



**CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Diahn Halbach, City Clerk
Tuesday, November 18, 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 Vos, Jon Schultz, Tom Preusker and Todd Bauman. Excused: None

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

2. Citizens Comments and Questions

There were none

3. Approval of Minutes from October 21, 2014

A motion was made by Dawidziak with a second by Vos to approve the minutes from October 21, 2014. With all in favor, the motion carried to approve the minutes.

Before continuing on to Topic 4, Mayor introduced and welcomed the high school student representatives being appointed to Common Council, Plan Commission, Airport Committee, and Library Board.

4. Resolution 4699(33) to consider approving an Amendment to the Project Plan of Tax Incremental District No. 3, City of Burlington, Wisconsin.

Mayor Miller introduced Resolution 4699(33) and indicated that David Wagner of Ehlers & Associates was present to further explain and answer any questions regarding the proposed amendment.

Prailes wanted to know, if the increased rate goes to TID 3 or does the increased amount of value come back to the City. Lahner responded that each individual tax entity would be able to collect the taxes on that property.

There was no further discussion.

5. Resolution 4700(34) to consider authorizing an application to the Public Service Commission for authority to increase water rates charged by the Burlington Water Utility.

Mayor Miller introduced Resolution 4700(34) and opened it up for discussion.

Vos asked if there's a light at the end of the tunnel to the increases. Craig stated that he did not believe there would be a need for a rate increase in 2016; however, the City would still go through a

Public Service Commission (PSC) study. Workman also stated that Burlington is still below the Racine County average.

There was no further discussion.

6. **Resolution 4701(35)** to consider approving an Extraterritorial Certified Survey Map for Charles and Cathy Naber for property located at 6320 McHenry Street in the Town of Burlington.

Mayor Miller introduced Resolution 4701(35) and opened it up for discussion.

There was no discussion.

7. **Resolution 4702(36)** to consider approving a Certified Survey Map application from HGA, on behalf of Aurora Health Care, for property located at 1062 Spring Valley Road.

Mayor introduced Resolution 4702(36) and opened it up for discussion.

There was no discussion.

8. **Ordinance 1992(11)** to consider amending the Official Zoning Map by rezoning property located at 1062 Spring Valley Road, to rezone the property from B-1, Neighborhood Business District to B-1 with a Planned Unit Development (PUD) Overlay.

Mayor introduced Ordinance 1992(11) and opened it up for discussion.

A resident at the meeting asked if this Ordinance pertained to Aurora and if he could comment at this time. Mayor Miller responded that the ordinance did pertain to the Aurora Medical Facility. Lahner informed the Mayor that there is a Public Hearing on the Common Council agenda for the same topic and for logistical purposes whether or not he wanted to have the presentation and comments at this time or wait for the Public Hearing. Mayor clarified to the residents that this was the first reading on the topic and that the residents could comment now if they wanted, but reassured all in attendance that they would have an opportunity to speak at the Public Hearing coming up at the Common Council Meeting, in which a presentation would also be made on this topic. Alderman Schultz further clarified that the Public Hearing is scheduled for tonight, not another day. Mayor reiterated that the Public Hearing would be tonight and the vote on this topic would happen at the next Common Council Meeting scheduled for December 2, 2014. Attorney Bjelajac also assured the residents they would have a full chance to speak later. Said resident stated he would wait to be heard at the public hearing.

There was no further discussion.

9. **Resolution 4703(37)** to consider approving a detailed Site Plan and Development Agreement between the City of Burlington and Aurora Health care to construct a Medical Complex at property located at 1062 Spring Valley Road pursuant to the City of Burlington's PUD Overlay zoning.

Mayor Miller introduced Resolution 4703(37) and opened it up for discussion.

Schultz questioned the information on page 5 Section 11 of the Developer's Agreement regarding the PILOT ("Payment in Lieu of Taxes") payments in relation to personal property taxes. Schultz further stated that it had been rumored that the legislature might try to eliminate personal property taxes and wanted to know how that would affect this agreement in the rare event that were to happen and wanted to be sure that Aurora would still be responsible to pay back the TIF and that it wouldn't fall on the tax payers.

Attorney Bjelajac responded that the verbiage in the contract is written that the final project debt would be paid for by the extra dollars generated through the TID; in addition, PILOT payments would also be applied to that debt, in which Aurora is obligated to pay on annual basis. Bjelajac further stated that language could be included in the contract to specifically address the situation of the elimination of personal property taxes if it were to occur.

Schultz recapped that he just wanted to reassure the people that no city tax dollars were being used to fund this project and that it is being paid for by Aurora.

10. **Resolution 4704(38)** to consider approving a Letter of Agreement between the City of Burlington and the Racine County Economic Development Corporation (RCEDC) for 2015.

Mayor Miller introduced Resolution 4704(38) and opened it up for discussion.

Tina Chitwood, Community Development Manager for the RCEDC, gave a brief overview of the details of the contract and said that the main focus would be on downtown development along with a timeline to complete the proposed activities. Chitwood further stated that contract amount remains the same from 2014 except for a \$459 increase with the administration portion of the City's Revolving Loan Funds (RLF).

Schultz said he had concerns regarding the downtown development and feels retail has a high failure potential and wanted to know some examples of success where these types of business thrived in a downtown location. Schultz further stated that the successful businesses appear to be the ones that sell goods that can't be bought online and offer an experience and atmosphere. Schultz used the Coffee House as an example of a successful downtown business.

Chitwood stated that she is the staff person in the community of Waterford and has recently implemented the Main Street program as one example as how they are working to address business recruitment in that community. Chitwood further stated that downtown Union Grove is another example of a community that she works in and they've used some tools that will be analyzing for use in the Burlington community such as a rent assistance grant program and compiling demographic information and being on the ready for when people come in and knowing the target markets to reach out to from the recruitment side of things.

There was no further discussion.

11. **Motion 14-787** to consider approving a Certificate of Appropriateness and Sign Permit in the HPC Overlay District for 100 E. Chestnut Street.

Mayor Miller introduced Motion 14-787 and opened it up for discussion.

There was no discussion.

12. **Motion 14-788** to consider approving a Certificate of Appropriateness and Sign Permit in the HPC Overlay District for 413 N. Pine Street.

Mayor Miller introduced Motion 14-788 and opened it up for discussion.

There was no discussion.

13. Adjourn

A motion was made by Vos with a second by Johnson to adjourn the meeting. With all in favor, the meeting adjourned at 6:56 p.m.

Minutes respectfully submitted by:

Diahnn C. Halbach
Burlington City Clerk
Racine & Walworth Counties