



AGENDA
COMMITTEE OF THE WHOLE
Tuesday, June 21, 2016 at 6:30 p.m.
Common Council Chambers - 224 East Jefferson Street

Mayor Jeannie Hefty
Edward Johnson, Alderman, 1st District
John Ekes, Alderman, 1st District
Ruth Dawidziak, Alderman, 2nd District
Bob Grandi, Alderman, 2nd District
Tom Vos, Council President, Alderman, 3rd District
Jon Schultz, Alderman, 3rd District
Thomas Preusker, Alderman, 4th District
Todd Bauman, Alderman, 4th District

1. Call to Order – Roll Call
2. Citizen comments
3. Approval of minutes for June 7, 2016 (*T. Preusker*) - *pg. 3*
4. **Topic:** Discussion with Patrick Glynn of Carlson Dettmann regarding the Employee Compensation and Classification Study. – *pg. 7*
5. **Topic:** Discussion and presentation of Well #11 DNR Report by Doug Snyder of Baxter & Woodman.
6. **Topic:** Resolution 4795(14) - to consider approving the purchase of a 2016 Mack Single-Axle Patrol Truck from Mack Truck of Racine in the amount of \$102,022.00 and a Plow and Hydraulics package from Olsen Body and Trailer in the amount of \$81,245.00 for a total amount of \$183,267. This purchase is for the Department of Public Works and would replace the current 2001 Sterling Single-Axle Patrol Truck. This item is scheduled for final consideration at the July 5, 2016 Common Council meeting. – *pg. 8*
7. **Topic:** Resolution 4796(15) - to consider the purchase and installation of a 2016 Kenworth chassis for the Wastewater Treatment Plant tanker truck from Wisconsin Kenworth in the amount of \$96,726. This item is scheduled for final consideration at the July 5, 2016 Common Council meeting. – *pg. 13*
8. **Topic:** Resolution 4797(16) - to consider Task Order Number One Hundred with Kapur & Associates for design and construction management for sanitary sewer improvements on S. Pine Street in the amount of \$18,920. This item is scheduled for final consideration at the July 5, 2016 Common Council meeting. – *pg. 17*

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.

- 9. Topic:** Ordinance 2005(1) - to consider a rezone for property located at 340 Church Street from Rs-2, Single-Family Residential District to I-1, Institutional District. This item is scheduled for final consideration at the July 5, 2016 Common Council meeting. – *pg. 24*
- 10. Topic:** Motion 16-843 - to review and approve the Downtown Strategic Plan report. This item is scheduled for final consideration at the July 5, 2016 Common Council meeting. – *pg. 44*
- 11. Topic:** Motion 16-844 - to consider appointing Alan Babe as the City of Burlington Fire Chief. This item is scheduled for final consideration at tonight's Common Council meeting.
- 12. Adjourn** (*T. Bauman*)

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.



COMMITTEE OF THE WHOLE

ITEM NUMBER: 3

DATE: June 21, 2016

SUBJECT: June 7, 2016 Committee of the Whole Minutes

SUBMITTED BY: Diahnn Halbach, City Clerk

BACKGROUND/HISTORY:

The attached minutes are from the June 7, 2016 Common Council meeting.

BUDGET/FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the attached minutes from the June 7, 2016 Committee of the Whole meeting.

TIMING/IMPLEMENTATION:

This item is scheduled for final consideration at the June 21, 2016 Common Council meeting.

ATTACHMENTS:

Committee of the Whole Minutes



CITY OF BURLINGTON
Committee of the Whole Minutes
Jeannie Hefty, Mayor
Diahnn Halbach, City Clerk
Tuesday, June 7, 2016

1. Call to Order/Roll Call

Mayor Jeannie Hefty called the meeting to order at 6:31 p.m. starting with roll call. Aldermen present: Ed Johnson, John Ekes, Bob Grandi, Ruth Dawidziak, Tom Vos, Jon Schultz, Tom Preusker and Todd Bauman. Excused: None.

Also present: City Administrator Carina Walters, Director of Administrative Services Megan Watkins, City Attorney John Bjelajac, DPW Director James Bergles, Building Inspector Gregory Guidry, Police Chief Mark Anderson, Rescue Squad Chief Brian Zwiebel, and Tom Foht of Kapur & Associates.

2. Citizens Comments and Questions

Bob Lois, 632 Madison Street and owner of Lois Store-All on Droster Avenue, ask the City if they would consider providing 60-90 feet of black top for a portion of road that is currently a strip of gravel and potholes.

3. Approval of Minutes from May 17, 2016

A motion was made by Vos with a second by Preusker to approve the minutes from May 17, 2016. With all in favor, the motion carried to approve the minutes.

4. Topic: Presentation – State Representative Robin Vos to provide a Legislative Update.

Representative Vos provided updates on prevailing wage changes, local government facility building materials tax exemption, state broadband expansion, further flexibility for TIF financing, historic preservation tax credit, the retention of the local government property insurance fund program, modernized law for advanced technology, modernized election law, and the unresolved funding transportation.

Schultz thanked Vos for his presence as well as his volunteer efforts at Chocolate Fest. Schultz further urged Vos to continue to review the liquor license law as the City of Burlington would benefit greatly with an increase in the number of licenses allowed.

5. Topic: Resolution 4791(10) – to consider approval of the 2015 Compliance Maintenance Annual Report (CMAR) for the Burlington Wastewater Treatment Plant.

Mayor Hefty introduced Resolution 4791(10). Bergles reviewed the Compliance Report and stated that the overall grade point average for the city is a 4.0, which is outstanding.

Ekes asked how this score compares with other municipalities. Bergles responded that he has never seen the full report, which includes over 600 other plants, but that he would locate it and report back.

Preusker asked what are the repercussions or consequences for a poor grade. Bergles replied that the DNR would become involved and require improvements and upgrades.

6. **Topic:** Resolution 4792(11) - to consider a resolution authorizing a Grant Agreement with WIN Properties, LLC for property located at 425 N. Pine Street as part of the Wisconsin Economic Development Corporation Community Development Investment Grant.

Mayor Hefty introduced Resolution 4792(11) and then handed it over to Walters for further information.

Schultz asked if there was any cost to the City. Walters replied that there is no cost to the City and that Shad Branen is responsible for the costs related to this project.

7. **Topic:** Resolution 4793(12) – to authorize the acceptance of up to \$24,760 in Wisconsin Economic Development Corporation Site Assessment Grant funds for the environmental site work at 221, 241, 249, and 261 E. Chestnut Street.

Mayor Hefty introduced Resolution 4793(12) and then handed it over to Walters for further information.

Walters stated that on April 6, 2016 the Community Development Committee (CDA) authorized staff to apply for a Site Assessment Grant with the Wisconsin Economic Development Corporation (WEDC) to relieve city expenditures with environmental remediation of the vacant city-owned parcel on E. Chestnut and N. Dodge Street. Walters further stated the WEDC has awarded the City up to \$24,760 and the City would be responsible for the remaining cost of \$12,380. Walters went on to say that the CDA has approved an offer to purchase from Core Upgrades, LLC for this property for future development.

Preusker asked if there was any kind of development agreement included with this offer. Attorney Bjelajac responded that there was a development agreement in the original draft and unless there is some reason not to include that, it will be part of the final agreement.

Vos asked if the \$36,000 is the cost to clean the site. Walters responded that the \$36,000 is the cost to do the study to find out what needs to be remediated and that once the City knows the scope of remediation it will work with Core and their offer to purchase and find an agreeable settlement.

8. **Topic:** Resolution 4794(13) to consider authorizing Carlson Dettmann Consulting to complete an employee Classification and Compensation Study in the amount of \$29,600 plus expenses.

Mayor Hefty introduced Resolution 4794(13) and then handed it over to Walters for further explanation.

Walters stated that during the 2016 Budget sessions, Council had directed staff to have a compensation and classification study completed to analyze current market rates and benefit options among comparable municipalities. Staff released a Request for Proposal (RFP) and

received three responses. Staff interviewed the three candidates and found Carlson Dettmann Consulting to be the most comprehensive company with the ability to provide the necessary study in a timely manner. Walters then introduced Patrick Glynn, Senior Consultant for Carlson Dettman.

Glynn reviewed their process and policies including market comparisons, market position, and pay structure.

9. **Topic:** Motion 16-840 to consider approving an Agreement with FiveStar Fireworks for the City of Burlington's Annual 4th of July Celebration.

Mayor Hefty introduced Motion 16-840 and opened it up for discussion. There was no discussion.

10. **Topic:** Motion 16-841 to consider approving a Certificate of Appropriateness for 564 N. Pine Street.

Mayor Hefty introduced Motion 16-841 and opened it up for discussion. There was no discussion.

11. **Topic:** Motion 16-842 to consider allowing yard sale signs in the right-of-way during the City-wide yard sale, July 29-30,2016.

Mayor Hefty introduced Motion 16-842 and opened it up for discussion.

Watkins reviewed and explained why the temporary change was needed and stated there were many complaints and upset residents because their signs had been removed which resulted in many out of town guests having a difficult time locating these advertised yard sales. Preusker was concerned about setting a precedence; however council agreed that the community wide rummage sale brings many visitors to the city and allowing the exception for residents to post these signs in the right of way would make it easier for out of town guests to locate these yard sales.

12. **Adjourn**

A motion was made by Schultz with a second by Ekes to adjourn the meeting. With all in favor, the meeting adjourned at 7:38 p.m.

Minutes respectfully submitted by:



Diahmn C. Halbach
City Clerk
City of Burlington



DATE: June 21, 2016

SUBJECT: DISCUSSION with Patrick Glynn of Carlson Dettmann regarding the Employee Compensation and Classification Study

SUBMITTED BY: Carina Walters, City Administrator

BACKGROUND/HISTORY:

An agreement with Carlson Dettmann to conduct an employee compensation and classification study was approved at the June 7, 2016 Common Council meeting. In an effort to begin the study, Patrick Glynn of Carlson Dettmann needs direction from the Council regarding market comparisons, market position and pay structure/administration.

Market Comparisons

A review of comparisons will include areas such as proximity, population, income per capita, housing values, hiring practices, commuting patterns, recruiting practices, benchmarks, etc. from public and private sources. Mr. Glynn is soliciting feedback from the Council regarding specific comparison areas that are important to include, public and/or private locations to incorporate, and any other area to consider in the study.

Market Position

Review of market positions include organizational priorities, where to place in the labor market, benefit levels and competitive wages, and data weighting and comparable usage. Feedback is needed regarding where the Council would like the City of Burlington to sit on the market spectrum (i.e. high, low, 50th percentile), as well as what benefits are important to incorporate into the study.

Pay Structure/Administration

Review of pay structure includes job documentation, job analysis, FSLA compliance, and job evaluation in relation to the comparisons. Feedback is needed regarding setting salary midpoints, whether below market rate, market rate or above market rate. Likewise, there are three models typically used in studies including a Tenure (Step) Model with advancement/raises across the board, a Tournament (Performance) Model where employees compete for pay with performance, and a Meritocracy (Hybrid) Mode which is a mix of the two.

BUDGET/FISCAL IMPACT:

N/A

RECOMMENDATION:

This item is for discussion only to receive feedback from the Common Council to begin the Employee Compensation and Classification Study.

TIMING/IMPLEMENTATION:

This item is for discussion at the June 21, 2016 Committee of the Whole meeting.



DATE: June 21, 2016

SUBJECT: RESOLUTION 4795(14) to approve the purchase of a new 2016 Mack Single Axle Patrol Truck with Plow and Hydraulics Package for \$183,267 which will replace the current 2001 Sterling Single Axle Patrol/Plow Truck.

SUBMITTED BY: James Bergles, Director of Public Works

BACKGROUND/HISTORY:

The City of Burlington DPW has been operating a Sterling Single Axle Patrol Truck for the last 15 years. This brand of truck is no longer manufactured and parts are becoming harder to acquire. To date, DPW has spent \$50,000 on a truck that originally cost \$183,342. The Sterling truck currently has 2,500 hours and 27,000 miles. Its main use is snow plowing along with dirt hauling, gravel and tree hauling. The average hourly cost to operate the Sterling truck is approximately \$60.00 per hour. Our current replacement cycle is 10 years. This truck has surpassed that by 5 years due to budget restrictions.

BUDGET/FISCAL IMPACT:

The City of Burlington solicited bids from multiple dealers for a new patrol truck in addition to a snow plow package. These bids are shown in the attachments. One bid that meets our specs is the Mack Truck from Racine Truck. Its price is \$102,022 plus title, license and registration. The cost of the plow kit and hydraulics is \$81,245 from Olsen Trailer & Body. The estimated total price of the truck is \$183,267, not including title, registration, and license. Our 2016 budget allotment for the replacement truck is listed as \$175,000 while the CIP plan showed \$188,000. The difference from the estimated actual truck price and budgeted amount is short (-\$8,267). Three other dealers presented lower truck prices that would negate the underfunding but reliability and current new model issues are items of concern for the other three models.

| TRUCK BIDS | TOTAL |
|------------------------|--------------|
| *Mack Truck of Racine | \$102,022.00 |
| JX Peterbilt | \$ 94,490.48 |
| Wis. Kenworth | \$ 94,156.00 |
| Lakeside International | \$ 90,475.00 |

| PLOW & HYDRAULIC PACKAGE | TOTAL |
|-------------------------------------|--------------|
| *Olsen Trailer & Body | \$ 81,245.00 |
| Monroe Truck & Equipment | \$ 92,509.00 |
| Casper's Truck | \$ 88,880.00 |

RECOMMENDATION:

Staff recommends purchasing the Mack truck due to its durability and the assurance that it will make a 15-year replacement cycle. The estimated hourly cost of the Mack truck is approximately \$26.00 per hour based on the reliability of our other Mack truck and the quality of material. The new Mack truck will also be next in line to carry our leaf vacuum system. Our current Mack truck is set up for this. If the current Mack were to fail, the new Mack truck frame style and controls are designed to fit our vacuum set up with minimal adjustment.

TIMING/IMPLEMENTATION:

This item is for consideration at the June 21, 2016 Committee of the Whole meeting and for final consideration at the July 5, 2016 Common Council meeting. The average delivery time for a new truck is from 4 to 6 months.

