

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
October 4, 2011

1. CALL TO ORDER/ROLL CALL

Mayor Bob Miller called the meeting to order at 6:30 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Tom Vos, Steve Rauch, Jeff Fischer Excused: Jim Prailes, Katie Simenson

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Assistant to the Administrator Megan Johnson, Police Chief Peter Nimmer, Treasurer Steve DeQuaker, Supervisor Streets and Parks Dan Jensen, Tom Foht of Kapur Engineering

2. CITIZENS COMMENTS AND QUESTIONS

Mr. Kevin Duffy, the "Ambassador for Energy" said the winner of the "Home Energy Makeover Contest" will be announced at the October 13, 2011 Farmer's Market at 5:00 p.m.

3. APPROVAL OF MINUTES FOR SEPTEMBER 20, 2011

A motion was made by Hintz with a second by Vos to approve the minutes from September 20, 2011. With all in favor, the motion carried.

4. RESOLUTION 4502(27) "A RESOLUTION TO CONSIDER APPROVING TASK ORDER EIGHTY-TWO WITH KAPUR & ASSOCIATES FOR CIVIL ENGINEERING SERVICES, DESIGN AND CONSTRUCTION MANAGEMENT FOR THE RETAINING WALL AT 301 LEWIS STREET IN THE AMOUNT OF \$6,303"

The mayor introduced Resolution 4502(27) to the council for discussion. Bob Prailes questioned who owns the fence on the top of the wall. Lahner replied the wall and fence is city owned. Bob Prailes further questioned the reason for the sidewalk and who brought the issue to the city. Lahner said the issue was brought to the city by the homeowner and said the sidewalk was part of a project from the 1970's. Lahner said there clearly is a drainage issue with the project requiring engineering.

Jensen stated there is only one drain for that side of the house; the wall is anchored with rebar and it is not a free-standing wall.

Rauch questioned if there was an estimate on what the repair of the wall will cost. The mayor said that until the engineering study is completed it is unknown at this time.

Lahner encouraged the council members to visit the site.

This resolution is scheduled for the October 18, 2011 Common Council meeting.

5. ORDINANCE 1934(11) "AN ORDINANCE TO CONSIDER REPEALING AND RECREATING CHAPTER 308 OF THE MUNICIPAL CODE PERTAINING TO WEAPONS"

Mayor Miller introduced Ordinance 1934(11) to the council for discussion and also introduced the "Archery" amendment to this ordinance.

Atty. Bjelajac offered a brief explanation of this ordinance and added that it was a complicated issue.

Vos questioned how much of this ordinance applies to private business. Bjelajac replied that private business will have to make their decision as to what is appropriate. Bjelajac added that signs will have to be posted notifying the public of this issue.

Rauch asked how Veteran's Terrace would be affected by this ordinance as the city owns the land but not the building. The mayor said the building is not owned by the city and the Veteran's Terrace would have to make that decision.

Bob Prailes asked about sporting events. Atty. Bjelajac said that would be considered a special event and as such, the organizer would be the one to decide. Atty. Bjelajac mentioned ChocolateFest as an event that would fall under that category.

Fischer questioned if private business could restrict both concealed and open carry. Chief Nimmer said that the business could post a sign with that restriction.

Fischer asked about the discharging of an air-soft gun in someone's own backyard. It was thought that under current statute that would not be allowed.

The mayor clarified that the majority of the ordinance already existed and the reason for Ordinance 1934(11) was to modify what the state has already changed in regard to concealed carry.

Rauch asked if there would be a listing of those who have a permit to carry a concealed weapon. Nimmer replied that list would not be available.

Nimmer stated that there are only three things that council needs to consider: air-soft guns, whether bow and arrow would be allowed on private property and whether to allow concealed weapons in municipal buildings.

Mr. Claude Lois, 117 Monica discussed guns fired on Veteran's Day, Memorial Day and he was concerned with educating the public on these changes.

Vos then asked if a business posts a sign that says no guns allowed, what then happens if someone enters the business with a gun. Nimmer stated that person would be trespassing.

This ordinance is scheduled for the October 18, 2011 Common Council meeting.

6. **MOTION 11-726** "A MOTION TO CONSIDER APPROVING A CERTIFICATE OF APPROPRIATENESS APPLICATION AND SIGN APPLICATION IN THE HPC OVERLAY DISTRICT FOR 549 NORTH PINE STREET"
The mayor introduced Motion 11-726 to the council for discussion.

This motion is scheduled for this evening's council meeting.

7. **MOTION 11-727** "A MOTION TO CONSIDER APPROVING A CERTIFICATE OF APPROPRIATENESS APPLICATION AND SIGN APPLICATION IN THE HPC OVERLAY DISTRICT FOR 581 NORTH PINE STREET"
The mayor introduced Motion 11-727 to the council for discussion.

This motion is scheduled for this evening's council meeting.

8. **ADJOURNMENT**
A motion to adjourn was made by Vos with a second by Bob Prailes to adjourn the meeting. With all in favor, the meeting adjourned at 7:10 p.m.

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