



CITY OF BURLINGTON
Common Council Official Minutes
Robert Miller, Mayor
Diahnn Halbach, City Clerk
March 19, 2013

1. Call to Order - Roll Call

Mayor Miller called the meeting to order at 7:02 p.m. Aldermen present: Bob Prailes, Peter Hintz, Ruth Dawidziak, Tom Vos, Steve Rauch, Tom Preusker, and Katie Simenson. Students present: Cullen Vos and Alexa Aguirre. Aldermen excused: Ed Johnson

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Director of Administrative Services Megan Watkins, Fire Chief Richard Lodle, Police Chief Peter Nimmer, Public Works Director Craig Workman, Public Works Supervisor Dan Jensen, Treasurer Steve DeQuaker and Tom Foht of Kapur Engineering.

2. Pledge of Allegiance

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

3. Citizen's Comments

None

4. Chamber of Commerce Representative

Chamber of Commerce representative, Jim Webley, thanked those that attended the March 16, 2013 Home Expo and Chocolate Extravaganza. Webley said there was a good turnout and further thanked Mayor Miller for entering the cupcake contest once again even though he didn't win.

5. Approval of Common Council Minutes for March 5, 2013

A motion was made by Prailes with a second by Hintz to approve the Common Council minutes of March 5, 2013. With all in favor, the motion carried.

6. Letters and Communications

A motion was made by Hintz with a second by Preusker to approve the Letters and Communications submitted for the March 19, 2013 Common Council meeting. With all in favor, the motion carried.

7. Reports by Aldermanic Representatives and Department Heads

Rauch commended Simenson for her six years of service to the City as 4th District Alderman. Mayor Miller also thanked Simenson for her hard work and dedication to the City and wished he well.

Rauch inquired as to whether or not the open beer policy was passed for Chocolate Fest. Prailes responded that there was much discussion and that beer will be allowed on the grounds so long as patrons are wearing a wristband.

8. Reports 1-4

A motion to approve Reports 1-2 was made by Dawidziak with a second by Simenson. With all in favor, the motion carried.

9. Payment of Vouchers

A motion was made by Vos with a second by Hintz to approve vouchers, pre-paids and reimbursements in the amount of \$171,278.90.

Roll Call Aye: Prailes, Hintz, Dawidziak, Vos, Rauch, Preusker, and Simenson. Nay: None. Motion carried 7-0.

10. Licenses and Permits

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

11. Appointments and Nominations

None

12. Public Hearings

A. A Public Hearing was called to order at 7:06 p.m. by Mayor Miller to hear comments and concerns from the public regarding the City of Burlington's intention to exercise its police power in accordance with §66.0703, Wis Stats., and §274-3 of the Cod of the City of Burlington to levy special assessments upon property as described in Resolution 4608(59) for reconstruction of various sidewalks.

Jeff Vanderwerff of 5800 S. Pine Street was concerned about the cost of the sidewalks and asked if less expensive alternatives were considered and how the costs were determined. Dan Jensen explained that costs were just estimates from our City engineers and residents will be notified once final costs are determined. Dawidziak clarified that the Hearing being discussed was actually the topic of the next Hearing regarding the Dunford and Spring Brook sidewalks. Mr. Art Koenig of 5740 Pine Street said he was incorrectly assessed for the amount of footage he would be responsible for and wanted it corrected. Mayor Miller once again clarified that this Hearing was other various sidewalks and Mr. Koenig's issue would be addressed in the next hearing.

No further comments were made. A motion to close the public hearing was made by Simenson and a second by Vos. With all in favor, the motion carried. Mayor Miller declared the closing of the Public Hearing at 7:10 p.m.

B. A Public Hearing was called to order at 7:10 p.m. by Mayor Miller to hear comments and concerns regarding City of Burlington's intention to exercise its police power in accordance with §66.0703, Wis. Stats., and §274-3 of the Code of the City of Burlington to levy special assessments upon property as described in Resolution4608(59) for construction of new sidewalks on S. Pine Street from Dunford Drive to the point lying approximately 150 feet from the southerly right-of-way line of Hidden Creek Lane.

