CITY OF BURLINGTON

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

AGENDA
COMMITTEE OF THE WHOLE
Tuesday, August 2, 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 July 19, 2016 *(J. Ekes)* ..... *pg. 3*

4. **Topic:** Discussion regarding the intersection at Milwaukee Avenue and Pine Street. ..... *pg. 7*

5. **Topic:** Resolution 4799(18) to consider approval of a Referendum for the Burlington Community Pool Project. This item is scheduled for final consideration at the August 16, 2016 Common Council meeting. ..... *pg. 8*

6. **Topic:** Motion 16-850 to consider approving a Certificate of Appropriateness in the HPC Overlay District for 348 N. Pine Street. This item is placed on the Common Council agenda the same night for final consideration. ..... *pg. 12*

7. **Topic:** Motion 16-851 to consider approving a Certificate of Appropriateness in the HPC Overlay District for 452 N. Pine Street. This item is placed on the Common Council agenda the same night for final consideration. ..... *pg. 17*

8. **Adjourn** *(R. Dawidziak)*

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: August 2, 2016

SUBJECT: July 19, 2016 Committee of the Whole Minutes

SUBMITTED BY: Diahnn Halbach, City Clerk

BACKGROUND/HISTORY:
The attached minutes are from the July 19, 2016 Common Council meeting.

BUDGET/FISCAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval of the attached minutes from the July 19, 2016 Committee of the Whole meeting.

TIMING/IMPLEMENTATION:
This item is scheduled for final consideration at the August 2, 2016 Common Council meeting.

ATTACHMENTS:
Committee of the Whole Minutes

CITY OF BURLINGTON

City Clerk
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1171 – (262) 763-3474 fax
www.burlington-wi.gov

CITY OF BURLINGTON
Committee of the Whole Minutes
Jeannie Hefty, Mayor
Diahnn Halbach, City Clerk
Tuesday, July 19, 2016

1. **Call to Order/Roll Call**

Mayor Jeannie Hefty called the meeting to order at 6:36 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, Treasurer and Budget Officer Steve DeQuaker, City Attorney John Bjelajac, DPW Director James Bergles, Building Inspector Gregory Guidry, Police Chief Mark Anderson, Fire Chief Alan Babe, and Greg Governatori of Kapur & Associates.

2. **Citizens Comments and Questions**

There were none.

3. **Approval of Minutes from July 5, 2016**

A motion was made by Vos with a second by Preusker to approve the minutes from July 5, 2016. With all in favor, the motion carried to approve the minutes.

4. **Topic:** Motion 16-849 to consider approving Phases 3 and 4 of the Burlington Community Pool Project

Mayor Hefty introduced Motion 16-849 and then handed it over to Walters for further information. Walters explained that at 5:00 p.m. there was a Joint Workshop between the Park Board, Common Council, and the Pool Board to review pool design options that were presented by Blake Theisen of Ayres Associates. Theisen introduced his pool team – Patrick Eagen and Bob Feller from Iconica, Jim Scherrer and Ben Templin from Scherrer Construction, and Tom Carrico from Carrico Aquatics. Theisen then reviewed the Process Overview, Design Program, Concept Designs and Site Plans, which included three different takes on one building layout. Theisen further explained that soil borings on the property influenced the footprint of the layout.

Ekes inquired about the single mechanical system that would be utilized throughout the pool and wanted to know what would happen in the case of a fecal accident. Tom Carrico of Carrico Aquatics, responded that the entire pool would need to be shut down and evacuated and depending on the severity of the incident, the pool could be shut down anywhere from 20 minutes to several hours before the chlorination process would recycle the water to a safe level for swimmers again.

Vos inquired about the storm water management and if that was going to be an issue. Theisen responded that they will be consulting with Kapur & Associates to do a storm sewer analysis and address any issues of drainage in low zones.

Bauman asked about the user capacity of the plans presented and felt the designs looked rather small. Theisen responded that space and size will change as the concept evolves, but that the pool has been designed to separate and disperse so as to alleviate crowding.

Vos suggested more shade areas and to increase the deck area and place additional cabana type shade structures.

Ekes suggested more utilization of the area and reiterated Preusker's suggestion of a beer garden, but also inquired as to the use of a hockey and/or ice skating rink in order to be able to get more year-around use of the facility.

