

CITY OF BURLINGTON  
Committee of the Whole Minutes  
Robert Miller, Mayor  
Beverly R. Gill, City Clerk  
January 4, 2011

**1. CALL TO ORDER/ROLL CALL**

Mayor Bob Miller called the meeting to order at 6:30 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Jim Prailes, Tom Vos, Steve Rauch, Katie Simenson Excused: Jeff Fischer

High school students present: David Martin Excused: Lauren Nadolski

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Police Chief Peter Nimmer, Treasurer Steve DeQuaker, Public Works Director Connie Wilson, Library Director Gayle Falk, Building Inspector Patrick Scherrer, Fire Chief Dick Lodle, Department of Public Works Supervisor Dick Pieters and Tom Foht of Kapur Engineering

Alderman Fischer arrived at 6:43 p.m.

**2. CITIZENS COMMENTS AND QUESTIONS**

None

**3. MINUTES FROM DECEMBER 21, 2010**

A motion was made by Simenson with a second by Jim Prailes to approve the December 21, 2010 Committee of the Whole Minutes. With all in favor, the motion carried.

**4. DISCUSSION REGARDING LOCATION OF POST OFFICE DROP BOXES**

Mayor Miller led the discussion regarding the location of the current drop box on Dodge Street.

Lahner said there wasn't much of an update to report as the postmaster is currently not interested in moving the drop box to another location.

Foht reported that one of the ideas was to place the drop box on post office property but that idea was also rejected by a representative of the post office. He also said that they researched other communities as to where the drop box was placed and it was usually a similar situation. Foht said that the bottom line is the post office is not interested.

Vos suggested that the city leave the drop box at its current location and if any driver crosses over to use the box, they should be issued a ticket.

Johnson said it was his understanding that the box is located in the street right-of-way and if the city wanted to, it could request that it be moved.

**5. RESOLUTION 4455(39) "A RESOLUTION TO CONSIDER APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF BURLINGTON AND THE RACINE COUNTY ECONOMIC DEVELOPMENT CORPORATION (RCEDC) FOR 2011"**

Mayor Miller introduced Resolution 4455(39) to the council for discussion. Mr. Gordy Kacala of Racine County Economic Development was present to answer council member's questions. He also distributed a brochure describing the many benefits that RCEDC has to offer to communities.

Kacala spoke about how prospective companies generally know where they want to relocate and it is not to be perceived that it is the west end vs. the east end of Racine County vying for the same business.

He said that companies are not requiring a full service industrial park as much as they are looking for a desirable "Class A" building. He reported that as of July 1<sup>st</sup>, 2010 in Racine County there was an inventory of 750,000 square feet of available space which is now down to 70,000 square feet of "Class A" buildings.

Kacala also spoke about how RCEDC has resumed more direct marketing at trade shows and have begun broker developer visitation programs to encourage business. Business finance was another area of expertise that RCEDC offers and reminded council members of RCEDC's involvement in obtaining a loan for the Hampton Inn. Micro loans of up to \$5,000 were also initiated by RCEDC which was beneficial to businesses affected by this summer's road construction. One business took advantage of the program and there remains \$15,000 in the fund.

Another aspect that RCEDC is involved with is the Revolving Loan Fund which they monitor. Kacala stated that they not only monitor the payments but are also involved with the collateralization of the loans.

Kacala mentioned that Historic Preservation Committee, Community Development Authority, Chamber of Commerce and Workforce Development are also part of the responsibility of RCEDC.

Vos stated that based on a statement made by Governor Walker regarding eliminating the Department of Commerce he wondered how RCEDC would envision working with a new entity. Kacala replied that RCEDC is in contact with the current Department of Commerce several times a week and he would envision that continuing with whatever new department is created.

Vos stated that from this presentation it was his understanding that Kacala had indicated there were businesses willing to bring jobs here but there was a lack of buildings and he questioned Kacala whether there was any potential funding. Kacala stated that he was meeting with the county executive tomorrow because this is a county-wide issue.

This resolution is scheduled for the January 18, 2011 Common Council meeting.

