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 20, 2019
6:30 p.m.
Common Council Chambers, 224 East Jefferson Street

Mayor Jeannie Hefty
Susan Kott, Alderman, 1st District
Theresa Meyer, Alderman, 1st District
Bob Grandi, Alderman, 2nd District
Ryan Heft, Alderman, 2nd District
Steve Rauch, Alderman, 3rd District
Jon Schultz, Council President, Alderman, 3rd District
Thomas Preusker, Alderman, 4th District
Todd Bauman, Alderman, 4th District

Student Representatives:
Jack Schoepke, Student Representative (BHS)

1. **Call to Order - Roll Call**

2. **Citizen Comments**

3. **Approval of Minutes** *(J. Schultz)*

   A. To approve the Committee of the Whole Minutes for August 6, 2019.

4. **DISCUSSION:**

   A. A discussion regarding a rate increase for Public Site Fees.

5. **RESOLUTIONS:**

   A. **Resolution 4966(19)** - To approve a reduction in the Letter of Credit for the roadway, sanitary sewer, water main and storm sewer utility infrastructure improvements for the Glen at Stonegate Subdivision, Addition II.

6. **ORDINANCES:**

   A. **Ordinance 2051(17)** - To amend Chapter 315-74, "Signs in the Historic Preservation Overlay (HPO) District" of the Code of the City of Burlington.

7. **MOTIONS:** NONE

8. **ADJOURNMENT** *(T. Preusker)*

***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 3A**

DATE: August 20, 2019

SUBJECT: **MEETING MINUTES** - To approve the Committee of the Whole Minutes for August 6, 2019.

SUBMITTED BY: Diahnn Halbach, City Clerk

BACKGROUND/HISTORY:

The attached minutes are from the August 6, 2019 Committee of the Whole meeting.

BUDGET/FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the attached minutes from the August 6, 2019 Committee of the Whole meeting.

TIMING/IMPLEMENTATION:

This item is scheduled for final consideration at the August 20, 2019 Common Council meeting.

Attachments

COW Minutes

CITY OF BURLINGTON

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

CITY OF BURLINGTON
Committee of the Whole Minutes
Jeannie Hefty, Mayor
Diahnn Halbach, City Clerk
Tuesday, August 6, 2019

1. **Call to Order - Roll Call**
Mayor Jeannie Hefty called the Common Council meeting to order at 6:30 p.m. Roll Call - Present: Alderman Susan Kott, Alderman Theresa Meyer, Alderman Ryan Heft, Alderman Steve Rauch, Alderman Tom Preusker, Alderman Todd Bauman. Excused: Alderman Jon Schultz and Alderman Bob Grandi,

Student Representatives - Present: None. Excused: Jack Schoepke (BHS)

Staff present: City Attorney John Bjelajac, Assistant City Administrator/Zoning Administrator Megan Watkins, Finance Director Steven DeQuaker, Fire Chief Alan Babe, Public Works Director Peter Riggs, Human Resource Director Jason Corbin, Building Inspector Gregory Guidry, and City Intern Nick Faust.

2. **Citizen Comments** - There were none.

3. **Approval of Minutes** - To approve the Committee of the Whole Minutes for July 16, 2019.
Motion: Alderman Heft. Second: Alderman Bauman. With all in favor, the motion carried.

4. **PRESENTATIONS:** None

5. **DISCUSSION:** None

6. **RESOLUTIONS:**

A. **Resolution 4965(18)** - To approve the Bid Award Contract to PSG Construction, Inc. for the Riverside Park Improvement Project.
Director Peter Riggs reviewed the background history and explained that the City of Burlington was awarded a Wisconsin DNR Stewardship Grant in the amount of $80,000 to assist with funding improvements to Riverside Park, which would include the replacement of the pavilion, canoe/kayak launch, paved trails, and a trail information center. Riggs stated that five bids were received, with PSG being the lowest at $209,227.70, which exceeded the project estimate of $162,909 by $46,318.70 due to costs related to the pavilion. Riggs then explained that the overage could be paid for using funds from the Park Development Fund, of which there are sufficient funds available.

