



**AGENDA  
COMMON COUNCIL**

**Tuesday, October 2, 2012**

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  
Peter Hintz, Alderman, 2<sup>nd</sup> District  
Ruth Dawidziak, 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  
Tom Preusker, Alderman, 4<sup>th</sup> District

1. Roll Call
2. Pledge of Allegiance to the Flag.
3. Citizen Comments.
4. Chamber of Commerce Representative.
5. Approval of the Common Council minutes for September 18, 2012. (*P. Hintz*)
6. Letters and Communications: None
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1-3: (*R. Dawidziak*)
  - Report 1 – Park Board minutes, July 19, 2012
  - Report 2 – Burlington Housing Authority minutes, August 16, 2012
  - Report 3 - Committee of the Whole minutes, September 18, 2012
9. Payment of Vouchers. (*T.Vos*)
10. Licenses and Permits. (*S. Rauch*)
11. Appointments and Nominations: None
12. Public Hearings:
  - A. A Public Hearing to hear comments and concerns regarding Ordinance 1955(9) to consider creating Chapter 119-1.5(2)(b), “Floodplain Letter of Map Revision” of the Municipal Code regarding the Meadows of Pine Brook Subdivision. (*T. Preusker*)

13. **RESOLUTIONS:**

- A. Resolution 4574(25) to approve Task Order Number Eight-Nine with Kapur & Associates to provide civil engineering services repairs and maintenance on the Jefferson Street Bridge. This item was discussed at the September 18, 2012 Committee of the Whole meeting.  
(K. Simenson)
- B. Resolution 4577(28) to appoint an Authorized Representative to file applications for the Safe Drinking Water Loan. This item was discussed at tonight's Committee of the Whole meeting.  
(R. Prailes)

14. **ORDINANCES:**

- A. Ordinance 1955(9) to create Chapter 119-1.5(2)(b), "Floodplain Letter of Map Revision" of the Municipal Code regarding the Meadows of Pine Brook Subdivision. This item was discussed at the September 18, 2012 Committee of the Whole meeting. (E. Johnson)
- B. Ordinance 1956(10) to amend Chapter 265-4C(2), "Yard Waste Disposal" of the Municipal Code regarding leaf disposal. This item was discussed at the September 18, 2012 Committee of the Whole meeting. (P. Hintz)

15. **MOTIONS:**

None

16. **ADJOURNMENT** (K. Simenson)

*Note: If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.*



CITY OF BURLINGTON

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

<b>Common Council Agenda Item Number: 5</b>	<b>Date:</b> October 2, 2012
<b>Submitted By:</b> Beverly R. Gill, City Clerk	<b>Subject:</b> Meeting Minutes

**Details:**

Attached please find the minutes from September 18, 2012 Common Council meeting. Staff recommends approval of these minutes.

**Options & Alternatives:**

N/A

**Financial Remarks:**

None.

**Executive Action:**

Staff recommends that the Common Council approve these minutes at the October 2, 2012 Common Council meeting.



## CITY OF BURLINGTON

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**City of Burlington  
Official Minutes  
Common Council  
Robert Miller, Mayor  
Beverly R. Gill, City Clerk  
September 18, 2012**

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

Mayor Bob Miller called the meeting to order at 7:21 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Ruth Dawidziak, Steve Rauch, Tom Preusker, Katie Simenson  
Excused: Tom Vos

Also present: City Attorney John Bjelajac, Police Lt. Mark Anderson, City Administrator Kevin Lahner, Library Director Gayle Falk, Treasurer Steve DeQuaker, Assistant to the Administrator Megan Watkins, Mr. Tom Foht of Kapur Engineering, Dave Wagner of Ehlers and Associates

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**3. CITIZEN COMMENTS**

None

**4. CHAMBER OF COMMERCE REPRESENTATIVE**

None

**5. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 4, 2012**

A motion was made by Preusker with a second by Simenson to approve the minutes from September 4, 2012. With all in favor, the motion carried.

**6. LETTERS AND COMMUNICATIONS**

None

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

Simenson questioned when information would be available from the Strategic Planning Session. Lahner replied that it would be presented at the next council meeting.

Rauch questioned if there had been a revised schedule for budget meetings since he had received the September 6<sup>th</sup> memo. Lahner replied there is a revised schedule and he would be sure everyone had a copy.

Johnson reported on a section of a street in his district that is not paved and he would like this to be addressed. The street is on the end of Jefferson at Capital. He also commented on the difference in speed limits on Highway 36 north of W with outbound traffic at 55 mph and incoming at 45 mph. Lahner commented that anything north of Highway W is not in the city's jurisdiction.

Hintz suggested that pedestrian crossing information be placed in every city newsletter as a reminder of the law. He felt too many do not obey the traffic laws in regard to pedestrians.

Prailes questioned if there was a safety check that had been done the prior week on Highway 36. Lahner explained that it was part of a grant administered by Racine County with other municipalities participating in the search for minor traffic violations. Nimmer said there were 67 violations reported in four hours.

The mayor thanked Dawidziak, Lahner and Watkins for their part in the successful block party that had been held on September 15<sup>th</sup>. He reported wrist band sales of \$1,038 and food sales at \$2,500 for Rotary and the Lions Club.

Prailes said everyone he talked to was in favor of repeating the block party again next year. He then questioned how much the city had spent on the party. The mayor said roughly about \$4,500 minus the amount taken in for the sale of wristbands. Prailes commented that it was the best \$3,500 that the city could have spent.

