



# City of Burlington

City Hall - 300 N Pine Street  
Burlington, Wisconsin 53105-1460  
Phone: (262) 342-1161 Fax: (262) 763-3474  
www.burlington-wi.gov

## AGENDA COMMON COUNCIL

**Tuesday, February 3, 2009**

**To immediately follow the 6:30 p.m. Committee of the Whole meeting  
Common Council Chambers, 224 East Jefferson Street**

Mayor Robert Miller  
Robert Prailes, Alderman, 1<sup>st</sup> District  
Edward Johnson, Alderman, 1<sup>st</sup> District  
Jim Prailes, Alderman, 2<sup>nd</sup> District  
Peter Hintz, Alderman, 2<sup>nd</sup> District  
Tom Vos, Council President and Alderman, 3<sup>rd</sup> District  
Steve Rauch, Alderman, 3<sup>rd</sup> District  
Katie Simenson, Alderman, 4<sup>th</sup> District  
Jeff Fischer, Alderman, 4<sup>th</sup> District

### High School Members

Xin Lei Wang, Burlington High School  
Bonit Gill, Catholic Central High School

- 1 Call to Order - Roll Call.
- 2 Pledge of Allegiance to the Flag.
- 3 Citizen Comments.
- 4 Chamber of Commerce Representative.
- 5 Approval of minutes for January 20, 2009 (*S. Rauch*)
- 6 Letters and Communications.
  - A. A letter from Alderman Simenson regarding her absence at tonight's meetings.
  - B. A letter from Alderman J Prailes regarding his absence at tonight's meetings.
- 7 Reports by Aldermanic Representatives and Department Heads.
- 8 Reports 1 – 4 (*J Fischer*)
  - Report 1 – Park Board minutes, November 20, 2008
  - Report 2 – Burlington Housing Authority minutes, December 11, 2008
  - Report 3 – Library Board minutes, December 16, 2008
  - Report 4 – Committee of the Whole minutes, January 20, 2008

9 Payment of Vouchers. (*R. Prailes*)

10 License and Permits. (*E. Johnson*)

11 **APPOINTMENTS AND NOMINATIONS**

None.

12. **PUBLIC HEARINGS**

None.

13 **RESOLUTIONS**

- A. Resolution 4297(67) to authorize fee assessments for Weights and Measures license holders for July 1, 2007 through June 30, 2008 This item was discussed at the January 20, 2008 Committee of the Whole meeting. (*P Hintz*)
- B Resolution 4298(68) to approve contract Change Order Number Four with Reesman Excavating & Grading, Inc. for the 2008 Street and Sidewalk Improvement Program for a reduction of the contract price in the amount of \$63,421 86 This item was discussed at the January 20, 2008 Committee of the Whole meeting. (*T Vos*)
- C Resolution 4299(69) to approve Amendment Number One to the Employment Agreement for the City Administrator to extend the term for three years. This item was discussed at the January 20 2008 Committee of the Whole meeting. (*S. Rauch*)

14 **ORDINANCES**

- A. Ordinance 1876(18) to amend Section 315-71C and Table 13, and to repeal Sections 315-71E(c) and 315-72A(4)(b) of the Municipal Code in the B-1 and B-2 Zoning Districts. This item was discussed at the January 20, 2008 Committee of the Whole meeting. (*J Fischer*)
- B Ordinance 1877(19) to amend the number of Election Officials required at each polling place This item was discussed at the January 20, 2008 Committee of the Whole meeting. (*R. Prailes*)

15 **MOTIONS**

- A. Motion 09-645 to deny a Notice of Claim from Adrienne Prince. This item was discussed at tonight s Committee of the Whole meeting. (*E Johnson*)

16 **OTHER MATTERS AS AUTHORIZED BY LAW**

17 **ADJOURNMENT** (*P Hintz*)



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[www.burlington-wi.gov](http://www.burlington-wi.gov)

