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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 18
September 21, 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 18, 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

PROCLAMATION:

* Domestic Violence Awareness Month: Alta Medea-Peters

TENURE AWARDS:

- * Bruce Workman, Battalion Chief
- * Collin Wilson, Street/Sewer Maintenance Worker II

PROCLAMATION OF RETIREMENT:

* Police Chief Dennis Kramer

CONGRATULATIONS TO THE GRADUATES OF THE 3RD ANNUAL CITIZEN'S ACADEMY

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: Graham-Murray Seconded By: Rinker

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

HEARING:

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

COMMENTS: The Assistant City Manager for Public Works stated that Jason McKenzie of Veenstra and Kimm would be reviewing the plans and specifications for the 2020 TIGER Grant Roadway Improvements Main Street and Jefferson Street Project / 2020 TIGER Grant Riverfront Revitalization Project with the Council and the viewing audience. Jason McKenzie of Veenstra and Kimm reviewed the following: study area; project limits; Jefferson Street and Main Street phasing; riverfront improvement phasing; Streets Plan (Jefferson Street and Main Street); Riverfront Plans (North Side and South Side); project budget (maximum allowable award amount \$5,086,257.00 for riverfront north and south side for construction costs); project budget (maximum allowable award amount of \$12,750,000.00 for Main Street/Jefferson Street for construction costs); construction schedule and construction activities. He stated that the bid openings were October 20, 2020 and January 2021 for the two projects and the bids would be opened by the Iowa Department of Transportation. Council Member Rinker stated that he was excited to see the project moving forward. Mayor Billups echoed Council Member Rinker's comment. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Critser
Motion to Close

Seconded By: Graham-Murray

CARRIED

Introduced By: Rinker
Resolution Approving Plans and Specifications for the 2020 TIGER Grant Roadway Improvements Main Street and Jefferson Street Project / 2020 TIGER Grant Riverfront Revitalization Project

Seconded By: Maupin

DISCUSSION: None.
(VOTE: 5 - "AYES")

ADOPTED

RESOLUTIONS:

Introduced By: Critser

Seconded By: Rinker

1. Resolution Approving Second 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 second amendment to the development agreement by and between the City of Burlington and Merge Burlington LLC. He stated that the original development agreement was approved April of 2020 with the first amendment approved on September 8, 2020 which changed closing date from September 4, 2020 to December 30, 2020. He reviewed the changes of the Second Amendment to the Development Agreement with Council and the viewing audience, which consisted of defining the term “minimum improvements”; defining the term “targeted commencement of construction date”; targeted demolition commencement date and targeted demolition completion date; minimum improvements/total investment and the City Redevelopment Grant. He stated that the width of the building will be narrower, with reduced square footage, rooms went from 67 to 47 rooms and retail square footage went from 4,600 to 3,000 square foot of retail space. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk. (VOTE: 5 - “AYES”)

ADOPTED

Introduced By: Critser

Seconded By: Graham-Murray

2. Resolution Approving Agreement with Cayler Consulting, LLC to Assist the City in the Search for the New Police Chief

DISCUSSION: The Director of Administrative Services stated that the proposed Resolution approves an agreement with Cayler Consulting, LLC to assist the City in the search for a new Police Chief with the retirement of Police Chief Kramer effective October 1, 2020. She stated that quotes were received and Cayler Consulting, LLC was the lowest quote at \$13,000.00 plus expenses such as advertising and travel. She stated that many of the meetings would be virtual. She stated that this was an important search and there would be various interview teams. 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 Approving the Purchase of Property Located at 520 South Main Street

DISCUSSION: The Assistant City Manager for Public Works stated that the proposed Resolution provides for the purchase of property located at 520 South Main Street from Ideal Concrete Company. He stated that the City has the Angular Combined Sewer Overflow that flows directly through this area and the when looking into the future of sewer separation and the ability to add an equalization tank or an additional lift station, this location would provide ample space to put the sewer infrastructure. He stated that the property consists of .6 acres and is two separate parcels. He further stated that the environmental review came back with no risk to the City. 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: Rinker

4. Resolution Approving Appointment of an Acting Police Chief

DISCUSSION: The City Manager stated that with Police Chief Kramer retiring effective October 1, 2020 that he had asked Major Klein to fill in as Acting Police Chief effective October 1, 2020. He stated that Major Klein cheerfully accepted the position of Acting Police Chief. He stated that there would be a pay increase for Major Klein during the interim period. Mayor Billups thanked Major Klein for accepting the appointment of Acting Police Chief. 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: 6:39 p.m.

Approved: October 5, 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, Final Payment and Release of Retention Monies for the 2019 North End Odor Control Project - Burlington WWTF
3. Resolution Approving Fiscal Year 2019-2020 Street Financial Report, Road Use Tax
4. Resolution Updating the Personnel Manual Salary Schedule for Non-Union Employees
5. Resolution Approving Submittal of Title VI Program for the Burlington Urban Service Transit System

SET DATE FOR PUBLIC HEARINGS: OCTOBER 5, 2020

1. Consideration of an Ordinance Amending Section 73.04 Special Speed Restrictions of Chapter 73 Speed Regulations of the Burlington Municipal Code
2. Consideration of an Ordinance Amending Section 123.01 Permit Required of Chapter 123 Special Events Permits of the Burlington Municipal Code

APPOINTMENT:

Construction Board of Appeals: Bruce Maupin