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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 38
July 19, 2021

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: Jonathan Cooper of 1321 Angular Street stated that he was opposed to the sale of 1323 Angular Street. He stated that he was hoping he could acquire the property with help from the City in demolishing the house. He stated that he had been talking with the Development Department about potential demolition and then suddenly the City put the house up for sale. He stated that the house is in bad repair and there were lots of unseen items such as the sewer in the back of the house is completely shot, no running water and a swarm of bees live in the house. 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.

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

(VOTE: 5 - "AYES")

CARRIED

HEARINGS:

1. Statement: Consideration of Sale of Property Locally Known as 1323 Angular Street, City of Burlington, Iowa with Conditions

COMMENTS: The Development and Parks Director stated that the City acquired the home at 1323 Angular Street through the court system as an abandoned building. He stated that the home was a 1-1/2 story, three bedroom home located on a double lot and would be sold “as is.” He reviewed the conditions of the sale of property: purchaser must ensure that the property receives permits and meets codes for renovation as required and makes necessary repairs prior to occupancy; a licenses electrician and plumber shall be required to inspect and sign off that such items in the property meet or are brought up to adopted codes as required; purchaser shall maintain property and yard and hold insurance on such property upon approval of sale by the City Council; sidewalk shall be replaced and any parking areas shall be improved to meet current code standards, with a minimum of two paved off-street parking spaces provided; improvements shall be initiated within 60-days and completed within 180 days of approval of sale by City Council; and extension of 180 days may be granted if progress is being made; forfeiture of purchase and payment may occur if timeframes are not met. Council Member Rinker asked if the potential purchases were vetted. The Development and Parks Director stated that only one of the potential purchasers is currently working on another home rehab. He stated that three (3) \$500.00 bids have been received for the property. Mayor Billups led an auction for the Sale of Property Locally Known as 1323 Angular Street, City of Burlington, Des Moines County, Iowa. S and H Home Repair and Improvement (Yasir Abdelrahman) of 1409 Plum Street, Iowa City, IA was the high bidder at \$700.00. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Resolution Approving the Sale of Property Locally Known as 1323 Angular Street, City of Burlington, Iowa with Conditions

DISCUSSION: None.
(VOTE: 5 - “AYES”)

ADOPTED

2. Statement: Consideration of an Ordinance Rezoning the Properties Locally Known as 422, 424, and 425 South Leebrick Street from R-4, Multi-family Residential to C-1, Limited Commercial Zoning District

COMMENTS: The Development and Parks Director stated that the Burlington Municipal Code states that non-conforming use properties that sit vacant for a year or longer loses their non-conforming use status. He stated that the property at 425 South Leebrick Street was constructed as a commercial property and will now go back to commercial. He stated that the neighboring properties (hair salon and a resale shop) will also continue as commercial. He stated that the City Planning Commission voted 4-0 to recommend approval of the requested rezoning based on historic use and original construction of the properties as neighborhood commercial and the minimal impact on neighboring residential properties based on the size of the buildings within the C-1 area. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Properties Locally Known as 422, 424, and 425 South Leebrick Street from R-4, Multi-family Residential to C-1, Limited Commercial Zoning District

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

CARRIED

- 3. Statement: Consideration of an Ordinance Amending Various Sections of Chapter 170, Zoning Code of the City of Burlington Municipal Code

COMMENTS: The Development and Parks Director stated that the proposed Ordinance Amending Various Sections of Chapter 170, Zoning Code of the City of Burlington Municipal Code updates and clarifies the Code section for City staff and citizens. He stated that there were minor wording changes and he reviewed the Code changes with the City Council and the viewing audience. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Various Sections of Chapter 170, Zoning Code of the City of Burlington Municipal Code

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

CARRIED

- 4. Statement: Consideration of an Ordinance Amending Chapter 170, Zoning Code of the Burlington Municipal Code by Adding Section 170.72, Solar Energy Systems

COMMENTS: The Development and Parks Director reviewed the proposed Ordinance Amending Chapter 170, Zoning Code of the Burlington Municipal Code by Adding Section 170.72, Solar Energy Systems with the City Council and the viewing audience. He stated that a wind section was added to the Code approximately 8-10 years ago. He stated that solar has become more popular and the proposed Ordinance provides for an application and requirements. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Motion for Preliminary Adoption of the First Reading of an Ordinance Amending Chapter 170, Zoning Code of the Burlington Municipal Code by Adding Section 170.72, Solar Energy Systems

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

CARRIED

5. Statement: Consideration of Plans and Specifications for the 2021 Burlington WWTF Digester Cover Recoating Project

COMMENTS: The Wastewater Treatment Facility Director stated that the proposed Resolution provides for the approval of the plans and specifications for the 2021 Burlington WWTF Digester Cover Recoating Project. He stated that the last time the digester was repaired was in 2012 with a 2-year warranty. He stated that the warranty on the recoating project is 5-years and it will be checked in 4-years. He stated that the estimated cost of the digester cover recoating project was \$260,700.00 and \$300,000.00 was budgeted in the City's CIP (Capital Improvement Program). He stated that bids would be received on August 3, 2021 and the project would be awarded on August 16, 2021. He further stated that the notice to proceed shall be no later than August 30, 2021 (intermediate milestone for coating application from start to preparation to finished coating/caulking shall be no more than 12-calendar days. Work shall be fully completed on for before October 11, 2021. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close

CARRIED

Resolution Approving the Plans and Specifications for the 2021 Burlington WWTF Digester Cover Recoating Project

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

ADOPTED

Adjournment: 6:15 p.m.

Approved: August 2, 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 Final Acceptance, Final Payment and Release of Retention Monies for the 2020 Sealcoat Streets Project

2. Resolution Approving Agreement with Electric Pump of Des Moines, IA for the Replacement of Pumps, Pump Rails and Level Controls of the Canterbury Drive Lift Station