



CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Diahnn Halbach, City Clerk
Tuesday, January 21, 2014

1. Call to Order/Roll Call

Mayor Robert Miller called the meeting to order at 6:30 p.m. starting with roll call. Aldermen present: Bob Prailes, Peter Hintz, Ruth Dawidziak, Tom Vos, Tom Preusker, Jon Schultz, and Todd Bauman. Excused: Ed Johnson. Student representatives present: Joe Nguyen. Student representatives excused: Sam Joski.

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Police Chief Peter Nimmer, Fire Chief Perry Howard, Public Works Director Craig Workman, Treasurer Steve DeQuaker, Director of Administrative Services Megan Watkins, Library Director Gayle Falk, and Tom Foht of Kapur & Associates.

2. Citizens Comments and Questions

There were none

3. Approval of Minutes from December 17, 2013

A motion was made by Schultz with a second by Vos to approve the minutes from December 17, 2013. With all in favor, the motion carried to approve the minutes.

4. Resolution 4647(37): To consider approving a Letter of Agreement between the City of Burlington and the Racine County Economic Development Corporation (RCEDC) for 2014.

Mayor Miller introduced Resolution 4647(37). Jenny Trick of the RCEDC explained the 2014 Letter of Agreement with the City of Burlington, and that as in previous years; the cost of the RCEDC assistance for 2014 is divided into two components – the first is for economic and community development assistance, for the cost of \$41,200 which is included in the 2014 budget and paid in quarterly payments, same as 2013. The second is for the cost of administration of the City's revolving loan funds to local businesses in the amount of \$3,260, which is based on thirteen percent of the incoming loan payments and may change should additional loans be approved throughout the year.

Mayor Miller stated the amount of the work done by the RCEDC on behalf of Burlington has been tremendous and has been an important entity in the City's economic development. Mayor further stated that the RCEDC has the expertise to administer the program to a level that the City does not have the capabilities to do so.

5. Resolution 4648(38): to consider approving a Master Service Agreement and Work Order with Baxter & Woodman for the Wisconsin Pollution Discharge Elimination System (WPDES) permit in the amount of \$9,780.

Craig Workman explained that this Work Order is specific to the renewal of the Wisconsin Pollution Discharge Elimination System (WPDES) permit for the Wastewater Treatment Facility and will deal with the assistance of the City's phosphorus removal as a result of the promulgation of stringent new water quality based effluent limits for wastewater treatment plants.

Schultz clarified that the City has known for a while that it will need to deal with the phosphorus issue and that this Agreement with Baxter & Woodman is what will move it forward. Workman concurred with Schultz.

6. **Resolution 4649(39)** to consider approving Task Order Number Ninety-Three with Kapur and Associates, Inc. for the 2014 Street and Sidewalk Project in the amount of \$78,985.

Mayor Miller introduced Resolution 4649(39) and opened it up for discussion.

Workman explained that this work wasn't originally budgeted in the 2014 budget; however there is a surplus from the 2012 General Obligation Bonds for Street Improvements which is required to be spent before 7/31/2014 and must be used on "basic" street improvements that do not involve utility work and needs to be designed and constructed quickly.

Vos asked how the slag seal that was used on previous projects is holding up and if it would be strong enough to withstand the weight of the heavier industrial vehicles that utilize the roads that are planned to be repaired. Workman replied that the nice thing about slag sealing is that you're actually adding structural reinforcement by putting an aggregate on top of the road which gives the road more integrity than the old technology of using the slurry seal, which is why it is being proposed to be used in the industrial park area – it's much structurally sound.

Hintz stated that the Kane Street area by the Lincoln Monument was in bad shape and should be considered for repairs as well.

Schultz asked how the slag seal on Bridge Street was holding up. Workman replied that it was holding up well and appears to be doing its job but that it takes a winter or two to really set in.

7. **Ordinance 1974(8)**: to consider amending the Official Traffic Map changing the time limit from 24 hours to 3 hours in the City parking lot, known as the Livery Lot, bounded by Milwaukee Avenue, WI Central Railroad and the alley in Block 20, Original Plat of Burlington.

Mayor Miller introduced Ordinance 1974(8) and opened it up to Council for discussion.

Vos inquired as to why this has become an issue. Mayor first responded that it was originally brought up in 2011 but eventually tabled by Council. Lahner then responded that it was brought to his attention by business owners that parking spots were being taken up by non-patrons and was potentially hurting their business. Lahner added that a possible solution to help the retail businesses was to have more frequent change-over in that lot; however the down-side would be non-parking availability for area residents.