Ben Templin, Scherrer Construction, reviewed costs. Templin stated that the estimated costs to update and renovate the existing pool would be about $2.1 - $2.5 million; Concepts 1-3 are estimated to be about $3.5 - $3.9 million. Templin added that the estimations are based off of high-level concept designs.

Carrico reviewed costs from an operational standpoint and estimated annual operating costs to be about $161,000 and annual revenues to be about $165,000, which could result in an annual profit/loss of $4,000. Carrico further stated the success of the pool will be in the managing and marketing efforts. Carrico added that the successful operation of a concession stand is a good revenue source and will help to offset pool costs.

Theisen added that one of their tasks in the design of this pool is to come up with a Pool Management Operations Plan, which will occur at a later date and after Phases 3 and 4 have been approved; he then reviewed the pros and cons of construction of a new community pool.

Theisen further added that if the proposed $3.5-3.9 million cost isn't palatable, there are some ways to scale the project back, however cautioned that it would contradict the design program that was set up for this process and stated that balance will be key in making this decision as to what will be included in the referendum. Theisen then reviewed next steps in the process which include the Pool Management Plan and the Referendum Process.

Walters then reviewed the major points of tonight's discussion, which included costs, long term operations and how the pool will be sustainable. The next step in the phase is the Pool Management Plan and asking for consideration of a referendum. Walters further stated if the plan is to include a referendum in the November election, that information for the referendum needs to be submitted to County by August 23, 2016. Walters asked Theisen if he felt this was too aggressive of a timeline. Theisen responded that there are pros and cons to doing a November referendum – the pro being higher attendance and the con being the amount of work that needs to be done by the August 23rd deadline; however, he felt it could be done and are flexible in doing whatever the Council feels is necessary.

Vos commented that the existing pool was donated and run by the Service Clubs and there was no cost to the City; but in this situation, the easiest thing to do would be for the City to bond for $4 million to build a new pool. Vos further stated that his bigger concern is the operation and maintenance of the pool and wanted a better understanding of where the revenue would come from

for that. Vos also stated that he would be fine with an April referendum as long as all the necessary information is presented.

Preusker stated that he would like to see the referendum on the November ballot but was concerned about the tight timeline.

Grandi expressed concern for delaying the referendum and how that might affect when construction would begin and the costs of keeping the existing pool open for another year. Grandi stated he was in favor of keeping an aggressive schedule and continue moving forward for a November referendum.

Schultz stated that it was his understanding that the pool would remain open for another year regardless of when the referendum took place because construction wouldn't begin until September of 2017. Schultz then asked Theisen if it would really matter if a referendum was done in November versus April and if we have a referendum in April, can construction still start in September and still not lose a season.

Grandi stated concern that if Ayres can't get started on the next Phases because of a delay with the referendum, would everything be in place on time in order to be able to begin construction by September. Theisen responded that it would make it a little bit more uncomfortable for their team due to a very compressed design timeline, but they could potentially make it work and still begin construction in September.

Schultz asked Theisen how long Phase 3 would take to complete. Theisen responded that the Pool Design and Pool Management Plan go hand-in-hand and are on a simultaneous track and influence each other in the process. Schultz then stated that either way the process would be compressed either on the information gathering side prior to the referendum, or on the design side post referendum. Theisen responded that it would be their goal to have all the information they need so that they could begin marketing it to the public by October 1st, so residents could be well educated prior to a November 8th referendum.

Attorney Bjelajac commented that before going to referendum, a contract must be in place and although he is not opposed to a November referendum, he felt there are many moving pieces to put into place in order to make that timeline and suggested considering an April referendum.

Bauman suggested to stay on the aggressive track and if it appears that we're not ready for a November referendum, then move it to April.

Mayor Hefty agreed that the City should keep moving forward with the goal of a November referendum and that if we aren't able to get the information we need in time, then we postpone until April.

5. **Topic:** Discussion regarding the intersection at Milwaukee Avenue and Pine Street.

Mayor Hefty announced the topic of discussion and then handed it over to Walters for further information. Walters stated that since 2000, the City has received several requests to modify the Milwaukee Avenue and N. Pine Street intersection. Requests include alleviating traffic, signalization, pedestrian safety, and most recently, cars getting stuck in the queue trying to turn left on to N. Pine Street from Milwaukee Avenue due to a modification in the signal timing. Walters then introduced Stephanie Olsson from Traffic Analysis and Design, Inc. (TADI). Olsson

reviewed the history of what has already been studied regarding this intersection, how those particular decisions were made, and why we're at where we are.

