



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
July 17, 2012

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 Prailles, Ed Johnson, Peter Hintz, Ruth Dawidziak, Steve Rauch, Katie Simenson Absent: Tom Vos Excused: Tom Preusker

Tom Vos arrived at 6:35 p.m.

Also present: City Attorney John Bjelajac, City Administrator Kevin Lahner, Police Chief Peter Nimmer, Library Director Gayle Falk, Fire Chief Dick Lodle, Assistant to the Administrator Megan Watkins, Treasurer Steve DeQuaker, Streets and Parks Supervisor Dan Jensen, Tom Foht of Kapur Engineering

2. CITIZENS COMMENTS AND QUESTIONS

None

3. APPROVAL OF MINUTES FOR JULY 3, 2012

A motion was made by Rauch with a second by Johnson to approve the minutes from July 3, 2012. With all in favor, the motion carried.

4. DISCUSSION REGARDING THE CITY'S ENFORCEMENT OF RESTRICTIVE COVENANTS

The mayor introduced the discussion of restrictive covenants that are part of several home owners associations in the city. It had been brought to the city's attention that home owner's associations are not enforcing their own covenants. The mayor said that if it was not against the city's building codes, it would be very hard for the city to enforce covenants.

Prailles suggested the city not get involved with trying to enforce covenants. Vos was also opposed to any city involvement and suggested the homeowners go back to the association for enforcement.

It had been the experience of Atty. Bjelajac that city involvement with covenants would not be a good idea. Hintz also spoke against the city's involvement.

Simenson said her experience with covenants has been that they rarely work for the home owner's associations.

It was the general consensus of the council not to become involved with covenants.

5. RESOLUTION 4567(18) "A RESOLUTION TO CONSIDER APPROVING THE AWARD OF BID FOR THE REPLACEMENT OF THE LIBRARY ROOF TO CARLSON RACINE ROOFING FOR THE NOT-TO-EXCEED AMOUNT OF \$53,000"

The mayor introduced Resolution 4567(18) to the council for consideration.

Vos commented that there had been a smaller project done on the library roof and questioned if this is for the remainder of the roof. Lahner replied this repair is for the major area where there are water issues and it should remediate the roof problems.

Vos questioned the alternate bids which address drainage. Lahner replied that the alternate bids are there if it is deemed necessary to make the extra repairs to address drainage. Vos also questioned the warranty. Lahner replied that it was a fifteen-year warranty on the rubber portion of the roof.

This resolution is scheduled for the August 7, 2012 Common Council meeting.

6. **RESOLUTION 4568(19) "A RESOLUTION TO CONSIDER APPROVING CHANGE ORDER NUMBER ONE WITH R.R. WALTON FOR THE 2012 CITY IMPROVEMENT PROJECT IN THE AMOUNT OF \$9,083.27"**

The mayor introduced Resolution 4568(19) to the council for consideration.

Johnson questioned if this was within the budgeted amount. Lahner replied that it was within the budget. Lahner stated that it was discovered that changes had to be made once the contractor had begun the project.

Prailes commented that he had not heard one positive comment regarding the sidewalk. The idea of ripping out perfectly good concrete and replacing it with asphalt was not well received by the public. Prailes further said the project never should have been done and as a member of the Park Board he should have made the council members aware of how he felt.

Simenson mentioned that she would like to see more complete financial background listed for these projects especially by referencing any grants that are being applied.

This resolution is scheduled for the August 7, 2012 Common Council meeting.

7. **RESOLUTION 4569(20) "A RESOLUTION TO CONSIDER APPROVING A REVISION TO THE CITY OF BURLINGTON FIRE DEPARTMENT BYLAWS"**

The mayor introduced Resolution 4569(20) to the council for consideration.

Vos did not have a problem with the change from twenty-one years of age to eighteen as long as the individual would be fully certified and qualified for the city's insurance coverage. Lahner explained that this change to age eighteen is quite common among municipalities.

This resolution is scheduled for the August 7, 2012 Common Council meeting.

8. **RESOLUTION 4570(21) "A RESOLUTION TO CONSIDER APPROVING A REVISED COMPREHENSIVE SIGN PLAN FOR BMO HARRIS BANK LOCATED AT 1000 MILWAUKEE AVENUE"**

The mayor introduced Resolution 4570(21) to the council for consideration.

This resolution is scheduled for the August 7, 2012 Common Council meeting.

9. **ORDINANCE 1954(8) AN ORDINANCE TO CONSIDER AMENDING SECTION 315-26D IN THE B-1 DISTRICT AND SECTION 315-27D IN THE B-2 DISTRICT TO ALLOW FOR OUTDOOR SEATING WITH CONSUMPTION OF FOOD AND BEVERAGES"**

The mayor introduced Ordinance 1954 (8) to the council for discussion.

Simenson was concerned that outdoor seating should be removed by a certain date. Lahner commented that the Plan Commission could set those parameters.

This ordinance is scheduled for the August 7, 2012 Common Council meeting.

10. ADJOURNMENT

A motion was made by Simenson with a second by Vos to adjourn the meeting. With all in favor, the meeting adjourned at 7:02 p.m.

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