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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 36  
June 20, 2005

The Burlington City Council met in regular session at 7:00 p.m. in the City Hall, Council Chambers with Mayor Edwards, Council Members Ell, Campbell and King present. Council Member Baker was absent.

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 not separate discussion of these items. If discussion was desired, that item was removed from the Consent Agenda and was considered separately.

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor Edwards reviewed the items listed on the consent agenda to the viewing audience. Council Member Ell announced those individuals appointed to various City commissions and boards. Jim Quirk of 901 North 4th Street requested the removal of the Resolution Providing for a Salary Adjustment for the City Manager from the consent agenda for discussion at the close of the meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTES: 4 - AYES) CARRIED

HEARINGS:

1. Statement: Consideration of a Permanent Encroachment Agreement for Placement of a Message Center Sign at the Port of Burlington Welcome Center

COMMENTS: The Development Director reviewed with Council and the viewing audience the proposed permanent encroachment agreement for placement of a message center sign at the Port of Burlington Welcome Center. He stated that Clint Perry of Mediapolis built a message center sign as an Eagle Scout project.

He stated that the message center sign would be placed on the west side of the Port inside of a planter box. He stated that the Historic Preservation Commission reviewed the encroachment but no formal vote was taken as the Port of

Burlington building was not a part of the historic district. The City Manager stated that the Burlington Convention and Tourism Bureau would be responsible for the upkeep and maintenance of the sign. Council Member Ell stated that it was very hard to turn down an Eagle Scout project, but would have liked to have known about the project earlier in the encroachment process. Council Member King

stated that the Convention and Tourism Board have been discussing the issue for approximately one year. Mayor Edwards stated that he would like a letter of thanks to Clint Perry for his Eagle Scout project. Susan Diehl of 910 North 6th Street and a member of the Historic Preservation Commission suggested that the

sign height be lower or at the same level of the railing at the Port and that it be painted dark green and putty to match the aesthetics of the Port. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close CARRIED

Resolution Approving Permanent Encroachment Agreement for Placement of a Message Center Sign at the Port of Burlington Welcome Center

DISCUSSION: None.

(VOTE: 2 - AYES EDWARDS AND KING  
2 - NAYS ELL AND CAMPBELL) FAILED

2. Statement: Consideration of Plans and Specifications for 2005 Court Street Reconstruction, 3rd Street to 4th Street

COMMENTS: The Public Works Director reviewed the plans and specifications for the 2005 Court Street Reconstruction, 3rd Street to 4th Street with Council and the viewing audience. He stated that the project would include total reconstruction of the street, new parking areas, sidewalks and new driveways. He stated that the Engineers estimate for the project was \$117,000.00. The City's portion of the project would be funded with road construction funds and the private portion of the project (Mercy Building) would be funded with TIF monies. He stated that bids would be opened on July 20, 2005 and the project awarded by the City Council on August 1, 2005. The project would commence mid-August and would be completed by late September. He further stated that Brian Bross, the design engineer on the project, was present to answer any technical questions by the City Council. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close CARRIED

Resolution Approving Plans and Specifications for 2005 Court Street Reconstruction, 3rd Street to 4th Street

DISCUSSION: None.

(VOTE: 4 - AYES ) ADOPTED

ORDINANCE:

1. Motion for Final Adoption of An Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property at 1204 Washington Street from R-4 (Multi-Family Residential District) to M-1 (Light Industrial District)

DISCUSSION: The City Manager stated that there were no changes to the Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property at 1204 Washington Street from R-4 (Multi-Family Residential District) to M-1 (Light Industrial District) from the previous two readings. All

present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES ) CARRIED

RESOLUTIONS:

1. Resolution Approving Final Plat of C and S Subdivision

DISCUSSION: The Development Director stated that C and S Subdivision was a one lot subdivision located within the City s 2 mile zone. He stated that the property owners plan on building an agricultural building. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE : 4 - AYES ) ADOPTED

2. Resolution Providing for a Salary Adjustment for the City Manager

DISCUSSION: Jim Quirk of 901 North 4th Street questioned when the City Council made the decision to adjust the City Manager s salary and what the adjustment was. Mayor Edwards stated that the Resolution provides for the following adjustment: City Manager s base salary was going up \$2,979.00 per year to \$89,317.00; automobile allowance would be increased by \$600.00 per year and his retirement account would be increased by \$600.00 also. He stated that he had compiled all the performance reviews by the Council which determined the salary adjustment. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES ) ADOPTED

COMMENTS FROM AUDIENCE: Francis Daniels of 705 South Street stated that he had contacted the Forestry department in regard to a tree with several large dead branches on the City right-of-way in front of his home. He questioned how long it would take for the Forestry department to check on the tree after he contacted them. Council Member King stated that it could take a few weeks or months as the department has only one full-time employee and they make a list of

trees needing to be trimmed or cut down. Francis Daniels also questioned if it would have been cheaper to construct South Street with concrete instead of blacktop. The City Manager stated that South Street was considered a reconstruction project (rotomilling, fixing of curbs and an overlay). He further

stated that for a total reconstruction the City looks at both concrete and asphalt and then choose the lower cost of the two. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 7:35 p.m. Approved: July 5, 2005

Kathleen P. Salisbury Mike Edwards  
City Clerk, C.M.C. Mayor

(See tapes 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 2003 Hawkeye Sewer Separation Project, Phase III
2. Resolution Approving Demolition/Nuisance Abatements for Various Properties
3. Resolution Approving Outdoor Service Area for Paddlewheel Lounge, Inc. dba/Paddlewheel Lounge for Events on July 3, 2005; July 29, 2005 and August 21, 2005
4. Resolution Awarding Contract for the 2005 Kirkwood Street Reconstruction Project

SET DATE FOR PUBLIC HEARINGS:

1. Consideration of An Ordinance Vacating a Portion of Hagemann Avenue Right-of-Way, West of Plane Street, Running from Division Street to Smith Street (July 5, 2005)
2. Consideration of Loan Agreements in A Principal Amount of \$5,000,000 (July 5, 2005)
3. Consideration of An Ordinance Amending the City s Official Zoning Map by Rezoning the Property Located at 705 Maple Street (former Salter School) from R-4, Multi-family Residential to C-2 General Commercial Zoning District, with Conditions (July 18, 2005)

APPOINTMENTS:

Aquatic Center Advisory Committee: Willis Fry, Pamela Noblet and Denise Ballard