



**CITY OF BURLINGTON
Official Minutes of the Common Council
Robert Miller, Mayor
Diahnn C. Halbach, City Clerk
March 18, 2014**

1. Call To Order – Roll Call

Mayor Robert Miller called the meeting to order at 6:48 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Ruth Dawidziak, Tom Vos, Tom Preusker, and Jon Schultz. Excused: Todd Bauman. Student representatives present: Joe Nguyen and Sam Joski.

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Police Chief Peter Nimmer, 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. Pledge of Allegiance

3. Citizen Comments

There were none.

4. Chamber of Commerce

Jim Webley, Chamber of Commerce representative, asked for an update on the new temporary sign ordinance. Webley also reminded everyone of the upcoming Home Expo on March 22, 2014 and the Business After Hours event being held at the Minute Man Express facility on March 20, 2014 at 5:00 p.m.

5. Approval of the City Council Minutes for March 4, 2014

A motion was made by Dawidziak with a second by Vos to approve the Council Minutes from March 4, 2014. With all in favor, the motion carried.

6. Letters and Communications

Communication A – Alderman Bauman will be unable to attend the March 18, 2014 Committee of the Whole and Common Council Meeting.

A motion was made by Hintz with a second by Vos to approve Letters and Communications.

With all in favor, the motion carried.

7. Reports by Aldermanic Representatives and Department Heads

Schultz reported that Aurora is no longer able to be involved with the Western Racine County Health Department because of the conflict of interest it imposes. Schultz further stated that alternatives are being explored.

Craig Workman, Director Department of Public Works, reminded everyone that effective Sunday, March 23, 2014, people should discontinue running their water at a trickle because of the potential freezing pipes issue and that bills were in the process of being adjusted to reflect the usage.

8. Reports 1-2

A motion to approve Reports 1-2 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 Preusker to approve vouchers, pre-paids and reimbursements in the amount of \$128,537.83.

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

10. Licenses and Permits

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

11. Appointments and Nominations

Courtenay Krusemark to be appointed as a Student Representative on the Plan Commission, term expiring May 31, 2014.

Additional 2014 Election Poll Workers: Margie Hoffman, Tom Leback, Diana Molumby, and Kathy Trimberger.

A motion was made by Prailes with a second by Hintz to approve the submitted requests for Appointments and Nominations. With all in favor, the motion carried.

12. Public Hearings

A. Public Hearing to hear comments and concerns from the public 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 Resolution 4658(48) for reconstruction of various sidewalks.

Mayor Miller called the Public Hearing to order at 6:56 p.m. and opened up to the public for discussion.

There were no public comments.

Schultz wanted to know what the definition of police power was. Attorney Bjelajac explained that its statutory language which describes the basic right of governments to make laws and regulations for the benefit of their communities which in this case allows the City of Burlington to levy special assessments upon property within the described assessment district for benefits conferred upon the listed properties.

Preusker asked if the property owners had been notified. Lahner responded that an initial letter has been sent out and there would be a total of three letters mailed to each of the property owners.

A motion to close the public hearing was made by Hintz and a second by Vos. With all in favor, the motion carried. Mayor Miller declared the closing of the Public Hearing at 7:00 p.m.

B. Public Hearing to hear comments and concerns from the public regarding a Petition of Direct Annexation from KW Development, LLC to annex property located at 5421 Mormon Road in the Town of Burlington and amend the official Zoning Map by zoning the parcel M-2, General Manufacturing District.

Mayor Miller called the Public Hearing to order at 7:00 p.m. and opened up to the public for discussion.

There were no public comments.

Prailes inquired if residents are mostly worried about the property that isn't attached. Lahner responded that it's possible they could be concerned about potential build.

Vos commented on the letter submitted on behalf of the Yanny property located adjacent to the property to be annexed and inquired as to the amount of traffic and noise that could be of concern. Lahner responded that in rare instances when transporting large pieces of material through the city would cause difficulty, trucks would need to transport via Spring Valley Road, but in most cases traffic would remain via the bypass from Market to Pine streets.

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 7:08 p.m.

13. Resolutions

- A. **Resolution 4656(46)** to approve a two-year contract for part-time building inspection services with Municipal Services, LLC.

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

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

- B. **Resolution 4657(47)** to approve an agreement with Real Racine to provide tourism promotion.

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

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

- C. **Resolution 4658(48)** to approve a final resolution exercising assessment power regarding the 2014 Sidewalk Reconstruction Project at various locations.

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

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

14. Ordinances

- A. **Ordinance 1979(13)** to amend Section 293-3 of the Municipal Code regarding parking.

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

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

15. Motions

There were none.

16. Adjourn

Before Adjourning, Mayor made an announcement of the upcoming Chocolate Fest Memorial Day Parade and asked if the Aldermen would be interested in participating by walking in the parade. With a show of support, Mayor said he would reserve a spot in the parade.

A motion was made by Hintz with a second by Dawidziak to adjourn the meeting. With all in favor, the meeting adjourned at 7:13 p.m.

Meeting Minutes Respectfully Submitted by:

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