6. **RESOLUTION 4456(40) "A RESOLUTION TO CONSIDER APPROVING AND AUTHORIZING AN APPLICATION TO THE BOARD OF COMMISSIONERS OF PUBLIC LANDS FOR A STATE TRUST FUND LOAN IN THE AMOUNT OF \$815,000"**

Mayor Miller introduced Resolution 4456(40) to the council for discussion. There was no further discussion.

This resolution is scheduled for the January 18, 2011 Common Council meeting.

7. **RESOLUTION 4457(41) "A RESOLUTION TO CONSIDER TASK ORDER NUMBER SEVENTY-EIGHT WITH KAPUR & ASSOCIATES FOR THE 2011 UTILITY AND SIDEWALK IMPROVEMENT PROGRAM IN THE AMOUNT OF \$43,593"**

Mayor Miller introduced Resolution 4457(41) to the council for discussion. Hintz questioned when talking about crosswalks at Milwaukee Avenue and State Street if that refers only to painting lines in the street. Lahner replied that it involves painting lines as well as any signage that may be required due to traffic. Hintz also said that he had been contacted by Love Inc. located on South Pine Street for a crosswalk and parking spaces. Lahner stated that this could be looked at for next year.

Rauch asked about the "Stream Bank Stabilization Project" and who reviews Kapur Engineering's work. Foht replied that it would be the DNR and referred to Chapter Thirty.

This resolution is scheduled for the January 18, 2011 Common Council meeting.

**8. ORDINANCE 1918(21) TO CONSIDER AMENDING THE MUNICIPAL CODE TO CREATE CHILD SAFETY ZONES AND LOITER FREE ZONES WHERE SEX OFFENDERS ARE NOT PERMITTED DURING CERTAIN DAYS AND TIMES TO PROVIDE FOR ENFORCEMENT OF THESE ZONES"**

The mayor introduced Ordinance 1918(21) to the council for discussion. The mayor stated that this ordinance had been in the works for almost a year and originally the thought was to ban residential within the zones on the map provided but concluded that ninety per-cent of the city would be blocked out for sex offenders. The only portion that would not have been affected would have been Shiloh Hills because there is no park, school or church in that area. This new concept creates "child safety zones" which spells out that a sex offender cannot loiter in the defined areas.

Atty. Bjelajac said that after conversations with both the police chief and city administrator it was his understanding that we do not have a problem in this community at this time. As city attorney it is his goal to provide the police department with every tool available to protect children. Because the prior city attorney had worked on this ordinance, Atty. Bjelajac requested additional time for him to study this ordinance and bring it forward at a later council meeting date.

Rauch and Johnson both questioned how anyone would know that they are in these defined zones and how would it be enforced. Atty. Bjelajac stated that there are problematic issues to deal with in the enforcement of this ordinance.

Chief Nimmer reported that there are 24-30 sex offenders in the city and the police department would notify these people of this ordinance. A problem occurs when a sex offender is terminated from the Department of Corrections and is no longer under their ruling.

Simenson questioned Chief Nimmer if that list would be kept current and was concerned about offenders residing in the Town of Burlington. Chief Nimmer assured council that it would be protocol to advise these people of this ordinance and as far as those living in the Town of Burlington, the Department of Corrections would be provided with this information.

Vos was concerned with part of the ordinance that reads "not permitted during certain days and times". Nimmer stated that this refers to the actual hours of operation of schools, churches, parks etc.

Martin questioned if this ordinance pertained to loitering and if it restricts the use of the area by a sex offender. Nimmer replied that the sex offenders would not be allowed in the designated area. Martin further questioned whether this pertained to private enterprise. Atty. Bjelajac stated that as the ordinance is now drafted there are certain permitted uses in areas that are deemed "child safety zones".

Atty. Bjelajac reminded council members that they may want to wait with their questions until a final draft is presented to them.

Simenson questioned whether it would be coming back to the Committee of the Whole? Atty. Bjelajac said that he would work with both the administrator and the mayor and try to have it back on the Committee of the Whole on the 18<sup>th</sup> of January.

**9. ADJOURN**

A motion was made by Bob Prailes with a second by Vos to adjourn the meeting. With all in favor the motion carried and the meeting adjourned at 7:14 p.m.

Beverly R. Gill  
City Clerk  
City of Burlington  
Racine and Walworth Counties