ATTACHMENTS:

Resolution / Bid sheets



CITY OF BURLINGTON

Department of Public Works

Street, Parks and Water Departments
2200 S. Pine Street, Burlington, WI 53105
(262) 539-3770 (262) 539-3773 Fax
www.burlington-wi.gov

Single Axle patrol Truck

I am recommending we purchase the Mack chassis from Racine Truck in Franksville, WI and the body plows and Hydraulics through Olson Trailer and Body in Green Bay, WI. They both meet our specs and allow us to standardize our fleet. This will give us three Mack trucks and we have all Dura-Class bodies, Wausau Everest Plows with Force America hydraulics from Olson's. This allows us to stock less parts keep better versed for repairs as needed and lower our overall maintenance and repair cost. This chassis usage application is a level 9-10. It is used hard all winter for plowing and salting, will be used in the summer for hauling brush and can be used in the fall for leaves.

The cost of the chassis is \$102022.00 plus title, license and registration, about \$75.00. The cost of the body plows and hydraulics is \$81245.00 for a total cost of \$183342.00. The Mack chassis can be put into a 15 year rotation. Any other chassis would be on a 10 year rotation. The Kenworth would be my next choice at a cost of \$94156.00 they meet spec and still help me with standardizing our fleet. We have two Kenworth's in our fleet now. But as a level 9-10 chassis I feel it must be placed on a 10 year rotation. The Peterbilt is higher priced and does not have as heavy of a frame. The International although low bid would not be a good choice due to emission and engine issues. They also have a lighter frame. WE have no Internationals in our fleet now which will require us to stock more parts and address repair and diagnostic issues on another manufactures equipment.

Our 2001 Sterling is in need of replacement. This 15 year old truck cost us \$101493.00 new in 2001. Sterling went out of business in 2008. Parts are getting hard to find. I have spent \$50000.00 in repairs to date. There is 2500 hours and 27000 miles on this truck. It is only used for snow plowing and occasional dirt hauling in the summer. My trends show this truck cost us about \$60.00 per hour to operate where as our Mack trucks are costing us around \$26.00 per hour to operate.

Please let me know if you have any questions.

Chris Keefer
Mechanic
City of Burlington D.P.W.
2200 South Pine St.
Burlington, WI 53105
262-342-1185

A RESOLUTION APPROVING THE PURCHASE OF A NEW MACK 2016 SINGLE AXLE PATROL TRUCK FROM MACK TRUCK OF RACINE AND A PLOW AND HYDRAULICS PACKAGE FROM OLSON TRAILER AND BODY FOR THE TOTAL AMOUNT OF \$183,267

WHEREAS, on June 1, 2004 the Common Council did approve Resolution 3812(18), a Resolution Adopting a Purchasing Policy for the City of Burlington; and,

WHEREAS, the Purchasing Policy requires that all non-construction related Budget Items requiring expenditures of \$15,000 or more to be reviewed and pre-approved by the Common Council; and,

WHEREAS, the Department of Public Works is scheduled to purchase a new single axle patrol truck with funds included in the 2016 Street Department budget; and,

WHEREAS, the Street Department has searched local dealerships for available patrol trucks and advertised on VendorNet to meeting the Street Department's specifications; and,

WHEREAS, the bids were reviewed by City staff in May 16, 2016; and,

WHEREAS, the Department of Public Works Director recommends acceptance of the purchase of one single axle Mack patrol truck from Mack Truck of Racine, for the not to exceed price of \$102,092 and a plow and hydraulics package from Olson Trailer and Body for the not to exceed price of \$81,225, for a total cost of \$183,276 plus tax, title and registration fees; and,

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City of Burlington shall approve the purchase of the 2016 Mack single-axle patrol truck from Mack Truck of Racine for the not to exceed price of \$102,092 and a plow and hydraulics package from Olson Trailer and Body for the not to exceed price of \$81,225, for a total cost of \$183,276 plus tax, title and registration fees

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized this purchase order on behalf of the City.

Introduced: June 21, 2016
Adopted:

Jeannie Hefty, Mayor

Attest:

Diahnn Halbach, City Clerk



CITY OF BURLINGTON

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

Bids opened at the Department of Public Works

Project: Patrol Truck / Streets

Bids Open and read by: Chris Keefer

Date: 5-16-2016 Time: 7:20 AM

| CONTRACTOR | BID AMOUNT | TOTAL |
|---|---|---|
| 1. JX Peterbilt | Chassis Only \$ 92,947.48 | Chassis Only \$ 92,947.48 |
| 2. Wise Kenworth | Chassis Only \$ 94,156.00 | Chassis Only \$ 94,156.00 |
| 3. (Kriete) Racine Truck | Chassis Only \$ 102,022.00 | Chassis Only \$ 102,022.00 |
| 4. Lakeside International | Chassis Only \$ 90,475.00 | Chassis Only \$ 90,475.00 |
| 5. Olson Truck & Body | Chassis Only dump body \$ 81,245.00 | Chassis Only dump body \$ 81,245.00 |
| 6. Monroe Truck & Equipment | dump body \$ 92,509.00 | dump body \$ 92,509.00 |
| 7. Caspary Truck | dump body \$ 88,880.00 | dump body \$ 88,880.00 |
| 8. | | |
| 9. | | |
| 10. JX Peterbilt adjusted for missing items | | 94,490.48 |



DATE: June 21, 2016

SUBJECT: RESOLUTION 4796(15) to approve the purchase of a new 2016 Kenworth Chassis to replace the current 1999 Chevy Tanker currently in use with the Wastewater Division, in the amount of \$93,651.

SUBMITTED BY: James Bergles, Director of Public Works

BACKGROUND/HISTORY:

The City of Burlington Wastewater Treatment Plant has been operating a 1999 Chevy tandem axle water truck equipped with a 2000-gallon water tank. This truck is used in our maintenance program to flush sewer or storm sewer problem areas where sediment is prone to accumulate. Flushing is an important part to check for slow running mains and is part of our Capacity Maintenance Operation and Management Program (CMOM). The truck has 45,000 miles on it but sees a lot of idol time. When comparing idol time to miles driven, the truck is estimated to have 130,000 miles on it due to idol time. The truck is starting to show its age and it would be best to sell this truck and invest in the budgeted truck for 2016.

BUDGET/FISCAL IMPACT:

The City of Burlington requested bids from multiple dealers for a new tandem axle chassis. These are shown in the attachment. One of the current bids that meets our specs is the Kenworth truck from Wisconsin Kenworth. The price is \$93,651 plus license, title and registration. We will be reusing our water tank that is on the current GMC truck. The cost to remove our water tank from the GMC and place it on the new chassis is estimated at \$3000. The 2016 budgeted amount for a water truck is \$125,000 within the Wastewater Department budget. The total price for the chassis replacement is estimated to be \$96,726, below the budgeted amount.

| WASTE WATER TANKER BIDS | TOTAL |
|-------------------------|--------------|
| *Wisconsin Kenworth | \$ 93,651.00 |
| JX Peterbilt | \$100,556.95 |
| Racine Truck | \$105,940.00 |

RECOMMENDATION:

Staff recommends the Kenworth truck from Wisconsin Kenworth which will be placed into a 15-year replacement cycle because of low use.

TIMING/IMPLEMENTATION:

This item will be for discussion at the July 21, 2016 Committee of the Whole meeting and scheduled for final consideration at the July 5, 2016 Common Council meeting. The average delivery time for a new truck is from 4 to 6 months.

ATTACHMENTS:

- Resolution
- Bid sheets



CITY OF BURLINGTON

Department of Public Works

Street, Parks and Water Departments
2200 S. Pine Street, Burlington, WI 53105
(262) 539-3770 (262) 539-3773 Fax
www.burlington-wi.gov

Waste Water Tanker Bid

I am recommending the purchase of the Kenworth chassis from Wisconsin Kenworth in Oak Creek, WI for the replacement of their 1999 Chevy tanker. The Kenworth meet spec is low bid and will help standardize the fleet. This chassis usage application is a level 4-5 on a 1-10 usage scale. It does not see the hard use like the plow trucks which is a level 9-10. The Mack in this case would be a good choice and still help with standardizing our fleet (we have two Mack trucks at this time) but has too long of a wheel base for this application. I can't justify the extra cost. The Peterbilt meets spec but is higher in price.

The cost of the chassis is \$93651.00 plus license title and registration about \$75.00. Also the tank needs to be transferred from the old truck to the new chassis at a cost of around \$3000.00. Total cost of about \$96726.00. This will come well under the budget amount of \$125000.00.

The Waste Water 1999 Chevy Tanker truck is do for replacement. This truck has 45000 miles on it. This truck has no hour meter which would give a more accurate idea of time on a chassis. This truck gets a lot of idle time while loading and unloading. When calculating for idle time it would be safe to say this truck has equal to 135000 miles. This truck is showing its age and should be replaced before we get hit with any major repairs.

I feel this new truck can be on a 15 year rotation and would not have to be replaced again until 2031. At that time we would replace both chassis and tank.

Please let me know if you have any questions.

Chris Keefer
Mechanic
City of Burlington D.P.W.
2200 South Pine St.
Burlington, WI 53105
262-342-1185

A RESOLUTION TO APPROVE THE PURCHASE OF A NEW 2016 KENWORTH DUAL AXLE CHASSIS TO REPLACE THE 1999 CHEVY DUAL-AXLE CHASSIS FOR THE WASTEWATER LINE FLUSHING TRUCK

WHEREAS, on June 1, 2004 the Common Council did approve Resolution 3812(18), a Resolution Adopting a Purchasing Policy for the City of Burlington; and,

WHEREAS, the Purchasing Policy requires that all non-construction related Budget Items requiring expenditures of \$15,000 or more to be reviewed and pre-approved by the Common Council; and,

WHEREAS, the Department of Public Works is scheduled to purchase a new truck chassis with funds included in the 2016 Wastewater Department budget; and,

WHEREAS, the Wastewater Department has searched local dealerships for available chassis meeting the Wastewater Department's specifications; and,

WHEREAS, the City wishes to purchase a 2016 Kenworth dual-axle chassis from Wisconsin Kenworth; and,

WHEREAS, the purchase of one 2016 Kenworth dual-axle chassis from Wisconsin Kenworth, for the amount of \$93,651 has been recommended by the Director of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City of Burlington shall approve the purchase of the 2016 Kenworth dual-axle Chassis from Wisconsin Kenworth for the price \$93,651.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized this purchase order on behalf of the City.

Introduced: June 21, 2016
Adopted:

Jeannie Hefty, Mayor

Attest:

Diahnn Halbach, City Clerk



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

Bids opened at the Department of Public Works

Project: Chassis Trucks/ WWTP

Bids Open and read by: Chris Keeper

Date: 5-16-2016 Time: 7:20 AM

| CONTRACTOR | BID AMOUNT | TOTAL |
|--|---------------|---------------|
| 1. Jx Peterbilt | \$ 99,648.94 | \$ 99,648.94 |
| 2. Winc. Kenworth | \$ 93,651.00 | \$ 93,651.00 |
| 3. Racine truck (Kriete) | \$ 105,940.00 | \$ 105,940.00 |
| 4. | | |
| 5. Jx Peterbilt adjusted for missing items | | 100,556.95 |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |



DATE: June 21, 2016

SUBJECT: RESOLUTION 4797(16) to approve Task Order Number One-Hundred with Kapur & Associates for design and construction management for sanitary sewer improvements on S. Pine Street.

SUBMITTED BY: Carina Walters, City Administrator and Jim Bergles, Public Works Director

BACKGROUND/HISTORY:

Task Order Number One-Hundred with Kapur & Associates encompasses engineering services to provide plans, specifications, conduct bid opening activities and oversight of construction for sanitary sewer improvements to extend municipal sewer to five properties located on the east side of S. Pine Street from 928 S. Pine Street to 1008 S. Pine Street.

In the late 1980's and early 1990's when the water and sewer was extended along Pine Street south to the water treatment plant, the east side of the street was not included as it was in the Town of Burlington. The utility extension at that time was only to connect the old wastewater plant to the new plant. It was not until Packaging Corporation approached the City for annexation that utility connections were discussed. When Packaging Corp. annexed they brought in the five properties located on the east side of S. Pine Street from 928 S. Pine Street to 1008 S. Pine Street.

In early 2016, Mr. Michael Lewandowski of MD Services petitioned the Plan Commission to expand his Marina Services that would include a Pole barn allowing him to sell boats. Mr. Lewandowski and his contractor, Greg Dziejdzic of Pinno Buildings identified a part of the construction would include connecting to the City's sewer connection; however, the connection was not under Pine Street to the east side of the street, thus all costs would have been born to Mr. Lewandowski. The project was not financially viable.

Mr. Lewandowski and Mr. Dziejdzic respectfully proposed several options to the City which included: to assist with paying a portion of the utility connection, create a special assessment and allow the affected property owners to pay for the utility connection, allow the installation of a well and septic, or release the annexed properties back to the Town of Burlington.

The City has two options that include doing nothing or completing the engineering to identify true costs and perhaps, in the future to allow for the construction of the sewer utility to the east side of Pine Street allowing the businesses and homeowner to connect to the City's sewer.

BUDGET/FISCAL IMPACT:

The Task Order is for a not-to-exceed amount of \$18,920 that will be funded out of contract services in the Water/Sewer Budget. Other potential costs to install sanitary sewer to these properties is unknown at this time.

RECOMMENDATION:

City staff has reviewed and recommends approval of Task Order Number One-Hundred.

TIMING/IMPLEMENTATION:

This item is for discussion at the June 21, 2016 Committee of the Whole meeting and scheduled for final consideration at the July 5, 2016 Common Council meeting.

ATTACHMENTS:

Resolution

Task Order

**A RESOLUTION APPROVING TASK ORDER NUMBER ONE-HUNDRED WITH
KAPUR AND ASSOCIATES, INC. FOR DESIGN AND CONSTRUCTION
MANAGEMENT FOR SANITARY SEWER IMPROVEMENTS ON SOUTH PINE
STREET FOR THE NOT-TO-EXCEED AMOUNT OF \$18,920**

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, specifications, conduct bid opening activities and oversight of construction for sanitary sewer improvements to extend municipal sewer to five properties located on the east side of S. Pine Street from 928 S. Pine Street to 1008 S. Pine Street.

