

Subject to change as finalized by the City Clerk.
For a final official copy contact the City Clerk's office at (319) 753-8124.

MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 40
August 16, 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 Graham-Murray, Maupin and Rinker present. Council Member Critser participated via electronic communications.

BURLINGTON CITY COUNCIL

COMMENTS FROM AUDIENCE: Joann Bauer of 2523 Sunnyside Avenue stated that she had the following questions or statements for the City Council: TIGER Grant Project needs to get moving on the project or send it out for bids again. She suggested to possibly mention in your bid documents that the City only has \$17,000,000.00. Any COVID19 funds that the City receives need to be given to citizens and businesses and not used on the TIGER Grant Project. Black lives do matter. Disappointed that the City is keeping their money with F and M Bank after the racial slur made by one of the bank owner's Lisa Walsh; upset that F and M Bank did not give out a minority scholarship. Don't let President Biden's infrastructure funding slip through your fingers for Cascade Bridge. Presented a picture of a home on Division Street located across from Walgreens that is an eyesore and needs condemned as soon as possible. The Tama building property looks like a pasture and could use some goats. She urged Council not to continue to let Doug Wells destroy downtown Burlington. She further invited the City Council to the Southeast Iowa Symphony Orchestra Pops Concert on September 19, 2021 that will be in front of the Capitol Theater on Third Street. Mayor Billups stated that the City Council has nothing to do with scholarships that F and M Bank give out. He further stated that he thought that F and M Bank did give out a minority scholarship. 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: Rinker 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: 5 - "AYES")

CARRIED

HEARING:

1. Statement: Consideration of an Application for Upper Story Housing Conversion Grant from the Iowa Economic Development Authority, Community Development Block Grant Program for a Project at 312-314 Jefferson Street, Burlington, Iowa

COMMENTS: The Development and Parks Director stated that the proposed Resolution approves an application for Upper Story Housing Conversion Grant from the Iowa Economic Development Authority, Community Development Block Grant Program for a project at 312-314 Jefferson Street, Burlington, Iowa by a private developer, David Hazell. He stated that Sara Hecox, Planner for the Southeast Iowa Regional Planning Commission (SEIRPC) would go over details of the grant application. Sara Hecox, Planner for the Southeast Iowa Regional Planning Commission (SEIRPC) reviewed the following with the City Council and the viewing audience: Need For The Activities Was Identified: The City of Burlington is in need of affordable rental housing and revitalization of property along the Jefferson Street corridor. A private developer, David Hazell, is proposing to rehabilitate the upper story portion of the property at 312-314 Jefferson Street to provide safe, affordable rental housing in Burlington. How the Proposed Activity will be funded: Community Development Block Grant (CDBG) Program through the Iowa Economic Development Authority. The developer, David Hazell, will fund the remainder of the project. Date Application is Due: The CDBG application is due August 31, 2021. Requested Amount of Federal Funds: City of Burlington will request \$500,000 from the Iowa Economic Development Authority Community Development Block Grant (CDBG) Program for construction of the units. Federal Funds That Will Benefit Low-and Moderate-Income Persons: At a minimum, 51% of the grant funds will benefit the Low-and Moderate-Income persons in the area where the project is located. The US Census Data for the City of Burlington indicates that 51.4% of the community is LMI. Where the Activity will be conducted: The project will take place in the Community of Burlington located in Des Moines County. Minimize Displacement of Persons: During construction of the project, there should be no residents that will have to be displaced. Plans to Assist Persons Displaced: City of Burlington will adopt a Residential Anti-Displacement and Relocation Assistance agreement to comply with Community Development Block Grant requirements and will update as needed. She further presented the housing needs assessment 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.

Introduced By: Rinker
Motion to Close

Seconded By: Graham-Murray

CARRIED

Introduced By: Rinker

Seconded By: Maupin

Resolution Approving an Application for Upper Story Housing Conversion Grant from the Iowa Economic Development Authority, Community Development Block Grant Program for a Project at 312-314 Jefferson Street, Burlington, Iowa

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

ADOPTED

RESOLUTIONS:

Introduced By: Graham-Murray Seconded By: Maupin

1. Resolution Awarding Contract for the 2021 Burlington WWTF Digester Cover Recoating Project

DISCUSSION: The Wastewater Treatment Facility Superintendent stated that 4-bids were received for the 2021 Burlington WWTF Digester Cover Recoating Project. He stated that the apparent low bidder was contacted by the City's consultant and came to the realization that they had made a significant mathematical error in preparing their proposal and elected to withdraw their bid. He stated that the next lowest bidder, TMI Coatings, Inc. of St. Paul, MN was then contacted to determine to have a correct understanding of all aspects of the project. He stated that the Resolution awards the project to TMI Coatings, Inc. in the amount of \$416,000.00, which is \$116,000.00 over the budgeted cost of the project. He stated that he reviewed his Capital Improvement Projects (CIP) for fiscal year 2021-2022 and will delay 4-projects to make up the difference. After considerable discussion by the City Council, it was determined to proceed with the award of the project with TMI Coatings, Inc. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Introduced By: Maupin Seconded By: Graham-Murray

2. Resolution Awarding Contract for the 2020 TIGER Grant Project

DISCUSSION: The Assistant City Manager for Public Works stated that the Iowa Department of Transportation (IDOT) took bids for the 2020 TIGER Grant Project with Portzen Construction, Inc. being the low bidder for both the roadway improvements portion of the project at \$14,807,421.65 and the riverfront revitalization portion at \$6,633,284.41. He stated that the combined bid total was \$3,785,120.56 over the Engineer's estimated cost of the work. He stated that the proposed Resolution only listed the roadway improvements portion and needed to be amended to include the riverfront revitalization portion to Portzen Construction, Inc. in the amount of \$6,633,284.41. The City Manager reviewed possible funding sources to make up the difference for the project costs. 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: Graham-Murray

3. Motion to Amend the Resolution Awarding Contract for the 2020 Tiger Grant Project to Include Awarding Contract to Portzen Construction Inc., in the Amount of \$6,633,284.41 for Riverfront Revitalization

DISCUSSION: None.

(VOTE: 5 - "AYES")

CARRIED

Introduced By: Maupin

Seconded By: Rinker

4. Resolution Approving Final Acceptance, Final Payment and Release of Retention Monies for the 2020 Harrison Avenue Storm Drainage Over Bluff Project

DISCUSSION: The Assistant City Manager for Public Works stated that the 2020 Harrison Avenue Storm Drainage Over Bluff was being closed out with the contractor, Brandt Construction Company. He stated that the original contract was \$372,300.00 with quantity adjustments of \$173,789.20 due to rock excavation and change orders of \$10,875.00 for a total cost of \$556,964.20. He stated that the funding source was the sewer mainline repair fund. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - "AYES")

ADOPTED

Adjournment: 6:20 p.m.

Approved: September 7, 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 Adopting the Iowa 457 Retirement Group Plan

SET DATE FOR PUBLIC HEARINGS: SEPTEMBER 7, 2021

1. Consideration of a Permanent Easement with Burlington Short Line Railroad, Inc.
2. Consideration of an Ordinance Vacating and Selling Alley Located South of Locust Street Between Main Street and Third Street

APPOINTMENTS:

Historic Preservation Commission: Linda Clark and Paul Walker