7. **ORDINANCES: None**

8. **MOTIONS:**

A. **Motion 19-934** - To approve the City of Burlington's Tax Increment Financing (TIF) Guidelines.

Director Steve DeQuaker reviewed the modifications requested from Council at the July 16, 2019 Committee of the Whole meeting, which were two items specifically: Item #5 pertains to enforcement options and Item #13 protects the City against increment shortfalls. It was then discovered that the incorrect guideline was attached to the Council packet. DeQuaker stated he would have the correct version uploaded to SharePoint.

B. **Motion 19-935** - To consider approving a Certificate of Appropriateness for property located at 488 Milwaukee Avenue.

Building Inspector Gregory Guidry explained that the Certificate of Appropriateness (COA) is for the old Coach's building and presented the proposed project, which was approved by the Historic Preservation Committee (HPC) contingent on retaining and/or replicating the window sills if damaged, and site visits by HPC members when removing the current facade.

Alderman Kott explained that the HPC approved the COA with contingencies because there were so many unknowns about what was under the current facade, which includes the window sills on the 3-story and main buildings, and a metal trim band on the 1-story building that appears in a 1950's drawing. Kott stated that HPC had also discussed with the owner that they wanted him to put bulkheads under the windows on the first floor to make it look more historical and less contemporary.

Alderman Rauch inquired as to how the HPC determines the cut-off date for the historical preservation of a building because the building was built in 1900, however 1950 is being referenced. Alderman Kott responded that the expense involved to do a complete restoration to the original building would be far too costly and nearly impossible to complete, so when the owner presented renderings from the 1950's, HPC agreed with him. Alderman Rauch then inquired about the three facade grants which requires the facade to be street facing, whereas this building only faces two streets. Director Watkins responded that the facade grant includes alley facing facades as well, therefore this building does qualify for three facade grants.

Alderman Preusker commented that he approves moving forward with the COA if this allows the owner to discover what is underneath the existing facade and then only allow the facade grants to be issued if the project is compliant with the standards and guidelines of the historic district.

Alderman Kott stated she wanted to make sure, if this COA is approved, that it must be approved based on the condition of meeting the requirements stated at the HPC meeting. Alderman Preusker recommended amending the motion to include the requirements discussed.

Mayor Hefty commented that because of the fire that destroyed a portion of the building, that part was no longer considered historical and cautioned against being too critical of historical details.

Alderman Meyer asked what kind of business would occupy this building. Alderman Kott responded that it would have a rock climbing wall, a coffee roaster business, a common work space for people to work from their laptops, and possibly a photo studio.

C. **Motion 19-936** - To consider approving a Certificate of Appropriateness for property located at 473 Milwaukee Avenue.

Guidry reviewed the plans for the COA for what is currently the building next to Life Bridge Church and stated the owners wish to improve the facade of this building so that it has a cohesive look with Life Bridge Church. Guidry further stated that HPC recommended approval of the COA contingent on the applicant submit a different design for the guard rail on the ADA ramp.

Alderman Rauch asked if this building was considered historical because it doesn't look like it is. Guidry responded that although it's in the historical district, it's not a contributing building, but it's in the HPO district, therefore still requires approval.

D. **Motion 19-937** - To approve the 2020-2023 Union agreement between the City of Burlington and International Association of Firefighters, AFL-CIO, CIC on Behalf of Racine Firefighters, Local 321.

Fire Chief Alan Babe reviewed the background history, stating the Fire Department became an official union in April 2015 and that the first agreement between the City of Burlington and the International Association of Firefighters, AFL-CIO, CIC on behalf of Racine Firefighters, Local 321, expires December 31, 2019. Chief Babe then outlined the changes to the updated three-year agreement.

Alderman Rauch inquired about Article VIII - Wages, and asked why a particular employee was named by name and not by title like the others. Chief Babe responded that the wage scale applies specifically to this individual due to his tenure with the city, and that he would have been off the pay grade scale that was put into place at the time of unionization.