**8. REPORTS 1-2**

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

**9. PAYMENT OF VOUCHERS**

A motion was made by Johnson with a second by Prailes to approve vouchers, pre-paid and reimbursements in the amount of \$341,193.13 Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Rauch, Preusker, Simenson Nay: None Motion carried 7-0

**10. LICENSES AND PERMITS**

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

**11. APPOINTMENTS AND NOMINATIONS**

None

**12. PUBLIC HEARING**

None

**13. A. RESOLUTION 4572(23) "A RESOLUTION TO APPROVE TASK ORDER NINETY WITH KAPUR & ASSOCIATES FOR DESIGN AND CONSTRUCTION MANAGEMENT WITH T-TURN-AROUND AT SPRING BROOK DRIVE AND HIDDEN CREEK LANE IN THE AMOUNT OF \$15,866"**

A request for a second reading and a motion to approve was made by Dawidziak with a second by Rauch. Discussion: Prailes questioned if there was any way to connect the two streets. Lahner said there was not enough room for a connection and it was the city's goal to create a safe situation at a nominal cost. Lahner commented that if it were the desire of the council, a discussion could take place with the DOT for land acquisition but there would be a cost. After the last meeting, Preusker said he was under the impression that space was an issue not land ownership. Preusker was in agreement with Prailes that connecting the two streets was a good option. Simenson then spoke that it seemed like a band-aid approach to fix the problem. Lahner reminded council that as the roads are now, the pavement just runs out and there is no completion to the roads. Prailes said the "T" Turn-Around did not appear to provide much more of a solution than a "Dead-End" sign would offer. At this time, Johnson called the question.

A motion was made by Prailes with a second by Simenson to table Resolution 4572(23). With the majority in favor, the motion carried.

This resolution will be brought back at a later date.

**B. RESOLUTION 4573(24) "A RESOLUTION TO APPROVE AMENDMENT ONE TO THE CHOCOLATEFEST LEASE"**

A motion was made by Hintz with a second by Dawidziak to approve Resolution 4573(24). With all in favor, the motion carried.

**C. RESOLUTION 4575(26) "A RESOLUTION TO CONSIDER AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$7,722,769 TAXABLE SEWERAGE SYSTEM REVENUE BONDS, SERIES 2012 AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO AND APPROVAL OF RELATED \$8,092,701 FINANCIAL ASSISTANCE AGREEMENT"**

A motion was made by Rauch with a second by Simenson to approve Resolution 4575(26). Roll Call Aye: Prailes, Johnson, Hintz, Dawidziak, Rauch, Preusker, Simenson Nay: None Motion carried 7-0

**14. ORDINANCES**

None

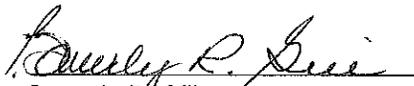
**15. MOTIONS**

**MOTION 12-750 "A MOTION TO CONSIDER AN AIRPORT HANGAR LEASE WITH ROB BACH AT 816 HOTEL TAXIWAY FOR A TERM OF 29 YEARS AT \$228.00 PER YEAR"**

A motion was made by Simenson with a second by Johnson to approve Motion 12-750. With all in favor, the motion carried.

**16. ADJOURNMENT**

A motion was made by Simenson with a second by Preusker to adjourn the meeting. With all in favor, the meeting adjourned at 8:00 p.m.



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



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<b>Common Council Agenda Item Number: 8</b>	<b>Date:</b> October 2, 2012
<b>Submitted By:</b> City Staff	<b>Subject:</b> Reports 1-3

**Details:**

Attached please find the following reports:

- Report 1 – Park Board minutes, July 19, 2012
- Report 2 – Burlington Housing Authority minutes, August 16, 2012
- Report 3 - Committee of the Whole minutes, September 4, 2012

**Options & Alternatives:**

N/A

**Financial Remarks:**

None.

**Executive Action:**

Staff recommends that the Council accept these reports at the October 2, 2012 Common Council meeting.



Department of Public Works  
Street & Park and Water Departments  
2200 S. Pine Street, Burlington, WI 53105  
(262) 539-3770 (262) 539-3773  
www.burlington-wi.gov

**CITY OF BURLINGTON PARK BOARD MINUTES**  
**THURSDAY, JULY 19, 2012**  
**2200 S. Pine Street, Burlington, WI 53105**

Chairman Darrel Eisenhardt, Commissioners Clay Brandt, Ruth DeLay, Tom Follis, Peter Turke, Jon Schultz, Alderman Bob Prailes, DPW Supervisor Dan Jensen, P.E.

**Chairman Darrel Eisenhardt called the meeting to order at 6:34 P.M.**

**Roll Call: Present:** Commissioners Clay Brandt, Ruth DeLay, Alderman Bob Prailes, Dan Jensen, DPW Supervisor and Chairman Darrel Eisenhardt. **Excused:** Commissioners Tom Follis and Jon Schultz. **Absent:** Commissioner Peter Turke.

**Approval of June 21, 2012 Minutes:** Chairman Eisenhardt entertained a motion for approval of the June 21, 2012 Minutes. Motion to approve made by Alderman Bob Prailes. Seconded by Commissioner Brandt. All voted aye, motion carried.

**Citizens Comments:** None

**Aldermanic Report:** None

**DPW Supervisor Report:** Dan Jensen, DPW Supervisor reported DPW crews are cleaning brush and removing dead wood from beneath spillway and off of islands at Echo Park.

The gutter for the rain garden at Echo has been installed, and only the down spout to the garden section needs to be completed.

Increase from the \$32,980.50 to \$37,222.40 approved at COW moving to full council approval on August 7<sup>th</sup>. Engineer's original estimate was \$37,717.00, a difference of \$505.40.

Mr. Jensen reported approximately 430 feet of River Walk steel railing will be repainted this year at a cost \$28.50, per linear foot.

Currently charcoal grills are prohibited from all City parks until further notice from City of Burlington Fire Department. Severe drought conditions have made it unsafe.

Mr. Jensen presented a check of \$5000.00 to Burlington High School for the fence at Bushnell Park soccer field, which was previously approved.

