



**CITY OF BURLINGTON**  
**Committee of the Whole Minutes**  
**Robert Miller, Mayor**  
**Diahnn Halbach, City Clerk**  
**Tuesday, February 17, 2015**

**1. Call to Order/Roll Call**

Mayor Robert Miller called the meeting to order at 8:02 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Ruth Dawidziak, Tom Vos, Jon Schultz, Tom Preusker and Todd Bauman. Excused: Peter Hintz.

Student Representative Present: None. 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, Library Director Gayle Falk and Tom Foht of Kapur & Associates.

**2. Citizens Comments and Questions**

There were none.

**3. Approval of Minutes from February 3, 2015**

A motion was made by Dawidziak with a second by Vos to approve the minutes from February 3, 2015. With all in favor, the motion carried to approve the minutes.

**4. Topic: Resolution 4712(46) to consider approving an amendment to the Wisconsin Economic Development Corporation (WEDC) Community Development Investment Grant Agreement with 492 Pine Coffeehouse, LLC.**

Mayor Miller introduced Resolution 4712(46) and explained that the WEDC approved and extension to the deadline for completion of this project as requested by 492 Pine Coffeehouse, LLC., and that this merely changes the projects substantial deadline from the original date of February 28, 2015, to the new date of April 30, 2015. Mayor then opened it up for discussion.

There was no further discussion.

**5. Topic: Resolution 4713(47) to consider approving a Grant of Easement Agreement with 492 Pine Coffeehouse, LLC.**

Mayor Miller introduced Resolution 4713(47) and explained that while undergoing remodeling and construction it was determined by state and federal building code that the rear exit/entrance is required for ADA accessibility. Mayor further stated that this easement will not affect traffic. Mayor then opened it up for discussion.

There was no further discussion.

**6. Topic: Resolution 4714(48) to consider authorizing amendments with respect to the City of Burlington Industrial Development Revenue Bonds, Series 2008A.**

Mayor Miller introduced Resolution 4714(48) and explained that this resolution would authorize amendments to the Loan Agreement related to the Industrial Development Bonds issued in 2008 for Erin Commercial Properties LLC, which were used to build the facility leased by Erin to RexCon, LLC. Mayor then opened it up for discussion.

There was no further discussion.

7. **Topic: Resolution 4715(49)** to consider approving a preliminary resolution declaring intent to exercise special assessment powers under 66.0703, Wisconsin Statutes, for reconstruction of sidewalks at various locations.

Mayor Miller introduced Resolution 4715(49) and explained that this resolution is consistent with the past practice of the City in which this is the first step to consider levying special assessment upon property for the replacement of existing public sidewalks at various locations. Mayor then opened it up for discussion.

Alderman Schulz thought the number of sidewalks being replaced was fewer than usual. Craig Workman responded that the number was par for the course.

Alderman Prailes asked if the sidewalks being done were all repairs or if any were new sidewalks being installed. Workman responded that these were all repairs and that new sidewalks were not in the 2015 budget.

There was no further discussion.

8. **Topic: Ordinance 1994(13)** to consider amending Section 315-30A “Permitted Uses” in the M-1 Light Manufacturing District of the City of Burlington Municipal Code.

Mayor Miller introduced Ordinance 1994(13) and explained that the purpose of this text amendment is to add permitted uses to the M-1, Light Manufacturing District and would include the processing, manufacturing, and/or storage of adhesives, cleaners, defoamers, dispersants, silicas, and surfactants, which would allow for a potential developer to utilize an existing building with the possibility of bringing 200 new jobs to the City. Mayor then opened it up for discussion.

There was no further discussion.

9. **Topic: Motion 15-795** to consider a Plan Commission recommendation regarding the approved Planned Unit Development (PUD) Detailed Site Plan for the Aurora Health Care Facility at 1062 Spring Valley Road to allow for a deviation to the off-street parking dimensions.