Alderman Meyer asked if any requirements were in place for continued education. Chief Babe responded that they are required to attend a minimum amount of training and that counts towards continued education.

9. **ADJOURNMENT**

Motion: Alderman Rauch. Second: Alderman Preusker. With all in favor, the motion carried and the meeting was adjourned at 7:08 p.m.

Minutes respectfully submitted by:

_____

Diahnn C. Halbach
City Clerk
City of Burlington

COMMITTEE OF THE WHOLE **ITEM NUMBER 4A**

DATE: August 20, 2019

SUBJECT: **DISCUSSION** - A discussion regarding a rate increase for Public Site Fees.

SUBMITTED BY: Nicholas Faust, Intern

BACKGROUND/HISTORY:

In 1982 the City of Burlington, ordained through municipal code §278-81, charging a "public site fee" (AKA park development fee) for subdivision development. This fee allows the city to acquire and develop public sites to serve future citizens of said developments. It is important to note that this fee is charged only in lieu of the subdivision development dedicating privately-held land for the development of public sites. The current public site fee charge is $500 per unit of housing. For example, a single family home (i.e. one-unit) is charged a public site fee of $500 and a two-family duplex (i.e. two units) would be charged for two site fees, a total of $1000. The funds acquired are placed in a separate service district fund to ensure that they are only used in the acquisition and development of park sites for that subdivision.

Purpose for Evaluation:

The City of Burlington's current Public Site Fee has been charged at the same rate, $500 per unit, since inception. As the fee serves a critical function in acquiring and developing sites for public use, it is important to evaluate if the rate at which this fee is currently charged achieves that function in an effective and fiscally responsible manner.

Assessing Peer Communities Fees:

Communities in Southeastern Wisconsin charge public site or equivalent impact fees by total cost and perimeters each community choose to categorize their pricing. Some area communities charge rates that vary on the type of housing development each unit will be a part of, for example, Franklin charges a park impact fee of $2,947.00 for 1 single-family unit and $2,040 per 1 two-family or multi-family unit. Other communities charge a flat rate per unit regardless of the type of development, Mount Pleasant for example charges a park impact fee of $1,100 per unit, regardless of unit type.

Variances aside, of the 13 area communities with some form of public site fee, Burlington's public site fee rate of $500 was considerably lower than all other communities. Of the municipalities surveyed, the average park impact fee for one single family unit was $1,701.92. Aside from our own, Germantown has the next lowest park impact fee of $736.00 and Oconomowoc had the highest at $2,796.00. The nearby communities of Waterford and Elkhorn charge a single-family unit park impact fee of $900.00 and $1.409.00, respectively.

Staff brought this item to the August 15, 2019 Park Board meeting to seek feed back regarding a possible increase. After a robust discussion, the Park Board recommends increasing the public site fee between $1,000 at a minimum or to what Elkhorn charges at $1409.

It should be noted, per state statute 66.0617 and 236.45, the City would need to prepare a needs assessment and hold a public hearing in order propose increasing the public site fee or evaluating other impact fees.

BUDGET/FISCAL IMPACT:

For discussion at this time only.

RECOMMENDATION:

Considering Burlington's public site fee is lower than all other area municipalities examined in this survey, it would be reasonable to consider an increase in the total rate charged. It is relatively commonplace for fees of this nature to be adjusted periodically to account for inflation and the increase in costs related to the acquisition and development of public sites. For example, the City's public site fee of $500, when set in 1982 and adjusted to Federal Consumer Price Index inflation, had the equivalent buying power of $1,352.11 today. This illustrates the considerable change in the value of the dollar that has occurred since the City last changed the price of this fee. Staff recommends an increase of the public site

fee to $1,000. An increase of this size would put us on par with other communities in the county, while still placing the City below the average of communities surveyed in my research. Such an increase would allow for adequate funding for public site acquisition and development, while maintaining a competitive fee rate comparatively.

