

**City of Burlington  
Official Minutes  
Common Council  
Robert Miller, Mayor  
Beverly R. Gill, City Clerk  
March 15, 2011**

**1. CALL TO ORDER - ROLL CALL**

Mayor Bob Miller called the meeting to order at 7:56 p.m. starting with roll call. Aldermen present: Bob Prailles, Ed Johnson, Peter Hintz, Jim Prailles, Tom Vos, Steve Rauch, Jeff Fischer, Katie Simenson High school students present: Lauren Nadolski and David Martin.

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Police Chief Peter Nimmer, Fire Chief Dick Lodle, Treasurer Steve DeQuaker, Public Works Director Connie Wilson, Library Director Gayle Falk, and Assistant to the Administrator Megan Johnson and City Engineer Tom Foht of Kapur and Associates.

**2. PLEDGE OF ALLEGIANCE**

Mayor Miller led the council, staff and audience in the Pledge of Allegiance.

**3. CITIZEN'S COMMENTS**

None

**4. CHAMBER OF COMMERCE REPORT**

None

**5. MARCH 1, 2011 COMMON COUNCIL MINUTES**

A motion was made by Hintz with a second by Johnson to approve the Common Council Minutes of March 1, 2011. With all in favor, the motion carried.

**6. LETTERS AND COMMUNICATIONS**

None

**7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS**

Connie Wilson reminded the Council of the bid opening for the Radium Removal Project is to be held on March 17, 2011 at 9 a.m. at the Department of Public Works Facility.

**8. REPORTS 1-2**

A motion was made by Vos with a second by Rauch to approve Reports 1-2. With all in favor, the motion carried.

**9. PAYMENT OF VOUCHERS**

A motion was made by Rauch with a second by Hintz to approve pre-pays, vouchers and reimbursements in the amount of \$864,678.26 Roll Call Ayes: Bob Prailles, Johnson, Jim Prailles, Hintz, Vos, Rauch, Fischer, Simenson; Nays: None; Motion carried 8-0.

**10. LICENSES AND PERMITS**

A motion was made by Simenson with a second by Johnson to approve the licenses as presented. With all in favor, the motion carried.

**11. APPOINTMENTS AND NOMINATIONS**

None

**12. PUBLIC HEARING**

**A. PUBLIC HEARING TO CONSIDER THE CITY OF BURLINGTON'S INTENTION TO EXERCISE ITS' POLICE POWERS IN ACCORDANCE WITH §66.0703, WIS. STATS. AND 274-3 OF THE CODE OF THE CITY OF BURLINGTON TO LEVY SPECIAL ASSESSMENTS UPON PROPERTY AS DESCRIBED IN RESOLUTION 4466(50) FOR CONSTRUCTION OF NEW SIDEWALKS"**

The mayor declared the public hearing open at 7:59 p.m.

Cathy Borchardt, 376 Travellers Run spoke in favor of a sidewalk at the top of Oak Street and Indian Bend for safety reasons.

Lahner had received a call from Ms. Renee Knutson, 224 Falcon Ridge who was unable to attend the meeting this evening due to a family emergency. Ms. Knutson wanted the council to know that she objected to the addition of a sidewalk to her property on Falcon Ridge as it is a buildable lot and the sidewalk could be destroyed during construction.

A motion was made by Fischer with a second by Jim Prailes to close the public hearing at 8:05 p.m. With all in favor the motion carried.

**B. PUBLIC HEARING TO CONSIDER THE CITY OF BURLINGTON'S INTENTION TO EXERCISE ITS' POLICE POWER IN ACCORDANCE WITH §66.0703 AND 274K-3 OF THE CODE OF THE CITY OF BURLINGTON TO LEVY SPECIAL ASSESSMENTS UPON PROPERTY AS DESCRIBED IN RESOLUTION 4467(51) FOR THE RECONSTRUCTION OF VARIOUS SIDEWALKS IN THE CITY"**

The mayor declared the public hearing open at 8:05 p.m. There were no comments. A motion was made by Johnson with a second by Hintz to close the public hearing at 8:06 p.m. With all in favor the motion carried.

**13. RESOLUTIONS**

**A. RESOLUTION 4466(50) "A RESOLUTION TO APPROVE A FINAL RESOLUTION TO DECLARE INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS FOR NEW SIDEWALK CONSTRUCTION ON PORTIONS OF FALCON RIDGE DRIVE, OAK STREET AND SHILOH COURT"**

A request for a second reading and a motion to approve was made by Jim Prailes. Attorney Bjelajac stated these items should be tabled until the 2011 Utility and Sidewalk Program is re-bid on March 31, 2011

**B. RESOLUTION 4467(51) "A RESOLUTION TO APPROVE A FINAL RESOLUTION TO DECLARE INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS FOR RECONSTRUCTION OF SIDEWALKS AT VARIOUS LOCATIONS"**

A motion was made by Bob Prailes to table Resolution 4466(50) and 4467(51) to a future date with a second by Johnson. With all in favor the motion carried. Rauch had recused himself from voting on 4467(51)

**C. RESOLUTION 4469(53) "A RESOLUTION TO CONSIDER RETAINING SERVICES WITH MLG COMMERCIAL AS THE REALTOR TO SELL MUNICIPAL PROPERTY"**

1. A request for a second reading and a motion to approve the realtor listing for 824 Milwaukee Avenue was made by Vos with a second by Jim Prailes with the following corrections made:

- Property to be listed as a one acre tract
  - Lines 57-60 to be deleted
  - City expressly reserves the right to sell property in "AS IS CONDITION"
  - Exclusions to the listing contract are Mr. Paul Mueller and Mr. Craig Faust
- With all in favor, the motion carried.

2. A request for a second reading and a motion to approve the realtor listing for 701 Maryland Avenue was made by Vos with a second by Hintz with the following corrections made:

- Lines 57-60 to be deleted
- City expressly reserves the right to sell property in "AS IS CONDITION"

- Exclusion to the listing contract are: Mr. Paul Mueller, Mr. Craig Faust and Kumbier Investments operator of Splash N Dash  
With all in favor, the motion carried.

3. A request for a second reading and a motion to approve the realtor listing for 508 Sheldon Street was made by Vos with a second by Bob Prailes with the following corrections made:

- Lines 57-60 to be deleted
- City expressly reserves the right to sell property in "AS IS CONDITION"
- Exclusion to the listing contract is Mr. David Kmetz  
Vos and Simenson thought it important to make any potential buyer aware of the adjacent lot that is also owned by the city. Atty. Bjelajac thought it would be smarter to limit the geographical area in the listing contract but if a buyer wants added territory, then it could be worked out.  
With all in favor, the motion carried.

**D. RESOLUTION 4470(54) "A RESOLUTION TO REJECT ALL BIDS FOR THE 2011 UTILITY AND SIDEWALK IMPROVEMENT PROGRAM"**

A request for a second reading and a motion to approve was made by Rauch with a second by Simenson. Roll Call Ayes: Bob Prailes, Johnson, Jim Prailes, Hintz, Vos, Rauch, Fischer, Simenson; Nays: None; Motion carried 8-0.

**14. ORDINANCES**  
None

**15. MOTIONS**  
None

**16. ADJOURNMENT**  
A motion was made by Simenson with a second by Fischer to adjourn the meeting. With all in favor, the motion carried and the meeting adjourned at 8:19 p.m.

Beverly R. Gill  
City Clerk  
City of Burlington