Mr. Vanderwerff was satisfied with the information previously explained by Dan Jensen. Mayor Miller asked Craig Workman to have someone from the DPW to work directly with Mr. Koenig to resolve his issues.

No further comments were made. A motion to close the public hearing was made by Preusker and a second by Hintz. With all in favor, the motion carried. Mayor Miller declared the closing of the Public Hearing at 7:14 p.m.

- C. A Public Hearing was called to order at 7:13 by Mayor Miller to hear comments and concerns from the public regarding a Petition of Direct Annexation from RFD II, LLC to annex property located on S. Pine Street in the Town of Burlington (51-002-19-09-002-010) and amend the Official Zoning Map by zoning the parcel B-1, Neighborhood Business District.

No comments were made. A motion to close the public hearing was made by Simenson and a second by Vos. With all in favor, the motion carried. Mayor Miller declared the closing of the Public Hearing at 7:14 p.m.

- D. A Public Hearing was called to order at 7:14 by Mayor Miller to hear comments and concerns from the public regarding a request from RFD I, LLC to rezone property located at 32435 Yahnke Road and along S. Pine Street from Rs-1 and Rs-2, Single-Family Residential District; Rm-2, Multi-Family Residential District; P-1, Park District; and C-1, Conservancy District to Q-1, Quarrying/Extraction District; B-1, Neighborhood Business District; and C-1, Conservancy District.

No comments were made. A motion to close the public hearing was made by Hintz and a second by Simenson. With all in favor, the motion carried. Mayor Miller declared the closing of the Public Hearing at 7:15 p.m.

13. RESOLUTIONS

- A. **Resolution 4608(59) to approve a final resolution to declare intent to exercise Special Assessment powers for reconstruction of sidewalks at various locations.**

A request for a second reading and a motion to approve was made by Dawidziak with a second by Hintz.

There was no discussion. Roll Call – Aye: Prailes, Hintz, Dawidziak, Vos, Preusker, Rauch, Simenson. Motion carried 7-0.

- B. **Resolution 4609(60) to approve a final resolution to declare intent to exercise Special Assessments for the construction of a new sidewalk on S. Pine Street from Dunford Drive to the point lying approximately 150 feet from the southerly right-of-way line of Hidden Creek Lane.**

A request for a second reading and a motion to approve was made by Vos with a second by Rauch.

There was no discussion. Roll Call – Aye: Prailes, Hintz, Dawidziak, Vos, Rauch, Preusker, and Simenson. Nay: None. Motion carried 7-0.

- C. **Resolution 4610(61) to award the bid for the 2013 Street and Sidewalk Improvement Program to Black Diamond Group for the total amount of \$737,872.**

A request for a second reading and a motion to approve was made by Rauch with a second by Simenson.

Vos asked if there would be any money left over from the grant the City received two years ago. Lahner replied that there would still be some left. Rauch asked how much would be left. Lahner responded that the City still had about \$100,000 that needed to be used.

There was no further discussion. Roll Call – Aye: Prailes, Hintz, Dawidziak, Vos, Rauch, Preusker, and Simenson. Nay: None. Motion carried 7-0

D. Resolution 4506(57) to accept a Unanimous Petition for Direct Annexation from Chris Reesman of property located on S. Pine Street, in the Town of Burlington, Racine County, Wisconsin.

A request for a second reading and a motion to approve was made by Prailes with a second by Hintz.

Roll Call – Aye: Vos, Rauch, Preusker, Simenson, Prailes, Johnson, Hintz, Dawidziak. Nay: none. Motion carried 8-0.

14. ORDINANCES

None

15. MOTIONS

A. Motion 13-755 to authorize the Burlington Little League to construct a T-Ball field at Sunset Park. This item was discussed at the Committee of the Whole meeting on the same night.

Simenson motioned to approve Motion 13-755, seconded by Alderman Hintz. All voted aye, motion carried.

Vos commended the Burlington Little League for their contributions to the City.

16. ADJOURN

A motion was made by Preusker with a second by Dawidziak to adjourn the meeting. With all in favor, the meeting adjourned at 7:20 p.m.

Minutes respectfully submitted by:

Diahnn Halbach
Burlington City Clerk
Racine & Walworth Counties