**Meeting Date:** February 3, 2009

**Resolution No.**

**Subject:** Communication "A"

**Ordinance No.**

**Submitted By:** Alderman Katie Simenson

**Motion:**

**Department:**

**Other:** Communications

**Details:**

A letter dated January 6, 2009 from Alderman Simenson stating her absence from the Committee of the Whole and Common Council meetings on February 3

**Executive Action:**

For information only

1-6-09

I will not be able to attend  
the Tuesday, Feb 3<sup>rd</sup> Council  
meeting

Patricia Simpson



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**Meeting Date:** February 3, 2009

**Resolution No.**

**Subject:** Communication "B"

**Ordinance No.**

**Submitted By:** Alderman Jim Prailes

**Motion:**

**Department:**

**Other:** Communications

## **Details:**

A letter from Alderman Jim Prailes stating his absence from the Committee of the Whole and Common Council meetings on February 3

## **Executive Action:**

For information only

JAMES PRAILES CONSTRUCTION,  
408 SO. PERKINS BLVD  
BURLINGTON, WISC 53105  
763-7322

492-1158 (AREA CODE 262)

TO: CITY OF BURLINGTON  
ATT: BEV GILL



BEV, PLEASE HAVE ME EXCUSED FROM THE FEBRUARY 3RD  
COUNCIL MEETING AS I'LL BE OUT OF TOWN AT THAT TIME

THANK YOU,

JIM PRAILES

Handwritten signature of Jim Prailes in cursive script.



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**Meeting Date:** February 3, 2009

**Resolution No.**

**Subject:** Reports 1- 4

**Ordinance No.**

**Submitted By:** Beverly R. Gill, City Clerk

**Motion:**

**Department:** City Clerk's Office

**Other:** Reports 1-4

## Details:

Attached please find the following reports.

- Report 1 – Park Board minutes, November 20, 2008
- Report 2 – Burlington Housing Authority minutes, December 11, 2008.
- Report 3 – Library Board minutes, December 16, 2008
- Report 4 – Committee of the Whole minutes, January 20, 2008.

## Executive Action:

Staff recommends that the Council accept these four reports at the February 3, 2009 Common Council meeting.



# City of Burlington

## CITY OF BURLINGTON PARK BOARD MINUTES

Thursday, November 20, 2008

6.30 PM

165 West Washington Street, Burlington, WI 53105

Chairman Darrell Eisenhardt, Commissioners Clay Brandt, Tom Follis, Kelly Kamlager, Heather Kane-Terhorst, Todd Schalinske, Alderman Bob Prailes, DPW Supervisor Larry Gobel, High School Students: Paul Dixon, Will Paulus

**Chairman Eisenhardt called the meeting to order at 6.31 P.M.**

**Roll Call:** Present: Commissioners Clay Brandt, Tom Follis, Heather Kane-Terhorst, DPW Supervisor Larry Gobel, High School Student Paul Dixon and Chairman Eisenhardt. Excused: Kelly Kamlager, Todd Schalinske, and Alderman Bob Prailes. Absent: High School Student Will Paulus.

**Approval of October 23, 2008 Minutes:** Chairman Eisenhardt entertained a motion for approval of the October 23, 2008 Minutes. Motion to approve made by Commissioner Kane-Terhorst. Seconded by Commissioner Brandt. All voted aye, motion carried.

**Citizens Comments.** Dick Imrie representing Baseball 2000 was present. He stated Baseball 2000 Agreement was due for review and there are a few areas that they would like to talk about. DPW Supervisor Larry Gobel will meet with the Baseball 2000 group at the DPW office and bring their concerns back to the Park Board in January 2009

Mr Imrie also inquired about the possibility of lighting being replaced at Beaumont field. Baseball 2000 was hoping to hold Triple A tournaments at Beaumont field in 2010, and to do so the league would need to apply in January 2009

Chairman Eisenhardt stated the Park Board did not have a chance to review their Capital Improvements for 2009, but would be doing so within the next few meetings. Chairman Eisenhardt also stated a set dollar amount would be needed for what Baseball 2000 would be willing to donate towards the cost of the lighting replacement.

