



City Administrator & Staff Update

2024.05.24

- **Special Meeting:** Wednesday at 6pm (I'd like to move this to **5:15pm** if no objections).
- **Urban Chickens:** See attached. Jarred Lassiter, Senior Planner, Southeast Iowa Regional Planning Commission: I saw the Hawk Eye article about WB Council meeting where the possibility of an urban chicken ordinance was discussed. As it happens, this same topic recently came up in Mediapolis, while we were in the midst of helping them update their zoning ordinance. Originally, they were going to amend the zoning ordinance to address this, but I advised them to consider a more comprehensive standalone ordinance for urban chickens. I then obtained a copy of a 'model chicken ordinance' from a colleague at ICOG, and the folks at Mediapolis seem to like it. So, I'm attaching a copy of it here too. Feel free to take a look and see if it might be a good fit for West Burlington too (or at least a good starting point/template).
- **Miller-Meeks/Grassley:** Please note from Miller-Meeks, but I am working to connect with Grassley's office who contacted us regarding our projects.
 - Thank you so much for your email. We received over 60 highly competitive projects for this year, and unfortunately were unable to move forward with submitting this project. However, we strongly urge you to apply again next year. Also looping in Joe's correct email. Today is my last day with Rep. Miller-Meeks, so please follow-up with Joe with any additional questions. Thank you, Ashlee Bierworth, Legislative Director
- **SEIRPC:** We requested that the SEIRPC override the TAC recommendation for the next STBG allocation year. The scores were very close, and the policy board should not simply be a rubber stamp but take into consideration other factors like regional projects of value connecting to other projects (county plans to. Make improvements heading West on Mt. Pleasant) and projects like the IAAAP. There were mixed results, but it appeared the board was leaning to sticking to the TAC recommendation. Mayor Billups supported our position (much appreciated). Final action will be in July 2024. SEE SCORING BELOW.
 - We are in the process of applying for DOD funding as well. It may make sense to have a joint WB/Des Moines County application as they will be working on the same road as it extends West.
 - Additionally, a RISE grant may be appropriate with the full-time jobs coming to the IAAP. We are also considering if this is a good option to pursue.
- **Pool:** Training Night and pool sales: Thursday night of this past week, we had around \$1600 in sales for pool passes and lessons.

IT (Newberry)

- This week we had a problem with Lisco on Monday with slow speeds but before I call them, I need to make sure it is not our problem first. So, I needed to restart the router as that is one of the questions always asked. Consequently, because I had to restart, I figured I would run updates. This bricked our router and caused me to have to stay at work an additional 6 hours that day to fix it. I also alerted Lisco to the fiber line that was down in the ally for several months and they came out the next day and fixed it. Additionally, I also found out I can just email pictures to them in the future, and they will get out right away to fix downed lines.
- This week I also had to train the pool staff on how to take payments and print Passes for the pool. They were confident, so I was able to leave at 6:00PM yesterday as they felt comfortable taking payments and printing passes. Switching Gears a little bit, it looks like we had another power sag during this storm that reset our router and switch. I think I will get one ordered in the middle of June so we can get it here and pay for it in July with net 30. Funny how we don't have many power issues but when we have a battery go out, we get several severe storms back-to-back that cause power issues and a vehicle hitting a pole taking down our power. It's fine as we just must wait about 15 minutes for everything to come back up. I did learn that I want to put in the budget a transfer switch so if one battery fails the second one will pick up the slack for the devices, we don't have redundant power supplies. There are only a few devices in the rack that don't have redundant power supplies, so it won't cost much. If you have any questions feel free to reach out.

Police/Fire (Logan)

- We had a few Officers participate in the Multi-County warrant sweep. I have not heard of any numbers of how many fugitives were arrested.
- Hose test was done on Wednesday by Fire Cat. We had 10,900 feet of fire hose tested and only had a few sections fail inspection, so the hose was taken out of service.
- Officer McCampbell has been in SRO school this week being held at Burlington Police Department.
- Sgt Melssen has been working on the Cops Grant and he will be in next week during the day so we can get it turned in before June 4th deadline.