WHEREAS, said task order is for the not-to-exceed amount of \$18,920 and has been recommended for approval by the City Administrator and the Public Works Director.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the Task Order Number One-Hundred is hereby approved for the not-to-exceed amount of \$18,920.

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

Introduced: June 21, 2016

Approved:

Jeannie Hefty, Mayor

Attest:

Diahnn Halbach, City Clerk

**TASK ORDER NUMBER #100
CIVIL ENGINEERING SERVICES**

This Task Order is made as of June 9, 2016 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 complete design and specification preparation, bidding and construction management for Sanitary Sewer Improvements to extend Sanitary Sewer under Pine Street to service 928 Pine through 1008 Pine Street. The Improvements will provide municipal sewer for the five properties located on the east side of Pine from Spring Brook Creek South to and including HJ Faust.

Section A. – Scope of Services

Engineer shall perform the following Services:

Plan Preparation Activities

1. Survey and mapping of Pine Street Right-of-Way as presented in the attached mapping. The survey shall cover adequate right-of-way limits to accommodate enough coverage for sanitary sewer design.
2. Review of current record drawings, create base with current sizing, inverts, and field checked.
3. Provide detailed plans and specifications for the construction of 8-inch sanitary sewer gravity main from the existing sanitary manhole on the west side of Pine Street. Plans and specifications shall provide the appropriate design and construction limits to accommodate future connections by all the properties effected by the construction.
4. Prepare and provide Project Manual including but not limited to Advertisement for Bids, Instruction to Bidders, Bid Form, Bidder's Qualification Statement, Agreement, and General Conditions of Contract, Supplementary Conditions, and Special Provisions.
5. Attend meetings as needed and coordinate with adjacent property owners and business as needed.

Construction Management Activities

6. Provide administrative services to manage client coordination/invoicing, project schedules, contract change order documentation, establish project logs, formatting monthly contract quantity estimating and contractor invoicing and contract closeout documentation for base bid projects.
7. Provide construction staking for necessary items within the construction contract.
8. This survey provides for a “one time” staking for a particular item. If the contractor damages any stakes, they shall be responsible for the cost to replace those damaged stakes.
9. Prepare as-built drawings for the new utility construction in both hard copy and electronic format (compatible AutoCad format).
10. Coordinate and complete necessary material testing services for utility work completed.
11. Process payment requests from the contractor for their work and prepare recommendation for payment for City approval. Complete final close out documentation and acceptance of improvements memorandum. **(This task is completed on a monthly basis and is completed for all work completed for the prior month.)**
12. The Engineer will be responsible for notifying, scheduling, conducting, documenting, and distributing minutes of the preconstruction conference.

Section B. – Schedule

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

1. Provide “Preliminary Plans” to the Department of Public Works for review and comment on or before July 29th, 2016.
2. Provide Final Plans and Specification to the Department of Public Works for bid on or before August 26th, 2016.
3. Based on current schedule Bids due on or before September 8th, 2016.
4. Approval of construction contract anticipated September 20th, 2016 with construction starting mid-late October 2016.

Section C. – Compensation

In return for the performance of the foregoing obligations, Owner shall pay to Engineer an amount not-to-exceed Written Dollar Amount (\$18,920.00) 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: _____

Kapur Associates, Inc.
Summary of Staff Hours and Labor Costs
for the
City of Burlington

| TASK ORDER 100 | | | | | | | | | | | | | | | | | | | | | | |
|--|---------------------|-----------|-----------------|-----------------|-------------------------|-------------------|------------------|-------------------|----------|----------|-------------------------------|----------|-----------------|----------|-----------------------------|-----------|-------------------|-----------|-------------------|------------|-------------------------|------------|
| Pine Street Sanitary Sewer Improvements- Attachment A | | | | | | | | | | | | | | | | | | | | | | |
| CLASSIFICATION | Average Hourly Wage | ACT. Code | Project Manager | | Senior Project Engineer | | Project Engineer | | Surveyor | | Construction Project Engineer | | Staff Engineer | | Construction Staff Engineer | | Survey Crew | | Total Labor | | | |
| | | | Hours | Dollars | Hours | Dollars | Hours | Dollars | Hours | Dollars | Hours | Dollars | Hours | Dollars | Hours | Dollars | Hours | Dollars | Hours | Dollars | | |
| TASK DESCRIPTION | | | | | | | | | | | | | | | | | | | | | | |
| Pine Street (Sanitary Sewer Extension) | | | | | | | | | | | | | | | | | | | | | | |
| Plan Preparation Survey | | | 4 | \$428.00 | 40 | \$3,560.00 | | | | | | | 4 | \$364.00 | | | 8 | \$728.00 | 44 | \$3,988.00 | | |
| | | | | | | | | | | | | | | | | | | | 12 | \$1,092.00 | | |
| Project Manual/Administration | | | | | | | | | | | | | | | | | | | | | Total \$5,080.00 | |
| Administration | | | 2 | \$266.00 | | | | | | | | | | | | | | | | | 2 | \$266.00 |
| Advertisement/Project Manual | | | | | 12 | \$1,284.00 | 12 | \$1,068.00 | | | | | | | | | | | | | 24 | \$2,352.00 |
| Attend Bid Opening | | | | | 4 | \$428.00 | | | | | | | | | | | | | | | 4 | \$428.00 |
| Post Bid Opening Activities | | | | | 4 | \$428.00 | 4 | \$356.00 | | | | | | | | | | | | | 8 | \$784.00 |
| Meetings as Required | | | | | | | | | | | | | | | | | | | | | | |
| Construction Management Activities | | | | | | | | | | | | | | | | | | | | | Total \$3,830.00 | |
| Pine Street Sanitary | | | | | | | | | | | | | | | | | | | | | 80 | \$7,280.00 |
| Pine Street As-Builts | | | | | | | | | | | | | | | | | | | | | 8 | \$728.00 |
| Construction Management Admin | | | | | | | | | | 4 | \$364.00 | | | | | | | | | | 4 | \$364.00 |
| | | | | | | | | | | | | | | | | | | | | | 2 | \$182.00 |
| | | | | | | | | | | | | | | | | | | | | | 88 | \$8,008.00 |
| | | | | | | | | | | | | | | | | | | | | | 12 | \$1,092.00 |
| | | | | | | | | | | | | | | | | | | | | | 10 | \$910.00 |
| TOTALS | | | 2 | \$266.00 | 24 | \$2,568.00 | 56 | \$4,984.00 | | 4 | \$364.00 | 4 | \$364.00 | 4 | \$364.00 | 92 | \$8,372.00 | 22 | \$2,002.00 | 204 | \$18,920 | |
| Expenses: | | | | | | | | | | | | | | | | | | | | | | |
| Project Total: | | | | | | | | | | | | | | | | | | | \$18,920 | | | |



DATE: June 21, 2016

SUBJECT: ORDINANCE 2005(1) to consider a rezone for property located at 340 Church Street from Rs-2, Single-family Residence District to I-1, Institutional District.

SUBMITTED BY: Megan Watkins, Director of Administrative Services

BACKGROUND/HISTORY:

This item is to consider recommending approval of a rezone request from the Burlington Area School District for property located at 340 Church Street. The applicant is requesting to rezone the property from Rs-2, Single Family Residential to I-1, Institutional District to use the property for the Project Active Citizen (PAC) Program that is currently housed at 348 Paul Street. PAC is a transitional program for 18 to 21 year old students with special needs that teaches students daily living skills, work experience and career development, and household skills. The PAC program has been successfully run at the Paul Street location since 2006 with no complaints received with the City.

The program typically has an average of ten students per year. Operational hours are from 8:00 am to 2:00 pm Monday through Friday. The program does not allow for overnight accommodations. The current Conditional Use Permit for the PAC program at 348 Paul Street, as approved by the 2006 Plan Commission, allowed up to 13 students at one time, 5 staff members, the operational hours of 7:30 am to 3:00 pm and required adequate combined on-site and off-site parking.

The Burlington School District has found a need to seek a larger building with more restroom facilities. BASD has a conditional offer to purchase the property at 340 Church Street pending city approval of a rezone. Current zoning of Rs-2, Single-Family Residence District does not allow for this type of use either as a Permitted or Conditional Use. Rezoning to I-1, Institutional District will allow this use as a Permitted Use under the zoning regulations.

Mark Roffers, City Planner, has expressed concern with rezoning this parcel in a residential neighborhood and recommended City Attorney review of the request for consistency and compliance. Attorney Bjelajac has reviewed the request, his memorandum attached, and has determined it is legal to grant a rezone of 340 Church Street if the Plan Commission and Common Council deem appropriate. Additionally, BASD has voluntarily expressed the desire to draft a restrictive covenant that would help to address some of the concerns of Mark Roffers, as listed on page 4 of his June 7, 2016 memorandum to the Plan Commission.

The Plan Commission recommended approval of this ordinance at their June 14, 2016 meeting. If the rezone request is approved by the Common Council at their July 5, 2016 meeting, a Comprehensive Plan amendment will come before the Plan Commission and Common Council at a future date for consistency of the plan.

BUDGET/FISCAL IMPACT:

If the school district purchases this property with I-1 zoning, it could become a tax-exempt property. Real estate taxes for 2015 were in the amount of \$4,134.95. As the property currently housing the PAC program at 348 Paul Street is a duplex, real estate taxes have not been exempt for the school district's usage.

RECOMMENDATION:

The Plan Commission and City Staff recommend approval of this rezone request as it is a valuable educational program for the community.

TIMING/IMPLEMENTATION:

This item is for discussion at the June 21, 2016 Committee of the Whole meeting, scheduled for a Public Hearing the same night and for final consideration at the July 5, 2016 Common Council meeting.

ATTACHMENTS:

- Ordinance
- Memorandum from Attorney Bjelajac
- Memorandum from Peter Smet, BASD
- Memorandum from Mark Roffers, City Planner

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY REZONING 340 CHURCH STREET FROM Rs-2, SINGLE FAMILY RESIDENTIAL TO I-1, INSTITUTIONAL DISTRICT.

WHEREAS, the City of Burlington, owner, requests property located at 340 Church Street as described in Attachment "A" to be rezoned to I-1 Institutional District and,

WHEREAS, this request was heard at, and recommended for approval by the Plan Commission at their June 14, 2016 meeting; and,

WHEREAS, a public hearing was held regarding this matter at the Common Council's June 21, 2016 meeting.

NOW THEREFORE BE IT ORDAINED that the Common Council of the City of Burlington, Racine County and Walworth County, State of Wisconsin does as follows:

Section 1. The district map of the City of Burlington, as it is incorporated by reference and made part of the City Zoning Ordinance, is hereby amended and changed in relation to the zoning classification of land more particularly described as follows:

- Owner:** Burlington Area School District
- Applicant:** Peter Smet of Burlington Area School District
- Applicant Address:** 100 N. Kane Street, Burlington, WI 53105
- Location of Request:** 340 Church Street
- Existing Zoning:** Rs-2, Single Family Residential
- Proposed Zoning:** I-1, Institutional District
- Proposed Use:** To be used for the Project Active Citizen (PAC) educational program

Section 2. The district map in all other respects shall remain the same.

Section 3. This ordinance shall take effect upon its passage and publication as provided by law.

NOW THEREFORE BE IT FURTHER ORDAINED that the City Clerk shall provide a copy of this ordinance to Planning and Development Director, Julie Anderson, of Racine County Planning and Development, located at 14200 Washington Ave., Sturtevant, WI 53177 and Walworth County Land Use & Resource, 100 W. Walworth Street, P.O. Box 1001, Elkhorn, WI, 53121.

Introduced: June 21, 2016
Adopted:

Jeannie Hefty, Mayor

Attest:

Diahn Halbach, City Clerk

ATTACHMENT A

Legal Description

206-03-19-31-071-020

340 Church Street

LOT 4, BLOCK 1 OF FIRST ADDITION TO HIGHRISE, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER SECTION 31, TOWN 3 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.

Bjelajac & Kallenbach, LLC
Attorneys at Law

Atty. John M. Bjelajac, LLC
Terrance L. Kallenbach, S.C.

Judith M. Hartig-Osanka
(1938-2011)

601 Lake Avenue
Post Office Box 38
Racine, Wisconsin 53401-0038
Telephone: (262) 633-9800
FAX: (262) 633-1209

MEMORANDUM

TO: City of Burlington Plan Commission

FROM: City Attorney John M. Bjelajac

DATE: June 9, 2016

RE: Application for Rezoning, 340 Church Street, Burlington Area School District,
Vocational School

For your convenient reference, attached is a copy of the June 7, 2016 memorandum sent by Mr. Mark Roffers and Ms. Colette Spranger regarding the above-referenced rezoning request that has been submitted by the Burlington Area School District (“BASD”). By means of this present memorandum, we wish to provide to you my following comments and observations with respect to this rezoning request, in my capacity as the City Attorney for the City of Burlington:

1. From a legal vantage point, if the Plan Commission determines that the merits of this rezoning request deserve approval of the same, there is no legal impediment to that decision and recommendation to the Common Council for approval. We have carefully considered the observations made by the Planning Consultants in their June 7 memorandum, but we are comfortable giving to you the proverbial “green light” to approve the BASD rezoning request if you deem that decision to be appropriate.
2. It is our understanding that BASD will be voluntarily offering to the City a proposed restrictive covenant for the property in question that would ultimately be carefully drafted in a mutually agreeable document and which would then be recorded shortly after any approval of the rezoning request and the acquisition by BASD of the property. The letter being presented to the Plan Commission for its consideration for this purpose would be outlining conceptually the terms and provisions of the restrictive covenant that would then be more specifically drafted in the final document noted above.
3. The consideration of the BASD rezoning request as well as the consideration of their proposed restrictive covenant can be done in tandem and contemporaneously. Please also be advised that the content of the letter being presented by BASD to the Plan Commission

with respect to a proposed restrictive covenant is solely at the discretion of BASD. It is NOT a matter that should, in any fashion, be negotiated with BASD in the context of your review process. You should simply consider the BASD letter as presented to you.