Nancy Simonsen representing the Dog Park was present and stated that the Dog Park Committee was in the process of setting by-laws. Chairman Eisenhardt asked that a copy be provided to the Park Board. Ms. Simonsen also stated they were currently looking into the cost of solar lighting.

**Aldermanic Report:** None

**DPW Supervisor Report:** DPW Supervisor Larry Gobel reported that all Parks have had the water turned off and have been winterized Leaf collection continues in the streets in addition to the parks

**Old Business**

- a. **Skate Board Park Relocation** There was no one present to represent the Skate Board Park relocation DPW Supervisor Larry Gobel stated that he had initial contact with Todd Coello, but had not heard back from him

Mr Gobel indicated his conversation with Mr Coello had involved the possibility of moving the Skate Board Park to McCanna Park. The Commissioners discussed McCanna Park, in addition to the possibility of Sunset Park.

Paul Dixon, High School Park Board Member, will conduct a survey through Burlington High School for input from students regarding a Skate Board Park.

- b. **2009 Capital Improvements.** DPW Supervisor Larry Gobel stated that they Capital Improvements approved by the Park Board for 2008 had been put on hold, with the exception of Congress Street pumps, due to the pavilion being built at Echo Park. Mr Gobel asked direction from the Park Board regarding how they would like to proceed with projects left over from 2008 All were in agreement that 2008 items should be completed in 2009 Larry Gobel will provide the Capital Improvement list for 2008 for review at the January meeting, along with fund amounts available

- c. **Discussion on ideas from Strategic Planning Session**

The Committee members will review report and discuss at the January Park Board Meeting.

The Committee members also discussed sending out a notice on the January Park Board Agenda and City of Burlington web site offering public comments and suggestions for future park improvements and/or ideas.

**New Business. None**

**Other Items** Chairman Eisenhardt that typically there is no meeting in December All members were in agreement and the next scheduled meeting will be in January 2009

**There being no further items for discussion, Chairman Eisenhardt entertained a motion for adjournment. Motion to adjourn made by Commissioner Follis. Seconded by Commissioner Kane-Terhorst. All voted aye, Chairman Eisenhardt adjourned the meeting at 7.25 P.M.**

**Minutes respectfully submitted by**

**Deb Rintamaki  
Department of Public Works**

**City of Burlington Housing Authority  
Riverview Manor  
December 11, 2008**

**The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, December 11, 2008 at Riverview Manor at 6:30 P.M. The meeting was called to order by Chairman Lapp.**

**COMMISSIONERS PRESENT: Chairman Lapp, Secretary Heck, Board members LeRoy Stoehr, Kelly Iselin, Charles Stublely and Resident Manager, Dorothy Henning.**

**MINUTES: From the November 13<sup>th</sup>. meeting was dispersed to board members and a motion was made by Stublely to approve the minutes as read, seconded by Iselin and carried unanimously.**

**FINANCIAL REPORT:**

**Reserve Account balances as of November 30, 2008**

<b>First Banking Center</b>	<b>\$ 83,224.65</b>
<b>M&amp;I Bank</b>	<b><u>\$ 26,619.12</u></b>
<b>TOTAL</b>	<b>\$ 109,863.77</b>

**OCCUPANCY REPORT:**

**Manager Henning reported 3 recent vacancies with 16 on the waiting list.**

**BUILDING AND MAINTENANCE:**

- **Tom Vos, Vos Home Improvements spoke to the board members explaining the assessment he did regarding the roof on Phase I of the building to include tear-off, metal edging, ice shield, felt flashings, roof vents, 30 year shingles, clean-up and permits. He stated in his proposal that this project could be done in 4 separate phases.**

**COMMUNICATIONS:**

- **The Focus on Energy assessment schedule for December 9<sup>th</sup>. Has been cancelled due to inclement weather and is rescheduled for January 16<sup>th</sup>.**
- **A representative from Gordon Maier and Company attended the meeting to review and discuss the recent audit with board members and answered any questions from the board.**

**NEW BUSINESS:**

**UNFINISHED BUSINESS:**

- After review of the By-laws by board members, it was decided that further revision was necessary regarding Secretary duties performed in Article II – Section 4.
- Upon further approval of the By-laws, the annual meeting with election of officers will be held.