Mr. Jensen distributed the Park Development Fund balances. Alderman Bob Prailes stated he has been working with Steve DeQuaker, Treasurer. Mr. DeQuaker will have an easier format to follow by the end of the year. It should allow anyone to look at the worksheets to see what monies were taken in and what monies were spent, and where.

**New Business:**

**Kiwanis' Soccer Season and Field Use/Presented by Bob Prailes:** Alderman Bob Prailes wanted to discuss the use of Bushnell Soccer fields. Also present for discussion were Sandy Cowen and H.S. Coach Phil Molitor.

Alderman Prailes was concerned that after all the work that has been done at Bushnell and the costs associated donated by the Kiwanis Club and the City of Burlington, that it was going to become a high school field, and eliminate the use for youth in the Burlington area.

Coach Phil Molitor stated he thought it would be best if the Bushnell Soccer field were given a rest through the fall season and not be played on until next spring. Alderman Prailes stated that this was not possible.

There was also discussion regarding places for each to practice. After a lively discussion, all were in agreement that the 3 groups needed to communicate better. Various sites were discussed to possibly use for practice fields.

Dan Jensen, DPW Supervisor asked that they contact Aaron DeGrave, Park Foreman to see what, if any, games are played at Bushnell on the hard ball diamond.

Chairman Eisenhardt expressed his sympathy for the groups, but asked that they get together outside of the Park Board meeting to discuss times and areas for practice and games.

**Old Business:** None

**Other Items:** None

There being no further items for discussion, Chairman Eisenhardt entertained a motion to adjourn. Motion to adjourn made by Commissioner Brandt. Seconded by Commissioner DeLay. All voted aye, and Chairman Eisenhardt adjourned the meeting at 7:55 P.M.

Minutes respectfully submitted by:



Deb Rintamaki  
Department of Public Works

CITY OF BURLINGTON HOUSING AUTHORITY  
RIVERVIEW MANOR  
August 16, 2012

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, August 16, 2012 at Riverview Manor. The meeting was called to order by Vice-Chairman Stublely at 6:30 p.m.

COMMISSIONERS PRESENT: Vice-Chairman Stublely, Commissioner Iselin, Commissioner Stoehr and Resident Manager Dorothy Henning. Chairman Lapp and Secretary Heck were excused.

Minutes from the July 19, 2012 meeting were reviewed by the board members and a motion was made by Iselin, seconded by Stoehr to approve. Motion carried unanimously.

FINANCIAL REPORT:

Reserve Account Balances as of July 31, 2012 (See Attached Statement Balance Sheet)

OCCUPANCY REPORT:

Manager Henning reported 14 on the 1 bedroom waiting list and 1 on the 2 bedroom waiting list.

BUILDING AND MAINTENANCE:

We received confirmation that we own the land bordering Madison Street and are responsible for the clean-up. Koch Kuts will move forward with trimming the pines, removing debris and unwanted weeds on the end lot as previously approved.

An informational meeting will be set up with the Mayor and City Administrator in August or September.

COMMUNICATIONS:

The burning ban has been lifted by the City, therefore permission has been granted to continue grilling by resident as previously allowed.

Copies of monthly operating statements, bills and bank statements were dispersed and reviewed by board members.

NEW BUSINESS:

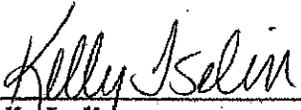
Manager Henning is in need of a new computer and will look at prices. This discussion will be tabled until the next meeting.

**OTHER BUSINESS:**

No other business.

**ADJOURNMENT:**

There being no further business, motion to adjourn was made by Stoehr, seconded by Iselin and carried unanimously. Meeting adjourned at 6:45 p.m. The next monthly meeting has been tentatively scheduled for September 20, 2012 at 6:30 p.m.

  
\_\_\_\_\_  
Kelly Iselin



## CITY OF BURLINGTON

**Administration Department**  
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**CITY OF BURLINGTON**  
**Committee of the Whole Minutes**  
**Robert Miller, Mayor**  
**Beverly R. Gill, City Clerk**  
**September 18, 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 Prailes, Ed Johnson, Peter Hintz, Ruth Dawidziak, Steve Rauch, Tom Preusker, Katie Simenson  
Excused: Tom Vos

Also present: City Attorney John Bjelajac, Police Lt. Mark Anderson, City Administrator Kevin Lahner, Library Director Gayle Falk, Treasurer Steve DeQuaker, Assistant to the Administrator Megan Watkins, Mr. Tom Foht of Kapur Engineering, Dave Wagner of Ehlers and Associates

**2. CITIZENS COMMENTS AND QUESTIONS**

None

**3. APPROVAL OF MINUTES FOR SEPTEMBER 4, 2012**

A motion was made by Prailes with a second by Hintz to approve the minutes from September 4, 2012. With all in favor, the motion carried.

**4. DISCUSSION AND TUTORIAL REGARDING ALDERMANIC ACCESS TO CITY E-MAIL**

The mayor introduced the topic for discussion.

Lahner then led the discussion on the email accounts that have been recently set up by the city for the use of the aldermen. Lahner said from a legal standpoint, it would be better for the aldermen not to mix their personal account with city business.

Atty. Bjelajac also encouraged the aldermen to use the city accounts rather than their personal accounts.

Lahner provided a brief tutorial to the council members in receiving and retrieving emails.

Simenson preferred to use her own personal account to receive and send her emails as she felt it was more efficient for her and it provided her with a better response time.

Rauch questioned if it was mandatory to use the city email account or if the council members had a choice. Lahner replied that the council members had a choice in the matter.

**5. RESOLUTION 4574 (25) "A RESOLUTION TO CONSIDER TASK ORDER NUMBER EIGHTY-NINE WITH KAPUR & ASSOCIATES TO PROVIDE CIVIL ENGINEERING SERVICES REPAIRS AND MAINTENANCE ON THE JEFFERSON STREET BRIDGE"**

The mayor introduced Resolution 4574 to the council for discussion.

