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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 27
February 1, 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 January 29, 2021 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 Graham-Murray, Maupin and Rinker present. Council Member Critser was absent.

BURLINGTON CITY COUNCIL

COMMENTS FROM AUDIENCE: Jeffrey Knotts of 127 South 6th Street stated that he was born and raised in Burlington. He stated he can't find anyone who has anything bad to say about F and M Bank. He stated that Lisa Walsh's statement was reprehensible. He stated that since February 1st is Black History Month he wanted to give a brief history of the black community as it relates to the F and M Bank and the Walsh family. He stated that in the 30's, 40's and 50's black people had to go to F and M Bank to get a loan for a home mortgage and no one got foreclosed. He stated that it was not like "Potter's Field" but more like "It's a Wonderful Life." He stated that both his mother and grandmother were able to get home loans because of the content of their character and they were able to make the loan payments. He stated that his grandmother, when she was 84-years old, was able to get a car loan with F and M Bank for him when he was 16-years old. He stated why would F and M Bank give an 84-year old woman a car loan. He stated that his 84-year old grandmother got a loan because of the content of her character. He stated that his stepfather was Morris Brown and he was a proponent of the Walsh family. He stated that he has never felt the Walsh family acted better than anyone else. He stated that the City Council has made their statement and nothing else needs to be done. He stated that this issue needed to be put to rest. He urged the City Council to keep making Burlington a great place to live. 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: Graham-Murray Seconded By: Maupin
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: 4 - "AYES")

CARRIED

SWEARING-IN OF MARC DENNEY AS POLICE CHIEF BY CITY CLERK

HEARINGS:

1. Statement: Consideration of Plans and Specifications for the 2021 Harrison Avenue Reconstruction Project

COMMENTS: Greg Shuger of Stanley and Consultants reviewed the plans and specifications for the 2021 Harrison Avenue Reconstruction Project with Council and the viewing audience. He reviewed the following: project limits; project summary; regional drainage area (current and future); storm sewer route (Harrison Avenue/8th Street intersection); Phase I (includes detention basin construction south of Dunham Street and storm sewer and paving along 8th Street and Dunham Street); phase 2 (includes storm sewer and paving); phase 3 (Harrison Avenue between Main Street and Madison Avenue) and phase 4 (Harrison Avenue/Summer Street intersections). He stated that the estimated cost of the project was \$4,900,000.00. He reviewed the tentative construction scheduled with construction starting May 1, 2021 and the project to be completed October/November 2021. The Assistant City Manager for Public Works also reviewed the budget project costs. Kjrsten Bobb of Stanley and Consultants was also available for questions. Council Member Rinker had a citizen call him about the detention pond and how high the water would be with children playing nearby. The Assistant City Manager to Public Works stated that it would be a dry pond with high volume relief. He stated that there would also be a fence constructed around the detention pond. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Graham-Murray Seconded By: Maupin
Motion to Close CARRIED

Introduced By: Graham-Murray Seconded By: Rinker
Resolution Approving Plans and Specifications for the 2021 Harrison Avenue

Reconstruction Project

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

ADOPTED

2. Statement Consideration of Plans and Specifications for the 2021 Dankwardt Park Pool Deck Improvement Project

COMMENTS: The Development and Parks Director reviewed the plans and specifications for the 2021 Dankwardt Park Pool Deck Improvement Project with the City Council and the viewing audience. He stated that the project will consist of removing and replacing the concrete deck surrounding the pool that is in a deteriorated condition. He stated that a small portion was replaced four years ago with the remaining deck replacement necessary at this time. He stated that the estimated cost of the project was \$119,000.00. He stated that the project completion date was no later than May 10, 2021. 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
Resolution Approving Plans and Specifications for the 2021 Dankwardt Park Pool Deck Improvement Project

Seconded By: Maupin

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

ADOPTED

ORDINANCES:

