



CITY OF BURLINGTON
Council Minutes of the Common Council
Robert Miller, Mayor
Diahnn C. Halbach, City Clerk
Tuesday, December 16, 2014

1. Call To Order – Roll Call

Mayor Robert Miller called the meeting to order at 6:32 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Ruth Dawidziak, Jon Schultz, Tom Preusker and Todd Bauman. Absent: Tom Vos.

Student Representative Present: None. Student Representative Absent: Hannah Cook

Also present: 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. Pledge of Allegiance

3. Citizen Comments

There were no comments.

4. Chamber of Commerce Representative

None

5. Approval of the November 25, 26 and December 2, 2014 Common Council Minutes

A motion was made by Prailes with a second by Johnson to approve the Council Minutes from November 25, 26 and December 2, 2014.

Alderman Schultz asked to amend the 11/26/2014 Council Meeting minutes stating that he voted “Nay” in regards to Motion 14-789, not both yes and no as indicated in the roll call. Schultz also asked to amend the minutes from the 12/02/2014 Council Meeting, stating that he voted “Aye” just once, not twice as indicated in the roll call for Item No. 9.

With all in favor, the motion to approve the amended minutes was carried.

6. Letters and Communications

There were none.

7. Reports by Aldermanic Representatives and Department Heads

Alderman Johnson inquired about the former Quick n Save gas station located near St. Mary’s church and if there are any plans for that property. Lahner replied that the owners can’t be located and there have been several conversations with County about foreclosing on the property. Lahner also stated that the County is in the process of moving forward with condemnation proceedings and then under state law, the property can then be turned over to the City; after that happens, the City can start working on

an agreement with a developer to develop it. This process should be concluded sometime in April. Lahner further stated that BJ Wentkers has also expressed interest in the property for outdoor seating.

Chief Nimmer reported that their annual event, “Shop-With-A-Cop” was held on Friday, December 12, 2014 and was successful. Twenty-eight kids from the Burlington area were chosen by Love, Inc. to shop for Christmas gifts funded by Walmart. Both police officers and firefighters participated with the kids.

8. Reports 1-2

A motion was made by Prailes with a second by Hintz approve Reports 1-2. With all in favor, the motion carried.

9. Payment of Vouchers

A motion was made by Johnson with a second by Preusker to approve vouchers, pre-paids and reimbursements in the amount of \$262,233.63.

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 Hintz with a second by Preusker to approve Licenses and Permits.

With all in favor, the motion carried.

11. Appointments and Nominations:

A motion was made by Dawidziak with a second by Hintz to approve Appointments and Nominations.

Appointments are as follows:

- a) Cathy Merten to be appointed to the Burlington Housing Authority to replace LeRoy Stoehr, term expiring 5/1/19.
- b) Tom Stelling to be reappointed to the Historic Preservation Commission, term expiring 1/4/18.
- c) Jerry Delay to be reappointed to the Airport Committee, term expiring 12/4/18.
- d) Bil Scherrer to be reappointed to the Community Development Authority, term expiring 11/1/19.
- e) Chuck Rule to be appointed to the Community Development Authority, term expiring 11/1/19.
- f) John Hotvedt to be reappointed to the Airport Committee, term expiring 12/4/18.
- g) Jeff Erickson to be reappointed to the Historic Preservation Commission, term expiring 1/4/18

With all in favor, the motion carried.

12. Public Hearing:

There were none

13. Resolutions

- A. Resolution 4708(42) to adopt a Relocation Order for the acquisition, through eminent domain proceedings if necessary, of an easement on the property at 5421 Mormon Road for the installation of municipal watermain and a public bicycle/pedestrian path.

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, Preusker, and Bauman. Nay: Schultz. Motion approved: 6-1.

14. Ordinances

- A. Ordinance 1993(12) to create Municipal Ward Number 10 and designate the polling location for said ward.

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

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

15. Motions

There were none

16. Adjourn into Closed Session

1. Wis. Stats 19.85(1)(e), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved..
 - To litigation with WE Energies.

A motion was made by Preusker with a second by Bauman to adjourn into closed session at 6:56 pm. Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Schultz, Preusker and Bauman. Nay: None. Motion carried 7-0.

17. Reconvene Into Open Session

A motion was made by Hintz with a second by Johnson to reconvene into open session at 7:10 p.m. With all in favor the motion carried.

18. Consideration on recommendations from the City Council

A motion was made by Johnson with a second by Schultz to approve an agreement with WE Energies.

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

19. Adjourn

A motion was made by Bauman with a second by Preusker to adjourn the meeting. With all in favor, the meeting adjourned at 7:12 p.m.

Meeting Minutes Respectfully Submitted by:

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