TIMING/IMPLEMENTATION:

This item is for discussion at the September 3, 2019 Committee of the Whole meeting.

Attachments

Public Site Fee Peer Survey

Park Impact Fees-Peer Survey

Municpality	Population	Fee per 1 Single Family Unit	Fee per 1 Two Family Unit	Fee per 1 Multi-Family Unit	Notes
Burlington	10,858	$ 500.00	$500.00 per unit	$500.00 per unit	In lieu of land donation
Mount Pleasant	26,626	$ 1,100.00	$ 1,100.00	$ 1,100.00	
Elkorn	10,084	$ 1,409.00	$ 1,216.00	$ 1,216.00	
Oak Creek	36,354	$ 2,105.00	$ 2,105.00	$1,579.00 for 2 bdrm unit	other multi family fee: $1,052.00- 1bdrm , $2,105.00- 3bdrm
Franklin	36,143	$ 2,957.00	$ 2,040.00	$ 2,040.00	
Waterford	5,487	$ 900.00	$ 900.00	$ 900.00	
Oconomowoc	16,717	$ 2,796.00	$ 2,796.00	$ 2,796.00	Reduced $1,201 for every 1,500 sq ft dedicated
Greenfield	36,827	$ 1,806.00	$ 1,806.00	$ 1,806.00	In lieu of land donation
Germantown	19,982	$ 736.00	$ 736.00	$ 736.00	
Mequon	24,159	$ 900.00	$ 900.00	$ 900.00	
Menomonie Falls	16,429	$2,404.00	$1,808.00 for 2 bdrm unit	$1,808.00 for 2 bdrm unit	$2,404.00 for two/multi-family units with 3 bdrm, $1,130.00 for two/multi family units with 1 bdrm
Summit	4,909	$ 2,197.00	$ 1,830.00	$ 1,830.00	
Pewaukee	14,476	$ 1,041.00	$ 1,041.00	$ 1,041.00	
Waukesha	72,489	$ 1,774.00	$ 1,445.00	$1,183.00 for 2 bdrm unit	$854.00-1bdrm multi-fam, 1,840.00-3bdrm multi-fam

COMMITTEE OF THE WHOLE **ITEM NUMBER 5A**

DATE: August 20, 2019

SUBJECT: **RESOLUTION 4966(19)** - To approve a reduction in the Letter of Credit for the roadway, sanitary sewer, water main and storm sewer utility infrastructure improvements for the Glen at Stonegate Subdivision, Addition II.

SUBMITTED BY: Megan Watkins, Assistant City Administrator | Zoning Administrator

BACKGROUND/HISTORY:

On March 5, 2019, the Council approved a Development Agreement and Final Plat for Stonegate Subdivision, Addition II with Birchwood Realty, LLC. As part of this agreement, an irrevocable letter of credit in the amount of $1,037,411.55 was required, which is equal to 115% of the City Engineer's estimate of the total cost of installation of public construction.

Nancy Washburn, on behalf of Birchwood Realty, LLC has requested a reduction to the letter of credit for Stonegate Subdivision, Addition II. The developer is requesting a reduction of $608,787.00 to have a remaining balance of $428,624.55, which includes the 115% required contingency of public infrastructure yet to be completed.

Kapur, City Engineer, has provided construction management with the project over the last few months. They have reviewed the letter of credit reduction request and recommend approval of the request. Lien Waivers have been provided for the complete reduction amount and were included as part of this request. The reduction to the letter of credit does not constitute an acceptance of utilities or roadway. All public infrastructure will be accepted upon completion of the project, which includes all testing, receipt of as-built drawings, and final approval of all punch list items.

BUDGET/FISCAL IMPACT:

The developer is requesting a reduction of $608,787.00 from the original amount of $1,037,411.55 to have a remaining balance of $428,624.55, which includes the 115% required contingency of public infrastructure yet to be completed.

RECOMMENDATION:

The City Engineer and staff recommend approval of the reduction to the letter of credit.

