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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 40  
August 15, 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 Baker, Ell, Campbell and King present.

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. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTES: 5 - AYES ) CARRIED

HEARING:

1. Statement: Consideration of Sale of Property Locally Known as Cottonwood Park, Located on the East Side of Columbus Drive

COMMENTS: The City Manager stated that the City received an offer from the Salvation Army for property locally known as Cottonwood Park, located on the east side of Columbus Drive in the amount of \$200,000.00. The Development Director reviewed the three conditions of the sale of property as follows: City will keep the benches; the City will keep the bleachers and the Salvation Army will maintain and will make available the playground equipment for 20 years. He stated that the property was centrally located in Burlington and was serviceable

by area transit agencies. Captain Otto of the Salvation Army reviewed the plans for the property which would include a thrift store, chapel and meal center. He stated that they would also like to build a gymnasium for the youth and provide an after school program. He stated that they would take care of their property as they were obligated to God to be a good steward of their property. Those who spoke against the sale of property to the Salvation Army were as follows: Wanda Tyrrel of 2810 Flint Hills Drive; Garry Thomas of 910 South 12th Street; Cindy Seibert of 132 Golf Lane and Senior Softball League Coordinator, Amy Mitchell of

12169 Sylvan Heights Rd; Linda Dickey of 2802 Flint Hills Drive; Dale and Barb Ruth of West Burlington and Sue Henry of 1007 Messiah Drive. Many of those who spoke against the sale of property were concerned with increased vandalism, value of their homes decreasing, removal of the baseball field and increased vehicle traffic. Garry Thomas presented a petition from area residents against the sale of the property to the Salvation Army. Wanda Tyrrel of 2810 Flint Hills

Drive presented a letter from her daughter, Jacquelyn Onnen who had written an

editorial to The Hawk Eye newspaper opposed to the sale of the property. Previously received by the City Clerk was a letter from Cindy Seibert, Senior Softball League Coordinator opposed to the sale due to loss of the softball diamond. Those who spoke in favor of the sale of property were as follows: Bob Schantz of West Burlington and member of the Salvation Army Advisory Board; Rod Kellogg of 722 South Garfield and member of Salvation Army Advisory Board and Paul Niemann of 3020 Columbia. Chuck Griffin of 2604 Clearview stated that he was neither for nor against the sale of the property. He questioned if the Salvation Army had a concrete plan for the property prior to selling City owned property. Captain Otto stated that they have hired Dave Metzger as their architect. He further stated that they have also hired a company to do a feasibility study. He stated that he could guarantee that the Salvation Army will have a chapel located on the property. Council Member King stated that it would be an issue wherever the Salvation Army wanted to build. He stated that Captain Otto was an honorable man and that he was going to vote in favor of the sale of property. Council Member Campbell stated that he would feel blessed if the Salvation Army had chosen to build by his home. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Motion to Close CARRIED

Resolution Approving Sale of Property Locally Known as Cottonwood Park, Located on the East Side of Columbus Drive

DISCUSSION: Council Member Baker made a motion to table the Resolution Approving Sale of the Property to the Salvation Army to the September 6, 2005 City Council Meeting. She felt that the Salvation Army should be located in the downtown area of Burlington and would like more study on the issue. The motion died for a lack of a second. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 4 - AYES EDWARDS, ELL, KING, CAMPBELL  
1 - NAY BAKER) ADOPTED

ORDINANCES:

1. Motion for Final Adoption of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property at 705 Maple Street from R-4, (Multi-family Residential Zoning District) to C-2 (General Commercial Zoning 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 705 Maple Street from R-4, (Multi-family Residential Zoning District) to C-2 (General Commercial Zoning District) from the second reading. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES ) CARRIED

2. Motion for Preliminary Adoption of the Second Reading of a Cable Franchise Regulatory Ordinance

DISCUSSION: The City Manager stated that there were no changes to the Cable Franchise Regulatory Ordinance from the first reading. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 5 - AYES ) CARRIED

3. Motion for Preliminary Adoption of the Second Reading of an Ordinance Providing for a Cable Television Franchise Agreement with the Mediacom Communication Corporation

DISCUSSION: The City Manager stated that there were no changes to the Ordinance Providing for a Cable Television Franchise Agreement with the Mediacom Communication Corporation from the first reading. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTE: 5 - AYES ) CARRIED

COMMENTS FROM AUDIENCE: Tim Scott stated that the BIG Games was a big success and thanked the City Council for their support of the games. Council Member Ell thanked Tim Scott for his involvement in the games. Mayor Edwards stated that everyone he met from the BIG Games was happy with the success of the games in Burlington. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Adjournment: 9:07 p.m. Approved: September 6, 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 Outdoor Service Area for Liquor License for the Beat Tavern, Inc. dba/The Beat Tavern, Inc. for Five Events in 2005 and 2006
2. Resolution Approving Contract Between the City of Burlington and Burlington Steamboat Days, Inc. to Provide Beer and Wine Concession Services at Memorial Auditorium, the Port of Burlington and Adjoining Grounds
3. Resolution Approving Purchase of One 2005 Elgin Street Sweeper
4. Resolution Approving Purchase of One 2005 2.5 Ton Dump Truck

SET DATE FOR PUBLIC HEARINGS: September 6, 2005

1. Consideration of an Ordinance Amending the Official Zoning Map by Rezoning Property at 1205 North Central Avenue from R-3 (Two-Family Residential Zoning District) to C-1 (Limited Commercial Zoning District)
2. Consideration of An Ordinance Amending the Code of Ordinances of the City of Burlington, Iowa, 2003, by Amending Provisions Pertaining to Solid Waste Control