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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 17
September 8, 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 September 4, 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 and Maupin present. Council Member Rinker participated via electronic communications but was absent for the roll call.

BURLINGTON CITY COUNCIL

PLEDGE OF ALLEGIANCE

ROLL CALL

TENURE AWARD: Ann Groene, Library Assistant, 30 Years of Service

PROCLAMATIONS:

- * Library Card Sign Up Month: Rhonda Frevert
- * Lissencephaly Awareness Day: Adrianna Thomas

PRESENTATION OF CHECK BY BRIAN JAPSEN:

From the Starker Memorial Fund, John and Judy Arledge Charitable Foundation, Harry and Virginia Murray Foundation, and the Burlington Tennis Association Donors

CONSENT AGENDA: To the Public:

All matters listed under Item I., Consent Agenda, having been discussed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Introduced By: Critser

Seconded By: Maupin

MOTION: To approve all 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

RESOLUTIONS:

Introduced By: Critser

Seconded By: Graham-Murray

1. Resolution Awarding Contract for the 2020 Walnut Street Combined Sewer Repair Project (Manhole 86-J12)

DISCUSSION: The Assistant City Manager for Public Works stated that bids were received on August 25, 2020 for the 2020 Walnut Street Combined Sewer Repair Project (Manhole 86-J12). He stated that of the three bids received, Four Seasons Excavating was the low bidder at \$55,214.61. He stated that the estimated cost of the project was \$66,000.00. The project will be funded with Mainline Sewer Repair funds. He further stated that the purpose of the project was to replace a partially collapsed manhole (86-J12) on Walnut Street between Central Avenue and South 12th Street. The existing manhole will be removed and replaced with a new precast concrete structure. 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: Graham-Murray

2. Resolution Awarding Contract for the 2020 Flood Mitigation Project, Phase VI

DISCUSSION: The Assistant City Manager for Public Works stated that bids were received on August 25, 2020 for the 2020 Flood Mitigation Project, Phase VI. He stated that there were several mistakes on items on the bid tabs by multiple bidders. He stated that the quantity that the low bidder used was from a bid form prior to Addendum 3. He stated that the low bidder corrected their mathematical error of the wrong quantity. He stated that Veenstra and Kimm, Inc., the company overseeing the project based on a review recommended that the bid was fair, reasonable and responsive to the bidding documents and recommended the project be awarded to the low bidder S.G. Construction in the amount of \$4,855,583.91. The City Manager stated that the City has the ability to cash flow the project. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Maupin

Seconded By: Graham-Murray

3. Resolution Requesting Reimbursement from the Iowa COVID-19 Government Relief Fund

DISCUSSION: The Assistant City Manager for Public Works stated that there was \$125,000,000.00 of the State of Iowa’s CARES Act funding to local governments for direct expenses incurred in response to the COVID-19 emergency. He stated that the City was requesting reimbursement of up to \$587,343.12 in eligible expenditures in response to the COVID-19 public health emergency for this calendar year. He stated that the City will follow all formal published Federal and State of Iowa guidance on how the funds should be spent. He stated that the City has a list of several project related to the COVID/security for the City Council to consider as priority usages of the CARES funding being offered through the State. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 5 - “AYES”) ADOPTED

Introduced By: Maupin Seconded By: Critser

4. Resolution Approving the Demolition of the House at 1720 Dill Street

DISCUSSION: The Development and Parks Director stated that the City was working with Hope Haven through Council Member Rinker, but Hope Haven was unable to rehab the home to sublease the home. He stated that the Parks Department recommends demolition of the property, so the City does not have to be a long-term tenant and repair costs. He stated that the City sought bids to demolish the house located at 1720 Dill Street, located within Perkins Park with G & B Construction being the low bidder at \$7,600.00. Council Member Graham-Murray stated that the City may wish they hadn’t demolished the house in five to ten years from now. Mayor Billups stated that he knows there are citizens opposed to the demolition, but City government is not good at being a landlord along with remodeling costs of \$65,000.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 4 - “AYES” Rinker, Billups, Critser and Maupin
1 - “NAY” Graham-Murray) ADOPTED

Introduced By: Graham-Murray Seconded By: Critser

5. Resolution Approving the Final Plat of Ozark Estates Subdivision

DISCUSSION: The Development and Parks Director stated that the proposed Resolution approves the final plat of Ozark Estates Subdivision, a 1-lot subdivision. He stated that the City Council previously approved the final plat of Ozark Estates Subdivision on March 4, 2019. He stated that per the City’s Zoning Code the petitioner had 60-days to record the final plat. He stated that the final plat was never recorded by the petitioner, so the City Council needs to approve the final plat again, since there is now a different City Council and Mayor than when it was first approved. He stated that nothing has changed since the first approval. 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

6. Resolution Approving First Amendment to Development Agreement By and Between the City of Burlington, Iowa and Merge Burlington LLC

DISCUSSION: The City Manager stated that the proposed Resolution approves the First Amendment to Development Agreement by and between the City of Burlington, Iowa and Merge Burlington LLC for the purchase of the former Police Department. He stated that Merge Burlington LLC plans on demolishing the former Police Department building and the building next door and build a new structure on the site. He stated that as a part of the development agreement there were contingencies such as Merge Burlington LLC receiving funds from the State from Iowa Economic Development Agency, Workforce Housing Credits. He stated that Merge Burlington LLC did not receive those funds, so they were not in a position to move forward. He stated that later Merge Burlington LLC received word that there ended up being funds available from the previous year's cycle and this project had the next highest score to receive the funds. He stated that the first amendment to the development agreement amends the timeline for the project and extends the closing date out to December 30, 2020. He stated that Merge Burlington LLC has reduced the number of residential units to 47 and they are asking for more funds for demolition as the bids have come in higher. He stated that there will still be a second amendment to the Development Agreement that requests \$500,000.00 instead of \$450,000.00 for demolition with reimbursement basis that the City Council will be approving at the September 21, 2020 City Council meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

(Council Member Rinker left the meeting via electronic communications)

COMMENTS FROM AUDIENCE: None

Adjournment: 6:18 p.m.

Approved: September 21, 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 Nuisance Abatements for Various Properties
2. Resolution Approving Final Acceptance and Final Payment for the 2020 Senior Center Roof Replacement Project
3. Resolution Authorizing Disbursement of Roadway Maintenance Funds for the Monticello Drive Extension Situated Within the Seventh Addition to the Westbrook Estates Subdivision
4. Resolution Approving Purchase of Two City Medium-Duty Buses for the Burlington Urban Service
5. Resolution Approving the Purchase of Two (2) Power Factor Correction Units with Start-Up Services from 3E of Burlington, Iowa
6. Resolution Approving an Amendment to the Agreement with Stanley Consultants for Engineering Services Related to the Construction of Harrison Avenue
7. Resolution Approving an Amended Engineering Services Agreement with Veenstra and Kimm for Construction Engineering Associated with TIGER Grant
8. Resolution Approving the Purchase of Auditorium Arena Risers

SET DATE FOR PUBLIC HEARING: SEPTEMBER 21, 2020

1. Consideration of Plans and Specifications for the 2020 TIGER Grant Roadway Improvements Main Street and Jefferson Street Project / 2020 TIGER Grant Riverfront Revitalization Project

APPOINTMENT:

Riverfront Advisory Committee: Bob Fleming