



**CITY OF BURLINGTON**  
**Committee of the Whole Minutes**  
**Jeannie Hefty, Mayor**  
**Diahnn Halbach, City Clerk**  
**Tuesday, May 16, 2017**

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

Mayor Jeannie Hefty called the meeting to order at 6:30 p.m. starting with roll call. Aldermen present: Susan Kott, Ed Johnson, Bob Grandi, Ruth Dawidziak, Tom Vos, Jon Schultz, Tom Preusker, and Todd Bauman. Absent: None

Also present: City Administrator Carina Walters, City Attorney John Bjelajac, Finance Director Steve DeQuaker, Director of Administrative Services Megan Watkins, Police Chief Mark Anderson, Fire Chief Alan Babe, DPW Director Jim Bergles, Library Director Joe Davies and Building Inspector Gregory Guidry.

Student Representatives - Present: Ryan Werner. Excused: Gabriel King

**2. Citizens Comments and Questions**

Matthew Allen – 636 Mohr Circle, Waterford, WI – addressed the council regarding his business plan to revitalize the vacant Coach’s building. Allen stated that his plan included a complete renovation so that he could open a sports bar and grill named Burly Duck, which would include duckpin bowling. Allen’s concern was the availability of a liquor license and asked Council if they would consider his application when it’s brought forward to them.

Gaylord Johnson – 416 Garfield Street – expressed his concern regarding abandoned vehicles in the front yard and felt this should be a violation of the nuisance ordinance.

**3. Approval of Minutes from May 2, 2017**

A motion was made by Alderman Vos with a second by Alderman Bauman to approve the minutes from May 2, 2017. With all in favor, the motion carried to approve the minutes.

**4. Topic: Motion 17-873 - to discuss and consider approving an Eagle Scout Project and City Project Regarding City Owned Property Located at 256 State Street.**

\*Mayor Hefty moved this topic before the SAFEbuilt discussion.

Walters provided Council with background information regarding this property. Walters then introduced Tommy Martin, a Burlington Boy Scout with Troop 336, who is seeking to obtain his Eagle Scout by completing this project at the 256 W. State Street property. Martin then presented his plans for the property, which is to restore the land into a green space/park area, with the help of several local businesses, fundraising efforts, and community donations. The site would include signs signifying the City of Burlington, as well as a sculpture, park benches, brick-paved walkways, professional landscaping, and renewed sidewalks.

5. **Topic: Discussion** regarding an update from SAFEbuilt Wisconsin, LLC, the City's consultant, providing property maintenance and Code Enforcement support to the Building and Zoning Administrator.

Walters introduced D.A. Maddox, SAFEbuilt consultant. Maddox then provided an overview of the program, statistical information including closed complaints and those still in progress. Maddox then proceeded with a PowerPoint presentation showing the various projects they have been working on, which includes ordinance revisions and educating home and business owners on city and state codes. In addition, Maddox explained that they will continue working on an educational process driven by complaints for both Commercial and Residential properties and informal educational walks with elected officials pointing out possible violations and room for improvement for both residential and downtown properties.

6. **Topic: Resolution 4828(47)** to consider approving a Final Resolution and Installment Assessment Notice under §66.0703 Exercising its Assessment Power for Sanitary Sewer from 928 S. Pine to 1009 S. Pine.

Mayor Hefty gave the first reading of Resolution 4828(47). Walters reviewed with Council that a Preliminary Resolution was passed at the February 2017 meeting; however was tabled after a Public Meeting, held on March 21, 2017, so that staff could meet with the affected stake holders due to the cost of the project. Walters stated that staff met with the property owners twice and as a result of these meetings, staff is recommending to allow the property owners 20 years versus 10 years to pay back the special assessment; eliminate /waive the sewer connection fee of \$1,650; and allow for a 2 year connection versus the 180-day connection once the connection is created, unless their septic fails prior to the 2 years.

Both Alderman Vos and Schultz stated that the City should have put the connections in when the property was annexed 30 years ago and was in support of the 20 year payback. The other Aldermen also agreed with the terms of the Final Resolution.

7. **Topic: Resolution 4851(9)** – to consider approving an Agreement between Burlington Rescue Squad, Inc. and the City of Burlington to convey ambulance #931.

Mayor Hefty gave the first reading of Resolution 4851(9). Chief Babe explained that in a collaborative effort between the Burlington Rescue Squad (BRS) and the City of Burlington Fire Department (CBFD), BRS wishes to convey a used ambulance to the CBFD for use as a first responder vehicle.

8. **Topic: Resolution 4852(10)** - to consider approving a Certified Survey Map for Paul and Patricia Naber for property located at the intersection of Stoney Hill Road and Rocky Road in the Town of Burlington within the City's Extraterritorial Plat Jurisdiction.

Mayor Hefty gave the first reading of Resolution 4852(10). Gregory Guidry explained that this CSM lies within 1.5 miles of the City, therefore must be approved by Council. Guidry further stated that the Town of Burlington Planning and Zoning Committee approved this CSM at their April 13, 2017 meeting.

9. **Topic: Resolution 4853(11)** – to consider approving Scherrer Construction as the Construction Manager for the Construction of the Burlington Community Pool at Devor Park for the not-to-exceed amount of 3% of the total cost of construction.