4. The June 7 memorandum submitted by the Planning Consultants is correct in that any proposed reversion of the property to RS-2, as will apparently be offered in the BASD restrictive covenant letter, is not self-implemented. It would rather require a petition for rezoning similar to the process that is presently being undertaken by BASD with respect to the present rezoning request. Any such proposed rezoning language in the restrictive covenant offered by BASD in this matter would, however, be helpful for such a rezoning process.

5. If you deem the proposed use of the property and its related new zoning to be appropriate for approval, your decision and the decision of the Common Council in that regard will make the rezoning consistent with the City's Comprehensive Plan. It simply boils down to whether the Plan Commission and ultimately the Common Council believe that this land use is in the best interest of our community.

6. A critic of the rezoning request may argue that this constitutes illegal spot zoning. We disagree with that analysis, both from the vantage point of whether it is actually spot zoning and also whether it is in any fashion illegal if it is indeed spot zoning. To put this argument to rest, even if the request would constitute spot zoning (which we do not concede), then such spot zoning is in fact legal spot zoning under the laws of Wisconsin given the stated public purpose and use of the property contained in the BASD rezoning request.

We stand ready to further participate in this entire matter when and if that would prove to be helpful to the Plan Commission, Common Council, and/or BASD. Our final comment, however, is that this rezoning request can be legally granted by the Plan Commission and Common Council if, on the merits, such approval should be given.



BURLINGTON AREA SCHOOL DISTRICT

June 10, 2016

City of Burlington Common Council
c/o Carina Walters, City Administrator
300 N. Pine St.
Burlington, WI 53105

Re: Further Clarification of Rezoning Request

In response to issues raised by MD Roffers Consulting we will try to provide further clarification of the intent of the Burlington Area School District on how we will use the property at 340 Church Street. We expressly volunteer to work towards a restricted deed on the issues raised by Mr. Roffers. Our attorney has been in contact with the city attorney and come to a general agreement on a restricted deed and we will work towards mutually agreeable terms of a more detailed restricted deed.

To provide this clarification we will draw on our 10 year history at 348 Paul Street. Over the 10 years at Paul Street the Project Active Citizen (PAC) Program has provided the desired residential setting for our transitional program. It will continue to be our desire to continue that quiet residential setting on Church Street.

We will try to respond to as many of MD Roffers concerns as possible at this time. We will respond in order that they were presented on page 4 of his summary.

- The property would not be appropriate for other school uses such as administrative offices or other alternative programs because of its size limitations. It is the intent that it will be used for the PAC Program and if it is no longer appropriate for the PAC Program it would be sold for residential property. We stated in our meeting of Electors for approval that if it is not used for PAC program, it would be sold, and the property asset would be returned to a cash asset of the district.
- Again it is our intent to use this for the PAC program and no other uses. We have legal obligation to serve 18 to 21 year old students with special needs, and it is our intent to serve them in a transitional setting and not an institutional type setting like a traditional school. We want the residential look and feel of the home and have worked hard to maintain that setting on Paul Street.
- We have no intent to provide any residential quarters. We are not equipped to expand so far beyond our mission and do not wish to even consider that possibility.
- We consistently have one teacher and three aides for our students and it is our intent to continue the same staffing ratio. We will continue to staff on student needs which may include individual aides and therapists for the individual student needs.

- Our 10 year history has shown a consistent average of 10 students per year. The students do at times require therapy services and there may be therapist on an hourly basis at the site. The students spend a considerable amount of time in the community or at their job and volunteer sites away from the house.
- We will do our best to limit all parking to the driveway and in front of the house but just like all residents we do have instances where we have guests and celebrations where more cars will be parked in the street. Remember we only use the house during the school year. We are not here nights, weekend, holidays, and summers with the exception of two evening parent meetings.
- We will utilize the garage parking and driveway parking as much as possible.
- We have no intent of doing any exterior changes other than normal maintenance and handicapped accessibility ramping. We will only do minor interior decorating changes limited to such things as paint, flooring light fixtures, etc. It is not our intent to do any major interior remodeling.
- We welcome the city officials to inspect and visit the property at any time and welcome input into our facility in making it acceptable to the neighborhood. Being a property of a public entity the city has more access to our facilities than any private facilities in the city.
- Any agreed upon restrictions will not be changed or removed without city approval.

We will do everything in our power to work with the city and be a good neighbor. We have a long history of a close working relationship with city officials including the police and fire departments and hope to continue the close working relationship. The PAC House record at 348 Paul Street speaks for itself in being a good neighbor and working with the city to be a good neighbor and provide a safe and respected program for our students.

Sincerely,

A handwritten signature in black ink that reads "Peter Smet". The signature is written in a cursive, flowing style.

Peter Smet, Superintendent



To: City of Burlington Plan Commission

From: Mark Roffers and Colette Spranger, Interim City Planning Consultants

Date: June 7, 2016

Re: Application for Rezoning, 340 Church Street, Burlington Area School District, Vocational School

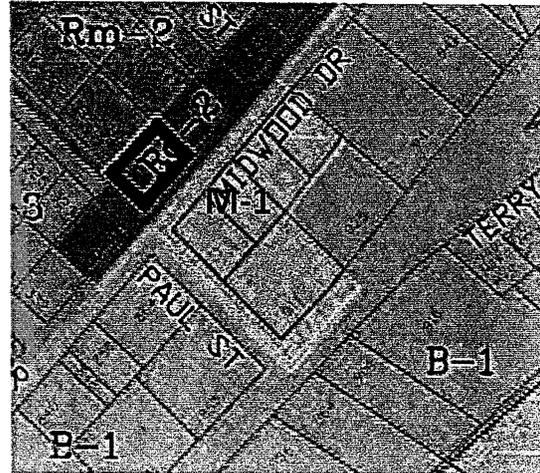
Requested Approvals: Rezoning to allow relocation of the District's vocational school to above address

Location: East side of Church Street in the First Addition to Highrise Subdivision, in west part of the City

Current Land Use: Building was constructed as a single-family dwelling, with a two car garage and standard residential driveway.

Proposed Use: A relocated vocational training site for Project Active Citizen (PAC) program, a transitional program for 18 to 21 year-old students who have special needs. At the site, students would receive work training, perform daily living skills, and develop other skills conducive to independent living. The site would be open during school hours, approximately 8 am to 2 pm, Monday through Friday, when school is in session. There is no residential component to this program; no student or staff would use the site for overnight accommodation.

The Burlington Area School District has operated the PAC program since 2006 from 348 Paul Street, a duplex one block from Milwaukee Avenue. That parcel is within the RD-2 Two-Family Residence District, where "residential-based public education outreach centers for disabled students" are listed as conditional uses. The City supported a text amendment to the RD-2 district in 2006 largely to accommodate the PAC program at 348 Paul Street. The zoning ordinance text amendment included specific standards for this type of facility where located in the RD-2 district to address compatibility. As suggested by the City zoning map to the right, the 348 Paul Street site is in a mixed use, mixed zoning area. Milwaukee Avenue is the large street to the southeast.

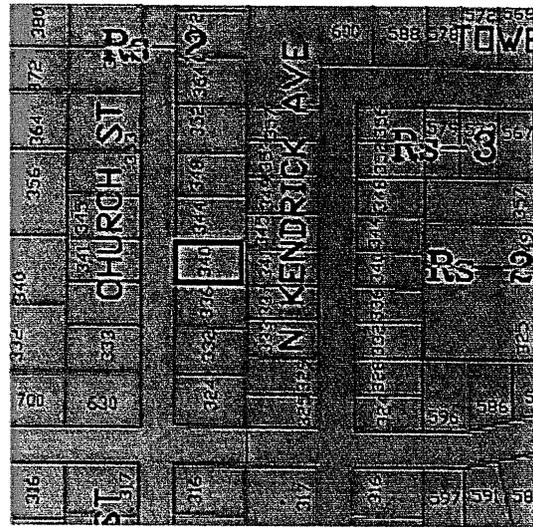


The School District reports that the PAC program has operated successfully from its 348 Paul Street location, but is now in need of a larger space to accommodate more students, and in a permanent facility to help stabilize program costs. There are also practical limitations at the current site (e.g., one bathroom) that would be addressed with the new location.

Current Zoning District: The proposed site at 340 Church Street is currently zoned RS-2 Single Family Residence District, which allows single-family residential homes as the primary land uses. Utilities and churches are allowed in the RS-2 district as conditional uses, but not schools or training centers.

Proposed Zoning District: I-1 Institutional, which per the City’s zoning ordinance is a zoning district “intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public purpose is anticipated to be permanent.” Within the I-1 district, schools, churches, hospitals, nursing homes, libraries, municipal offices, water towers, and lodges are allowed as permitted uses, and other land uses are allowed by conditional use permit.

Surrounding Zoning and Land Use: See City zoning map to right. Parcels on Church Street, both next to and across the street from 340 Church Street, are zoned RS-2. Parcels directly behind 340 Church Street, on Kendrick Avenue, are zoned RS-3, a single-family residence district that allows smaller lots. All surrounding lots are used as single family residences. The nearest non-residential use is St. John Lutheran Church, on a large lot about 1 ½ blocks to the south. State Street is about 4 blocks south of 340 Church St.



Comprehensive Plan’s Planned Land Use

Designation: “Urban Residential.” The planned use designations, mapped in the Comprehensive Plan, suggest generally what future uses and zoning districts would be appropriate in different parts of the City. The “Urban Residential” designation is described in the Plan as suitable for residential areas that will be served by public sewer and water systems, as opposed to by private wells and septic systems. Unfortunately, the Comprehensive Plan provides little guidance on whether non-residential uses often found in and near residential areas would also be appropriate in areas planned for “Urban Residential” use. Section 66.1001 of Wisconsin Statutes requires consistency between the recommendations of the Comprehensive Plan and rezonings.

Analysis: In summary, we have concerns about the proposed rezoning and proposed use of the 340 Church Street site from planning, zoning, and land use compatibility perspectives—at least as currently proposed. Perhaps further information, restrictions, and neighbor acceptance can relieve those concerns. Our concerns are as follows:

1. Wait for Public Input: At time of writing, the City had just sent hearing notices to property owners within 300 feet of 340 Church Street. We believe it is important to hear, process, and attempt to address any neighbor concerns before moving further on this rezoning request.
2. Neighborhood Compatibility: The location of an educational facility within an otherwise entirely single family residential neighborhood raises questions about land use compatibility, traffic, and differential population density and activity across lots. Some of these matters were addressed

in the 2006 zoning ordinance amendment, but those standards apply only were the use to be located in an RD-2 zoning district. Further, rezoning to I-1 would enable by right other uses that are allowed in the I-1 zoning district. The School District writes that it intends to deed restrict the property so that, should the District sell it in the future, the parcel's zoning will revert to RS-2. We do not believe this to be a legal approach under Wisconsin law; instead, we believe that changing the zoning of a parcel must follow the process under Section 62.23(7) of Wisconsin Statutes, which would require a hearing, Plan Commission recommendation, and City Council approval to get the zoning back to RS-2 should the District vacate the site. We advise the City to get a City Attorney opinion on this too, as we are not attorneys.

3. Site Suitability: We question the suitability of this single family building, small site, and standard driveway being suitable for the proposed use. We suggest that the School District provide more information as to the number of students, teachers, and other staff who would be using the site during school hours, and their expectations for changes to these numbers in the future. We also ask the District to provide more information about structural changes proposed to the building and site. For example, though the City's zoning ordinance does not require off-street parking in the I-1 zoning district, knowing how staff parking would be accommodated may be important. Any signage and other desired site changes should be indicated. Minimum I-1 setbacks (25 feet front and back, 10 foot side yard), lot area (10,000 sf), and lot width (80 feet) should be checked against actual conditions on the lot. If one or more of these standards cannot be met, then the building would be considered a non-conforming structure if the rezoning is approved.
4. Comprehensive Plan Consistency: Given the lack of detail in the City's Comprehensive Plan, we believe that a reasonable person (or Plan Commission or Council) could find the proposed rezoning either consistent or inconsistent with the Comprehensive Plan. In support of an "inconsistent" determination, the Plan does not suggest that schools or other institutional uses are acceptable in areas planned for "Urban Residential" use. In support of a "consistent" determination, the City's RS-2 district already enables certain institutional uses, such as small group homes and family day care as permitted uses, and churches by conditional use permit. Further, when advising on comprehensive plans for other communities, we usually create an opening for small-scale institutional uses in areas planned for "Urban Residential" use. The Plan Commission may want to weigh in and provide its recommendation on Comprehensive Plan consistency.

It is possible that the above commentary may lead the District and Commission members to be searching for solutions. As suggested above, we don't believe the "reversion to RS-2" zoning option to be legal. Further, we question the legality of "conditional zoning" in Wisconsin. For example, we do not know if it is legal for the City to approve the rezoning to I-1 subject to a number of conditions. Different municipal attorneys have different opinions.

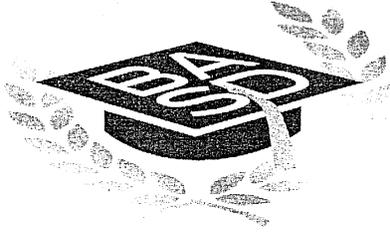
We have had experience where the applicant/property owner voluntarily places a restriction on a piece of land, limiting future uses or activities, *before* a City takes action on a rezoning application. Then, in evaluating the appropriateness of the rezoning, the City can consider all self-imposed limitations on the

property. If the above issues in our list can be successfully addressed, and the District and City wish to consider this route, the following are some general limitations that could be further developed and considered for such a deed restriction. Most of these reflect the City's RD-2 zoning requirements for similar uses (see section 315-21(C)(8) of Municipal Code)

- a. Limit future uses to the training center only (not any other I-1 use).
- b. Exclusively serve persons with disabilities/special needs.
- c. Not occupied as residential quarters.
- d. Specify a maximum number of employees.
- e. Specify a maximum number of persons served.
- f. Provide a minimum of two off-street parking spaces.
- g. Restrict changes to the exterior of the building so as to detract from the residential character of the neighborhood within which the residential-based public educational outreach center is located.
- h. City provided with the right but not the responsibility to enforce standards
- i. Restriction may not be modified or removed without City approval.