**ADJOURNMENT:**

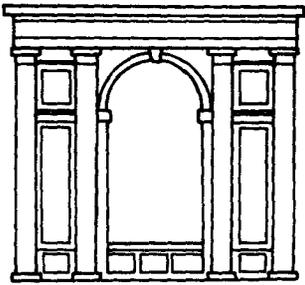
**There being no further business, motion to adjourn was made by Stoehr, seconded by Heck and carried unanimously. Meeting adjourned 7:30 P.M.**

**The next monthly meeting is scheduled for January 15, 2009.**

  
\_\_\_\_\_  
**Ralph Heck, Secretary**

**Section 2.4. Secretary-Treasurer** The Secretary-Treasurer shall act as secretary of the meetings of the Authority and record all votes and minutes, be responsible to see that a record of the proceedings of the Authority is kept in a journal of proceedings kept for such purpose, see that the Authority's records are delivered to City Hall in a timely manner, see that all notices are duly given in accordance with the laws and perform all duties incident to this office.

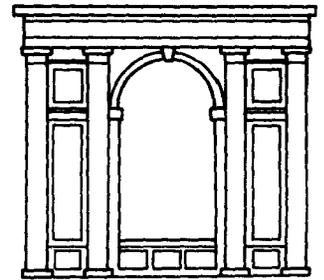
The Secretary shall serve without compensation other than the payment of necessary expenses).



# Burlington Public Library

166 East Jefferson Street • Burlington, Wisconsin 53105  
(262) 763-7623 • Fax (262) 763-1938

[www.burlingtonlibrary.org](http://www.burlingtonlibrary.org)



## Minutes of the Burlington Public Library Board of Trustees

The Burlington Public Library Board of Trustees met on Tuesday, December 16, 2008 in the Burlington Public Library storytime room. Present were Penny Torhorst, Pat Hurley, Yvonne Braunschweig, Dianne Boyle, and Steve Rauch. Also present were high school representatives Jahnna Newholm and Carrie Coppernoll. Excused were Kay Pockat, Bridget Savaglia, Pat Hoffman, and Scott Johnson. Also present were Gayle Falk and Linda Berndt.

Torhorst called the meeting to order at 4:00

Minutes of the November 18, 2008 meeting were approved. Hurley moved, and Braunschweig seconded. Motion passed.

The December General Fund Bills, Prepays, Reimbursements and November General Fund deposits were discussed and approved. Hurley moved approval and Braunschweig seconded. Motion passed. The December Trust Fund Bills, and November Trust Fund Deposits were approved. Hurley moved and Braunschweig seconded. Motion passed.

Committee Reports: Because Pat Hoffman is not here the Director's evaluation will take place at the January meeting.

There are no other committee meetings.

Federated Library Report: The Lakeshores office is moving to the office space near Runzheimer. They will be moving in December. They will be hosting all the LAC meetings and they are requesting that each library pay \$20.00 toward refreshments for the year.

### Old Business:

Friends Update: The Friends have a meeting next month. Gayle wants to suggest to them to use the money towards materials instead of a color copier, because the materials budget had to be cut substantially in the new budget. Gayle will suggest that maybe they could pay for the DVDs and have a label on each one saying that it has been donated by the Friends of the Library. They have plans for a January raffle basket. The baskets are advertised at the place that donated the basket, here at the library and also in the City Newsletter. The Friends group is separate from the library. The officers meet once a month and the whole group will be meeting during the year.

