

MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 41  
September 6, 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

PROCLAMATIONS:

- \* Burlington Area United Way Time - Doug Martin and Kathleen Hemmesch
- \* Retirement of Michael W. Hartman, Fire Marshal
- \* Retirement of Craig L. Titus, Firefighter

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.  
(VOTE: 5 - AYES ) CARRIED

HEARINGS:

1. Statement: Consideration of an Ordinance Amending the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property at 1205 North Central Avenue from R-3 (Two-Family Residential Zoning District) to C-1 (Limited Commercial Zoning District)

COMMENTS: The Development Director reviewed the proposed Ordinance rezoning the property at 1205 North Central Avenue (formerly Central Avenue School) from R-3 (two-family residential zoning district) to C-1 (limited commercial zoning district). He stated that the property was completely surrounded by a residential neighborhood. He stated that the property has been sold to the International Brotherhood of Electrical Workers Local 13. He stated that they may rent out a portion of the building. He stated that only C-1 uses shall be allowed at this site with the exception of the following uses, which shall not be allowed: bars, taverns, restaurants and vehicle service station uses. He further stated that their present location for their local is at the Burlington Gym. 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 the Official Zoning Map for the City of Burlington, Iowa by Rezoning the Property at 1205 North Central Avenue from R-3 (Two-Family Residential Zoning District) to C-1 (Limited Commercial Zoning District)

DISCUSSION: None.

(VOTE: 5 - AYES ) CARRIED

2. Statement: Consideration of an Ordinance Repealing Chapter 105 Solid Waste Control and Adopting a New Chapter 105 in Lieu Thereof

COMMENTS: The City Manager stated that the Des Moines County Regional Solid Waste Commission has requested that each entity amend their Solid Waste Control Ordinance to provide that the sanitary disposal facilities operated by the Des Moines County Regional Solid Waste Commission be hereby designated as the official Public Sanitary Disposal Project for the disposal of solid waste produced or originating within the City. All solid waste produced or originating

within the City shall be disposed of at the Official Public Sanitary Disposal Project. It is unlawful for any solid waste collector to dispose of solid waste collected within the City at any other place than the Official Public Sanitary Disposal Project. The WWTF Superintendent reviewed with Council and the viewing audience all proposed changes to the proposed Ordinance. He further explained that a commercial hauler who picks up appliances, even from a retailer must dispose of them to the designated facility. 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 Repealing Chapter 105 Solid Waste Control and Adopting a New Chapter 105 in Lieu Thereof

DISCUSSION: None.

(VOTE: 5 - AYES ) CARRIED

ORDINANCES:

1. Motion for Final Adoption of a Cable Franchise Regulatory Ordinance

DISCUSSION: The City Manager stated that there were no changes from the first and second readings of the Cable Franchise Regulatory Ordinance. 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 Final Adoption 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 from the first and second readings of the Ordinance Providing for a Cable Television Franchise Agreement with Mediacom Communication Corporation. 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: None.

Adjournment: 7:30 p.m. Approved: September 19, 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 Paddlewheel Lounge, Inc. dba/Paddlewheel Lounge

2. Resolution Awarding Contract for the 2005 Market Street Lift Station Modifications

3. Resolution Approving Purchase of a New 20-YD. Rearloading Refuse Collection Truck Body for the Wastewater Treatment Facility, Solid Waste Division

4. Resolution Approving One Light Duty Replacement Bus for the Burlington Urban Service (BUS)

5. Resolution Approving Purchase of a 3/4 Ton Heavy Duty 2 WD Pickup with Tommy-gate for the Public Works Department, Streets Division

SET DATE FOR PUBLIC HEARINGS: September 19, 2005

1. Consideration of Amendment No. 1 to Fiscal Year 2005-2006 Budget

2. Consideration of An Ordinance Vacating and Selling the North South Summer Street Right-of-Way North of Aetna Street

3. Consideration of An Ordinance Vacating a 40 Foot Wide Sewer Easement on Lots 14, 15 and 53 of Smith s Addition to the City of Burlington