Building (Crooks)

Here are my weekly updates for May 15th – 22nd.

Permits

- a. I completed the review on the Walmart alteration project and will complete the permit today. As part of this project, there is not much of the building that they do not plan to update. I am still reviewing plans for a new fire alarm system and new signage.
- b. 1 new permit was issued for a new deck.

Code Enforcement

- a. 51 notices have been mailed out to date for the month of May, 40 of those in the past 3 days. 12 of those 51 have already complied and the case has been closed. The vast majority of the notices are for tall grass & weeds; however, they also include violations for trees or shrubbery obstructing sidewalks and for junk & garbage remaining at the curb after spring clean-up.

License

- a. 1 business license has been issued for a fireworks tent at Westland Mall

I have talked with and/or emailed with several residents & contractors regarding current and proposed nuisance issues and construction projects.

Public Works (Brissey)

- Water lab
- Sewer lab
- Lift station rounds
- Parks and Broadway trash and recycling
- Mowing
- Locates
- Service trucks and Squad cars
- OSHA training
- Sign maintenance
- Backhoe training
- Building maintenance and clean up
- Street sweeping
- Dirt work
- Working with SCC on INI around fairgrounds. All drains and gutters in and around the fairgrounds are tied into sanitary sewer
- Pool is full and running have some pump noise we are checking into
- Still waiting on the east lift pump
- Working with contractor and project manager for Casey's project. Foundation is poured and fuel tanks are in
- Wall is poured on bridge and north and south side of bridge are poured on trail project. They still have the bridge approaches to pour
- Had a Four Seasons dump truck come out of Cassey's project on to Agency with dump body in the air. It knocked down Mediacom wires and the city traffic pole that has the signs on it over the street. Agency St was closed for about one hour.

STBG SCORING:

Appendix A

Below is a summary of the scores for FY2028 City STBG projects, with the individual scores of the 9 TAC members (for the subjective portion of the scoring), along with the scores for the objective scoring completed by SEIRPC staff. The high and low scores for each project are shown in red, while the items highlighted in yellow are the highest score(s) for that particular member (or the committee average).

	Burlington	Mediapolis	West Burlington	Maximum Points
SEIRPC Objective Score	234	280	230	575
TAC Member #1	305	335	330	350
TAC Member #2	257	295	335	
TAC Member #3	279	267	308	
TAC Member #4	125	265	245	
TAC Member #5	280	190	300	
TAC Member #6	210	190	225	
TAC Member #7	215	160	135	
TAC Member #8	145	150	175	
TAC Member #9	110	100	242	
Average of All 9 Member Scores	448.0	496.9	485.0	925
Average, with High and Low Scores Removed	449.9	496.7	490.7	

Below is a similar summary for the FY2028 TAP Projects:

	Burlington	Mount Pleasant	West Burlington	Maximum Points
SEIRPC Objective Score	14	18	13	45
TAC Member #1	55	55	55	55
TAC Member #2	44	45	46	
TAC Member #3	4	38	38	
TAC Member #4	34	37	35	
TAC Member #5	24	36	39	
TAC Member #6	35	36	42	
TAC Member #7	30	31	30	
TAC Member #8	15	20	42	
TAC Member #9	12	10	10	
Average of All 9 Member Scores	42.1	52.2	50.4	100
Average, with High and Low Scores Removed	41.7	52.7	51.9	

Next, the scores for each project are broken down by the individual scoring criteria – 6 for STBG and 5 for TAP. The items highlighted in yellow represent the highest scoring project for each criterion:

STBG

	Burlington	Mediapolis	West Burlington	Maximum Points
Economic Vitality	177	175	204	275
System Preservation	56	128	116	200
Safety	84	42	12	150
Access and Mobility	19	35	27	125
Integration and Connectivity	50	51	61	75
Local and Regional Factors	65	65	70	100
TOTAL	450	497	491	925

TAP

	Burlington	Mount Pleasant	West Burlington	Maximum Points
Transportation Alternative Relationship	12	13	14	20
Local and Regional Factors	5	5	5	15
Economic Development and Tourism	9	11	12	20
Project Status	0	5	0	15
Facility Need	16	18	20	30
TOTAL	42	53	52	100

Finally, below is a list of all current Technical Advisory Committee members, with their County and category of representation indicated:

Name	Category	Entity Represented	County
Darren Cady	Agricultural Professional	Nutrien Ag Solutions	Des Moines
Jason Hutcheson	Business Professional	Great River Health Foundation	Des Moines
Jack Hotchkiss	County Engineer	Henry County Secondary Roads	Henry
Ted Wiley	Business Professional	JC Wiley & Sons	Henry
Dennis Fraise	Economic Dev. Professional	Lee County Economic Development Group	Lee
Barb Smidt	SEIRPC At-Large	Two Rivers Bank, Keokuk	Lee
Todd Salazar	Public Works Professional	City of Columbus Junction	Louisa
Casey Kaska	City Under 5,000	City of Grandview	Louisa
Ron Teater	SEIRPC Board	City of West Burlington	At-Large

TITLE IV MENTAL AND PHYSICAL HEALTH

CHAPTER 2 URBAN CHICKENS AND DUCKS

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|-------|--|--------|---|
| 4-2-1 | Definitions | 4-2-8 | Predators, Rodents, Insects and Parasites |
| 4-2-2 | Permit Required | 4-2-9 | Feed and Water |
| 4-2-3 | Number and Type of Chickens and/or Ducks Allowed | 4-2-10 | Waste Storage and Removal |
| 4-2-4 | Non-Commercial Use Only | 4-2-11 | Chickens at Large |
| 4-2-5 | Enclosures | 4-2-12 | Unlawful Acts |
| 4-2-6 | Henhouses, Duck Pens and Chicken Tractors | 4-2-13 | Nuisances |
| 4-2-7 | Odor and Noise Impacts | 4-2-14 | Penalties and Procedure |

4-2-1 DEFINITION.

1. “Chicken” shall mean a member of the subspecies Gallus Gallus Domesticus, a domesticated fowl.
2. “Duck” shall mean a member of the subspecies Anas Platyrhynchos Domesticus, a domesticated fowl.
3. “Urban Chicken” shall mean a chicken kept on a permitted tract of land pursuant to a permit issued under this chapter.
4. “Urban Duck” shall mean a duck kept on a permitted tract of land pursuant to a permit issued under this chapter.
5. “Permitting Officer” shall mean City Clerk or designee.
6. “Tract of Land” shall mean a property of a zoned lot that has one single family dwelling located on that property or zoned for Single Family Dwelling which mean any building that contains only one dwelling unit used, intended, rented, leased, let or hired to be occupied for living purposed.
7. “Permitted Tract of Land” shall mean the tract of land as identified by the application upon which a permit is granted for keeping chickens and/or ducks pursuant to this chapter.
8. “Permit Holder” shall mean an applicant who has been granted a permit to raise, harbor or keep chickens and/or ducks pursuant to this chapter.

4-2-2 PERMIT REQUIRED

1. Permit Required. No person shall raise, harbor or keep chickens and/or ducks within the City of _____ without a valid permit obtained from the City Clerk or designee under the provisions of this chapter.
2. Application. In order to obtain a permit, an applicant must submit a completed application on the forms provided by the City Clerk or designee and paying all fees

required by this chapter.