After listening to Olsson's presentation, Dawidziak stated that clearly there was no perfect answer for this intersection.

Tom Foht, Engineer for Kapur & Associates, suggested implementing a "No Left Turn" between certain times.

Mayor Hefty said this issue was brought to her attention prior to the election and it seems like the high time of trying to turn left was during the noon hour.

Gregory Guidry, Building Inspector, suggested directing traffic to turn left on Bridge Street rather than Pine Street.

Vos clarified with Olsson that the recommendation for this intersection was to do nothing. Olsson responded that considering all the studies and analysis that's been done, it appears that the way the intersection is currently set up, is the safest.

Bauman disagreed that was the best alternative and suggested pushing traffic down to Chestnut to make a left turn. Several aldermen disagreed and said it would just back up traffic onto Chestnut. Bauman then wanted to know why this was being discussed.

Schultz then wanted to know if traffic was allowed to proceed straight across Pine coming out of the Chestnut loop because currently there are only left and right turn arrows painted on the street. Schultz further stated that if traffic were directed to turn left onto Chestnut at the loop, and then put a four-way stop at the intersection of Pine and Chestnut. Olsson responded that putting a four-way stop at that particular intersection has a great potential of causing congestion at the stop lights on Pine and Milwaukee and did not recommend doing that.

Vos stated that he thought part of this process was to take a look at the whole situation of the downtown area whether stop lights or street signs were needed in certain areas or not.

Mayor asked the Council if it was their decision to leave everything as is. There were conflicting responses which resulted in an informal vote. Four alderman voted to leave it as is. Four alderman voted to implement a no left turn. Per mayoral decision, the topic would be placed on the next Common Council agenda for further discussion.

6. <u>Adjourn</u>

A motion was made by Schultz with a second by Dawidziak to adjourn the meeting. With all in favor, the meeting adjourned at 8:28 p.m.

Minutes respectfully submitted by:

Diahnn C. Halbach
City Clerk
City of Burlington

COMMITTEE OF THE WHOLE **NUMBER: 4**

DATE: August 2, 2016

SUBJECT: **DISCUSSION** regarding the Milwaukee Avenue and Pine Street intersection.

SUBMITTED BY: Carina Walters, City Administrator

BACKGROUND/HISTORY:
This item was discussed at the July 19, 2016 Committee of the Whole meeting and upon Mayor and Council request, is being brought back for further discussion.

Since late 2000, the City has received several requests to modify the Milwaukee Avenue and N. Pine Street intersection. Requests include: alleviating traffic, signalization and pedestrian safety. Most recently, cars have been getting stuck in the queue trying to turn left on to Pine Street, in which the signal timing was modified. This evening Stephanie Olsen of Traffic Analysis and Design and City Engineer Tom Foht will provide a history of studies relating to the intersection, what recommendations have been made and implemented, recommendations still for Council consideration, and what direction the Council want to take.

BUDGET/FISCAL IMPACT:
N/A

RECOMMENDATION:
Staff is seeking for Council direction on how to proceed with the intersection of Milwaukee Avenue and Pine Street.

TIMING/IMPLEMENTATION:
This item was discussed at the July 19, 2016 Committee of Whole meeting and is being brought back for further discussion on the August 2, 2016 Committee of the Whole meeting

ATTACHMENTS:
None

COMMITTEE OF THE WHOLE **NUMBER: 5**

DATE: August 2, 2016

SUBJECT: **RESOLUTION 4799(18)** to provide for an advisory referendum ballot measure concerning the construction of the Burlington Community Pool in conjunction with the General Election on November 8, 2016.

SUBMITTED BY: Carina Walters, City Administrator

BACKGROUND/HISTORY:

On April 27 the Common Council approved a contract with Ayres Associates for the feasibility of the Burlington Community Pool. At that time, Phase 1 (Site Assessment) and Phase 2 (Preliminary Design) were approved. Council also directed staff to bring forward each deliverable outlined in the contract and each phase needing independent approval.

At the July 5 Committee of the Whole meeting, a presentation and update was given regarding the final deliverable of the Phase 1 (Site Assessment) and an update to the preliminary stages of Phase 2 (Preliminary Design).