Introduced By: Maupin

Seconded By: Graham-Murray

1. Motion for Preliminary Adoption of the Second Reading 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

DISCUSSION: The Development and Parks Director reviewed the proposed 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 with Council and the viewing audience. He stated that the Plan Commission voted 4-ayes 0-nays with 1-abstain to recommend approval of the PUD changes. He reviewed the modifications to the proposed Ordinance with Council and the viewing audience. Changes to the Ordinance include allowing major event entertainment as an allowed use, requiring 1,165 parking spaces on site, and allowing zero setback along exterior streets. He stated that Fun City

was planning a proposed 1-story addition to the back of the hotel, located north of Winegard Company with an indoor basketball and volleyball courts with minimum seating area. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 4 - "AYES") CARRIED

Introduced By: Maupin

Seconded By: Graham-Murray

2. Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Section B. Land Use Design Criteria of Ordinance No. 3104 for the Burlington Senior Living Campus PUD

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

CARRIED

Introduced By: Maupin

Seconded By: Graham-Murray

3. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Section B. Land Use Design Criteria of Ordinance No. 3104 for the Burlington Senior Living Campus PUD

DISCUSSION: The Development and Parks Director reviewed the proposed Ordinance Amending Section B. Land Use Design Criteria of Ordinance No. 3104 for the Burlington Senior Living Campus PUD with Council and the viewing audience. He stated that the lot lines for the properties would be changing with Lot 1 having a 15-foot setback on the south side of the lot. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.
(VOTE: 4 - "AYES")

CARRIED

Introduced By: Maupin

Seconded By: Rinker

4. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Section B. Land Use Design Criteria of Ordinance No. 3104 for the Burlington Senior Living Campus PUD

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

CARRIED

RESOLUTIONS:

Introduced By: Maupin

Seconded By: Graham-Murray

1. Resolution Awarding Contract for the 2021 Harrison Avenue Reconstruction Project, Tree Removal

DISCUSSION: The Assistant City Manager for Public Works stated that the low bidder for the 2021 Harrison Avenue Reconstruction Project, Tree Removal was Brown's Tree Service in the amount of \$88,414.41. He stated that they would be clearing trees for the upcoming 2021

Harrison Avenue Reconstruction Project. Trees will be removed along Harrison Avenue as well as a portion of timber east of James Madison Middle School to allow for storm water detention. He stated that Brown’s Tree Service was also a logging company, which could be why their bid was so much lower than the other bidders. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - “AYES”)

ADOPTED

Introduced By: Maupin

Seconded By: Rinker

2. Resolution Authorizing a Proposal for Purchase of Real Property Related to the Harrison Avenue Project

DISCUSSION: The Assistant City Manager for Public Works stated that the proposed Resolution provides for a proposal for purchase of real property located at 2132 Madison Avenue from the Burlington Community School District to be used for a future retention pond for storm water drainage. He stated that the property that the City would like to purchase was approximately 4.6 acres located on the eastern portion of the parcel. He stated that the proposal provides for a \$50,000 ERU credit system over a 5-year period to the Burlington Community School District for the purchase of 4.6 acres. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - “AYES”)

ADOPTED

Adjournment: 6:11 p.m.

Approved: February 16, 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

RESOLUTIONS:

1. Resolution Approving Nuisance Abatements for Various Properties
2. Resolution Approving Transfer to T. Rowe Price 457 Deferred Compensation Plan

SET DATE FOR PUBLIC HEARING: FEBRUARY 16, 2021

1. Consideration of City of Burlington, Proposed Property Tax Levy for Fiscal Year July 1, 2021 - June 30, 2022

APPOINTMENTS:

Downtown Partners: Council Member Matt Rinker

SEIA Homeless Coordinating Board: Council Member Robert Critser

Greater Burlington Sports Commission: Council Member Robert Critser

Burlington Riverfront Entertainment: Council Member Robert Critser and Council Member Matt Rinker (Alternate)

SE IA Regional Riverboat Commission (SIRRC): Council Member Jon Billups