



**City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
August 7, 2012**

1. CALL TO ORDER - ROLL CALL

Mayor Bob Miller called the meeting to order at 6:56 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Ruth Dawidziak, Tom Vos, Tom Preusker, Katie Simenson
Excused: Steve Rauch

Also present: City Attorney John Bjelajac, Police Chief Peter Nimmer, Library Director Gayle Falk, Fire Chief Dick Lodle, Assistant to the Administrator Megan Watkins, Treasurer Steve DeQuaker, Streets and Parks Supervisor Dan Jensen

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Miller led the council, staff and audience in the Pledge of Allegiance

3. CITIZEN COMMENTS

None

4. CHAMBER OF COMMERCE REPRESENTATIVE

None

5. APPROVAL OF COUNCIL MINUTES FOR JULY 17, 2012

A motion was made by Hintz with a second by Vos to approve the minutes from July 17, 2012. With all in favor, the motion carried.

6. LETTERS AND COMMUNICATIONS

A motion was made by Dawidziak with a second by Hintz to accept the letters and communications. With all in favor, the motion carried.

7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS

Simenson reported on a dead bush located in the utility easement before Traveller's Run which needs to be replaced. She also reported on tall weeds near the railroad station area.

Johnson questioned how the Girl Scout's rain garden is doing in Echo Park. Jensen replied that a downspout was being installed and reported the garden is well maintained.

Vos asked if the Milwaukee Avenue construction project is on schedule. The mayor replied that it is on schedule and right where they had anticipated it to be at this time on the project.

Preusker reported on a problem with the traffic light on Milwaukee Avenue and Grove Street. He had observed the traffic lights in the evening switching to a flashing yellow on Milwaukee Avenue with a flashing red on Grove. He considered it a dangerous intersection as drivers are thinking all of the lights are flashing red. Preusker's suggestion would be to either stay on a four-way red or leave it on a normal cycle.

Simenson was concerned that at the exit of Walgreens that a "dip" in the road not be created as the city had to pay to correct the previous problem with a low entrance.

Dawidziak reported on the "City-wide Block Party" being planned. Due to the cancellation of the 4th of July Fireworks, an alternate date was being planned. Dawidziak said Fun Services of Oak Creek will provide bounce houses, inflatable obstacle courses and carnival-type games. She said that both the Rotary Club and Lion's club were interested in providing food and beverages. The fireworks are scheduled for dusk with a movie in the park to follow.

Simenson questioned the cost of the block party. The mayor did not have all of the figures but anticipated a cost of \$2,500.

8. REPORTS 1-8

A motion was made by Vos with a second by Johnson to approve Reports 1-8. With all in favor, the motion carried.

9. PAYMENT OF VOUCHERS

A motion was made by Simenson with a second by Hintz to approve vouchers, pre-paid and reimbursements in the amount of \$754,295.56 Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Preusker, Simenson Nay: None Motion carried 7-0

10. LICENSES AND PERMITS

A motion was made by Preusker with a second by Hintz to approve licenses as presented. With all in favor, the motion carried.

11. APPOINTMENTS AND NOMINATIONS

A motion was made by Prailes with a second by Johnson to approve the appointments as presented. With all in favor, the motion carried.

12. PUBLIC HEARING "A PUBLIC HEARING TO HEAR PUBLIC COMMENT REGARDING AN AMENDMENT TO THE MUNICIPAL CODE TO ADD SECTIONS 315-26(37) AND 315-27D(31) ALLOWING FOR OUTSIDE SEATING

The mayor opened the public hearing at 7:08 p.m. There was no discussion. A motion was made by Johnson with a second by Simenson to close the public hearing. With all in favor, the public hearing closed at 7:09 p.m.

13. RESOLUTIONS

A. RESOLUTION 4567(18) "A RESOLUTION TO APPROVE THE AWARD OF BID FOR THE REPLACEMENT OF THE LIBRARY ROOF TO CARLSON RACINE ROOFING FOR THE NOT-TO-EXCEED AMOUNT OF \$53,000"

A request for a second reading and a motion to approve was made by Hintz with a second by Vos. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Preusker, Simenson Nay: None Motion carried 7-0

B. RESOLUTION 4568(19) "A RESOLUTION TO APPROVE CHANGE ORDER NUMBER ONE WITH R.R. WALTON FOR THE 2012 CITY IMPROVEMENT PROJECT IN THE AMOUNT OF \$9,083.27"

A request for a second reading and a motion to approve was made by Dawidziak with a second by Vos. Discussion: Simonsen questioned the logic in approving a resolution for work that had already been completed. Jensen explained that issues do emerge on construction sites and decisions have to be made which can lead to change orders. The mayor added that because it is the wish of the council not to address agenda items from the Committee of the Whole the same night as the Common Council, that also contributes to the problem. Vos commented that he felt the process works and change orders are common to the construction industry. Vos felt if the change orders were too numerous then it may be necessary to take a look at the engineering. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Preusker, Simenson Nay: None Motion carried 7-0

C. RESOLUTION 4569(20) "A RESOLUTION TO APPROVE A REVISION TO THE CITY OF BURLINGTON FIRE DEPARTMENT BYLAWS"

A request for a second reading and a motion to approve was made by Vos with a second by Simenson. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Preusker, Simenson Nay: None Motion carried 7-0

D. RESOLUTION 4570(21) "A RESOLUTION TO APPROVE A REVISED COMPREHENSIVE SIGN PLAN FOR BMO HARRIS BANK LOCATED AT 1000 MILWAUKEE AVENUE"

A request for a second reading and a motion to approve was made by Simenson with a second by Johnson. With all in favor, the motion carried.

14. ORDINANCES

A. ORDINANCE 1954(8) "AN ORDINANCE TO AMEND SECTION 315-26D IN THE B-1 DISTRICT AND SECTION 315-27D IN THE B-2 DISTRICT TO ALLOW FOR OUTDOOR SEATING WITH CONSUMPTION OF FOOD AND BEVERAGES"

A request for a second reading and a motion to approve was made by Preusker with a second by Simenson. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Vos, Preusker, Simenson Nay: None Motion carried 7-0

15. MOTIONS

A. MOTION 12-748 "AN ORDINANCE TO AMEND SECTION 315-26D IN THE B-1 DISTRICT AND SECTION 315-27D IN THE B-2 DISTRICT TO ALLOW FOR OUTDOOR SEATING WITH CONSUMPTION OF FOOD AND BEVERAGES"

A motion was made by Prailes with a second by Hintz to approve Motion 12-748. With all in favor, the motion carried.

16. ADJOURNMENT

A motion was made by Johnson with a second by Hintz to adjourn the meeting. With all in favor, the motion carried and the meeting adjourned at 7:23 p.m.

Beverly R. Gill
City Clerk
City of Burlington
Racine and Walworth Counties