



CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Diahnn Halbach, City Clerk
Tuesday, February 4, 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: Sam Joski. Student representatives absent: Joe Nguyen.

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 January 21, 2014

A motion was made by Schultz with a second by Preusker to approve the minutes from January 21, 2014. With all in favor, the motion carried to approve the minutes.

4. Discussion: Regarding allowing electronic attendance of aldermen at Committee of the Whole and Common Council Meetings.

Mayor Miller explained that Alderman Johnson brought to his attention the idea of allowing Council the option to use Skype or some other form of electronic attendance in lieu of missing a meeting due to travel and/or other logistic issues that would otherwise not allow a member to be present.

Vos remarked that he thought this would be a good idea.

Prailes inquired as to why electronic attendance wouldn't count towards having a quorum. Mayor Miller responded that bodies needed to be present in order to have quorum. Prailes then asked if it would be possible to limit the amount of times this type of attendance could be used per year. Attorney Bjelajac responded that currently there is no State Statute or case laws that deals with this; however this topic has been discussed within the Wisconsin League of Municipalities and according to their information we can set up meetings so that at a minimum audio is provided in order to for everyone to be able to hear each other.

5. Resolution 4650(40): to consider approving a preliminary resolution declaring intent to exercise special assessment powers under §66.0703, Wisconsin, for reconstruction of sidewalks at various locations.

Mayor Miller introduced Resolution 4650(40) and opened it up for discussion.

Schultz inquired as to why the City does "special assessments" and not just spread the cost over the entire City like it's done with roads and other improvements. Schultz felt residents would be upset for having to pay for sidewalks they don't own. Lahner responded that some residents request the repairs; however the City's policy has always been for reconstruction, a 50/50 split

between the City and the residents and they have the option of having the cost put on their tax bill over a period of three years with very little interest, although this policy can always be changed. Lahner also stated that there are two sides to the argument depending on the principals of where Council wants to be on a policy level – one being that the owner of the property benefits from the sidewalk in front of their house and should have to absorb some of the cost; the other being that the general walking public who use the sidewalk also benefits, therefore everyone in the City should help pay for it.

Schultz then asked how much a typical sidewalk slab costs. Workman responded that the cost averages around \$7 per square foot which would amount to approximately \$102 per slab.

Preusker wanted to know, besides being requested, how it's determined which sidewalks will be repaired. Lahner responded that repairs and replacements are based on inspections and is needed more in some areas of the City than others.

6. **Ordinance 1976(10):** to consider amending Section 286-3(b) of the Municipal Code providing for an increase to Room Tax.

Mayor Miller introduced Ordinance 1976(10). Lahner explained that the proposed room tax would increase from 3% to 6% and the City would also join the Real Racine (Racine County Visitors and Convention Bureau), which promotes Racine County tourism through a variety of ways, including organizing events, marketing activities and public relations. Lahner further explained that the City would provide 17% of its room tax collection to Real Racine as part of this proposal and the remaining funds would go to the Burlington Chamber of Commerce. Lahner added that per State Statute, 70% of the funds generated through room tax are required to be put back into the community in ways that promote tourism activities throughout the City. Lahner then introduced Dave Blank, President/CEO of Real Racine.

Blank explained who Real Racine is, what they do, and who they work with; further stating that it is their goal to attract people from outside the community via promotional efforts in order to bring them here and generate tourism cash flow.

Jeff Van Lysal, General Manager of the Hampton Inn and member of the Chamber of Commerce, commented on Real Racine's expertise in promoting tourism and said Real Racine has worked very well with the Chamber and looks forward to promoting Burlington even further.

7. **Ordinance 1977(11):** to consider amending Section 187-9 of the Municipal Code regarding restrictions for the issuance of liquor licensing.

Mayor Miller introduced Ordinance 1977(11) and then opened it up for discussion.

Preusker asked what the current process or standard is for obtaining a license. Attorney Bjelajac explained that there is a standard application process and that ultimately Council has infinite discretion as to who is issued a liquor license. Bjelajac further stated that currently, city code has no restrictions on its alcohol licenses. Property owners are entitled to purchase a yearly license and hold it until the business reopens or as leverage in the sale of the property. Adopting this ordinance sets the stage to revoke a license if a business is not in operation and Council deems necessary.

Schultz felt sixty days wasn't enough time to give new business owners the opportunity to set up and open their doors and might deter them from wanting to do business in Burlington. Bjelajac responded that Council has full discretion to consider whether or not a license should be issued or renewed. Bjelajac further stated that this ordinance is mainly geared towards businesses with licenses and are no longer in operation.

8. Adjourn

A motion was made by Preusker with a second by Hintz to adjourn the meeting. With all in favor, the meeting adjourned at 7:28 p.m.

Minutes respectfully submitted by:

Diahnn C. Halbach
Burlington City Clerk
Racine & Walworth Counties