Johnson questioned what type of repairs are needed on the bridge. Foht reported the railings on the Jefferson Street Bridge need repainting and there are surface repairs on the sidewalks. The work is to be completed in 2013.

Prailles asked if the road itself or any of the bridge structure is in need of repair. Foht stated that neither of those items needs attention at this time.

Simenson commented that along with the railings on the bridge, there are also railings on the river walk that need attention. Lahner said that there has been sand blasting and painting on a small portion of the railing along the river and after reviewing the work, it appeared to have worked well. The city has since been in contact with the company for future work as the budget will allow.

Simenson thought the city should coordinate the two projects when they go out for bid as they are similar in scope. Lahner agreed with her suggestion.

Johnson questioned why the city would need engineering services for minor repairs on a bridge. Foht responded by stating Kapur provides the specifications that have to be followed, creates the bid package, does the bidding for the project and oversees the construction. Lahner commented that the specifications that will be developed for this project will also be used on future bridge repairs.

Preusker asked if any other engineering services had been contacted for services. Lahner said that the city has been using Kapur and no other company had been contacted.

This resolution is scheduled for the October 2, 2012 Common Council meeting.

6. **RESOLUTION 4575(26) "A RESOLUTION TO CONSIDER AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$7,722,769 TAXABLE SEWERAGE SYSTEM REVENUE BONDS, SERIES 2012 AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO AND APPROVAL OF RELATED \$8,092,701 FINANCIAL ASSISTANCE AGREEMENT"**

The mayor introduced Resolution 4575(26) to the council for discussion.

Simenson questioned if this was the full amount for Phase II. Lahner affirmed that was correct.

This resolution is scheduled for the September 18, 2012 council meeting.

7. **ORDINANCE 1955(9) "AN ORDINANCE TO CONSIDER CREATING CHAPTER 119-1.5(2)(B) "FLOODPLAIN LETTER OF MAP REVISION" OF THE MUNICIPAL CODE REGARDING THE MEADOWS OF PINE BROOK SUBDIVISION"**

The mayor introduced Ordinance 1955(9) to the council for discussion.

Rauch requested additional background on this as the Pine Brook subdivision had been approved several years ago. Lahner commented that FEMA had approved a map revision for the floodplain in Meadows of Pine Brook and this revision must be included in the ordinances for the city.

This resolution is scheduled for the October 2, 2012 council meeting.

8. **ORDINANCE 1956(10) "AN ORDINANCE TO CONSIDER AMENDING CHAPTER 265-4C(2), YARD WASTE DISPOSAL OF THE MUNICIPAL CODE REGARDING LEAF DISPOSAL"**

The mayor introduced Ordinance 1956(10) to the council for discussion.

Prailles asked if this new system for leaf pick up is working better than the old system which consisted of dump trucks and front end loaders. Lahner reported the system is efficient but the residents need to be aware that garden waste and sticks compromise the efficiency.

Simenson thought that more notification should have been given to the public prior to the fall clean-up.

Hintz commented that he thought it was a good ordinance, but he was concerned what to do with those residents who do not conform to the rules.

Lahner considered changing the wording on the notice that would be left at the residence to reflect the point the leaves were picked up this time, but in the future the pick up must be according to the rules or the leaves will remain in the street.

This motion is scheduled for the October 2, 2012 council meeting.

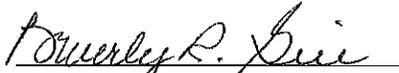
9. **MOTION 12-750** "A MOTION TO CONSIDER AN AIRPORT HANGAR LEASE WITH ROB BACH AT 816 HOTEL TAXIWAY FOR A TERM OF TWENTY-NINE YEARS AT \$228.00 PER YEAR"

The mayor introduced Motion 12-750 to the council for discussion.

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

10. **ADJOURNMENT**

A motion was made by Dawidziak with a second by Simenson to adjourn the meeting. With all in favor, the meeting adjourned at 7:20 p.m.



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



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<b>Common Council Item Number: 12A</b>	<b>Date:</b> October 2, 2012
<b>Submitted By:</b> Kevin Lahner, City Administrator	<b>Subject:</b> A Public Hearing for Ordinance 1955(9) to create Section 119-1.5(2)(b) under Floodplains, in the Municipal Code.

**Details:**

A Public Hearing has been scheduled to hear comments and concerns from the public regarding an ordinance to create Section 119-1.5(2)(b) to add the approved Letter of Map Revision for the floodplain map in Meadows of Pine Brook Subdivision to Chapter 119.

**Options & Alternatives:**  
For public comment only.

**Financial Remarks:**  
None.

**Executive Action:**  
This item was a Public Hearing at the October 2, 2012 Common Council meeting.

STATE OF WISCONSIN     )  
  )  
COUNTY OF RACINE     )

**The Common Council in and for the City of Burlington**

**NOTICE OF PUBLIC HEARING – CITY OF BURLINGTON FLOODPLAIN ORDINANCE**

PUBLIC NOTICE is given to all persons that a public hearing will be held to solicit comments on proposed floodplain zoning ordinance revisions that are required by state and federal law. This ordinance amends Chapter 119, "Floodplain" of Municipal Code to add the following:

119-1.5(2)(b) OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

1. Letter of Map Revision – Spring Brook Floodplain Study: Meadows at Pine Brook Subdivision (Case No.: 12-05-7770P effective August 8, 2012).

This amendment governs development in mapped floodplain areas, including those currently shown on the Zoning Map as FW Floodway District, FC Floodplain Conservancy District, and FFO Floodplain Fringe Overlay District. The proposed amendment is intended to protect life, health and property in floodplain areas and will govern uses permitted in mapped floodplains. A copy of the proposed ordinance will be on file and open for public inspection in the office of the City Clerk for a period of two weeks prior to this public hearing. All persons interested are invited to attend this hearing and be heard. Written comments may be submitted to: City of Burlington Common Council, 300 North Pine St., Burlington, WI 53105.