Mayor Miller introduced Motion 15-795 and explained that the purpose of this item is to further consider approval of a deviation to the off-street parking dimensions due to the wetlands on the property. The parking space size would be reduced from 9’ x 20’ to 9’ x 19’ which would result in a reduced width of 1 foot to each parking space. Mayor further explained that the parking lots at Kohl’s and Pick n Save have the exemption for the deviated widths as well. Mayor then opened it up for discussion.

There was no further discussion

10. **Topic: Discussion** to consider the proposals from Burbach Aquatics, Inc., and SAA Design Group to provide planning and design services for the Burlington Community Pool Project.

Mayor Miller instructed to Council that now is the time to further discuss either of the two companies or even whether or not the City should move forward with the pool plan.

Vos asked the Common Council if they were willing to commit to hiring either one of the firms to save the pool whether it be through replacement or renovation.

Prailes stated that the pool is at a critical point and a decision needs to be made one way or the other and needs to be done sooner rather than later.

Mayor Miller restated the purpose of the motion is for council to vote whether or not to authorize staff to enter into an agreement with one of the two companies to negotiate a contract that will be brought back to Council at a later date to either approve or disapprove. If Council chooses to not select either company, then the City would go back to square one with the pool.

Prailes wanted to know, if Council chooses a company, and they do the feasibility study, does the City have the option to walk away before going to referendum without owing the company more money. Mayor replied that would be part of the negotiated contract. Workman added that the RFP was structured in phases so that the first three phases would eventually lead to a referendum; however if the first two phases fail to satisfy Council, then the option to not proceed to referendum is available.

Preusker stated that he feels this process had gotten way ahead of itself and felt this topic should be tabled until additional questions could be answered. Preusker further stated the pool was not a part of the strategic plan nor was it discussed during budget planning. Preusker also questioned if it was right to spend all this money if it isn't even know if residents even want the pool.

Prailes and Dawidziak both stated that the purpose of the feasibility study would determine public opinion and what their needs are, which is what one of the companies would do once they are hired.

Preusker stated that Council had no say in the original RFP's and should have been more involved in the final selection of the companies. Preusker further stated that the two companies that they are being asked to choose from have two highly varying skill sets.

Schultz stated that he doesn't like the "all or nothing" approach; however he did feel that a feasibility study is necessary to determine what the residents truly want and would have felt more comfortable with the process had this been structured so that the feasibility study could have been done first and then allowed council to choose whether or not to hire a pool company and make it less of an "all or nothing" thing.

Mayor explained that one of the reasons the RFP's went out the way they did, is because the City currently has the bonding capacity to build a pool. The purpose of going to referendum is to gauge public input and whether or not they will support the concept of either building a new pool or renovating the existing one.

Prailes asked if the process being determined is to hire a company with the expertise to gather the necessary information of whether or not to build a pool and then Council would have another meeting to determine whether or not we want to go to referendum. Mayor responded that the motion tonight would be to authorize the City's staff to sit down with one of the two companies and negotiate a contract to be brought back to Council for approval and then start the process of getting information needed in order to get to a referendum – which covers phases 1 through 3 in the RFP's.

Johnson (via phone conference) stated that he felt it would be a shame for the City of Burlington to not have a pool and it's the City's responsibility to move forward, although also felt there wasn't enough information to make a decision on which company to choose.

Preusker asked if the RFP's could be modified to include just phases 1-3, as well as phase 6 to include the management plan. Mayor responded if Council chooses to do that, then this entire process would need to be scratched and would need to start from the beginning because the RFP's submitted reflect the cost of the project as a whole and would now need to be readjusted accordingly.

Bjelajac suggested to Council that they work off the RFP's they have and choose the entity that the City should negotiate with.

There was no further discussion.

**11. Adjourn**

A motion was made by Vos with a second by Prailes to adjourn the meeting. With all in favor, the meeting adjourned at 8:01 p.m.

Minutes respectfully submitted by:

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Diahnn C. Halbach  
Burlington City Clerk  
Racine & Walworth Counties