



City Clerk
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www.burlington-wi.gov

**CITY OF BURLINGTON
Common Council Minutes
Jeannie Hefty, Mayor
Diahnn Halbach, City Clerk
Wednesday, April 8, 2020**

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

Mayor Jeannie Hefty called the Common Council meeting to order at 7:38 p.m. Roll Call: Present - Alderman Susan Kott, Alderman Theresa Meyer, Alderman Bob Grandi, Alderman Ryan Heft, Alderman Steve Rauch, Alderman Jon Schultz, Alderman Tom Preusker, Alderman Todd Bauman. Excused: None

Student Representatives: Present - None. Excused - Thomas Martin (BHS), Peter DeSmidt (CCHS).

Staff present: City Attorney John Bjelajac, City Administrator Carina Walters, Assistant City Administrator/Zoning Administrator Megan Watkins, Finance Director Steven DeQuaker, Public Works Director Peter Riggs, Fire Chief Alan Babe, Police Chief Mark Anderson, Human Resource Manager Jason Corbin, and City Intern Nicholas Faust.

2. **Pledge of Allegiance**

3. **Citizen Comments** - Telephone Dial: US: (312) 626-6799, Webinar ID: 725 271 341

There were none.

4. **Chamber of Commerce Representative** - There were none.

5. **Approval of Minutes** - To approve the March 3, 2020 Common Council Meeting Minutes. Motion: Alderman Grandi. Second: Alderman Rauch. Roll Call: Aye - 8. Nay - 0. The motion carried.

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

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

Mayor Hefty offered her appreciation and praise to all those who helped with April 7, 2020 Election and made it as successful as possible.

Alderman Preusker inquired as to when the compost site would reopen as there are many people doing yard work and have no where to go with yard waste. Comments from other Alderman supported Alderman Preusker's inquiry. Administrator Walters stated that staff will strategize and research a feasible solution, and then leave it up to Council to make a decision.

Alderman Preusker inquired about city staff and if the city is continuing to pay them if they're not working. Administrator Walters responded that staff has not been laid off but have been re-positioned and/or working remotely if possible.

8. **Reports** - To approve the March 3, 2020 Common Council Meeting Minutes.
Motion: Alderman Heft. Second: Alderman Grandi. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

9. **Payment of Prepays and Vouchers** - To Approve Prepaid and Voucher list for bills accrued through April 8, 2020.
Motion: Alderman Rauch. Second: Alderman Kott. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

10. **Licenses** - To approve Operator's License Applications as submitted.
Motion: Alderman Schutlz. Second: Alderman Heft. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

11. **PUBLIC HEARINGS**

A. Mayor Hefty opened the Public Hearing at 9:00 p.m. to hear comments and concerns regarding the creation of Ch. 278-81.1 of the City of Burlington Municipal Code entitled, "Park Facilities Impact Fee".

Brad Lois, 173 Monica Avenue, and realtor with Bear Realty, stated that he is against the fees and felt that residents already have plenty of parks and that the demand is not there. Lois further stated that the additional fees could impact new development and that construction costs are already high.

With no additional comments, a motion to close the Public Hearing was made by Alderman Preusker and seconded by Alderman Heft. Roll Call Vote: Aye - 8. Nay - 0. The motion carried and the Public Hearing was closed at 9:07 p.m.

12. **RESOLUTIONS:**

A. **Resolution 4999(52)** - To approve a Revolving Loan Fund (RLF) Grant in the amount of \$15,000 and Loan in the amount of \$100,000 to the Low Daily Brewery for a total not-to-exceed amount of \$115,000.

Motion: Alderman Bauman. Second: Alderman Preusker. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

B. **Resolution 5000(53)** - To approve a Revolving Loan Fund (RLF) grant request for a total not-to-exceed amount of \$13,319.50 to The Loop Properties, LLC for property located at 488 Milwaukee Avenue.

Motion: Alderman Kot. Second: Alderman Grandi. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

C. **Resolution 5001(54)** - To approve a Revolving Loan Fund (RLF) Grant in the amount of \$10,000 to Clinical Psychology Associates, LLC for property located at 197 W. Chestnut Street.

Motion: Alderman Meyer. Second: Alderman Rauch. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- D. **Resolution 5002(55)** - To amend the Cash Deposit Schedule for the City of Burlington regarding municipal court.

