Bar Retrofit Project

DISCUSSION: The Assistant City Manager for Public Works stated that sealed bids were received on June 2, 2020 for the 2020 West Avenue and Gear Avenue Dowel Bar Retrofit Project. He stated that of the three bidders, Iowa Civil Contracting was the low bidder at \$414,499.15. He stated that the City Engineer's estimated cost of the project was \$507,734.00. He stated that the project takes place in both Burlington and West Burlington with the City's share of the cost at \$302,000.00 and the City of West Burlington's share at \$112,000.00. The project would be funded with the general obligation bond funds. Council Member Critser asked if the project would eliminate the motions felt when driving on West Avenue and Gear Avenue. The Assistant City Manager for Public Works stated that the project would eliminate motions felt when driving on West Avenue and Gear Avenue. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Graham-Murray

Seconded By: Rinker

4. Resolution Approving an Agreement Between the City of Burlington, Iowa and Alliant Energy Incorporated for All Night Lighting Service on Diamond Ridge Drive

DISCUSSION: The Assistant City Manager for Public Works stated that the developer of the subdivision on Diamond Ridge Drive has requested the City to accept the maintenance and operation of the two pedestal lights at the entrance to the subdivision. He explained the history of the two pedestal lights and the subdivision. He stated that if the City Council would accept the pedestal lights for maintenance and operation, then the City would take ownership of the

brick pillars and Alliant could take ownership of the underground wire and street light fixtures. He stated that this would be a similar arrangement of the lights in Flint Ridge. He stated that Alliant would add the \$7.85/month/light to the Cities street light account. Alliant would be responsible for all maintenance (replacement) of the fixtures and wire. He explained that if a pillar falls down then it would require the City to fix the pillar. The pillars for the lights are on private property and would require the City to obtain a permanent easement from the two property owners. He stated that he does not recommend the acceptance of the two pedestal lights as the lights do not meet standards for street lighting as they are decorative in nature. The street lighting needs in the immediate area of Diamond Ridge Drive and Sunnyside Avenue are met with the street lights along Sunnyside Avenue directly across from the entrance to the subdivision. Also in order for Alliant to maintain the lights the City would need to accept the ownership and maintenance of the pillars. Council Member Rinker stated that he would like to see a set standard for lighting, so developers are aware of what the City requires. The Assistant City Manager for Public Works stated that the City relies on Alliant and they have a limited supply and selection that they will maintain. Mayor Billups stated that he would like to see the City sit down with Alliant and set a standard for lighting. Council Member Graham-Murray stated that it would be nice to have standardization. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 1 - "AYE" Billups

4 - "NAYS" Rinker, Critser, Graham-Murray and Maupin)

FAILED

COMMENTS FROM AUDIENCE: None.

Adjournment: 6:03 p.m.

Approved: July 6, 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 Final Acceptance, Final Payment and Release of Retention Monies for the 2019 Sealcoat Street Resurfacing Project
2. Resolution Approving Purchase of Permanent Easement for the 2021 Harrison Avenue Reconstruction Project
3. Resolution Approving Professional Service Agreement with Klingner and Associates to Perform Phase II Environmental Site Assessment
4. Resolution Authorizing the Filing of an Application for the Iowa Department of Transportation's State Recreational Trails Application for Construction of the Flint River Trail Located in the City of Burlington, Iowa
5. Resolution Approving the Greater Burlington Bicycle and Pedestrian Plan 2020

SET DATE FOR PUBLIC HEARINGS: JULY 6, 2020

1. Consideration of Sale of Property Locally Known as 114 Harrison Avenue, City of Burlington, Iowa with Conditions
2. Consideration of an Ordinance Amending Section 73.04 Special Speed Restrictions of Chapter 73 Speed Regulations of the Burlington Municipal Code

APPOINTMENTS:

Housing Appeals Board: Sid Carter

Low Rent Housing Board: Robert Masden