Mayor Hefty gave the first reading of Resolution 4853(11). Walters stated that in December 2015, the City released a Request for Proposal (RFP) to qualifying firms to provide engineering services for the design of a new pool. Scherrer Construction was one of the chosen consultants. Walters further stated that approval of the Construction Management portion is Phase 6 of the Burlington Community Pool Project. Walters explained that this contract will be an “At-Risk” contract; meaning the “At-Risk” price for cost of construction will not exceed a Guaranteed Maximum Price for construction of the pool, plus contingency and a 3% Construction Manager Fee. Walters further stated that the Guaranteed Maximum Price cannot be determined until bids are released, received, and tabulated, which will be brought to Council at a future meeting; however, before that can happen, the Construction Manager Agreement must first be approved by Council.

Attorney Bjelajac stated that this “At-Risk” Agreement is similar to the agreement made when the Department of Public Works building was being constructed.

**10. Topic: Ordinance 2025(2)** – to consider approving an At-Large Charter Ordinance for the City of Burlington in order to provide a mixed Council of both Elected and At-Large Officials.

Mayor Hefty gave the first reading of Ordinance 2025(2). Walters explained that on February 7, 2017, Council discussed the possibility of having At-Large election seats due to the difficulty in obtaining replacements for district-specific elected seats. Staff was then asked to identify what the processes were for changing the City’s Charter Ordinance. Attorney Bjelajac confirmed there were three possible options. As a result of the discussion, staff was directed to pursue Option 1, which involved adopting the modified Charter Ordinance with a 60-day waiting period to allow any petitioner sufficient time to file paperwork for a referendum. Walters further explained that Bjelajac has drafted a new Charter Ordinance reflecting the change to a mixed Council of both Elected and At-Large Officials and if approved, would go into effect in the Spring Election of 2018.

Alderman Schultz suggested the Charter Ordinance should take effect opposite of the Mayoral race and begin in the Spring of 2019.

Alderman Grandi said he is opposed to At-Large seats and feels that it doesn’t address the real problem which is lack of citizen engagement. Grandi also feels that it’s important to have district specific representation.

Alderman Schultz agreed that citizen involvement is needed however, feels district specific representation is irrelevant because, in most situations, Council represents the entire City, not just one district.

Alderman Dawidziak stated that she sees value in both types of seats and having a mixed Council should be considered.

Student representative Ryan Werner stated that from what he’s seen and learned while serving on this year’s Council, is that district representation isn’t relevant and that Council oversees the entire City.

Walters directed Attorney Bjelajac to change the Charter Ordinance to be effective for the 2019 Spring Election. Walters also stated that this extra time could be used to further educate people and increase citizen involvement.

**11. Topic: Ordinance 2026(3)** – to consider amending Section 6-8, “Plan Commission” of the Municipal Code of the City of Burlington.

Mayor Hefty gave the first reading of Ordinance 2026(3). Alderman Dawidziak explained that this ordinance currently requires the Park Board President to also serve on Plan Commission. Dawidziak stated that this extra time commitment has made it difficult to find someone to fill this Park Board position. Dawidziak further stated that this amendment seeks to remove the requirement for the Park Board president to also sit on the Plan Commission and replace this position with a local resident, which keeps the seven voting member requirement per state statute and that all other rules and requirements of the commission will remain intact.

- 12. Topic: Ordinance 2027(4)** – to consider amending Chapter 297-1(e)(1) “Taxicabs” in the Municipal Code of the City of Burlington.

Mayor Hefty gave the first reading of Ordinance 2027(4). City Clerk, Diahnn Halbach explained that in comparison with other communities, the City’s policy limit for taxicab drivers was the highest and was making it prohibitive for some business owners to conduct business in the City of Burlington. Halbach further explained that as a result of these findings and per recommendation with Zarek Insurance, it was suggested that the absolute minimum commercial auto policy for a taxicab operator within the City, should be no less than \$250,000/\$500,000/\$100,000 and that lowering these limits could reduce the cost of the insurance policy and make it more affordable for taxicabs to do business in the City of Burlington.

- 13. Topic: Ordinance 2028(5)** – to consider amending Chapter 234, “Park Regulations” of the City of Burlington Municipal Code, to create Section 234-2 (E) to prohibit abandonment of any boat or watercraft from City of Burlington Park property.

Mayor Hefty gave the first reading of Ordinance 2028(5). Bergles explained the purpose of the amendment and stated that abandoned boats and other watercraft has been an increased problem in the City parks over the past years, particularly McCanna Park. Bergles further stated that the Park Board has discussed this issue and agreed to prohibit abandonment of any boat or watercraft in any City Park.

- 14. Topic: Motion 17-874** – to consider the annual insurance renewal with Zarek Insurance.

Mayor Hefty presented Motion 17-874. Walters gave an overview of the policy and stated that due to a reduction of workers compensation claims, the premium has an overall decrease of 9%.

**15. Adjourn**

A motion was made by Alderman Schultz with a second by Alderman Vos to adjourn the meeting. With all in favor, the meeting adjourned at 8:50 p.m.

Minutes respectfully submitted by:

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Diahnn C. Halbach  
City Clerk  
City of Burlington