3. Requirements. The requirements to this receipt of a permit include:
 - a. All requirements of this chapter are met.
 - b. All fees, as may be provided from time to time by City Council resolution, for the permit are paid in full.
 - c. All judgements in the City's favor and against the applicant have been paid in full.
 - d. The tract of land to be permitted shall contain only one Single Family Dwelling occupied and used as such by the permit holder.
 - e. The applicant has provided notice to the residents of all immediately adjacent dwellings of the applicant's intent to obtain a permit.
4. Issuance of Permit. If the City Clerk or designee concludes as a result of the information contained in the application that the requirements for a permit have been met, then the City Clerk or designee shall issue the permit. The annual permit fee shall be established by Council resolution and all permits shall expire on December 31st of the issuance year. All permit fees shall become delinquent thirty (30) days after the date of expiration and a delinquent penalty of fifteen dollars (\$15.00) for the month and twenty-five dollars (\$25.00) for each month after that.
5. Denial, suspension revocation, non-renewal. The City Clerk or designee may deny, suspend, revoke, or decline to renew any permit issued for any of the following grounds:
 - a. False statements on the application or other information or report required by this section to be given by the applicant.
 - b. Failure to pay any application, penalty, re-inspection or reinstatement fee required by this section or City Council resolution.
 - c. Failure to correct deficiencies noted in notices of violation in the time specified in the notice.
 - d. Failure to comply with the provisions of an approved mitigation/remediation plant by the City Clerk or designee.
 - e. Failure to comply with any provisions of this chapter.
6. Notification. A decision to revoke, suspend, deny or not renew a permit shall be in writing, delivered by ordinary mail or in person to the address indicated on the application. The notification shall specify reasons for the action.
7. Effect of revocation, etc. When an application for a permit is denied, or when a permit is revoked, the applicant may not re-apply for a new permit for a period of one (1) year from the date of the denial or revocation with exception of a 1st time applicant.
8. Appeals. Not permit may be denied, suspended, revoked or not renewed without notice

and an opportunity to be heard is given the applicant or holder of the permit. In an instance where the City Clerk or designee has denied, revoked, suspended or not renewed a permit, the applicant or holder of the permit may appeal the decision to the City Council within ten (10) business days of receipt by the applicant or holder of the permit of the notice of the decision. The applicant or holder of the permit will be given an opportunity for a hearing. The decision of the Council hearing of the appeal, or any decision by the City Clerk or designee, which is not appealed in accordance to the Chapter shall be deemed final action.

4-2-3 NUMBER AND TYPE OF CHICKENS AND/OR DUCKS

1. The maximum number of chickens and/or ducks allowed is twenty-five (25) per tract of land.
2. Only female egg layer or broiler chickens (hens) are allowed.
3. Roosters are not allowed.
4. Residents that have chickens and/or ducks at the date this amendment goes into effect will abide by all rules and restrictions of this ordinance. If they have more than twenty-five (25) chickens and/or ducks at the date this amendment goes into effect they will be allowed to keep the amount of chickens and/or ducks they have but will not be allowed to receive any additional chickens and/or ducks. These residents must have intentions that they will be in compliance with the maximum number of chickens and/or ducks allowed in this ordinance as soon as possible.

4-2-4 NON-COMMERCIAL USE ONLY

1. A permit shall not allow the permit holder to engage in chicken and/or ducks breeding or fertilizer production for commercial purposes.

4-2-5 ENCLOSURES

1. Chickens and/or ducks must be kept in an enclosure or fenced area at all times. Chickens and/or ducks shall be secured within a henhouse or chicken tractor during non-daylight hours.
2. Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
3. Henhouses, chicken tractors and chicken and/or duck pens must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds, and predators, including dogs and cats.

4-2-6 HENHOUSES, DUCK PENS AND CHICKEN TRACTORS

1. Henhouses, duck pens and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens and/or ducks with a minimum of four (4) square feet

per bird while minimizing adverse impacts to other residents in the neighborhood.