Vos stated that there is available parking in the parking structure for residents. Prailes commented that customers can use and walk from the structure as well. Prailes further stated his concern for business owner who rely on the rental income from those residents and might have a more difficult time finding renters if parking availability becomes an issue.

Preusker wanted more specifics as to who is concerned about the parking issues and if notices were sent out to everybody that the parking issue would concern. Mayor stated that all business owners and residents were notified and there were some business owners in attendance at tonight's meeting.

Prailes wanted to know why the parking issue was tabled in 2011. Mayor responded that it was the same concerns as it is now but the drive for it to move forward weaned and the request was withdrawn.

Dawidziak asked if the decision had to be for the entire lot or if there could be exceptions made for residents. Lahner responded that residents could purchase monthly parking permits for \$10; however, if there is no 24-hour parking, then residents would not be able to park there even if they had a permit. Nimmer clarified that as it's designed right now, all municipal lots allow

people with a permit to park overnight. If 24-hour parking is no longer allowed in this particular lot, then the City would have to either amend the ordinance to allow for the permits and 3-hour parking or eliminate permits from that parking lot completely, which then would essentially eliminate residential parking.

Hintz asked if the City could restrict the parking to 3-hours during the day but allow parking overnight, which would help businesses during the day, but allow residents and others to still be able to park overnight if need be. Mayor responded that additional restrictions will require additional enforcement and with a reduced police department budget, the manpower to enforce could become an issue, resulting in more of a complaint type basis.

Vos wanted to hear feedback from the area business owners and inquired if there had been any feedback from the residents. Lahner replied that he hasn't heard feedback from residents, but business owners were present and ready to speak.

Mayor Miller opened the discussion to the business owners for comments.

Alex Strelbicki, 572 N. Pine Street, stated that he doesn't have anything against Fred's or John's and understands they have a business to run as well, but these restrictions solely benefit these two businesses. Strelbicki further stated that he has two older employees that would have a hard time walking the extra two blocks and feels others need to be considered in this situation.

Judy LeMieux, 256 E. Chestnut Street – owner Chocolate Expressions, stated that she understands parking is difficult in Burlington and it's hard for customers to find parking especially during the lunch hours. LeMieux further stated her primary issues being that the parking ramp is disgusting and not being taken care of; residents should have the right to use the parking lot as needed; and there is already a lack of a parking attendant, this could make it more of an issue.

Kevin O'Brien, 516 N. Pine Street – owner Burlington Floral, stated that he didn't see a big problem with the way things are right now. O'Brien further stated that posting these new restrictions would be an inconvenience to 2nd and 3rd shift workers, older employees, and business owners.

John Puntillo, 556 N. Pine Street – owner John's Main Event, stated that he had spoken with Fred's of Fred's Burgers. Puntillo said they both feel that during the day there should be parking restrictions and that they have more of an issue with Charcoal Grill employees parking in that lot; however, overnight parking should still be allowed.

8. **Ordinance 1975(9)**: to consider amending Section 17-1(I) of the Municipal Code to increase court costs by all persons and provided penalties for violations.

Mayor Miller introduced Ordinance 1975(9) and then opened it up for discussion.

There was no discussion.

9. **Motion 14-768**: to consider the 2014 fireworks display for July 4th with Bartolotta Fireworks Company, Inc., in the amount of \$10,000.

Dawidziak asked if other vendor options were explored and thought the 4th of July have been somewhat boring and not very impressive. Lahner replied that there are a few other firework companies but the City has not looked into them.

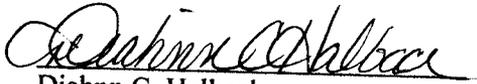
Prailes asked if it was possible to have the fireworks displayed over Echo Lake again. Lahner responded that it was both a safety issue and in order to resolve would require more money in order to have appropriate equipment.

Bauman inquired as to the fireworks that are displayed over Brown's Lake and what they spend and who they use. John Puntillo offered to find out that information. Lahner was concerned that it still might be a cost issue.

10. Adjourn

A motion was made by Preusker with a second by Bauman to adjourn the meeting. With all in favor, the meeting adjourned at 7:35 p.m.

Minutes respectfully submitted by:



Diahnn C. Halbach
Burlington City Clerk
Racine & Walworth Counties