We strongly suggest that the City Attorney provide an opinion on the appropriateness of this potential solution, and confirm (or not) our opinions on zoning reversion and conditional rezoning earlier in this memo. Awaiting that City Attorney opinion may be another reason to postpone action.

Recommendation: We recommend that the Plan Commission postpone its recommendation on the rezoning of 340 Church Street until the issues raised in this report, through public input, and by Commission members can be addressed.



BURLINGTON AREA SCHOOL DISTRICT

June 6, 2016
City of Burlington Common Council
c/o Carina Walters, City Administrator
300 N. Pine Street
Burlington, WI 53105

**Re: Petition for Rezoning Map Amendment – 340 Church Street, Burlington, WI
53105**

To the Common Council:

On behalf of the Burlington Area School District (the "District"), and in support of the District's Petition for Rezoning Map Amendment submitted on May 13, 2016 regarding the property located at 340 Church Street, Burlington, WI 53105 (the "Property"), I am writing to advise the Common Council that the District hereby offers to execute and record an irrevocable deed restriction which declares that, if the District ever ceases to own the Property or if the Property is ever used for any purpose other than education or education administration, then the zoning for the Property shall revert back to RS-2, or single-family residential use at densities not to exceed 3.9 dwelling units per net acre.

If the District takes ownership of the Property on or before July 30, 2016, then the District will execute and record a deed restriction document in a fashion agreed to by the City's legal counsel no later than September 30, 2016, and said restriction shall run with the land and shall be enforceable against the District, its heirs, successors, agents, and assigns, or any other grantee of the Property, shall be incorporated with any subsequent transfers of the Property, and shall be enforceable by the City of Burlington.

Thank you for your consideration of this matter. Please let me know if you have any questions or if I can provide any additional information.

Sincerely,

A handwritten signature in black ink that reads "Peter Smet". The signature is written in a cursive style.

Peter Smet
Superintendent
Burlington Area School District

ZONING FORM NO. 2

PETITION FOR REZONING MAP AMMENDMENT

ADDENDUM FOR BURLINGTON AREA SCHOOL DISTRICT APPLICATION

I have requested this rezoning for the purpose of: To relocate the Project Active Citizen (PAC) educational program to a larger school district owned facility.

The Burlington Area School District has an accepted offer to purchase 340 Church Street that is contingent on the district's ability to receive the necessary re-zoning approvals for the intended use of the property as an educational facility providing educational services. The Burlington Area School District is pursuing a deed restriction for 340 Church Street so that if in the event Burlington Area School District sells the property it will convert the zoning back to Rs-2 .

The Burlington Area School District has operated the Project Active Citizen as a cooperative program with Waterford Union High school for 10 years to provide 18 to 21 year-old students with special needs a transitional program from traditional schooling to the world of work and independent living. The program has operated successfully at 348 Paul St. in the city of Burlington for 10 years. We have rented a side of a duplex with one bathroom and now due to changing enrollment, along with student with mobility issues, we need a larger facility with two bathrooms. Since the program has proven its continued success, we also feel it is time to buy a more permanent facility in order to be fiscally responsible.

Federal special education law requires that students with special needs may receive programming until the year that they turn 21 years old. The Project Active Citizen program has been successfully preparing 18 to 21 year old students with special needs for the world of work whether; it is paid employment or a sheltered work environment and independent or group living environments. The program operates on the days that the Burlington Area School District is in session from approximately 8:00 am to 2:00 pm. The program is not a full residential program with no overnight accommodations for the students or staff. The students are either receiving training at the PAC House or out in the community at work or doing other activities.

The PAC Program allows students to become familiar with community resources and supports learning to perform daily living skills, develop a job and work experience portfolio, learn to communicate his or her needs, participate in job training and work experiences in addition to learning to be part of a household.



CITY OF BURLINGTON

Building & Zoning Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1163 – (262) 763-3474 fax
www.burlington-wi.gov

| | |
|-----------------------|------------|
| For Office Use Only | |
| Petition No. | _____ |
| Date Filed | _____ |
| Date Received (\$500) | 5/13/16 |
| Zoning Administrator | MA |
| | (initials) |

ZONING FORM NO. 2
PETITION FOR REZONING MAP AMENDMENT

TO THE COMMON COUNCIL OF THE CITY OF BURLINGTON, WISCONSIN:

I, the undersigned, being owner/owner's agent of all the area herein described, hereby petition the Common Council of the City of Burlington, Wisconsin, to rezone and make appropriate a zoning map amendment to the following described property from Rs-2 District to I-1 District:

Address of Property: 340 Church St. Burlington, WI 53105 Acres: _____

Legal Description of Property (attach additional sheets if needed): _____

Not Required

I have requested this rezoning for the purpose of: _____

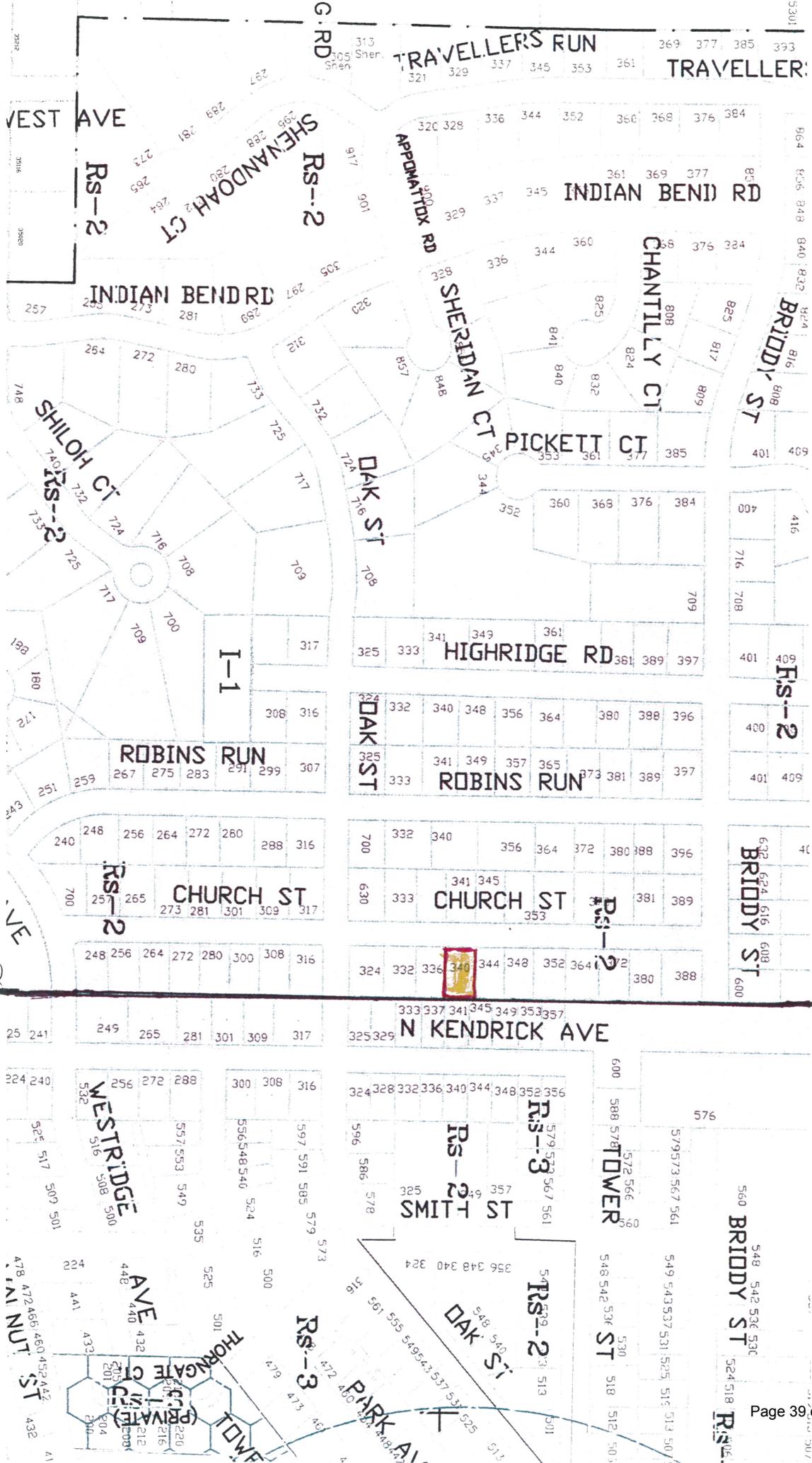
See Attached

Please find the following items attached:

Plot Plan drawn to a scale of one inch equals one hundred (100) feet showing the area to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within two hundred (200) feet of the area proposed to be rezoned.

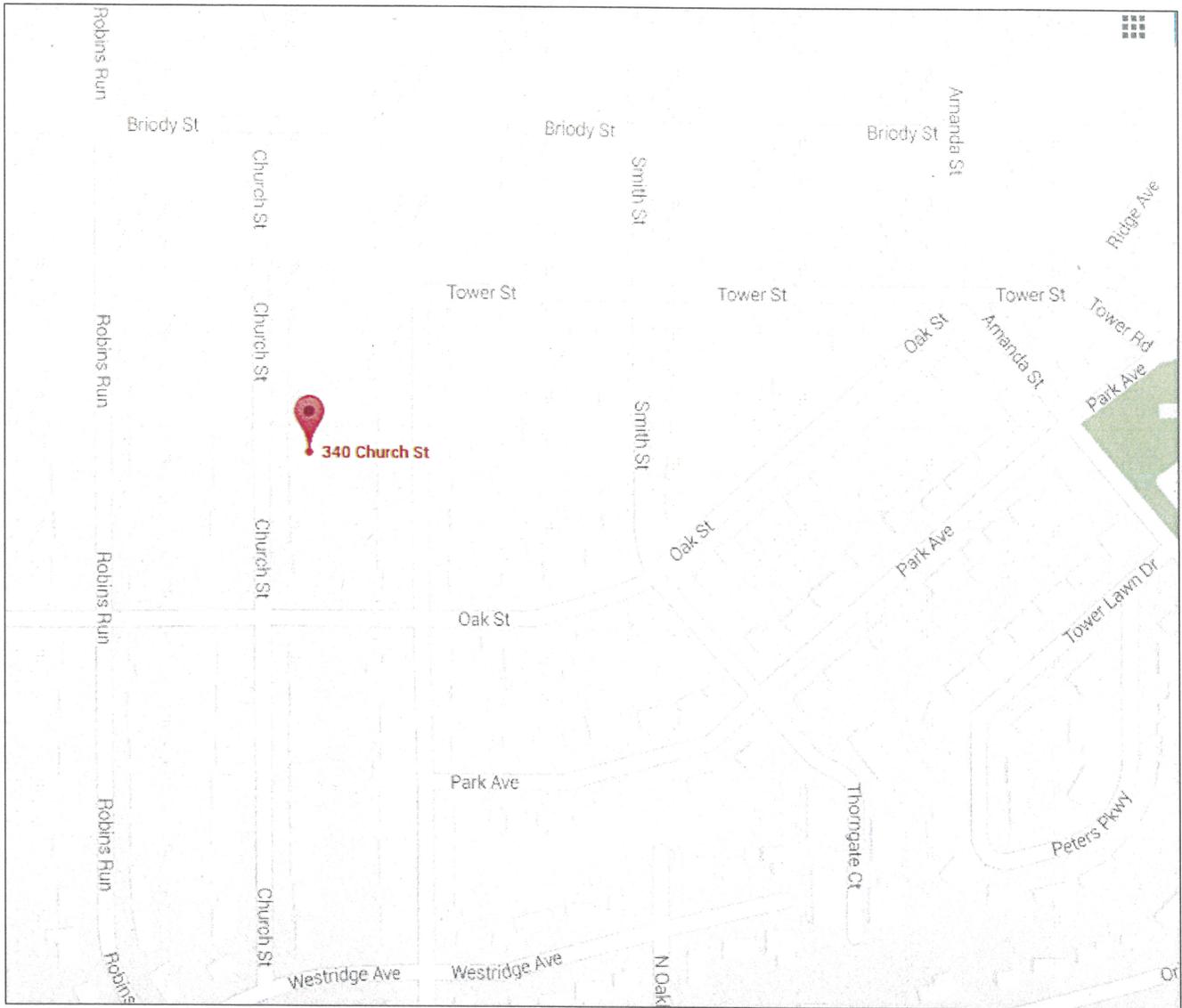
Owners' Names and Addresses of all properties lying within two hundred (200) feet of the area proposed to be rezoned.

Additional Information required by the Plan Commission or Common Council.



