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MINUTES OF THE PROCEEDINGS  
OF THE BURLINGTON, IOWA CITY COUNCIL

Meeting No. 37  
July 6, 2015

The Burlington City Council met in regular session at 5:30 p.m. in the Thomas J. Smith Council Chambers, City Hall with Mayor McCampbell, Council Members Davidson, Fleming and Scott present. Council Member Anderson was absent.

BURLINGTON CITY COUNCIL

MAYOR'S AWARDS:

Fred Chandler  
Lawrence Manson  
Rosa Hernandez

PROCLAMATION:

Parks and Recreation Month - Eric Tysland

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: Fleming      Seconded By: Scott

MOTION: To approve all items listed under Item I., Consent Agenda.

DISCUSSION: Mayor McCampbell reviewed the items listed on the consent agenda to the viewing audience. He also 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: 4 - "AYES")

CARRIED

HEARINGS:

1. Statement: Consideration of Sale of Property Locally Known as 1316 South Central Avenue, City of Burlington, Des Moines County, Iowa

COMMENTS: The Development and Parks Director stated that the City received an offer from the property owner of 1314 South Central Avenue wanting to purchase the adjacent vacant lot at 1316 South Central Avenue. He stated that the vacant lot was 40 feet by 117 feet and has been owned and mowed by the City for several years. He stated that the purchaser of 1314 South Central Avenue would be able to add an addition to her home or build a garage. Mayor McCampbell asked the viewing audience if there were any other offers on the property. No other offers for the vacant lot at 1316 South Central Avenue were made. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Fleming  
Motion to Close

Seconded By: Scott

CARRIED

Introduced By: Fleming      Seconded By: Scott  
Resolution Approving Sale of Property Locally Known as 1316 South Central Avenue,  
City of Burlington, Des Moines County, Iowa

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

ADOPTED

2. Statement: Consideration of Status of Funded Activities for the City of Burlington Facade Project

COMMENTS: Susan Coffey with the Southeast Iowa Regional Planning Commission stated that the public hearing regarding the status of funded activities for the City of Burlington Facade Project was required during the construction phase. She stated that the facade improvements that will result in the historic renovation of approximately 14 facades in the downtown area. She stated that there have been three extensions of the project and the project end date for the grant is November 30, 2015. She stated that the project was approximately 71% complete and the contractor anticipates that the project should be completed by or before the grant end date of November 30, 2015. She stated that the grant in the amount of \$500,000.00 was coming from the Community Development Block Grant (CDBG) from the Iowa Economic Development Authority (IEDA). She stated that the project was benefitting the low moderate income (LMI). She stated that the City of Burlington has a Residential Anti-Displacement Relocation Act in place for those residents who may have to be relocated due to the project. She stated that there were no residents that had to be relocated so far during the project. She further stated that there was \$125,738.97 left of the Community Development Block Grant (CDBG) money to spend on the project. Council Member Fleming stated that the City of Burlington Facade Project was a great project for the City. Mayor McCampbell stated that he cannot wait until the project is 100% complete. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott  
Motion to Close

Seconded By: Davidson

CARRIED

3. Statement: Consideration of Plans and Specifications for the 2015 Mill Dam Road Reconstruction

COMMENTS: The Public Works Director stated that during the 2015 Winter/Spring thaw Mill Dam Road suffered severe damage from frost boils prompting the need for reconstruction of the roadway. He stated that the damaged areas of Mill Dam Road are located both within the City limits and the County. He stated that the majority of the damaged area was in the County. He stated that the City’s portion of the project would be \$116,500.00 and would be paid with the miscellaneous street funds. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

Introduced By: Scott  
Motion to Close

Seconded By: Fleming

CARRIED

Introduced By: Scott                      Seconded By: Fleming  
Resolution Approving Plans and Specifications for the 2015 Mill Dam Road Reconstruction

DISCUSSION: None.  
(VOTE: 4 - “AYES”)

ADOPTED

Introduced By: Scott                      Seconded By: Davidson  
Resolution Approving a Memorandum of Understanding Between Des Moines County, Des Moines County Secondary Roads and the City of Burlington for the 2015 Mill Dam Road Reconstruction

DISCUSSION: None.  
(VOTE: 4 - “AYES”)

ADOPTED

ORDINANCE:

Introduced By: Davidson              Seconded By: Scott

1. Motion for Preliminary Adoption of the Second Reading of an Ordinance Vacating and Selling a Portion of Alley Right-of-Way Located North of the Property at 822 Columbia Street

DISCUSSION: The Development and Parks Director reviewed with Council and the viewing audience the proposed Ordinance Vacating and Selling a Portion of Alley Right-of-Way Located North of the Property at 822 Columbia Street. He stated that it is a 16-foot wide alley. He stated that the property owner has requested the vacation and purchase of the alley. He stated that the owner of the property adjacent to lots 70 and 71 has asked to acquire 8 feet of the alley right-of-way located south of and adjacent to the entire width of lots 70 and 71. Council Member Davidson made a motion to amend Exhibit “C,” Conditions of the proposed Ordinance which

would allow sale of the vacated alley to two adjacent property owners. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTE: 4 - "AYES") CARRIED

Introduced By: Davidson Seconded By: Scott

2. Motion to Amend Exhibit "C", Conditions of Approval of the Ordinance Vacating and Selling a Portion of Alley Right-of-Way Located North of the Property at 822 Columbia Street, with a New Exhibit "C"