E-mail communications update: Steve Rauch would like to receive through email. Torhorst said that it worked well. Falk said that if they wanted a copy of the minutes they would have to be an attachment They would need to be labeled "Draft"

**Members wanting paper**

Yvonne Braunschweig  
Pat Hurley  
Dianne Boyle  
Jahanna Newholm

**Members wanting email**

Penny Torhorst  
Kay Pockat  
Bridget Savaglia  
Carrie Coppernoll  
Steve Rauch

**Building Repairs:**

They are in the process of completing the flat roof and we will be replacing shingles soon. The spindles are being replaced now

**New Business:**

End of year fund management: If we have any money left at the end of the year we will be using it for our Sirsi bill and also if there are any last minutes utility bills.

Meeting Room Use: Falk discussed a request to use the meeting room. Groups using the meeting room must be non-profits. We screen requests to be sure the purpose is educational rather than commercial.

**Directors Report:**

Falk asked the Board if they would allow us to use \$900.00 of trust money to purchase a laptop for the library Now we use Falk's laptop. It is used in conjunction with the projector Braunschweig moved and Boyle seconded the motion to allow \$900.00 trust fund money for Falk to purchase a laptop for the library to use with the projector Motion passed.

Falk mentioned that the Library has been collecting food for Love, Inc, and people working there have raised the question of library cards for people they serve. Not all of the people who use their services have fixed addresses and a driver's license or state ID card as required by Lakeshores Library System to receive a library card. Falk asked the Board to consider other ways we could serve these people.

Monthly Report: The circulation numbers look good this month.

**In the News:**

There was one article telling about the movies that we showed. There were two showings. Joy Schnupp has scheduled two movies for the Monday after Christmas.

The Library will be closed on Christmas Eve and Christmas Day We will be open on Friday and Saturday

There was no public communication to the board.

Meeting was adjourned at 4.40 PM. Hurley moved to adjourn, Braunschweig seconded. Motion passed.

Our next meeting will be on Tuesday, January 27th at 4:00 PM at the Burlington Public Library Storytime Room.

Respectfully submitted,

A handwritten signature in black ink that reads "Steve Rauch". The signature is written in a cursive style with a large, stylized "S" and "R".

Steve Rauch,  
Aldermanic Representative

**Draft**

**CITY OF BURLINGTON  
Committee of the Whole Minutes  
Robert Miller, Mayor  
Beverly R. Gill, City Clerk  
Police Department Courtroom  
January 20, 2009 6:30 p.m.**

**1 Call to Order/Roll Call**

Mayor Miller called the meeting to order at 6.30 p.m starting with roll call Present were Aldermen Robert Prailes, Peter Hintz, Ed Johnson, Jim Prailes, Tom Vos, Jeff Fischer, Steve Rauch and Katie Simenson Staff present: Fire Chief Dick Lodle, Library Director Gayle Falk, Assistant to the Administrator Megan Johnson, Attorney Tom Kircher, City Administrator Kevin Lahner Building Inspector Patrick Scherrer, Police Chief Scot Eisenhauer, Utility Manager Connie Wilson City Engineer Tom Foht and Catholic Central High School Student Bonit Gill Excused Burlington High School Student Xin Lei Wang

**2. Citizen Comments**

No Comments

**3. Approval of Minutes**

A motion was made by Bob Prailes, seconded by Fischer, to approve the January 6 2009 Committee of the Whole Minutes. With all in favor, the motion carried

**4. Resolution 4297(67) "A resolution to consider authorizing fee assessments for Weights and Measures license holders"**

No Comments

**5. Resolution 4298(68) "A resolution to consider approving contract Change Order Number Four with Reesman Excavating & Grading, Inc , for the 2008 Street and Sidewalk Improvement Program for a reduction of the contract price in the amount of \$63,421.86"**