Rs-2
Rs-3

Rs-2
Rs-3



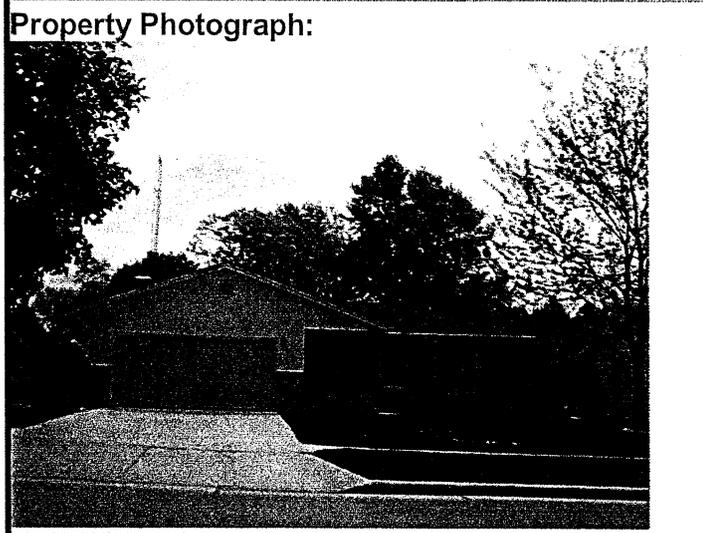


Property Record Card



Parcel Number: 031931071020 **Property Address:** 340 CHURCH **Municipality:** Burlington City of

| | | | |
|--|----------------------------------|---------------------------------|----------------------------|
| Owner Name: DONALD H BUSCH 340 CHURCH ST BURLINGTON WI 531050000 | Zoning: Not Applicable | Land Use: Residential | Date of Inspection: |
|--|----------------------------------|---------------------------------|----------------------------|



Legal Description:
1ST ADD TO HIGHRISE LOT 4 BLK 1

Building Description

| | |
|---|-------------------------------------|
| Year Built: 1969 | Exterior Wall: 04-Alum/Vinyl |
| Building Type/Style: 01-Ranch | Bedrooms: 3 |
| Story: 1 | Full Baths: 1 |
| Grade: C+ | Half Baths: 1 |
| CDU/Overall Condition: (D) Average | Room Count: 7 |
| Interior Condition: 2-Same | Basement Description: Full |
| Kitchen Condition: 3-Average | Heating: AC |
| Bath Condition: 3-Average | Type of Fuel: 1-Gas |
| | Type of System: 1-Warm Air |

Square Footage / Attachments

| | |
|-------------------|--------------------------------------|
| Basement: 1616 | Total Square Footage: 1616 |
| First Story: 1616 | |

| | |
|-----------------------------------|--------------|
| Attachment Description(s): | Area: |
| Attached Frame Garage | 484 |
| Wood Deck | 432 |
| Open Frame Porch | 64 |

| | |
|--------------------------------|---------------|
| Feature Description(s): | Units: |
| 08-Rec. Room Average | 1212 |
| 05-Metal Fireplace | 1 |

Other Building Improvements

| | | | |
|------------------------|--------------------|--------------|-------------------------|
| Structure Type: | Year Built: | Area: | Condition: NA |
|------------------------|--------------------|--------------|-------------------------|

| Permit / Construction History | | | | | | |
|--------------------------------|-----------------------|------------------|--------------------|------------------|----------------------|-----------------------|
| Date of Permit: | Permit Number: | Permit Amount: | Details of Permit: | | | |
| Ownership / Sales History | | | | | | |
| Date of Sale: | Sale Amount: | Conveyance Type: | | | | |
| 0000-00-00 | 0 | | | | | |
| Land Data & Computations | | | | | | |
| Land Class | Total Square Footage: | Total Acreage: | Depth: | Actual Frontage: | Assessed Land Value: | Assessed Improvement: |
| Residential | 10399.99 | 0.2387 | | | \$20200 | \$159700 |
| Total Improvement Value | | | | | | \$159700 |
| Total Land Value | | | | | | \$20200 |
| Total Assessed Value | | | | | | \$179900 |



DATE: June 21, 2016

SUBJECT: MOTION 16-843 to approve the Downtown Strategic Plan Report

SUBMITTED BY: Carina Walters, City Administrator

BACKGROUND/HISTORY:

The Common Council has identified retail recruitment and retention in Burlington as a strategic priority. The City of Burlington (City) and Racine County Economic Development Corporation (RCEDC) assembled a group of community stakeholders for a pair of strategic planning sessions held in the spring of 2016. The group included elected officials, City staff, Chamber staff and board members and local residents, business and property owners. The assembled group spent the first meeting recapping the results of a recent business owner survey and city-wide retail market analysis and a second session participating in a series of facilitated activities as part of a planning session to discuss goals and priorities for revitalization of downtown Burlington. The goal of this session was to update the 2008 downtown plan which has become dated with changes in the local market climate. Specifically, the group participated in a brainstorming session to identify opportunities, challenges and goals related to these topics which should be addressed in future strategic plans, and understand where actions would be most supported and potentially implemented.

The Downtown Strategic Plan consists of four priority activities as follows:

- Design: Appearance of buildings and properties within downtown
- Organization: Leadership and teams working together on projects along with communicating progress and needs to business owners, residents and community stakeholders
- Economic Vitality: Business Investment (growth and retention), Property Investment (both commercial and residential)
- Promotion: Events that attract customers. Creating Downtown as a Destination

On June 6 and 8 a group of approximately 80 community members met to review the draft plan and sign up for priority activity teams. Over the next 12 months the lead partners (City, Chamber, RCEDC) will lead teams of volunteers/staff to develop and work on projects. 2016-2017 Priority Activities Include:

- First Impressions program through UW-Extension or visits to comparable communities to establish a vision and best practices for Downtown Burlington.
- Downtown Forum Series.
- Consider applying for Connect Communities program to provide support and resources to support downtown organization/revitalization.
- Survey downtown property owners to determine type/size of projects necessary to address deferred maintenance or upgrades to commercial/residential spaces in downtown.
- Create marketing materials to promote local, state and federal incentives to facilitate new businesses and/or property improvements. Create landing page on city website with links from

partner sites featuring business recruitment tools. Develop marketing materials for recruitment targets and for the top three redevelopment sites. Update existing community profile, and provide the materials to real estate community.

- Meet with brokers/developers/real estate professionals to provide relevant materials, communicate desired recruitment targets and priorities, and identify/address outstanding concerns and educate them on market opportunities and available assistance.
- Engage civic organizations to help market and enhance downtown. Host quarterly meetings to discuss/plan events.
- No design projects in year 1

2017-2019 Priority Activities Include:

- Continuations of 2016-2017 activities
- Updates to the Design Guidelines to make them more understandable to the lay person, consider updating wayfinding signage and including signage for pedestrians and bicycle travelers.

2019 and Beyond Priority Activities Include:

- A Capital Improvement Plan to consider the purchase of materials or equipment to improve the functions within downtown (street sweeper for example).
- Potentially developing a Business Improvement District or a Downtown Business Association.
- Creation of new events to connect the community with downtown.

These activities cannot be accomplished by the City alone. The best retail recruitment programs and existing business community cultures are created by a joint effort that includes involvement from key players within the business community, service organizations, government and residents alike. This plan will help guide all parties into making Burlington a better place to visit, live, work and play.

BUDGET/FISCAL IMPACT:

Strategic priorities and initiatives will be discussed budgeted for annually, as necessary.

RECOMMENDATION:

To approve the Downtown Strategic Plan

TIMING/IMPLEMENTATION:

This item is for discussion at the June 21, 2016 Committee of the Whole meeting and scheduled for final consideration at the July 5, 2016 Common Council meeting.

ATTACHMENTS:

Downtown Strategic Plan

2016 BURLINGTON DOWNTOWN PLANNING



The City of Burlington (City) and Racine County Economic Development Corporation (RCEDC) assembled a group of community stakeholders for a pair of strategic planning sessions in the spring of 2016. The group included elected officials, City staff, Chamber staff and board members and local residents, business and property owners. The assembled group spent the first meeting recapping the results of a recent business owner survey and city-wide retail market analysis and a second session participating in a series of facilitated activities as part of a planning session to discuss goals and priorities for revitalization of downtown Burlington. The goal of this session was to update the 2008 downtown plan which has become dated with changes in the local market climate. Specifically, the group participated in a brainstorming session to identify opportunities, challenges and goals related to these topics which should be addressed in future strategic plans, and understand where actions would be most supported and potentially effective in continuing the positive momentum which has been established in recent years.



PROCESS & BACKGROUND

The 2016 strategic planning process was designed to build on previous efforts, including the 2016 RCEDC retail market analysis and 2008 Downtown Plan. As part of previous planning sessions, Burlington had defined its goals surrounding downtown redevelopment as including the following:

- Increase/promote the availability of parking.
- Capitalize on area and local tourism.
- Attract/retain more small retail and restaurants and destination locations to Downtown.
- Continue to build upon historic charm and natural attributes through incentives for continued redevelopment and additional improvements.



Summary of Previous Planning & Activities

In 2000, the City created a comprehensive downtown plan, which included the following goals.

- Establish downtown Burlington as a mixed-use activity center for the community and the region, including retail, office, service, civic, residential and recreation land uses.
- Identify opportunities for infill development to strengthen the downtown's land use mix and business opportunities
- Improve access to the downtown including improvements in traffic circulation, pedestrian/bicycle circulation, parking and community wayfinding.



- Strengthen the historic downtown core as a pedestrian-oriented retail district.
- Improve the connections between the downtown, surrounding neighborhoods and community destinations.
- Preserve the historic character of the downtown while accommodating new urban infill development.
- Establish a new theme and identity for downtown Burlington through historic preservation and public space development.
- Build partnerships between the public and private sectors to implement master plan recommendations.

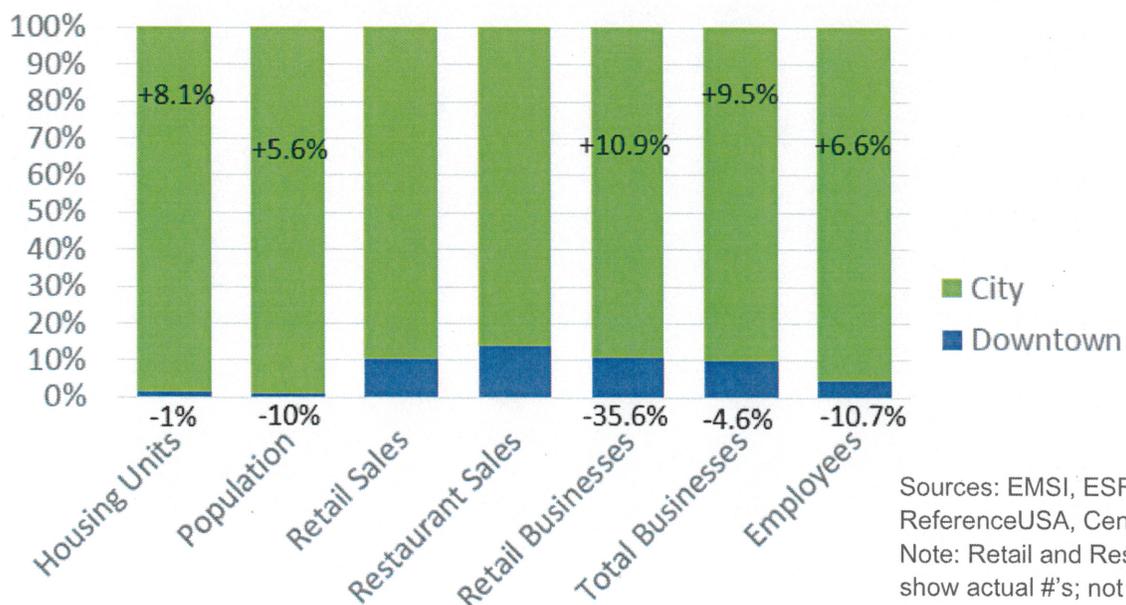
Specific recommendations emerging from this plan, many of which have been implemented, included:

- A system of wayfinding signs.
- Updates to zoning code to promote downtown development.
- Improved parking connections and efficiency.
- Enhanced streetscape along key streets, alleys and riverfront.

Market Analysis Summary

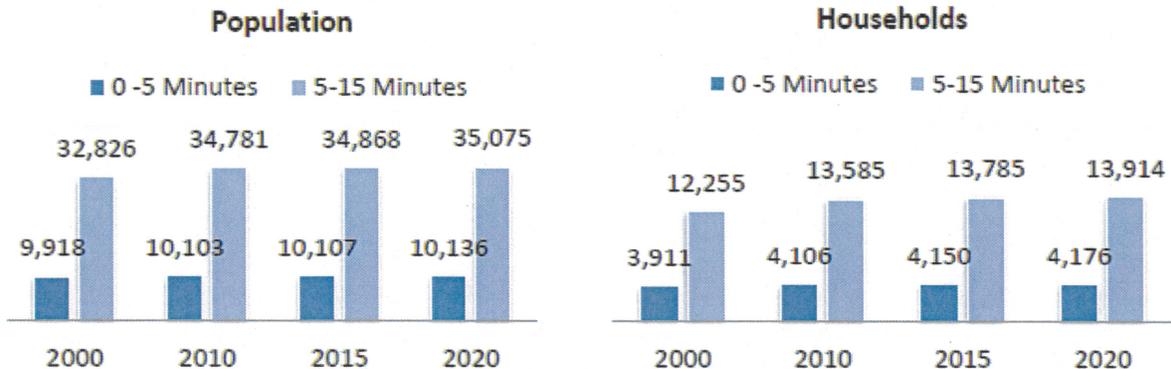
Although the City has made significant strides in promoting economic growth and development in the past decade, the downtown area has fallen behind the rest of the City in many regards. Because downtown represents not only the first impression and overall image of the community but the largest segment of existing infrastructure and investment, enhancing the economic vitality of this area has the potential to reap significant benefits for the city. The chart below shows the market share of downtown as compared to the City on each of a number of economic measures over the past 13 years. While downtown represents an average of 11% of activity in many sectors, this market share has been shrinking over time. The percentages indicated in each of the green and blue bars illustrate the percentage change in that indicator since 2003. In all instances, while Burlington has experienced positive growth, downtown has declined.

Downtown Market Share & Percent Change since 2003



Additionally, downtown has a substantially lower share of housing units and population than would be expected in a balanced economy, potentially limiting the pool of evening and weekend customers available to support a wide variety of downtown businesses.

Existing and new businesses and development to the City will need to cater to existing markets and/or attract additional customers from other areas to be sustainable. Primary businesses will typically rely on population living within 15 minutes of Burlington. This population includes just over 35,000 residents with a median household income of \$61,938, as shown in the charts below.



Median Household Income

| | 0- 5 minutes | 5 - 15 minutes |
|-------------------------------------|-----------------|-----------------|
| 2015 Median Household Income | \$54,292 | \$61,938 |
| 2020 Median Household Income | \$63,193 | \$75,325 |
| 2015-2020 Annual Rate | 3.08% | 3.99% |

Other information learned about this group through the market study included the fact that the bulk of households within this market are included in one of three main segments, including young families, middle-aged professionals with older children, and middle-income empty nester households.