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

CARRIED

RESOLUTIONS:

Introduced By: Davidson Seconded By: Scott

1. Resolution Awarding Contract for the 2015 Main Drive Sealcoat Street Improvements

DISCUSSION: The Public Works Director stated that Main Drive through Crapo Park had significant damage done to it by the Winter and Spring of 2014-2015 with frost boils and was in need of immediate attention. He stated that the City received one bid from Shipley Contracting Corporation in the amount of \$234,033.56. He stated that the project would be funded with the new road use tax money. Council Member Scott stated that the sealcoat program was five years behind schedule. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.  
(VOTE: 4 - "AYES")

ADOPTED

Introduced By: Davidson Seconded By: Fleming

2. Resolution Establishing No Parking One Side in 1500 Block of Grove Street

DISCUSSION: The Public Works Director reviewed with Council and the viewing audience the background timetable of events in regard to no parking on one side of the 1500 block of Grove Street. He stated that presently there is no parking on the north side of the street. He stated that the proposed Resolution would change it to no parking on the south side of the street. Those who spoke requesting that the 1500 block of Grove Street have no parking on the south side were as follows: Doug Ita of 1530 Grove Street; Greg Gillip of 1504 Grove Street; Cameron Capps of 1508 Grove Street. Mike Conner of 1523 Grove Street stated he was in favor of no parking on the north side of Grove Street. Toby Kindig of 1518 Grove Street stated that he was the only home on the north side with a driveway. He stated that he understands that the alley is bad, but everyone could park in the back or in the front, but if people cannot decide then have no parking on both sides of the street. After considerable discussion by the Council they decided to vote the Resolution down and come back on July 20, 2015 to the City Council meeting with a Resolution Establishing No Parking in the 1500 Block of Grove Street for the First 50 Feet from the Intersection of Garfield Street and Grove Street. All present had opportunity to speak and

nothing additional was filed in the office of the City Clerk.

(VOTE: 0 - "AYES"

4 - "NAYS" Davidson, Fleming, McCampbell and Scott)

FAILED

Introduced By: Davidson      Seconded By: Scott

3.      Resolution Providing for a Salary Adjustment for the City Manager

DISCUSSION: The Director of Administrative Services stated that both the City Clerk and she compiled the Resolution Providing for a Salary Adjustment for the City Manager based on a 12 percent increase, which would bring the City Manager's salary to \$137,592.00. Council Member Fleming stated that the City has a good City Manager and the City Council needs to pay him a competitive salary with other City Managers in Iowa. He stated that 12 percent was a big jump but he would support it. Mayor McCampbell stated that prior to City Manager Ferneau coming to Burlington the City had to borrow money to make payrolls. He stated that the City Manager was getting the City out of debt and also building up money too. He stated that he was in favor of a salary increase based on merit. He stated that the City Manager has proven that he deserves the salary increase and has been underpaid from the beginning. Council Member Davidson stated that he was the biggest supporter of the City Manager, but he could not support a 12 percent increase this year due to the City's financial situation. He stated that the Council could give the City Manager an 8 percent increase this year and somewhere between a 5 percent and 10 percent increase next year. He made a motion to Amend the Resolution Providing for a Salary Adjustment for the City Manager by Allowing for a Base Salary Shall Be Increased by 8 percent on July 1, 2015, Resulting in a New Annual Salary of \$132,678.00. Motion was seconded by Council Member Fleming. After roll call vote the motion failed with Council Member Davidson voting aye. Council Member Scott stated that he appreciated Council Member Davidson's position, but that has been the opinion since the 1990's to not bring the City Manager in line with other City Manager's in Iowa. He stated that the Council has moved up the Police Chief in the past and now the Council needs to bite the bullet and give a big salary increase. He stated that the entire Council was sold on City Manager Ferneau and what he has done for the City and what he continues to do for the City. Council Member Davidson stated that his nay vote on the 12 percent increase did not reflect how he felt about the City Manager and the City Manager knows that. All present had opportunity to speak and nothing additional was filed in the office of the City Clerk.

(VOTE: 3 - "AYES" Fleming, McCampbell and Scott

1 - "NAY" Davidson)

ADOPTED

Introduced By: Davidson      Seconded By: Fleming

3.      Motion to Amend the Resolution Providing for a Salary Adjustment for the City Manager by Allowing for a Base Salary Shall Be Increased by Eight Percent (8%) on July 1, 2015, Resulting in a New Annual Salary of \$132,678.00

DISCUSSION: None.

(VOTE: 1 - "AYE" Davidson)

3 - "NAYS" Fleming, McCampbell and Scott)

FAILED

COMMENTS FROM AUDIENCE: None.

Adjournment: 6:25 p.m.

Approved: July 20, 2015

Kathleen P. Salisbury, MMC  
City Clerk

Shane A. McCampbell  
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 Approving Nuisance Abatements for Various Properties

SET DATE FOR PUBLIC HEARINGS: JULY 20, 2015

1. Consideration of Plans and Specifications for the 2015 Cascade Sewer, Sanitary Trunk Extension
  
2. Consideration of an Ordinance Rezoning the Property Locally Known as Bracewell Stadium (919 Market Street) from R-4, Multi-Family Residential to C-1, Limited Commercial Zoning District

APPOINTMENT:

Low Rent Housing Agency: Daniel Cahill