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MINUTES OF THE PROCEEDINGS
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 14
July 18, 2022

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 and Maupin present. Council Member Rinker was absent. Council Member Critser arrived at 5:37 p.m.

BURLINGTON CITY COUNCIL

COMMENTS FROM AUDIENCE: Dean Phenicie of 2117 Northern Drive stated concern for bushes along streets that needed to be trimmed. 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: Graham-Murray

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: 3 - "AYES")

CARRIED

HEARINGS:

1. Statement: Consideration of an Ordinance Rezoning the Properties Locally Known as 311, 312 and 313 South 9th Street from R-4, Multi Family Residential to C-1, Limited Commercial Zoning District

Council Member Critser arrived at 5:37 p.m.

COMMENTS: Eric Tysland, Development and Parks Director, stated that the City Planning Commission held a public hearing on June 21, 2022 regarding the rezoning of the property and

voted (5-0) to recommend approval of the requesting rezoning to the City Council. He stated that the recommendation was based on the historical use of the area near Maple Street as a commercial district, the expansion of existing uses tied together as singular parcels, and compatible land use for the neighborhood. He stated that the proposed request would meet the current Future Land Use Map designation of the Comprehensive Plan as Neighborhood Mixed Use with the recommended amendment as per this Ordinance, which indicates C-1 as a suitable zoning district. He stated that the plan for the property is to expand the Maple Leaf Center. Timothy Robinson of 1106 Franklin Street stated that he owns the properties at 301, 305 and 307 S. 9th Street. He stated that he would like a fence installed between his property and the Maple Leaf Center. Matt Shinn, Director of City Hope stated that they are requesting the rezoning so that a community center/gym can be placed behind the existing facility. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Critser
Motion to Close

Seconded By: Maupin

CARRIED

Introduced By: Critser Seconded By: Graham-Murray
Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Properties Locally Known as 311, 312 and 313 South 9th Street from R-4, Multi Family Residential to C-1, Limited Commercial Zoning District

DISCUSSION: None.
(VOTE: 4 - "AYES")

CARRIED

2. Statement: Consideration of an Ordinance Rezoning the Properties Locally Known as 312 Shields Street from R-2, Single Family Residential (Transitional) to C-1 Limited Commercial Zoning District

COMMENTS: Eric Tysland, Development and Parks Director, stated that the City Planning Commission held a public hearing on June 21, 2022 regarding the rezoning of the property and voted (0-5) to recommend approval of the requesting rezoning to the City Council. He stated that the City Planning Commission did not make a recommendation for approval of the rezoning based on the location of potential commercial uses further into an existing residential neighborhood, location along a neighborhood street, precluding use of small lots on Shields Street as residential with a rezoning, viable options for reuse and development with current zoning designation, and not following the guidelines of the Comprehensive Plan, Future Land Use Map. The proposed request does not meet the current Future Land Use Map designation of the Comprehensive Plan - Low Density Residential, which does not indicate C-1 as a suitable zoning district. Larry Eversman stated that he owns property at 2104 Washington Street. He stated that he is opposed to the rezoning. Jeanine Jennings of 509 Harglen Court stated that she was at the meeting representing Russell and Patsy Schroeder of 303 Emmett Street. She stated that the Schroeders sent a letter in opposition of the rezoning. Tysland stated that he has also received a telephone call from the property owner at 315 Shields who is concerned about future uses of the property. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Graham-Murray
Motion to Close

Seconded By: Maupin

CARRIED

Introduced By: Graham-Murray

Seconded By: Maupin

Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Properties Locally Known as 312 Shields Street from R-2, Single Family Residential (Transitional) to C-1 Limited Commercial Zoning District

DISCUSSION: None.
(VOTE: 4 - "NAYS")

FAILED

3. Statement: Consideration of an Ordinance Rezoning the Property Locally Known as 2107 Agency Street from R-2, Single Family Residential (Transitional) to C-1 Limited Commercial Zoning District

COMMENTS: Eric Tysland, Development and Parks Director, stated that the City Planning Commission held a public hearing on June 21, 2022 regarding the rezoning of the property and voted (3-1 with 1 abstain) to recommend approval of the requesting rezoning to the City Council. He stated that the recommendation of the Planning Commission was based on historic use of the property as neighborhood commercial use, location on an arterial street, and meeting the Future Land Use Map guidelines. The current Comprehensive Plan Future Land Use Map designation as Neighborhood Mixed Use does indicate C-1 as a suitable zoning district. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Maupin
Motion to Close

Seconded By: Critser

CARRIED

Introduced By: Maupin

Seconded By: Critser

Motion for Preliminary Adoption of the First Reading of an Ordinance Rezoning the Property Locally Known as 2107 Agency Street from R-2, Single Family Residential (Transitional) to C-1 Limited Commercial Zoning District

DISCUSSION: None.
(VOTE: 4 - "AYES")

CARRIED

Adjournment: 5:58 p.m.

Approved: August 1, 2022

Katie Music, CMC
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 Nuisance Abatements for Various Properties
2. Resolution Amending the Lease Agreement Between the City of Burlington and Churchill Lofts, LLC for Parking Spaces in the City Parking Lot at the Southwest Corner of Valley Street and North 5th Street
3. Resolution Approving the Final Plat of Jennison Subdivision
4. Resolution Awarding Contract for the 2022 Aspen Grove Stormwater Improvements Project

SET DATE FOR PUBLIC HEARING: AUGUST 1, 2022

1. Consideration of a Perpetual Easement Purchase Agreement Between the City of Burlington, Iowa and Burlington Shortline Railroad