NOTICE IS FURTHER GIVEN that the Public Hearing regarding the above matter will be held by the Common Council in the Council Chambers at the Police Department Building, 224 E. Jefferson Street, City of Burlington, on:

**TUESDAY, OCTOBER 2, 2012**  
DURING THE MEETING OF THE COMMON COUNCIL  
SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

to hear any persons objecting to, or in support thereof, on the above-mentioned matter.

Dated at Burlington, Wisconsin, this 11th day of September 2012.

City of Burlington  
Beverly Gill  
City Clerk

Published in the Burlington *Standard Press* September 13 and 20, 2012

# Meadows at Pine Brook

## THE MEADOWS AT PINE BROOK CONDOMINIUM

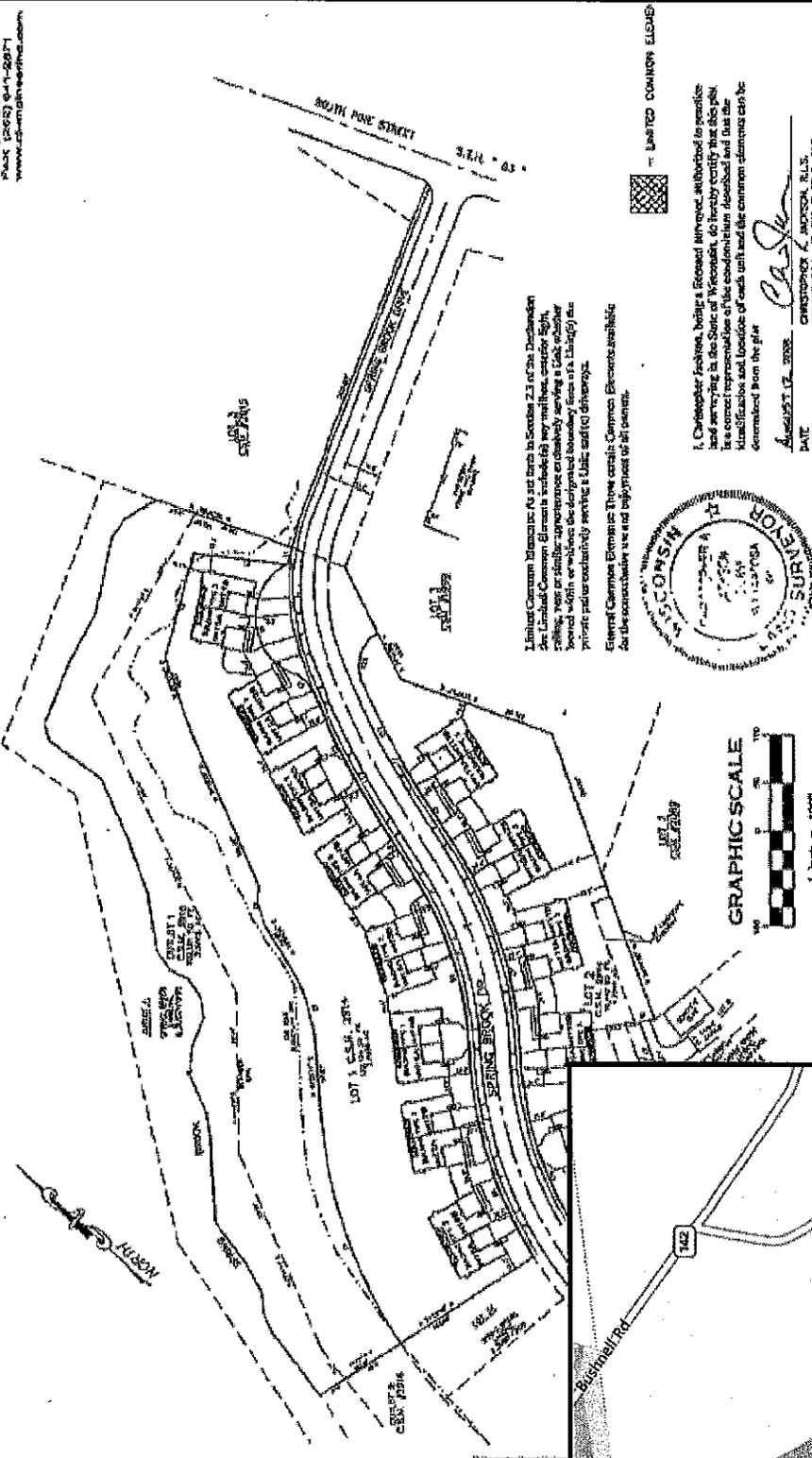
LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 2874 RECORDED AS DOCUMENT NO. 2182781 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 2874 RECORDED AS DOCUMENT NO. 2182783, ALL BEING PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 19 EAST, IN THE CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.

