



CITY OF BURLINGTON

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CITY OF BURLINGTON
Common Council Minutes
Jeannie Hefty, Mayor
Diahnn Halbach, City Clerk
Tuesday, August 15, 2017

1. **Call to Order - Roll Call**

Mayor Jeannie Hefty called the meeting to order at 6:51 p.m. starting with roll call. Aldermen present: Susan Kott, Ed Johnson, Bob Grandi, Ruth Dawidziak, Jon Schultz, Tom Preusker, and Todd Bauman. Excused: Tom Vos.

Also present: City Administrator Carina Walters, City Attorney John Bjelajac, Finance Director Steve DeQuaker, Lt Brian Zmudzinski, Fire Chief Alan Babe, Building Inspector Gregory Guidry.

2. **Pledge of Allegiance**

3. **Citizen Comments** - There were none.

4. **Chamber of Commerce Representative and Rescue Squad Representative** - There were none.

5. **Approval of Minutes**

- A. A motion was made by Alderman Schultz with a second by Alderman Dawidziak to approve the Common Council Minutes for August 1, 2017. With all in favor, the motion carried.

6. **Letters and Communications** - There were none.

7. **Reports by Aldermanic Representatives and Department Heads**

Mayor Hefty reported on the status of the 256 W. State Street project and stated Pat Torhorst would run the fundraising for the shortfall of money needed to complete Martin Square. Mayor expects the work to begin in the first part of September and should be completed by October.

Mayor Hefty stated that she was saddened to hear about the FEMA report, but wanted to recognize those who worked so hard in preparation for this report, including Gregory Guidry, Chief Babe, Council members, and Tyson Fettes for providing a GPS app that would ping calls coming in to the Operation Center so they could be located immediately, which helped greatly with the assessments. Mayor Hefty also stated that FEMA recognized they had never seen such an organized team and commended the City for the methods they used to handle this situation.

Alderman Schultz stated he spoke with the Scout Master in regards to Martin Square and wanted to know if all liens had been removed from the property because Tommy Martin is unable to get his scout project approved until that's verified. Attorney Bjelajac responded that through the communications he's had with Racine County, when the City received the title to that property it was clear of all liens which included a lien that the DNR thought they had but they don't. Bjelajac further

stated that the proper notice was given by the County to the Department of Commerce and DNR, and the lien was extinguished through the tax sale of the County and the City should be holding it free and clear; however, the DNR has been trying to confirm the communication that Bjelajac sent to the them. Schultz clarified whether or not the DNR still thinks it has a lien. Bjelajac responded that the lien is still off record, but the DNR has no entitlement to it.

Alderman Schultz inquired about the status of the air conditioning in the police department. Walters responded that it is still not working as the controls for the a/c were located in the basement and were damaged in the flooding but have been ordered and as soon as they are received they will be replaced, which will hopefully be this month.

Alderman Schultz suggested that if the City does decide to drain Echo Lake for dredging purposes, to consider removing the Echo Lake Dam in its entirety so that the water can move naturally as it's intended to do, and it's becoming an increasingly common thing to do in Wisconsin. Walters responded that it would be a great discussion topic for the upcoming Budget Workshops.

Alderman Bauman congratulated Alderman Kott and others involved with the Tall Tales Festival and said it was a great night and looked forward to an even bigger event next year.

Walters reminded Council to contact Megan Watkins to schedule a tour of the County Dispatch Center. Walters also stated that Watkins is attempting to set up "Coffee with the Alderman" for either Saturday, September 23 from 8-10 a.m. or Tuesday, September 26 from 6-8 p.m., and to please contact her with your availability.

Alderman Grandi asked for an update on the Police Department. DeQuaker responded that due to the six feet of water, all of the infrastructure and electronic controls and cables located in the basement were damaged and is taking time to repair and replace, however they continue to keep moving forward.

Lt. Zmudzinski reported that the canine program is back up and running and was pleased to announce that Sergeant Baumhardt would be Officer Zander's new handler. Zmudzinski also reported that the Police and Fire Commission approved the eligibility list for two new hires.

8. **Reports 1-2**

A motion was made by Alderman Preusker with a second by Alderman Johnson to approve reports 1-2. With all in favor, the motion carried.

9. **Payment of Vouchers**

A motion was made by Alderman Bauman with a second by Alderman Preusker to approve Payment of Vouchers as presented.

Alderman Grandi commented on the charges for John's Disposal and asked if the City had been billed yet for the special flood damage pick up. Walters responded that Council would be presented with the charges for the special pick up at the next meeting, which amounts to approximately \$16,000.

Alderman Preusker inquired if there was a cost yet for the sink hole on Madison Street. Walters replied that the initial cost was approximately \$60,000 but there is still some residual work that needs to be completed, which could be another approximately \$20,000.