Based on the spending habits of these resident groups, potential recruitment or expansion targets might include: specialty food, building materials, specialty restaurants, office supplies, stationary and gifts, books and music, clothing and shoes, general merchandisers and electronics/appliance stores.

The survey of local businesses (chamber members and downtown businesses) identified a demand for the following additional business offerings and community enhancements:

Businesses desired:

- Restaurants (72%)
- Recreation (69%)
- Large format retail (58%)

Community enhancements/priorities:

- Public safety
- Good paying local jobs
- Pedestrian friendliness AND traffic flow

The survey also identified strengths and weaknesses of downtown in present day. These included:

Downtown Strengths, Weaknesses and Opportunities

| Strengths: | Weaknesses: | Opportunities: |
|----------------------------------|--|--|
| Welcoming | Not many retail shops | Restaurants and cafés (local, organic and family-friendly) |
| Quaint | Limited family restaurants | Furniture resale shops |
| Small Town Atmosphere | Old/new business owners don't see eye-to-eye | Antique stores |
| Planters and holiday decorations | Too many empty storefronts | Retail for younger audience |
| Police, fire and rescue services | Limited business participation in events | Women's clothing/accessories |
| | Existing events lack energy | New events (Art Walk) |
| | Many buildings in disrepair | |

In order to address these weaknesses, improvements were desired in paver repair, traffic control/pedestrian safety, property maintenance enforcement and parking regulation enforcement. It was also recognized that some type of organization would be necessary in order to effectively carry out these initiatives – a business association or other entity able to coordinate downtown events, marketing and promotions.

BUSINESS RECRUITMENT & REDEVELOPMENT DISCUSSION

During the first planning session, participants were asked to respond to the results of the 2016 RCEDC retail market analysis and business survey. The following table indicates the priority industries, sites and focus areas that participants felt would be important to pursue in order to maximize local market capture and development potential.

| Industries to Recruit Downtown | Sites to Revitalize Downtown | Other Important Items & Downtown Strategic Plan Topics |
|---|--|--|
| <ul style="list-style-type: none"> • Combine service with retail • Specialty items that aren't online • Women's Clothing (Mke Corridor), boutique downtown • Retail/Service that are experience driven • Indoor public market • Paint your own canvas and wine store • Cultural Experience | <ul style="list-style-type: none"> • Entry ways into town. <ul style="list-style-type: none"> ◦ Empty lot across from Brickyard. • Gas Station behind BJs • Restaurants in other areas (i.e. toward Aurora) specifically grow retail footprint <ul style="list-style-type: none"> ◦ 2.5 acre (sw corner on hwy 83) • Building across from old Standard Press (parking need) • Old Murphy Feed Mill • Coaches • Old M&I Building • Standard Press Building • 256 E. Chestnut St. (old Chocolate Expressions) • 135, 137 & 139 W. Chestnut St. (old WVA bldg.) | <ul style="list-style-type: none"> • Concern about online competition • Succession planning • Opportunity to increase marketing of existing businesses • Curb appeal • Evaluate competition (Lake Geneva) • Which communities would be akin to Burlington and considered successful • Evaluate maintenance/upkeep of buildings owned locally vs. out of town. • Resources to pay for building maintenance (i.e. window replacement) • Liquor licenses • Promote destination/experience elements and retail that is integrated • Destination marketing • Events that attract people and attract businesses downtown • Consider cross sell opportunities • Downtown Business Association |



STRATEGIC PLANNING SESSION RESULTS

Using the previously provided information as a frame of reference, the group participated in three interactive activities designed to identify, prioritize and address opportunities and challenges facing Burlington in the next 20 years which will influence the character of growth and development. These activities included: brainstorming strengths and challenges facing downtown, prioritizing items that have the greatest potential to impact the growth and vitality of downtown, and developing a 20-year vision for the community. The outcomes from these activities are profiled in this section.



20-year Vision

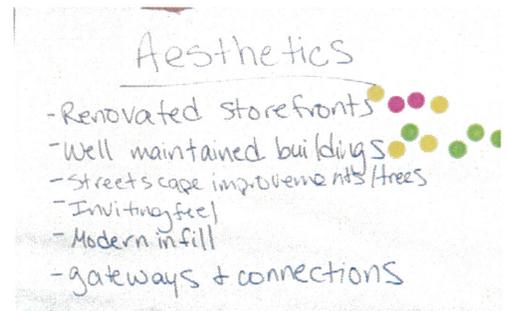
Each participant was asked to identify three vision statements for downtown Burlington. Participants were instructed to be specific, and to reference things which could be objectively evaluated as successfully completed in 20 years (i.e. 'redevelop xyz building' vs. 'be a great place to live and work'). These vision statements were grouped into categories and summarized into several broader objectives. Individuals were then asked to select two of these objectives which they felt should be tackled first. The list below indicates those objectives which received the most votes as priority items.

- Promote/support building façade and interior maintenance activities (10)
- Attract retail, food, entertainment and destination business offerings (10)
- Create a destination/gathering spot in downtown (8)
- Expand events, encourage business organization and joint marketing (8)
- Reduce storefront vacancy (6)
- Increase parking (2)
- Attract more youth and seniors downtown (2)
- Provide more housing options/grow population (2)
- Create special events series downtown (2)
- Increase tourism (2)
- Expand recreational opportunities (2)
- Improve sidewalks (2)
- Integrate and connect bike paths to downtown (1)
- Improve pedestrian safety (1)
- Increase pedestrian traffic (1)
- Encourage longer business hours (1)



Other items identified as 20-year vision elements but not considered an immediate priority included:

- Promote infill development
- Promote shopping local
- Increase community pride/awareness
- Encourage existing business growth and promote sale of necessary items locally
- Improve gateways and connections
- Make streetscape improvements, add greenery & trees
- Create an inviting feel for downtown



Based on these votes, participants were divided into groups and asked to identify a broad goal, one or more targeted objectives and associated benchmark measurements and some 1, 3 and 5-year action items that they felt would be effective in making traction in their targeted area. The results are highlighted below.

Goal 1: Support business growth and expansion

Objective 1: Create incentives to support investment downtown (links to Economic Vitality, pgs. 12 & 13)

Measurement: Investment leveraged, number of buildings improved

Steps:

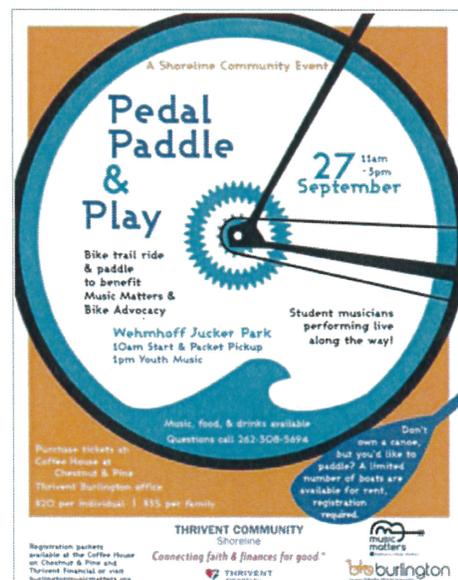
- Assess existing funds and needs of existing business and property owners.
- Establish necessary support infrastructure (i.e. Business Improvement District (BID), Tax Increment Financing District (TIF), financial assistance programs)
- Assist property owners and businesses to develop plans/finance projects, meet with individual property owners to introduce new programs.
- Revisit historic preservation ordinance/zoning to accommodate necessary improvements.

Objective 2: Increase recurring events that bring customers downtown (links to Promotion, pgs. 12 & 13)

Measurement: Number of events by type, participation, number of partners involved

Steps:

- Identify existing successful events which can be combined or expanded into a series (5ks, music, markets)
- Identify business tie-ins to increase marketing and cross-promotion.
- Develop a platform for business marketing and promotion to maximize reach



Goal 2: Improve the downtown experience

Objective 1: Create a sense of downtown as a destination (*links to Promotion, pgs. 12 & 13*)

Measurement: Attendance, marketing reach (i.e. articles published, content downloads, Twitter followers, Facebook fans), room tax collections

Steps:

- Create a master calendar of all community events
- Identify all potential local and regional marketing and promotions partners (i.e. fox river partners)
- Identify underutilized assets and ways to connect assets. Fill in any gaps (i.e. river recreation)
- Identify gaps in current event calendar and work to develop events which target a variety of audiences (i.e. family, recreation, arts, etc) and which cover all four seasons.
- Work to double attendance at signature events and from targeted audiences.

Goal 3: Improve the appearance of downtown

Objective 1: Enhance the welcoming appearance of downtown and facilitate property improvements (*links to Design, pgs. 11 & 13*)

Measurement: Properties improved, survey responses

Steps:

- Create a maintenance checklist for public spaces. What needs to be replaced and when? Create a budget for these improvements.
- Assess current maintenance codes/ordinances and revise where needed.
- Establish a beautification committee – master gardeners, etc.
- Purchase a street sweeper or other capital improvements necessary to improve public/community spaces. Assess funding sources such as: BID, donations and City funds.

Goal 4: Promote improved connections and complementary uses to sustain/increase business and customer traffic downtown.

Objective 1: Maintain a blend of housing and integrate additional building and key site uses through smart growth principles (*links to Design and Economic Vitality, pgs. 11-13*)

Measurement: Vacancy and rental rates

Steps:

- Complete housing market analysis for downtown.
- Develop programs to support renovation/development of product to address demand challenges.
- Encourage conversion/renovation of vacant or underutilized upper floors into units attractive to local market and/or office space.
- Continue to monitor and adjust policies to promote market stability.

Targeted Recommendations

In addition to the 20-year vision exercise, participants were divided into three groups and asked to more specifically address issues related to business climate, business recruitment, redevelopment planning and circulation and safety. The following elements were identified as priority items by the various groups.

Opportunities and Challenges: There are real and perceived opportunities and challenges associated with a downtown business location. Participants identified the following elements as items which should be recognized as part of any implementation planning.

Strengths of a Downtown Business Location:

- Unique features
- Pedestrian friendly
- Variety of business types/offerings
- Historic properties
- Downtown is affordable, safe and clean with adequate parking

Challenges of a Downtown Business Location:

- No central message/marketing
- Limited collaboration among businesses
- Limited population in trade area
- Limited population density downtown
- Wayfinding is lacking, especially pedestrian
- The perception that there is nothing downtown – mostly by the locals

A second group focused on identifying uses for existing vacant or potential redevelopment sites in downtown. Specifically, the group prioritized sites which could be critical for creating walkable areas, and/or uses which should be a top priority based on their ability to help create a destination cluster or meet a local need. Priorities from this group included:

- The Coach's building represents a priority redevelopment project. Ideal uses might include an indoor market, ethnic food store or mini-grocery space.
- High end clothing resale is also a needed use downtown which could fit in multiple currently available spaces.

A final group was asked to identify existing destinations and connections within downtown. These included major destinations that are attractions and should be well-signed and accommodated in future planning, priority sites which detract from the downtown experience, and corridors/locations which either provide a positive or negative downtown experience. The following results were identified by this group:

Major Destinations/Attractions:

- Canoe/Kayak launches
- Adrian's Frozen Custard
- Veterans Terrace
- Fred's Burgers
- Spinning Top/Yo-Yo and Logic Puzzle Museum
- Chocolate Museum



Major Destinations/Attractions Continued:

- Plaza Movie Theater
- Coffee House at Chestnut & Pine
- Farmers Market
- Public Library
- Riverwalk

Additional destinations adjacent to downtown/potential to connect:

- Chocolate Fest
- Beaumont Field
- Historic Museum
- Haylofter's Theater
- Catholic Central High School
- Aurora Hospital
- Karcher Middle School
- Pool
- White River and Seven Waters Bike Trails

Priority Renovation/Redevelopment Sites:

- Coach's Sports Bar
- City-owned lot at SWC E. Chestnut and N. Dodge
- Former M&I Bank Building and Pine Crest Retail Center on S. Pine
- Other secondary sites:
 - Old Standard Press – 700 N. Pine
 - 516/18 N. Pine
 - 413/17 S. Pine
 - 200/8/32 S. Pine
 - 256 State – former gas station

Most appealing areas in downtown:

- Adrian's Frozen Custard
- Fred's Burgers
- Coffee House at Chestnut & Pine
- E. Chestnut Street Loop
- Farmers Market
- Public Library
- Dog Park – outside downtown

Places which are not comfortable/appealing in downtown:

- Intersection of Bridge Street & Milwaukee Avenue
- W. Chestnut Street Municipal Parking lot – poor lighting
- E. Chestnut Street near 117-21 E. Chestnut Street– dirty, noisy
- E. Chestnut Street & N. Pine Street – dangerous for cars, bikes and pedestrians
- The Loop – crossing E. Chestnut Street in front of Chique and Unique
- Riverwalk Bridge Street underpass – poor lighting
- W. Chestnut Street and Milwaukee Avenue intersection – dangerous for cars, bikes and pedestrians
- Walk through between American Family Insurance building and Headquarters Salon building connecting The Loop to the Washington St. parking lots

Next Steps

Using the wide variety of relevant and viable strategies identified by the group, combined with information from the survey and market analysis, the next step is to develop an implementation plan. This plan should help prioritize activities, provide a timeline for various initiatives, and also identify local partners who will be responsible for leadership within each category. The following section proposes some recommended steps and processes which will help Burlington maintain momentum and engagement as they move forward with downtown revitalization activities. Recommendations are divided into categories based on the Main Street Four Point Approach, which will help to group activities together based on common interest and skills needed to successfully implement them. The final pages of this document include an implementation table which can be used to inform and track progress.

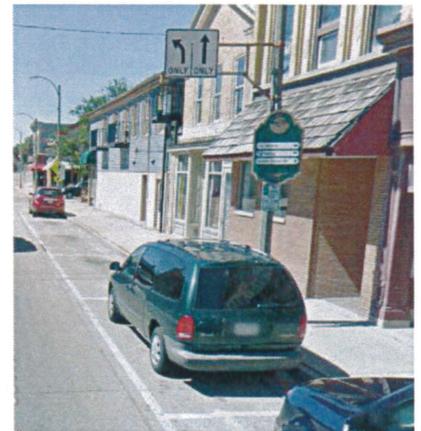
Organization

Developing a plan for leadership and communication among the various stakeholders with an interest in downtown revitalization will be a key aspect of future success.