Vol 3 PB 839

CONTAINING 307,757 SQUARE FEET 7,0851 AGRES

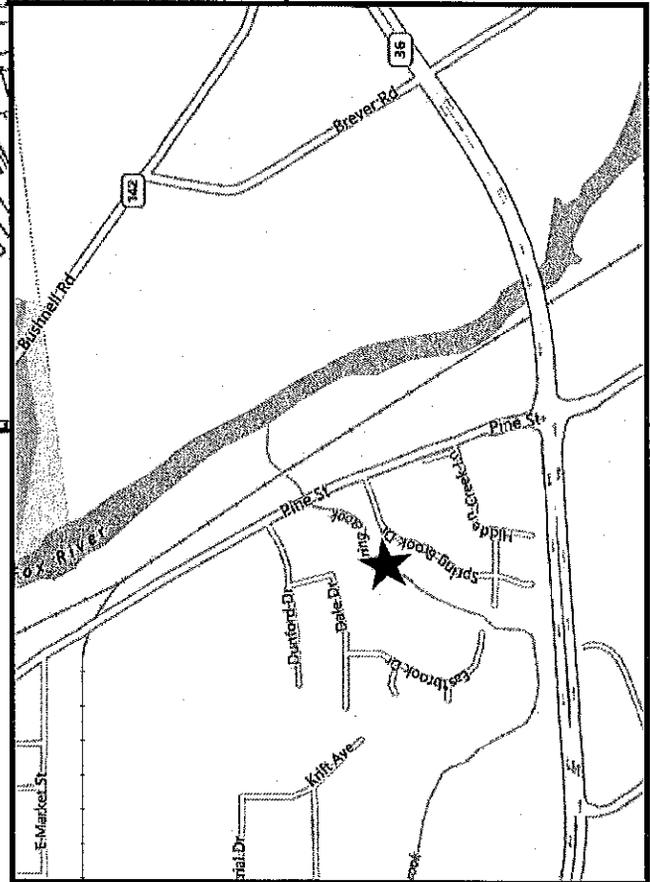
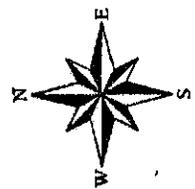


CU engineering and consulting  
 1000 West Wisconsin Ave., Suite 200  
 Racine, WI 53405  
 Phone: (262) 981-2007  
 Fax: (262) 981-2007  
 www.cu-engineering.com



Unit Condominium Elements: As set forth in Section 2.3 of the Declaration, the Unit Condominium Elements include the following: (a) the right to use, occupy, enjoy, possess, and transfer the unit and the common elements which are necessary for the enjoyment of the unit; (b) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (c) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (d) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (e) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (f) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (g) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (h) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (i) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (j) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (k) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (l) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (m) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (n) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (o) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (p) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (q) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (r) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (s) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (t) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (u) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (v) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (w) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (x) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (y) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit; (z) the right to use, occupy, enjoy, possess, and transfer the common elements which are necessary for the enjoyment of the unit.

UNITED COMMONS EGRESS  
 I, Christopher Johnson, having been duly sworn, authorized to execute and certify this plan, do hereby certify that this plan is a correct representation of the condominium described and that the classification and location of each unit and the common elements are as shown on this plan.  
 DATE: August 17, 2008  
 Christopher Johnson, P.L.S.  
 Registered Land Surveyor 5-2861





City Clerk

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

<b>Common Council Agenda Item Number: 10</b>	<b>Date:</b> October 2, 2012
<b>Submitted By:</b> Beverly R. Gill, City Clerk	<b>Subject:</b> Licenses

**Details:**

**OPERATOR'S LICENSES RECOMMENDED FOR APPROVAL**

Anderson, Courtney D.  
Appel, Stephanie L.  
Blum, Krystal N.  
Kreuger, Geraldine M.  
Lucas, Courtney L.  
Settepani, Daniela E.

**Financial Remarks:**

Applicants are charged a fee of which a portion funds the background checks performed by the Police Department. Business license fees are calculated on a case by case basis depending on the type of license applied for.

**Executive Action:**

Staff recommends the Common Council accept the presented licenses at the September 18, 2012 Council meeting.



**Department of Public Works**  
Streets, Parks and Water Department  
2200 S. Pine St., Burlington, WI, 53105  
(262) 539-3770 – (262) 539-3773 fax  
www.burlington-wi.gov

<b>Common Council Item Number: 13A</b>	<b>Date:</b> October 2, 2012
<b>Submitted By:</b> Dan Jensen, Department of Public Works Supervisor	<b>Subject:</b> Resolution 4574(25) to consider Task Order 89 with Kapur & Associates to provide civil engineering services repairs and maintenance on the Jefferson Street Bridge.

**Details:**

The City of Burlington wishes to engage Kapur and Associates to produce plans and specifications; provide inspection and the contract administration of non-structural repair work on the Jefferson Street Bridge. This work has been identified as needing to be done in the last three bridge inspection reports. This work includes painting girders and rails and repairing cracks and spalls. Failure to maintain these items could result in more costly repairs in the future. Specifically, if the surface items are not addressed, it could lead to the degradation of the structural components of the bridge.

Staff recommends approval of this resolution.

**Options & Alternatives:**

The non-structural maintenance could be deferred, however, this is a critical portion of the city's infrastructure and this maintenance needs to be done before more costly structural repairs are needed.

**Financial Remarks:**

The estimated expenditure will be \$19,848. It will be funded from the Streets Administration and Streets Repair and Maintenance Funds.

**Executive Action:**

This item was discussion at the September 18, 2012 Committee of the Whole meeting and is placed on the October 2, 2012 Common Council meeting for consideration.

**A RESOLUTION APPROVING TASK ORDER NUMBER EIGHTY-NINE WITH KAPUR AND ASSOCIATES, INC. TO PROVIDE CIVIL ENGINEERING SERVICES FOR REPAINTING RAILINGS AND CONCRETE SURFACE REPAIRS TO THE JEFFERSON STREET BRIDGE, FOR THE NOT-TO-EXCEED AMOUNT OF \$19,848**

**WHEREAS**, the City of Burlington has entered into a master agreement for engineering services with Kapur and Associates, Inc.; and,

**WHEREAS**, the City has requested assistance to provide plans and specifications for the repainting of railings and for concrete surface patching on the Jefferson Street bridge, as recommended by Ayers Associates, Inc., during routine bridge inspection on August 18, 2010;

**WHEREAS**, said task order is for the not-to-exceed amount of \$19,848 and has been recommended for approval by the DPW Street and Parks Supervisor.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Burlington that the Task Order Number Eighty-Nine is hereby approved for the not-to-exceed amount of \$19,848.