At the July 19 Committee of the Whole meeting, Ayres Associates presented the preliminary designs and discussed the next steps with Phase 3 (Pool Management) and Phase 4 (Referendum Education and Assistance). Staff is currently drafting a long term lease agreement between the Pool Board and City that outlines fiduciary and management operations of the pool in which both Pool Board and the City will need to approve. You will be approving Phases 3 and 4 as part of this evening's Common Council meeting.

As a next step to the Community Pool Project, a resolution outlining the referendum question must be approved by the Common Council prior to being submitted to the County Clerk. In order for the referendum to be on the November 8th ballot, the resolution must be submitted to County by Tuesday, August 23, 2016. For your convenience, a copy of the resolution is attached. The question shall be stated as follows:

Should the City of Burlington construct a community pool facility at Devor Park, 394 Amanda Street, funded by taxes with the following conditions: (1) Spending and/or borrowing on the facility is not to exceed $4,700,000.00 (4.7 million dollars) and; (2) the facility will be built within the corporate limits of the City of Burlington.

A "yes" vote on the question is a vote advising the City of Burlington Common Council that the voter approves the expenditure and borrowing of up to $4,700,000.00 (4.7 million dollars) for the purpose of paying the cost of capital expenditures for a project to construct a new community swimming pool, including buildings and other appurtenances.

A "no" vote on the question advises the City of Burlington Common City Council that the voter opposes an expenditure of up to $4,700,000.00 (4.7 million dollars) for such a facility.

After approval of the resolution, Ayres will create the referendum materials to educate the public prior to the November 8, 2016 election.

BUDGET/FISCAL IMPACT:
Staff recommends $4.7 million as a preliminary design has not yet been finalized. Should the city bond for these dollars, there are closing costs that need to be included and a project contingency must be identified.

Municipalities within Racine County share 1/3 of the cost for ballots and programming for each election. When a municipality opts to include a referendum on their ballot, they become responsible for half the cost if included with an already scheduled election and 100% of the cost if a Special Election is scheduled. There are 5,930 registered voters in the City of Burlington. The projected number of ballots to be ordered for the Presidential Election in November is expected to be about 6500 ballots x $0.22/ballot and divided by 2 (cost split between Racine County and the City of Burlington) = $715.00 for the ballots, plus an additional $200 for the election insert publication issued by Racine County, totaling $950.00.

RECOMMENDATION:

Staff is recommending approval of this resolution in order to have the referendum placed on the November 8, 2016 ballot to keep the project moving forward.

TIMING/IMPLEMENTATION:
This item is for discussion at the August 2, 2016 Committee of the Whole meeting and scheduled for final consideration at the August 16, 2016 Common Council meeting. This resolution must be submitted to the Racine County and Walworth County Clerks by August 23 in order to be placed on the November 8 ballot.

ATTACHMENTS:
Resolution

Resolution No. 4799(18)
Introduced by the Committee of the Whole

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON, WISCONSIN; PROVIDING FOR AN ADVISORY REFERENDUM BALLOT MEASURE TO BE PRESENTED TO THE ELECTORS OF THE CITY CONCERNING THE CONSTRUCTION OF THE BURLINGTON COMMUNITY POOL, TO BE SUBMITTED TO THE ELECTORS IN CONJUNCTION WITH THE GENERAL ELECTION ON TUESDAY, NOVEMBER 8, 2016 AND PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORS

WHEREAS, the Common Council is authorized to call for an advisory referendum vote by the electors of the City; and;

WHEREAS, the City Council desires to submit to the electors of the City an advisory referendum concerning the construction of a community pool in the City of Burlington, as described herein.

Section 1. The above recitals are hereby confirmed and adopted.

Section 2. That an advisory referendum election is hereby called, to be held in conjunction with the primary election, for Tuesday, November 8, 2016, to present to the electors of the City of Burlington the proposed question provided in Section 3 of this Resolution.

Section 3. That the form of an advisory referendum ballot for the question provided for herein shall be substantially as follows:

QUESTION:

CONSTRUCTION OF A COMMUNITY POOL

Should the City of Burlington construct a community pool facility at Devor Park, 394 Amanda Street, funded by taxes with the following conditions: (1) Spending and/or borrowing on the facility is not to exceed $4,700,000.00 (4.7 million dollars) and; (2) the facility will be built within the corporate limits of the City of Burlington.

