

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. 25
January 4, 2021

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 December 31, 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, 400 Washington Street, with Mayor Billups, Council Members Critser, Graham-Murray, Maupin and Rinker present.

BURLINGTON CITY COUNCIL

COMMENTS FROM AUDIENCE: Pastor Robert L. Brown of 30 Midtown Lane stated that he was hoping the City Council would make a statement regarding F and M Bank and Trust. He stated that it has been 9-weeks since one of the owners made a derogatory statement on FaceBook and he would like to see the issue placed on a future agenda. Mayor Billups stated that he was not sure what Pastor Robert L. Brown wanted from the City. He stated that he personally wrote a letter as Mayor and sent it to the various church leaders in Burlington. Pastor Robert L. Brown stated that it is not what he wants, but it is what the community expects you to do. Mayor Billups stated that he sent a letter and he was disappointed that Pastor Robert L. Brown did not read the letter to his congregation. He stated that he would be happy to meet with him to discuss the issue. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

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: Critser

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. The Assistant City Manager for Public Works removed the Resolution Setting Date for Public Hearing for Consideration of Plans and Specifications for the 2021 Harrison Avenue Reconstruction Project (January 19, 2021) from the consent agenda for discussion at the close of the meeting. He stated that Engineering would not be ready with the plans and specifications for the January 19, 2021 City Council meeting. 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 an Ordinance Amending Section 155.03 Sections Amended of Chapter 155 International Building Code of the Burlington Municipal Code

COMMENTS: The Development and Parks Director reviewed the proposed Ordinance Amending Section 155.03 Sections Amended of Chapter 155 International Building Code of the Burlington Municipal Code with Council and the viewing audience. He stated that the proposed Ordinance amends the allowable area of openings in new construction and existing buildings allows for unlimited unprotected openings when the wall faces the street and alley. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Graham-Murray
Motion to Close

Seconded By: Maupin

CARRIED

Introduced By: Graham-Murray

Seconded By: Critser

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Section 155.03 Sections Amended of Chapter 155 International Building Code of the Burlington Municipal Code

DISCUSSION: None.

(VOTE: 5 - "AYES")

CARRIED

ORDINANCE:

Introduced By: Maupin Seconded By: Graham-Murray

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Chapter 81, All-Terrain Vehicles and Snowmobiles of the Burlington Municipal Code

DISCUSSION: The Acting Police Chief stated that there were no changes to the proposed Ordinance Amending Chapter 81, All-Terrain Vehicles and Snowmobiles of the Burlington Municipal Code with Council from the first reading. He stated that the proposed Ordinance adds

utility terrain vehicles (UTV) by definition and can be only operated in the City limits for snow removal purposes on private driveways, sidewalks and private parking lots and shall be equipped with a functioning blade or snow blower at all times of operation. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

CARRIED

Introduced By: Maupin Seconded By: Rinker

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Chapter 81, All-Terrain Vehicles and Snowmobiles of the Burlington Municipal Code

DISCUSSION: None.

(VOTE: 5 - "AYES")

CARRIED

RESOLUTIONS:

Introduced By: Maupin Seconded By: Rinker

1. Resolution Approving Final Plat of Scooter Subdivision

DISCUSSION: The Development and Parks Director stated that Scooter Subdivision was located at the corner of Angular Street and South 6th Street. He stated that the subdivision was a 1-lot subdivision that was moving the lot line so that there was a building and a parking lot on each lot. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Rinker Seconded By: Critser

2. Resolution in Support of Targeted Jobs Application for Project Integra Expanding Operations into the City of Burlington

DISCUSSION: Jeremy Hess, Director of Economic Development with Greater Burlington Partnership stated that Integra Pool Covers, Inc. was applying for the Targeted Jobs Withholding Tax Credit Program through the Iowa Economic Development Authority (IEDA). He stated that the company was looking at relocating their business to the Flint Ridge Business Park and would create 80 full-time positions, including 40 jobs with an hourly wage equal to or greater than \$21.61 per hour (the county-wide average wage). He stated that starting wages are projected to range between \$14.00 and \$30.00 an hour depending on the job. He stated that Integra Pool Covers, Inc. were a leader in their industry and make motorized pool covers and also plan on making vinyl pool liners. He stated that the development agreement was made a part of the Resolution for approval. He stated that there was an affidavit in the packet from the president of the company along with a letter from the Des Moines County Assessor regarding property valuation. Council Member Critser asked if there were any other pilot cities that the company was looking at relocating to. Jeremy Hess stated that the company was looking at Burlington,

Knoxville, TN and Brownsfield, TX, all which have competitive offers. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 5 - "AYES") ADOPTED

Introduced By: Rinker Seconded By: Critser

3. Resolution Awarding Contract for the 2020 Harrison Avenue Storm Drainage Over Bluff

DISCUSSION: The Assistant City Manager for Public Works stated that Brandt Construction was the low bidder for the 2020 Harrison Avenue Storm Drainage Over Bluff at a cost of \$372,300.00. He stated that the project would be funded with miscellaneous sewer rehab monies. He stated that the project was unbudgeted, but funds were available to cover the cost of the project. He stated that the project would stabilize the existing outlet and install a permanent slope protection. 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: Maupin

3. Resolution Setting Date for Public Hearing for Consideration of Plans and Specifications for the 2021 Harrison Avenue Reconstruction Project (January 19, 2021)

DISCUSSION: The City Clerk reminded the City Council that the Assistant City Manager for Public Works wanted the Resolution voted down as Engineering would not be ready with the plans and specifications for the January 19, 2021 City Council meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "NAYS") FAILED

Adjournment: 6:02 p.m.

Approved: January 19, 2021

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

RESOLUTION:

1. Resolution Approving Purchase of Golf Cars for Flint Hills Golf Course

SET DATE FOR PUBLIC HEARINGS: JANUARY 19, 2021

1. Consideration of an Ordinance Amending Section 1. Legal Description and Section 5. Land Use / Design Requirements of Ordinance No. 3217, an Ordinance Creating the Fun City Planned Unit Development (PUD) Overlay District
2. Consideration of an Ordinance Amending Section B. Land Use Design Criteria of Ordinance No. 3104 for the Burlington Senior Living Campus PUD

APPOINTMENTS:

Animal Hearing Board: Brooke Smith

Zoning Board of Adjustment: Dianne Lerud-Chubb