**BE IT FURTHER RESOLVED** that the City Administrator is hereby authorized and directed to execute the Task Order Number Eighty-Nine on behalf of the City.

Introduced: September 18, 2012  
Adopted:

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Robert Miller, Mayor

Attest:

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Beverly R. Gill, City Clerk

**TASK ORDER NUMBER #89  
CIVIL ENGINEERING SERVICES**

This Task Order is made as of August 7, 2012 under the terms and conditions established in the MASTER AGREEMENT FOR ENGINEERING SERVICES, (the Agreement), between the **City of Burlington (Owner)** and **Kapur & Associates, Inc. (Engineer)**. This Task Order is made for the following purpose:

Provide civil engineering services for the repainting and concrete surface repairs to the Jefferson Street Bridge in the City of Burlington.

**Section A. – Scope of Services**

Engineer shall perform the following Services:

**Jefferson Street Bridge**

1. Provide plan and specifications for the repainting of railings as recommended in the Jefferson Street bridge inspection report.
2. Provide plan details, location and specifications for concrete patching to repair spauling on the surface of the structure as recommended in the Jefferson Street bridge inspection report.

**Section B. – Schedule**

Engineer shall perform the Scope of Services and deliver the related Documents according to the following schedule:

1. Provide Preliminary Plans for review and comment within 60 days of Task Order approval or data availability.
2. Provide Final Plans and bid within 30 days of preliminary plan review comments.

**Section C. – Compensation**

In return for the performance of the foregoing obligations, Owner shall pay to Engineer an amount not-to-exceed Nineteen Thousand Eight Hundred Forty-Eight Dollars (\$19,848.00) payable according to the following terms:

A not-to-exceed amount based on the rates as listed in Attachment A of the Agreement, plus direct expenses. Cost plus services are limited to an agreed maximum figure unless amended.

Engineer may request a change to the billing hours if scope changes, beyond the control of the Engineer, resulting in an extension of the schedule or necessitates a change in personnel.

Compensation for Additional Services (if any) shall be paid by Owner to Engineer according to the hourly billing rates shown in Attachment A of the Agreement.

IN WITNESS WHEREOF, the Owner and Engineer have executed the Task Order.

Owner: City of Burlington

Engineer: Kapur & Associates, Inc.

By: \_\_\_\_\_

By: Thomas W. Foht

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Title: Associate

Date: \_\_\_\_\_

Date: \_\_\_\_\_

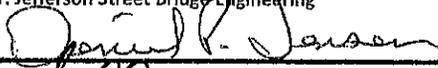


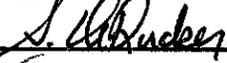
City of Burlington  
Expenditure Approval Sheet  
Financial Remarks for Cover Sheet

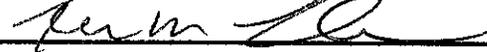
	Dollar Request	Department	Date
	\$15,866	DPW Streets	9/12/2012
	75%	25%	
Department or Fund:	STREET ADMINISTRATION	STREET ADMINISTRATION	
Account Name:	Streets - Contract Services	Streets - Rep Maint Supplies	
Account to be charged:	100-535321-298	100-535321-350	
Current Year Budget	\$ 100,000	\$ 53,000	
Current YTD Expenditure:	\$ 80,519	\$ 36,254	
Balance YTD:	\$ 19,481	\$ 16,746	
<b>This Expenditure:</b>	<b>\$ 11,900</b>	<b>\$ 3,967</b>	
New Balance:	\$ 7,581	\$ 12,780	

Financial Remarks: Overall Streets Dept budget is expected to be at or below budget. May need ammendment to adjust line item dollar amounts.

**APPROVALS PROJECT: Jefferson Street Bridge Engineering**

Dept. Head 

City Treasurer 

City Administrator 



## CITY OF BURLINGTON

### Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

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

**Common Council Item Number: 13B**

**Date:** October 2, 2012

**Submitted By:** Kevin Lahner, City Administrator

**Subject:** Resolution 4577(28) to consider appointing an authorized representative to file applications for the Safe Drinking Water Loan.

#### **Details:**

Per State Statute, the Council is required to appoint an authorized representative to file applications for the State of Wisconsin Environmental Improvement Fund. This fund will provide state financial assistance for the Wastewater Treatment Plant Phase Two Improvement Project as a low interest loan program. It is recommended that the Council appoint the City Administrator to act as the City's representative and file all necessary applications for the Safe Drinking Water Loan.

#### **Options & Alternatives:**

This is a necessary step in the process of applying for funds from the Safe Drinking Water Loan. Failure to do so would require the need to secure money elsewhere to fund the project.

#### **Financial Remarks:**

This resolution simply notifies the state that the City will be applying for funds. No costs are associated in the application process.

#### **Executive Action:**

This item is for discussion at the October 2, 2012 Committee of the Whole meeting and due to the timeliness, it is placed on the Common Council meeting the same night for consideration.



## CITY OF BURLINGTON

**Administration Department**  
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<b>Common Council Item Number: 14A</b>	<b>Date:</b> October 2, 2012
<b>Submitted By:</b> Kevin Lahner, City Administrator	<b>Subject:</b> Ordinance 1955(9) to create Section 119-1.5(2)(b) under Floodplains, in the Municipal Code.

### Details:

Recently FEMA approved a Letter of Map Revision for the floodplain map in Meadows of Pine Brook Subdivision. Per DNR and FEMA regulation, reference of this LOMR must be included in the floodplain ordinance for the city and the county with a public hearing. The attached revision reflects this information and is merely a housekeeping item.

### Options & Alternatives:

It is necessary to add reference of the LOMR to the ordinance under DNR and FEMA regulations.

### Financial Remarks:

There are no costs to the city associated with this item.

### Executive Action:

This item was for discussion at the September 18, 2012 Committee of the Whole meeting, for Public Hearing at the October 2, 2012 Council meeting and for consideration at the October 2, 2012 Common Council meeting.

