



**CITY OF BURLINGTON
Official Minutes of the Common Council
Robert Miller, Mayor
Diahnn C. Halbach, City Clerk
March 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, Ed Johnson, Peter Hintz, Ruth Dawidziak, Tom Preusker, Jon Schultz, and Todd Bauman. Excused: Tom Vos. Student representative present: Joe Nguyen. Student representative absent: 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, Building Inspector Patrick Scherrer, and Tom Foht of Kapur & Associates.

2. Pledge of Allegiance

3. Citizen Comments

There were none.

4. Chamber of Commerce

Jan Ludtke, Chamber Member, reminded everyone of the upcoming Legislation Breakfast to be held at Gateway Burlington Campus beginning at 7:00 a.m. on Monday, March 10, 2014. Ludtke also reminded everyone of the upcoming Chocolate Extravaganza scheduled for Saturday, March 22 from 9 a.m. to 3 p.m.

5. Approval of the City Council Minutes for February 18, 2014

A motion was made by Hintz with a second by Dawidziak to approve the Council Minutes from February 18, 2014. With all in favor, the motion carried.

6. Letters and Communications

There were none.

7. Reports by Aldermanic Representatives and Department Heads

There was none.

8. Reports 1-3

A motion to approve Reports 1-3 was made by Schultz with a second by Bauman. With all in favor the motion carried.

9. Payment of Vouchers

A motion was made by Preusker with a second by Hintz to approve vouchers, pre-pays and reimbursements in the amount of \$3,824,046.15.

Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Schultz, Preusker, and Bauman. Nay: None.
Motion carried 7-0.

10. Licenses and Permits

A motion was made by Bauman with a second by Hintz to approve the submitted requests for licenses and permits as presented. With all in favor, the motion carried.

11. Appointments and Nominations

There were none.

12. Public Hearings

A Public Hearing regarding an amendment to Sections 315-65, 315-73, and 315-78 of the Municipal Codes concerning temporary signage.

Mayor Miller called the Public Hearing to order at 7:10 p.m. and opened up to the public for discussion.

Judy Bratz, 3211 Sunnyside Dr., Kansasville and Chamber of Commerce Vice President Planning/Treasurer, was concerned about the non-profits having to pay additional fees and spoke specifically about the Annual Hope Walk. Mayor Miller responded that non-profits fall under a separate ordinance and will be addressed at a later date.

Barb Bakshin, 33011 Yahnke Rd., Burlington and Chamber of Commerce President, is in support of the changes however is concerned about enforcement of permit fees for temporary signage.

Bob Lois, 632 Madison St. and owner of Lois Tire Shop also voiced his concern regarding enforcement and felt that fees would only be paid by compliant businesses while other businesses might not be as honest.

Tom Preusker agreed that the existing temporary sign ordinance was too strict but felt more issues needed to be addressed before he could fully support the proposed changes.

Kevin Lahner stated that the proposed changes were intended to make the ordinance more liberal and "business user friendly" based on the feedback received from local businesses.

Preusker suggested fining businesses if they were found to be non-compliant about posting signage without paying a permit fee.

Chris Vos, 273 Falcon Ridge Dr., likes the flexibility of the proposed changes but is concerned about the enforcement as well, stating that fees would only be collected by the business who are already being compliant. Vos further stated that she would like to see compliancy across the city in order for it to be fair to all the businesses.

A motion to close the public hearing was made by Prailes and a second by Hintz. With all in favor, the motion carried. Mayor Miller declared the closing of the Public Hearing at 7:40 p.m.

13. Resolutions

- **Resolution 4652(42) to adopt a Certified Survey Map at 988 S. Pine Street.**

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

Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Schultz, Preusker, and Bauman. Nay: None.
Motion carried 7-0.

- **Resolution 4653(43) to accept a Unanimous Petition for Direct Annexation of 19.66 acres at 5421 Mormon Road in the Town of Burlington for KW Development, LLC.**

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

Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Schultz, Preusker, and Bauman. Nay: None. Motion carried 7-0.

- **Resolution 4654(44)** to adopt a Memorandum of Understanding for Automatic Aid between the City of Burlington and Town of Burlington.

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

With all in favor, the motion passed.

- **Resolution 4655(45)** to approve Change Order Number Two with Black Diamond Group, Inc. for the 2013 Burlington Streets Project for a decrease of \$68,664.34 in the total project cost.

A request for a second reading and a motion to approve was made by Schultz with a second by Preusker.

Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Schultz, Preusker, and Bauman. Nay: None. Motion carried 7-0.

14. Ordinances

- **Ordinance 1978(12)** to amend Section 315-65, 315-73, and 315-78 of the Municipal Code regarding temporary signs

A request for a second reading and a motion to adopt was made by Preusker with a second by Schultz.

Preusker proposed to make the following additional amendments to Ordinance 1978(12):

- 315-65(A)(8) – Inflatable advertising devices or signs exceeding seven consecutive days in any three month period, changed to “ten consecutive days in any one month period”.
- 315-65(A)(9) – Portable trailer signs, either fixed or movable, exceeding seven consecutive days in any six month period, changed to “exceeding ten consecutive days in any one month period.
- 315-65(A)(13) – Sandwich signs. In accordance with 315-74(a)(1), one freestanding sandwich sign not exceeding a maximum of six square feet per sign face may be permitted per business in the HPO District when such sign does not constitute a public safety or traffic hazard as determined by the Zoning Administrator, changed to strike “in the HPO District” from the language.
- 315-73(B)(a)(1) – Temporary signs may be displayed thirty (30) or fewer consecutive days and not more than three times per calendar year, changed to “not more than ten (10) times per year”.
- 315-73(B)(a)(3) – Inflatable advertising devices or signs shall not exceed seven (7) consecutive days in a three (3) month period and four times per year per business, changed to “not to exceed ten (10) consecutive days in a one (1) month period and twelve (12) times per year per business”.
- The permit fees were to be changed from \$140 to \$50 for an annual permit.
- The permit fees were to be changed from \$35 to \$20 for individual permits.

A motion to accept the proposed amendments was made by Preusker with a second by Schultz.

There was no further discussion on the proposed amendment.

Mayor called Roll Call to accept the proposed amendments - Aye: Prailes, Johnson, Dawidziak, Vos, Schultz, Preusker, and Bauman. Nay: None. Motion carried 7-0.

Mayor then called Roll Call to accept Ordinance 1978(12) as amended - Aye: Prailes, Johnson, Dawidziak, Vos, Schultz, Preusker, and Bauman. Nay: None. Motion carried 7-0.

15. Motions

There were none.

16. Adjourn

A motion was made by Bauman with a second by Dawidziak to adjourn the meeting. With all in favor, the meeting adjourned at 8:13 p.m.

Meeting Minutes Respectfully Submitted by:

Diahnn C. Halbach
City Clerk
City of Burlington
Racine and Walworth Counties