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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 33
May 3, 2021

City Hall was open to the public to attend city council meetings. For those who felt uncomfortable attending the city council meeting in person, they could participate by phone. The telephone number for the meeting was posted on April 30, 2021 allowing the public access to participate in the meeting.

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 Pro-Tem Graham-Murray, Council Members Maupin and Rinker present. Council Member Critser participated via electronic communications. Mayor Billups was absent.

BURLINGTON CITY COUNCIL

PROCLAMATION:

* Municipal Clerks Week: Kathleen Salisbury

COMMENTS FROM AUDIENCE: Leon Shahan of 1821 Mt. Pleasant Street stated that on page 2 of the City's newsletter there was an article on "Where Do My City Dollars Go." He stated his concern for all the money used for economic development that could be used to reduce his property taxes. 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: Maupin

Seconded By: Rinker

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

DISCUSSION: Mayor Pro-Tem Graham-Murray reviewed the items listed on the consent agenda to the viewing audience. She announced those individuals appointed to various City commissions and boards. Leon Shahan of 1821 Mt. Pleasant Street requested the removal of the

Resolution Approving Liens for Nonpayment Pursuant to Chapters 99, 100 and 106 of the Burlington Municipal Code from the consent agenda for discussion at the end of the meeting. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

CARRIED

ORDINANCES:

Introduced By: Maupin

Seconded By: Rinker

1. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Amending Chapter 141 Driveways of the City of Burlington Municipal Code

DISCUSSION: The Assistant City Manager for Public Works reviewed the proposed Ordinance Amending Chapter 141 Driveways of the City of Burlington Municipal Code with the City Council and the viewing audience. He stated that the proposed Ordinance change updates values in the Code closely reference the Iowa Statewide Urban Design Standards (SUDAS) manual more closely, while incorporating common items that have come up across previous driveway permits. He further reviewed access control and Americans with Disabilities Act (ADA) accommodations. Leon Shahan of 1821 Mt. Pleasant Street stated his concern if his sewer lateral would fail and it is underneath his driveway if he would be able to replace his driveway with the proposed changes to the Ordinance. The Assistant City Manager for Public Works stated that there were exemptions built into the Ordinance and that Leon Shahan would be able to replace his driveway. 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

2. Motion for Waiver of Preliminary Consideration and Adoption of the Second Reading and for Final Adoption of an Ordinance Amending Chapter 141 Driveways of the City of Burlington Municipal Code

DISCUSSION: None.

(VOTE: 4 - "AYES")

CARRIED

Introduced By: Maupin

Seconded By: Rinker

3. Motion to Amend the Motion for Preliminary Adoption of the Second Reading of an Ordinance Granting ITC Midwest LLC, a Wholly Owned Subsidiary of ITC Holdings Corp., a 25-Year Non-Exclusive Electric Transmission Franchise

DISCUSSION: The Assistant City Manager for Public Works reviewed the proposed Ordinance Granting ITC Midwest LLC, a Wholly Owned Subsidiary of ITC Holdings Corp., a 25-Year Non-Exclusive Electric Transmission Franchise with the City Council and the viewing audience. He stated that ITC Holdings Corp. has been in business since 2012. 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 Granting ITC Midwest LLC, a Wholly Owned Subsidiary of ITC Holdings Corp., a 25-Year Non-Exclusive Electric Transmission Franchise

DISCUSSION: None.

(VOTE: 4 - "AYES")

CARRIED

RESOLUTIONS:

Introduced By: Rinker

Seconded By: Graham-Murray

1. Resolution Approving the Final Plat of Concordia One 1883 Subdivision

DISCUSSION: The Development and Parks Director stated that Concordia One 1883 Subdivision was a 1-lot subdivision located in Des Moines County within the two-mile zone. He stated that the property was 1.11 acres and located at the corner of Summer Street and 50th Street. He stated that the petitioner was wanting to separate the building from the farmland. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Rinker

Seconded By: Graham-Murray

2. Resolution Approving a Contract with Cubic ITS, Inc. for the US 61 Traffic Signalization Improvement Project

DISCUSSION: The Assistant City Manager for Public Works stated that the proposed Resolution approves a contract with Cubic ITS, Inc. for the US 61 Traffic Signalization Improvement Project. He stated that after the Request For Proposals (RFP) review, staff and the City's consultant scored the RFP's using a scoring matrix. He stated that Cubic ITS, Inc.'s software proved to be the favorite amongst the staff and the consultant for their different capability and usability. The controllers provided are the same that is used through the other traffic signals in Burlington. This gives the City the potential for connecting the other signals to the central management. He stated that the project consists of the software side of the US 61 Traffic Light Improvement Project. He stated that it will involve the installation of new traffic signal controllers and a traffic signal central management system capable of supporting automated traffic signal performance measures. He stated that the City may or may not use the adaptative signal control technology. He further stated that total implementation cost was \$231,836.91 with funding as follows: ICAAP \$760,587.00; USTEP \$400,000.00 maximum available and \$472,053.00 General Obligation Bonds TIF. Council Member Critser confirmed with the Assistant City Manager for Public Works that if the City Council did not approve the

contract with Cubics ITS, Inc. Roosevelt Avenue would have a different controller than what the City uses elsewhere in Burlington. Mayor Pro-Tem Graham-Murray stated that she liked the idea that the traffic lights will be more automatic traffic signal performance which would mean vehicles using less gas to start and stop. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Graham-Murray

Seconded By: Rinker

3. Resolution Approving Liens for Nonpayment Pursuant to Chapters 99, 100 and 106 of the Burlington Municipal Code

DISCUSSION: Leon Shahan of 1821 Mt. Pleasant Street stated that he had requested the removal of the Resolution Approving Liens for Nonpayment Pursuant to Chapters 99, 100 and 106 of the Burlington Municipal Code as the title of the Resolution only referenced City Code and did not reference what the Resolution was about. The Director of Administrative Services stated that she would have a better title for the Resolution in 2022. She stated that the liens were for unpaid and delinquent fees for nonpayment of sewer, storm water and solid waste fees to the City for property owners who do not have water bills. She stated that the City Council approves the Resolution annually. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - "AYES")

ADOPTED

Adjournment: 6:02 p.m.

Approved: May 17, 2021

Kathleen P. Salisbury, MMC
City Clerk

Lynda Graham-Murray
Mayor Pro-Tem

(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 an Agreement Between the City of Burlington, Iowa and Alliant Energy Incorporated for All Night Lighting Service at the Intersection of Shields Street and Valley Street and Flint Hills Drive
3. Resolution Awarding Contract for the 2021-2022 Scattered Site Mowing Project
4. Resolution Approving an Agreement with HR Green, Inc. of Cedar Rapids, Iowa for Professional Services for the Burlington, Iowa Wastewater Treatment Facility Digester Cover Recoating
5. Resolution Approving an Agreement Between the City of Burlington, Iowa and Hope Haven Area Development Center Corporation
6. Resolution Approving an Agreement Between the City of Burlington, Iowa and Southeast Iowa Regional Planning Commission for CDBG Grant Administrative Services
7. Resolution Adopting the Personnel Manual for Non-Union Employees
8. Resolution Adopting an On-Street Disabled Parking Policy

SET DATE FOR PUBLIC HEARING: MAY 17, 2021

1. Consideration of Fiscal Year 2020-2021 Budget Amendment No. 1

APPOINTMENT:

Des Moines County Solid Waste Commission: City Manager Chad Bird