**AN ORDINANCE CREATING CHAPTER 119-1.5(2)(b), "FLOODPLAIN LETTER OF  
MAP REVISION" OF THE CODE OF THE CITY OF BURLINGTON**

**WHEREAS**, the City of Burlington seeks to update the provisions of the Floodplain Code of the City of Burlington to reflect regulatory changes in the Wisconsin Department of Natural Resources (WDNR) and Federal Emergency Management Agency (FEMA) National and State Codes; and,

**WHEREAS**, the Common Council has determined that these changes are necessary in order to protect the health, safety, welfare and convenience of the public:

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Burlington as follows:

**Part I. Section 119-1.5 "General Provisions"** of the City of Burlington Municipal Code is hereby amended to include the following:

119-1.5(2)(b) **OFFICIAL MAPS:** Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

1. Letter of Map Revision – Spring Brook Floodplain Study: Meadows at Pine Brook Subdivision (Case No.: 12-05-7770P effective August 8, 2012).

**Part II. Common Council Approval.** The Common Council of the City of Burlington concurred with the recommendations of the Plan Commission and proceeded to adopt this proposed creation of Chapter 119 "Floodplain" of the City of Burlington Municipal Code at its meeting held on \_\_\_\_\_, 2012.

**Part III. Severability.** If any provision of this Ordinance is found invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions of this Ordinance.

**Part IV. Effective Date.** This Ordinance shall take effect upon passage and adoption by the Common Council and the filing of proof of posting or publication in the Office of the City Clerk. Approved by the Common Council of the City of Burlington this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Introduced: September 18, 2012  
Adopted:

\_\_\_\_\_  
Robert Miller, Mayor

Attest:

\_\_\_\_\_  
Beverly R. Gill, City Clerk





## CITY OF BURLINGTON

**Department of Public Works**  
Streets, Parks and Water Department  
2200 S. Pine St., Burlington, WI, 53105  
(262) 539-3770 – (262) 539-3773 fax  
www.burlington-wi.gov

<b>Common Council Item Number: 14B</b>	<b>Date:</b> October 2, 2012
<b>Submitted By:</b> Dan Jensen, Department of Public Works Supervisor	<b>Subject:</b> Ordinance 1956(10) to consider amend Chapter 265-4 regarding leaf collection.

**Details:**

Leaf collection in the city generally begins around October 15 and ends around November 15. The Department of Public Works is asking residents to keep all garden waste (tomato plants, pumpkins, etc.) and sticks out of the leaves that they pile in the street along the curb to increase efficiencies in service. The new leaf machine is very efficient. However, the public needs to be educated in keeping sticks out of the leaf piles.

This ordinance removes the language, “yard waste” from the list of permitted organic material that can be placed by the curb for collection and replaces it with “leaves”.

The City has developed a door hanger to educate the public on this issue. In the most egregious cases, residents who ignore the educational material could be cited with a municipal violation. As requested by the Council at the September 18 meeting, the door hanger has been modified to allow for pick up of the yard waste that day with a reminder to only place leaves by the curb the next time.

**Financial Remarks:**

There will be no additional financial cost.

**Options & Alternatives:**

The Council may choose to keep Chapter 265-4 as is which would allow residents to place yard waste in the curb.

**Executive Action:**

This item was for discussion at the September 18, 2012 Committee of the Whole meeting and is placed on the October 2, 2012 Common Council meeting for consideration.

**AN ORDINANCE AMENDING SECTION 265-1 "DEFINITIONS" AND CHAPTER  
265-4C(2), PERMITTED YARD WASTE DISPOSAL, OF THE MUNICIPAL CODE  
OF THE CITY OF BURLINGTON**

**NOW THEREFORE BE IT RESOLVED** that the Common Council of the City of Burlington does hereby ordain as follows:

**Part I.** Chapter 265-4C of the Municipal Code of the City of Burlington, Racine County, Wisconsin, "Permitted Yard Waste Disposal", is hereby amended as follows:

- (2). Deposit yard waste leaves at curbside to be collected by the City during a fall collection of ~~yard waste~~ leaves if such property is eligible to be served by regular City garbage collection in accordance with the rules and regulations promulgated by the Public Works Director and approved by the Common Council.

**Part II.** It is further ordained that the application of this ordinance shall be effective after its passage and publication as required by law.

**Part III.** All other language as contained in Chapter 265 of the Municipal Code of the City of Burlington shall remain without change and in full force and effect.

Introduced: September 18, 2012  
Adopted:

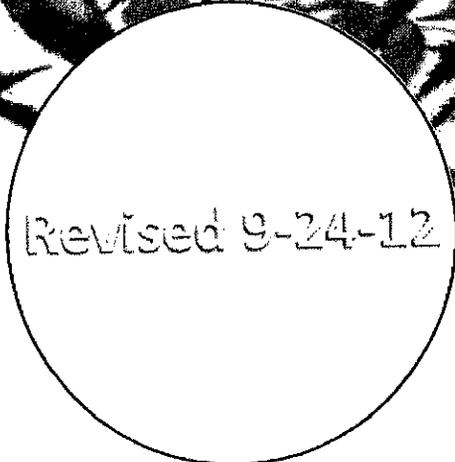
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Robert Miller, Mayor

Attest:

---

Beverly R. Gill, City Clerk



Revised 9-24-12

## **Leaf Collection Notice**

**While picking up your leaves today we found items such as large sticks, garden waste (plants, pumpkins, etc.) or other items in the leaf pile. This type of debris clogs the nozzle of our leaf collection machine and slows down the collection process for residents. We collected your leaves today, however we will not be able to collect them on the next pass if yard and garden waste is mixed in. Thank you for your future cooperation with the leaf collection system!**

**Please call the Department of Public Works with any questions or concerns at 539-3770.**