- Participate in first impressions program or schedule field trips to other comparable cities. Monroe and Marshfield come to mind as representative options. Other cities which have effectively engaged their waterfront would also be relevant stops – Menomonee, Port Washington and Whitewater all fall into these categories.
- Host quarterly downtown forums introducing topics of interest to business/property owners and discussing downtown initiatives and status updates (i.e. available sites, new businesses, events, etc). The responsibility for hosting could rotate among entities to minimize burden and maximize topics covered. Potential topics might include ‘coffee with a cop’, department head breakfasts, ‘fire safety and ADA for historic buildings’, social media for small businesses, HR & Accounting updates, storefront displays “how to”, update events calendar and store promotions, etc.
 - o Connect Communities (if Burlington joined) hosts regular lunchtime webinars on a variety of relevant topics which could also be viewed in a group format.
- Create a formal organization, or a full or part-time City and/or Chamber staff position, dedicated to coordinating marketing, events, beautification and business assistance.
 - o Apply to Connect Communities program to provide support and resources to support downtown organization/revitalization. (See description in last section of *Example Projects / Initiatives*)
 - o Vet creation of a Business Improvement District (BID), and/or merchant association to increase collaboration among downtown property owners/businesses.

Design

- Review and update design guidelines packet for downtown. Create new materials which highlight desired uses and are user-friendly and easy to interpret.
- Update the existing wayfinding signage system plan including identification of potential public and private funding sources. Update/enhance plan to include pedestrian signage plan incorporating downtown areas as well as trails/riverwalk.



Design Continued

- Create funding plan considering multiple sources and timeline for downtown projects. Projects to consider include purchase of street sweeper, repair/replacement of brick pavers, planting/weeding and maintenance of flowers/landscaping.

Economic Vitality

- Survey property owners to determine type/size of projects necessary to address deferred maintenance or upgrades to commercial/residential spaces in downtown.
- Identify and implement appropriate financing mechanisms (i.e. TIF, BID, housing financial assistance, Revolving Loan Fund (RLF), etc.)
 - o Create marketing materials to summarize local and regional/state resources (i.e. City's Façade Grant and loan programs, Racine County Matching Grant, Property Assessed Clean Energy (PACE), Historic Tax Credits). Promote to property owners through individual meetings. Consider targeting specific groupings of properties and/or a limited time 'double dollars' program to encourage numerous projects during a single time period to maximize impact.
- Create marketing materials for the top three downtown target properties to recruit new businesses/ownership. Develop materials profiling desired uses, available resources and market opportunities.
 - o Update general community profile, add to City and partner websites and provide to brokers to incorporate into existing listings in the City.
- Conduct outreach meetings with developers and brokers to provide relevant materials, communicate desired recruitment targets and priorities, and identify/address outstanding concerns and educate them on market opportunities and available assistance.

Promotion

- Engage existing civic organizations (e.g. Chamber, Rotary, Kiwanis, Bike Club, etc) to help market and enhance downtown. Hosting quarterly meeting of representatives from service groups together with City to identify opportunities, challenges, upcoming events, etc.
 - o An initial project of this group should be the creation of a shared event calendar. This would provide a central location for organizations (including businesses) to post events. Organizations should post links to this calendar on their website and strive to cross-promote area events using social media.
 - o Future activities might include coordinated downtown/community cleanup days, potentially in coordination with Earth Day or watershed groups.
 - o Civic organizations should be encouraged to utilize downtown for community events. Explore potential to create a downtown events planning guide highlighting necessary permits, processes and potential business tie-ins.
- Create a landing page for downtown revitalization efforts which can serve as a central point for projects, progress and activities. The central events calendar can live here, highlights of available property, design guidelines, user-friendly guide to opening a business in downtown Burlington. This page should be linked to all partner sites (City, Chamber, RCEDC, real estate professionals, etc).



Implementation Table

| | Action Item | Lead Organization | Partners | Year One | Years 2-3 | Years 5-10 |
|-------------------|--|--------------------------------------|---|----------|-----------|------------|
| Organization | Participate in UW-EX First Impressions program and/or schedule field trips to comparable cities to establish vision and best practices for downtown Burlington. | Chamber, City Administrator | Downtown Business Owners | | | |
| | Host quarterly downtown forums featuring topics of interest. | Rotating | Chamber, City, RCEDC, Gateway Tech, SBDC, WWBIC, County, etc. | | | |
| | Consider applying for Connect Communities | Chamber, City Admin., DT Bus. Owners | RCEDC | | | |
| | Create a formal organization, or part/full time staff position dedicated to coordinating revitalization activities. | Chamber, City Administrator | DT Bus. Owners, RCEDC | | | |
| | Vet creation of Business Improvement District or Merchant Association | DT Bus. Owners | Chamber, City Admin., RCEDC | | | |
| Design | Review design guideline materials and website to provide user-friendly tools for property owners. | City Administrator | Chamber, DT Business & Property Owners | | | |
| | Update wayfinding signage system plan, create pedestrian wayfinding plan and create funding strategy. | Chamber | City Administrator | | | |
| | Develop programs to support conversion/renovation of existing downtown housing units. | City Admin., RCEDC | DT Property Owners | | | |
| | Create capital improvement plan for downtown projects. Identify timing and funding sources. | City Dir. DPW | Chamber, City Administrator | | | |
| | Develop programs to support renovation/development of new housing product to address demand challenges. | City Admin., RCEDC | DT Property Owners | | | |
| Economic Vitality | Survey property owners to identify improvement needs and challenges. | City Admnstr., RCEDC | Chamber | | | |
| | Create marketing materials to promote local, state and federal incentives to facilitate new businesses and/or property improvements. Create landing page on city website with links from partner sites featuring business recruitment tools. | City Dir. Admin. Svcs., RCEDC | Chamber | | | |
| | Update existing community profile, provide to real estate community | City Dir. Admin. Svcs., RCEDC | Chamber | | | |
| | Develop marketing materials for recruitment targets and for top three redevelopment sites. | City Dir. Admin. Svcs., RCEDC | Chamber | | | |
| | Develop property improvement program to facilitate and support continued reinvestment in downtown properties | City Admnstr., RCEDC | Chamber | | | |
| | Meet with brokers/developers/real estate professionals to communicate goals and resources. | City Admnstr., RCEDC | Chamber | | | |
| Promotion | Engage civic organizations to help market and enhance downtown. Host quarterly meetings to discuss/plan events. (Could be done on the same schedule as Organization's quarterly meetings). | Chamber | City Administrator, Civic Organizations | | | |
| | Create shared event calendar and centralized hosting site. | Chamber | City Administrator, Civic Organizations | | | |
| | Create landing page on city website for downtown revitalization efforts to track projects & progress. | City Dir. Admin. Svcs. | Chamber, Civic Organizations | | | |
| | Explore coordinated downtown/community cleanup days or other community-wide events to better connect residents with downtown. | Chamber, Civic Organizations | City Administrator | | | |

Example Projects / Initiatives

Based on the priorities and objectives identified during the brainstorming session, the following example projects and initiatives from other communities may provide relevant examples for Burlington to follow as it looks to refine and develop local initiatives which will help achieve the community's vision. Although these initiatives would need to be refined to meet local needs, they represent real-world examples of successful initiatives implemented elsewhere to address common community development challenges.

- Edgerton façade improvement program double days
 - o In order to spur revitalization of downtown, Edgerton's CDA initiated a two-prong approach. They expanded their existing matching grant to offer 60% match instead of a 30% match and expanded the pool of funds available. This increase was only available for programs applying within a three month window. Applicants then had one year to complete the work. However, in addition to sending information about the expanded program to property owners, they also had the building inspector conduct an exterior inspection of all properties, based on the existing nuisance ordinance. A report of all identified issues was included with the expanded loan offering, not as an enforcement notice, but just as an observation. As a result, 44 individual projects were undertaken during a one-year period, and all but four serious inspection issues were remediated.
 - Link: <http://www.cityofedgerton.com/#!/downtown-incentive-programs/c1r1a>
- Berlin bank loan program & civic group quarterly meetings
 - o Berlin created a joint effort community group dedicated to revitalizing downtown. Comprised of local civic/community organizations and banks, the group has established itself under the name Building Up Berlin. They maintain a shared calendar of events, discuss economic and community trends, and have established a number of needed community programs including civic needs (housing), and revitalization supports including small business assistance and a low-interest revolving loan program sponsored by all five local banks.
 - Link: <http://www.cityofberlin.net/BuildingUpBerlin.pdf>
- First Bank Financial Centre loan program
 - o First Bank Financial Centre has established a coordinated low interest loan program to promote downtown revitalization in each of its communities. The local bank contributes funds based on a community-identified revitalization area. The loan applications and maintenance are administered by the bank, and recipients receive low-interest financing for property improvements within the downtown area.
 - Link: <http://www.oconomowoc-wi.gov/DocumentCenter/Home/View/37>
- Marshfield popup shops and indoor market program
 - o Marshfield (and Viroqua, among others) have used popup shops to help improve vitality and promote entrepreneurship within their downtown areas. By reaching agreements with landlords, the downtown organizations in these communities are able to offer several downtown storefronts to local entrepreneurs at no cost for a defined period of time (i.e. Thanksgiving to Christmas holiday shopping, summer tourist season, etc). Not only do entrepreneurs get to test out the local market, but the downtown areas benefit from additional shopping destinations and limited-time-only retail draws which attract additional customers downtown during key shopping windows. In both communities, popup entrepreneurs have turned into permanent businesses.

- Link: <http://www.hubcitytimes.com/2015/10/13/main-street-marshfield-pop-up-shop/>
- Trail connections/wayfinding
 - The images below provide examples of wayfinding which is intended for pedestrian traffic, whether downtown (at left) or on trails. This signage can help encourage existing customers and pedestrians to explore additional attractions while already in downtown Burlington. Waterford has also created a comprehensive wayfinding plan, available at the following link.
 - Waterford Link: <http://waterfordwi.org/documentcenter/view/1573>



- Connect Communities Program
 - The attached brochure provides a description of the services received and benefits of participating in this WEDC program. More information is available at the following link:
 - Link: <http://inwisconsin.com/community/assistance/connect-communities-program/>
- First Impressions Program
 - Volunteers from two somewhat similar communities in terms of size, location, and county seat, etc., agree to do unannounced visits and then report on their findings. Participants become “secret shoppers” for the day to discover what they can about a similar community or neighborhood. Participants follow procedures and document their visit using a participant guide or an online version of the guide to upload photos and comments. The guide, which ensures that evaluations and reports are thorough and uniform, requires minimal training. More information is available at the following link:
 - Link: <http://cced.ces.uwex.edu/2012/08/04/first-impressions-program-2/>



MAKING CONNECTIONS

Downtowns and urban commercial districts play an important role in their communities and in Wisconsin's overall economy, functioning not only as prominent employment and business centers, but oftentimes standing as the historic foundation of the municipalities they serve. They are the center of local government, providing a meeting place for the community. These places where people congregate to do business, attend events, or simply enjoy contact with their neighbors add vitality to an area that improves the quality of life for residents and visitors.

Successful commercial districts don't just happen. They need to be planned and nurtured. Their prosperity requires interest and action from many stakeholders who share a vision for the community. Where do you start? Who needs to be involved? What resources will be required to succeed?

These questions and more form the basis of the Wisconsin Economic Development Corporation's (WEDC's) Connect Communities Program.



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CONNECT COMMUNITIES

RESOURCES FOR YOUR
 DOWNTOWNS AND URBAN
 COMMERCIAL DISTRICTS



SHARED GOALS

Connect Communities offers technical assistance and networking opportunities to local leaders interested in revitalizing their downtown or urban commercial districts. It also provides access to additional financial and technical assistance programs.

Because no two districts are identical, Connect Communities, like all WEDC programs, is adaptable to downtowns and urban commercial districts of all sizes. Connect Communities complements WEDC's very successful Main Street Program. In fact, successful Connect Communities may choose to apply for Wisconsin Main Street status.

Connect Communities helps local planners leverage the unique assets of their downtowns and urban districts. While the characteristics of each community may differ, Connect Communities participants share an interest in creating economic vibrancy within their districts. The goal is to reduce sprawl while spurring business and residential growth.

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AVAILABLE SERVICES

Communities selected to participate in the Connect Communities Program will have immediate access to resources that will help them get started with a commercial revitalization effort. You will also benefit from interaction with WEDC's experienced staff and the leaders in the Connect Communities network. Connect Communities services include:

- A ListServ/Network Group to get new ideas from staff and other participating Connect Communities
- Participation in one Main Street Executive Director Workshop each year with a focus on a downtown revitalization topic. Past topics have included business recruitment, volunteer development and branding
- An on-site visit from one of WEDC's community development staff to assist in identifying needs and offering assistance
- An on-line open house to get your questions answered by experts
- Training for your downtown director or board president
- Roundtable discussion groups on pertinent topics held once every year
- Possible opportunities to link college/university student projects to your downtown/urban commercial district needs
- Access to WEDC's downtown development library
- Access to resources and training materials that have been developed for Wisconsin Main Street communities
- Invitation to the annual Main Street Awards Program, plus eligibility to nominate a project for a Connect Communities award
- Webinars/Regional Training

PROGRAM REQUIREMENTS

- Must have an organization that focuses on downtown/urban commercial district issues
- Signed agreement with WEDC
- Reporting (twice a year)
- Must have access to computer with required software
- Must commit to majority of training opportunities
- Annual fee: \$200

APPLICATION AND SELECTION

- Up to 20 communities selected each year
- Renewal application every two years
- Scoring based on:
 - Strength of committee/organization
 - Need for assistance
 - Clearly defined downtown/urban commercial district
 - Local resources available
 - Potential
- If your community is interested in learning more, please contact us at (608) 210-6840.
- To apply to be one of our Connect Communities visit www.inwisconsin.com/connectcommunities

Special Thank You to Racine County Economic Development Corporation for coordinating all parties which participated in the creation of this plan.