Roll Call: Aye - Bauman, Kott, Johnson, Grandi, Dawidziak, Schultz, Preusker. Nay - None. The motion carried 7-0.

10. **Licenses and Permits**

- A. Consideration of approving the issuance of a "Class B" Combination Reserve Liquor License to MK Allen, Inc. (dba The Burly Duck) for property located at 488 Milwaukee Avenue, in the amount of \$12,500.

A motion was made by Alderman Kott, with a second by Alderman Johnson to approve a "Class B" Combination Reserve Liquor License to MK Allen, Inc. (dba The Burly Duck) for property located at 488 Milwaukee Avenue, in the amount of \$12,500.

Alderman Dawidziak inquired about the status of Allen's financials and the RCEDC's involvement. Walters stated the RCEDC has reviewed Allen's financials and finds the project both interesting and with merit; however, Allen is unable to go through the expense of completing the entire process, without the approval of a liquor license. Walters added that in addition to RCEDC's positive feedback, Allen has also received additional support from a financial institution if necessary. Walters stated that ultimately Council needs to have a discussion of whether or not they want to issue this last liquor license, which means either they don't issue the license and the City remains with a blighted property in the downtown district, or they can choose to grant the liquor license with a contingency based on financial approval. Walters added, that a preliminary population census report was recently received from the State and based on those numbers, we could qualify for an additional liquor license, once the final results are received in October.

Alderman Dawidziak commented that per the City's ordinance, if an applicant is unable to open their business within 90 days of the issuance of a license, then the City can take back the license. Dawidziak stated that she feels the license should be issued and if for some reason Mr. Allen is unable to get the necessary financing, the license would come back to the City, based on this ordinance.

Alderman Schultz stated that Council does have some flexibility with time knowing that its going to take at least 2-3 months, if not longer, for everything to be completed.

Alderman Preusker stated that he feels the license should be approved for a number of reasons, including the fact that it would go to a building that has been vacant for a number of years in the downtown district, and would coincide with the strategic initiatives to improve the downtown. Preusker also felt that the lack of liquor licenses is a state issue and needs to be changed through legislature, plus there has been promises of a big chain restaurant for years and it's never happened, so the City shouldn't hold on to a license based on something that might never happen.

Matt Allen stated that he heard from the previous meeting that Council had a concern regarding contingency funding, so they approached BMO Harris Bank and the RCEDC to apply for SBA loans, which allow them to keep their additional funds in the bank for contingencies, overruns or anything else that might happen. Allen further stated that when all is said and done, they will have invested over \$550,000 into the building that will be used for interior and exterior renovations, which would include restaurant equipment and other upgrades.

Alderman Grandi voiced his concern that he didn't want to see this liquor license in limbo for a couple of years, yet understands that 90 days won't be enough time to get everything done. Allen responded that the renovations will take at least 4 to 6 months to complete, but that it's going to be done correctly and it's going to look good and be in compliance with the codes of the Burlington Historic Preservation Committee.

Alderman Kott stated she can see that Mr. Allen is very passionate about this project but wanted to know what percentage of the building would be bar versus food. Allen responded that two-thirds of the building would be dedicated to duckpin bowling and the restaurant, and about of one-third would be allocated for the sports bar. Kott further asked how popular duckpin is and if Burlington could sustain two bowling alleys. Allen replied that duckpin bowling is a different concept from regular bowling and draws a slightly different audience and is making a resurgence in the market.

Dawidziak added that she had spoken to people at Town and Country Lanes, and they don't feel this concept would be any kind of threat to their business.

Discussion concluded.

Roll Call Vote: Aye - Kott, Johnson, Grandi, Dawidziak, Schultz, Preusker, Bauman. Nay - None.
Motion carried, 7-0.

- B. Consideration of approving the issuance of Operator's Licenses and a Special Event Permit Application.

A motion was made by Alderman Kott, with a second by Alderman Preusker to approve Licenses and Permits as presented. With all in favor, the motion carried.

11. **Appointments and Nominations** - There were none.

12. **PUBLIC HEARINGS:** - There were none.

13. **RESOLUTIONS:**

- A. **Resolution 4861(19)** - to consider approval of a Certified Survey Map for property located at 2100 Milwaukee Avenue.

A motion was made by Johnson, with a second by Preusker to approve Resolution 4861(19). With all in favor, the motion carried.

14. **ORDINANCES:** - There were none.

15. **MOTIONS:** - There were none.

16. **ADJOURNMENT**

A motion was made by Alderman Grandi, with a second by Alderman Preusker to adjourn the meeting. With all in favor, the meeting adjourned at 7:29 p.m.

Minutes respectfully submitted by:
Diahnn C. Halbach
City Clerk
City of Burlington