Yes [ ]

No [ ]

EXPLANATION

EXPLANATORY STATEMENT AND EFFECT OF VOTE

The referendum election ballot asks City of Burlington voters to vote "yes" or "no" on the referendum question as set forth above.

A "yes" vote on the question is a vote advising the City of Burlington Common Council that the voter approves the expenditure and borrowing of up to $4,700,000.00 (4.7 million dollars) for the purpose of paying the cost of capital expenditures for a project to construct a new community swimming pool, including buildings and other appurtenances.

A "no" vote on the question advises the City of Burlington Common City Council that the voter opposes an expenditure of up to $4,700,000.00 (4.7 million dollars) for such a facility.

Neither vote is binding on any individual Council member or the Common Council as a whole.

Introduced: August 2, 2016
Adopted:

_____
Jeannie Hefty, Mayor

Attest:

_____
Diahnn Halbach, City Clerk

COMMITTEE OF THE WHOLE **ITEM NUMBER: 6**

DATE: August 2, 2016

SUBJECT: **MOTION 16-850** to consider approving a Certificate of Appropriateness for 348 N. Pine Street (Ide Fine Jewelry).

SUBMITTED BY: Gregory Guidry, Building Inspector

BACKGROUND/HISTORY:

Ide Fine Jewelry has petitioned the City for façade improvements at 348 N. Pine Street (Ide Fine Jewelry). The proposed project consists of installation of five new double hung windows made with metal frames in the upper façade, repaint the trim around the windows and doors and repair the damaged concrete on the upper level window cornice. The exterior trim of the windows will be almond and the windows and doors will be of a beige color between "Beige" and "Birdseye Maple". A copy of the photos are attached reflecting the work to be completed.

BUDGET/FISCAL IMPACT:

A façade grant in the amount of $1,975 to be used towards these façade improvements was approved at the July 28, 2016 Historic Preservation Commission. The applicant has twelve months to complete these improvements to qualify for the grant.

RECOMMENDATION:

The Historic Preservation Commission (HPC) unanimously recommended approval of the Certificate of Appropriateness Application at their July 28, 2016 meeting.

TIMING/IMPLEMENTATION:

This item is for discussion at the August 2, 2016 Committee of the Whole meeting and per common practice is scheduled for final consideration at the Common Council meeting the same evening.

ATTACHMENTS:

Photos

One stationary shed style storefront awning and six window awnings, all in Sunbrella color #4667 Mahogany.

Tuesday, June 28, 2016
IGL Trailer & Awning

BEACHES TANNING
WHERE THE SUN ALWAYS SHINES
BEAR
BURLINGTON

NO
LOITERING

Polished *6x6 c & b 8x8 12x12

C Series Trim Program

Polished *6x6 c

B Series Trim Program

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A745 Tawny

	Sizes Available *(in inches)*		
Cross-Sheen	*6x6 c & b	8x8	12x12
Polished	*6x6 c & b	8x8	12x12
Cross-Slate	*6x6 c & b	8x8	12x12

A Series Trim Program

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A Series Trim Program

COMMITTEE OF THE WHOLE **ITEM NUMBER: 7**

DATE: August 2, 2016

SUBJECT: **MOTION 16-851** to consider approving a Certificate of Appropriateness for 452 N. Pine Street (Musicology).

SUBMITTED BY: Gregory Guidry, Building Inspector

BACKGROUND/HISTORY:
Musicology has petitioned the City for façade improvements at 452 N. Pine Street (Musicology). The proposed project consists of installing a mahogany-colored storefront awning accompanied by six window awnings of the same color made of canvas for the upper facade, paint the trim and window trims in "SW 2802 Rookwood Red" instead of blue, remove the planter box in the front entryway, remove the old concrete from the entryway and replace it with "Tawny" colored tile. A copy of the proposed work is attached for your review.

BUDGET/FISCAL IMPACT:
None

RECOMMENDATION:
The Historic Preservation Commission (HPC) unanimously recommended approval of the Certificate of Appropriateness Application at their July 28, 2016 meeting.

TIMING/IMPLEMENTATION:
This item is for discussion at the August 2, 2016 Committee of the Whole meeting and per common practice is scheduled for final consideration at the Common Council meeting the same evening.

ATTACHMENTS:
Photos

Ide Jewelry
Ide Jewelry
07 01 2016 09:23

Ide Jewelry
Ide Jewelry
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352
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348
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