2. A henhouse, chicken and/or duck pens or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than one (1) inch openings.
3. The material used in making a henhouse, chicken and/or duck pen or chicken tractor shall be uniform for each element of the structure such that the wall are made of the same material, the roof has the same shingles or the other coverings and any windows or openings are constructed sing the same materials. The use of scrap, waste board, sheet metal or similar materials is prohibited. Henhouses and chicken tractors shall be well maintained.
4. Henhouses, chicken tractors and chicken and/or duck pens shall only be located in the rear yard required by the City of _____ Code of Ordinances _____, Title VI, Chapter 10. Unless the setback requirements cannot be met in which case they may be kept in other yard but within the required setbacks.
5. Henhouses, chicken tractors and chicken and/or duck pens must be located at least ten (10) feet from the property line and at least twenty-five (25) feet from any adjacent residential dwelling, church, school or place of business. If less than 10 feet from the property line, the permit holder must have the consent of the adjacent neighbor.
6. Any enclosed chicken and/or duck pen shall consist of sturdy wire fencing. The pen must be covered with wire, aviary netting, or solid roofing.

4-2-7 ODOR AND NOISE IMPACTS

1. Odors from chickens and/or ducks, chickens and/or duck manure or other chicken and/or duck related substances should not be noticeable beyond the boundaries of the permitted tract of land.
2. Noise from chickens and/or ducks shall not be loud enough beyond the boundaries of the permitted tract of land at the property boundaries to disturb persons of reasonable sensitivity.
3. Slaughter of chickens and/or ducks shall be allowed as long as it is not in public view.

4-2-8 PREDATORS, RODENTS, INSECTS AND PARASITES

1. The permit holder shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens and/or ducks found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by the City, will all costs associated with the removal and assessed to the owner of the property from which the chickens and/or ducks were removed.

4-2-9 FEED AND WATER

1. Chickens and/or ducks shall be provided with access to feed and clean water at all times. The feed and water shall be inaccessible to rodents, wild birds and predators.

4-2-10 WASTE STORAGE AND REMOVAL

1. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored on the permitted tract of land. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken and/or duck pens and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

4-2-11 CHICKENS AT LARGE

1. The permit holder shall not allow their chickens and/or ducks to roam off the permitted tract of land. No dog or cat or other domesticated animal which kills a chicken and/or duck off the permitted tract of land will, for that reason alone, not be considered a dangerous or aggressive animal or the City's responsibility to enforce its animal control provisions.
2. The permit holder shall be responsible for placing and keeping leg bands on all of his/her chickens and/or ducks showing the permit number.

4-2-12 UNLAWFUL ACTS

1. It shall be unlawful for any person to keep chickens and/or ducks in violation of any provisions of this Chapter or any other provisions of the City of _____ Code of ordinances _____.
2. It shall be unlawful for any owner, renter or leaseholder of the property to allow chickens and/or ducks to be kept on the property in violation of the provisions of this article.
3. No person shall keep chickens and/or ducks inside a single-family dwelling unit, multi family dwelling unit(s) or rental unit.
4. No person shall keep a rooster.
5. No person shall keep chickens and/or ducks on a vacant or uninhabited tract of land.

4-2-13 NUISANCES

1. Any violation of the terms of this Chapter that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under Title III, Chapter 2 of the City of _____ Code of Ordinances _____.

4-2-14 PENALTIES AND PROCEDURE

1. For a first violation, the Permit Holder will receive a notice and be required to come before the council and plead their case. Penalty will be at the Council's discretion.
2. For a second violation, the Permit Holder will have their permit revoked and must remove chickens and/or ducks from their tract of land for one (1) year. After the one (1) year, the resident will be allowed to reapply for a permit per this ordinance.
3. For a third violation, the Permit Holder will have their permit revoked and the Permit Holder must remove the chickens and/or ducks from their tract of land and will not be allowed to apply for a permit and not allowed to raise, harbor or keep chickens and/or ducks within the City of _____.