Bob Prailes questioned how the amount of \$63,421.86 was calculated and who does the calculations? Foht explained that the contractor compiles the numbers based on bid price The credit was a result of the method of construction for Schemmer Street as it went from a reconstruction to a resurfacing project

**6. Resolution 4299(69) "A resolution to consider approving Amendment Number One to the Employment Agreement for the City Administrator to extend the term for three years"**

Rauch questioned if this was allowable with the Code of Ethics from ICMA? Lahner stated that that it would not be a conflict Lahner also stated that an amendment was being offered rather than a total rewrite of a new resolution

**7 Resolution 4300(70) "A resolution to consider approving a Certified Survey Map for the City of Burlington for property located in the Burlington Industrial Park Second Addition along Brookview Avenue"**

Mayor Miller stated this resolution refers to the RKW's new batch site Their intention is to retain the original site for a back-up plan

**8. Resolution 4301(71) "A resolution to consider approving the purchase of a new Police Department Parking Control vehicle for the total of \$19,999 plus set-up, title and license fees"**

This resolution was pulled from the agenda by the mayor to be reintroduced in two weeks.

**9 Ordinance 1876(18) "An ordinance to consider amending Section 315-71C and Table 13 and to repeal Sections 315-71E(c) and 315-72A(4)(b) of the Municipal Code in the B-1 and B-2 Zoning Districts"**

The mayor stated this ordinance affects restaurants in the B-2 Central Business District that have three abutting streets and would allow two free-standing signs of up to two-hundred square feet each. It repeals the restriction required for a shopping center to have a free-standing sign at a maximum height of forty feet in the B-1 Neighborhood Business District. This ordinance will restrict the signs to a height limitation of fifteen feet in all business districts. It would currently affect the Pick and Save Sign at Fox River Plaza, which would lose its conforming status.

**10. Ordinance 1877(19) "An ordinance to consider amending the number of election officials required at each polling place"**

The mayor explained that at this time the city is required to staff each polling location with seven poll workers for all elections. The state does allow a reduction of poll workers with the passage of an ordinance that would permit the city clerk to determine staffing based on anticipated percentage of turnout.

**11. Other Matters**

Rauch questioned if there would be council on the 17<sup>th</sup> of February due to the Primary? Mayor Miller stated the council meeting would be held on the following evening Wednesday February 18<sup>th</sup>.

**12. Adjourn**

A motion was made by Rauch, seconded by Jim Prailes to adjourn. With all in favor, the meeting adjourned at 6:45 p.m.

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



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**Resolution No.**

**Meeting Date:** February 3, 2009

**Ordinance No.**

**Subject:** Vouchers and Prepaid Bill Payments

**Motion:**

**Submitted By:** Bridget Lois, Treasurer

**Other:** Vouchers & Prepays

**Department:** Finance Office

**Details:**

Attached please find the Voucher and Prepaid list for bills accrued through February 3, 2009

<b>Total Prepays:</b>	\$4,371,725.33
<b>Total Vouchers:</b>	\$ 160,166 92
<b>Reimbursements:</b>	\$ 167 49
<b>Grand Total:</b>	<b>\$4,532,059.74</b>

**Executive Action:**

Staff recommends that the Common Council accept these vouchers and prepaids in the amount of \$4,532,059 74 at the February 3, 2009 Council meeting.



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**Meeting Date:** February 3, 2009

**Resolution No.**

**Subject:** Licenses and Permits

**Ordinance No.**

**Submitted By:** Beverly R. Gill, City Clerk

**Motion:**

**Department:** Clerk's Office

**Other:** Licenses

## Details:

The alcohol license list for applications accrued through February 3, 2009 are as follows

### Licenses Recommended for Approval

#### Operator's Licenses

Dennis, Jason M.  
Lange, Krystel N  
Novak, Patricia M.  
Vanderbilt, Denine A.

## Executive Action:

Staff recommends the Common Council accept the presented licenses at the February 3, 2009 Council meeting.