Motion: Alderman Grandi. Second: Alderman Kott. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- E. **Resolution 5003(56)** - To amend the Fee Schedule for the City of Burlington regarding the Public Site Fee and the Park Facilities Impact Fee.

Motion: Alderman Heft. Second: Alderman Kott. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- F. **Resolution 5004(57)** - To approve the Bid Award for Garbage and Recyclables Collection and Disposal to ASDA Enterprises, Inc.

A motion to Table Resolution 5004(57) was made by Alderman Preusker and seconded by Alderman Schultz. Roll Call Vote: Aye - 8. Nay - 0. The motion carried and the resolution was tabled.

13. **ORDINANCES:**

- A. **Ordinance 2056(22)** - To repeal and recreate Section 6-1 "Board of Public Works" of the Municipal Code of the City of Burlington to "Statutory Public Works Officer".

Motion: Alderman Schultz. Second: Alderman Preusker. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- B. **Ordinance 2057(23)** - To create Section 278-81.1, "Park Facilities Impact Fee" of the City of Burlington Municipal Code.

Motion: Alderman Preusker. Second: Alderman Bauman. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

14. **MOTIONS:**

- A. **Motion 20-958** - To consider approving the 2020 Fireworks Agreement for July 4, 2020 with Five Star Fireworks Co.

Motion: Alderman Bauman. Second: Alderman Meyer. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- B. **Motion 20-959** - To approve an application for a Joint Effort Marketing Grant (JEM) for Destination Marketing.

Motion: Alderman Kott. Second: Alderman Bauman. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- C. **Motion 20-960** - To approve the acceptance of the Community Grant from Walmart- Burlington.

Motion: Alderman Meyer. Second: Alderman Kott. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- D. **Motion20-961** - To Ratify, Approve and Adopt a Declaration of Emergency for the City of Burlington regarding the coronavirus or COVID-19 outbreak.

Motion: Alderman Grandi. Second: Alderman Kott. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- E. **Motion 20-962** - To approve temporary procedures for City of Burlington governmental meetings.

Motion: Alderman Heft. Second: Alderman Rauch. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- F. **Motion - 20-963** To Ratify, Approve and Adopt a Declaration of Designation of “emergency responder” Employees under the Families First Coronavirus Response Act.

Motion: Alderman Rauch. Second: Alderman Heft. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

- G. **Motion - 20-964** To Ratify, Approve and Adopt an Emergency Declaration by the City of Burlington for change of election location and election process.

Motion: Alderman Schultz. Second: Alderman Grandi. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

15. **ADJOURN INTO CLOSED SESSION**

Wis. Stats 19.85(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

- Deliberation regarding the four firms that applied to assist the City with Secondary Legal Services and to move forward with negotiations with a firm recommended for selection.

Wis. Stats 19.85(1)(g) 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.

- A discussion regarding litigation concerning a lawsuit filed by a former resident of Riverview Manor.

A motion to adjourn into Closed Session was made by Alderman Preusker and seconded by Alderman Schultz. Roll Call Vote: Aye - 8. Nay - 0. The motion carried and the meeting adjourned into Closed Session at 9:28 p.m.

16. **RECONVENE INTO OPEN SESSION**

A motion to reconvene into Open Session was made by Alderman Bauman and seconded by Alderman Rauch. Roll Call Vote: Aye - 8. Nay - 0. The motion carried and the meeting reconvened into Open Session at 9:57 p.m.

17. **ACT ON ITEMS FROM CLOSED SESSION IF NECESSARY**

1. A motion to retain the legal services from the Law Firm of Pruitt, Ekes, and Geary, SC for supplemental legal help for the City of Burlington was made by Alderman Preusker and seconded by Alderman Meyer. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.
2. A motion to approve Robert Lauer as representative for the City of Burlington in a lawsuit

against Eileen Olson, as prior manager of Riverview Manor, was made by Alderman Grandi and seconded by Alderman Rauch. Roll Call Vote: Aye - 8. Nay - 0. The motion carried.

18. **ADJOURNMENT**

Motion: Alderman Kott. Second: Alderman Rauch. With all in favor, the motion carried and the meeting was adjourned at 10:07 p.m.

Minutes respectfully submitted by:

Diahnn C. Halbach
City Clerk
City of Burlington