TIMING/IMPLEMENTATION:

This item is for discussion at the August 20, 2019 Committee of the Whole meeting and scheduled for final consideration at the September 3, 2019 Common Council meeting.

Attachments

RES 4966(19) Letter of Credit

Kapur's Recommendation

Request from Birchwood Realty, LLC

Resolution No. 4966(19)
Introduced by: Committee of the Whole

A RESOLUTION APPROVING A REDUCTION IN THE LETTER OF CREDIT FOR THE ROADWAY, SANITARY SEWER, WATER MAIN AND STORM SEWER UTILITY INFRASTRUCTURE IMPROVEMENTS FOR THE GLEN AT STONEGATE SUBDIVISION, ADDITION II

WHEREAS, inspection and testing of these roadway and utility installations was completed on or before August 5, 2019: and

WHEREAS, the City Engineer has recommended a reduction in the Letter of Credit for The Glen at Stonegate Subdivision's roadway, sanitary sewer, water main and storm sewer utilities; and,

WHEREAS, the remaining Letter of Credit, in the amount of $428,624.55, will be retained until further release by the City and is sufficient to cover the remaining infrastructure improvements; and,

WHEREAS, the developer, Birchwood Realty, LLC, will remain responsible to complete repairs to the infrastructure and, for completion of punch list items, as required by the Engineer until full and formal acceptance of the project by the City Council; and,

WHEREAS, the developer, Birchwood Realty, LLC, will be responsible for providing as-built information for all utility locates and be responsible for utility locations until as-built plans are provided and approved by the City Engineer.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Common Council of the City of Burlington that the aforementioned reduction in the Letter of Credit is approved.

Introduced: August 20, 2019
Adopted:

_____
Jeannie Hefty, Mayor

Attest:

_____
Diahnn Halbach, City Clerk

1224 South Pine Street
Burlington, WI 53105
T: 262.767.2747 • F: 262.767.2750

Memo to the City of Burlington

To: **Megan Watkins, Assistant City Administrator** **Date:** August 5, 2019

From: **Greg Governatori**

CC: **Carina Walters, John Bjelajac, Peter Riggs, Mike Timmers**

Subject: **Reduction of Letter of Credit Draw #1 – Glen at Stonegate Addition #2**

Dear Ms. Megan Watkins:

As requested by Birchwood Realty, LLC a review of materials for a reduction of the letter of credit has been complete. The work included in the request has been complete, reviewed and verified By Kapur. The amount of work and payment completed for the Glen at Stonegate addition #2 as provided in the letter of credit reduction request materials is recommended for approval. The letter of credit for the Glen at Stonegate addition #2 may be reduced by the amount of **$608,787.00,** retaining a balance of **$428,624.55** which includes the 115% contingency requirement per the development agreement.

Lien Waivers have been provided for the complete reduction amount and were included as part of this request.

This letter is for notification of reduction of letter of credit and not constitute an acceptance of utilities or roadway. All public infrastructure will be accepted upon completion of the project, all testing, receipt of as-built drawings, and final approval of all punch list items.

Please contact me if you have any questions concerning the above issue.

Sincerely,
Kapur & Associates, Inc.

Gregory Governatori, P.E.
Associate

Nancy Washburn – LDA
nancylynnwashburn@gmail.com

August 2, 2019

Ms. Megan Watkins
Assistant City Administrator
City of Burlington
300 N. Pine Street
Burlington, WI 53105

Re: Glen at Stonegate – LLOC Reduction

Dear Ms. Watkins:

Pursuant to the terms of our Development Agreement, Birchwood Realty, LLC is requesting reduction in the LLOC on file with the City.

Enclosed are Lein Waivers from Reesman Excavating showing payment from 3 draws. Based on those pay requests and your LLOC Breakdown we are requesting reduction as follows:

1) Road Work: Reduce from $326,417.00 to $291,717.00

2) Sanitary Sewer: Reduce from $236,610.00 to $25,000.00 to reflect adjustments for paving

3) Watermain: Reduce from $240,145.00 to $40,000.00 to reflect adjustments & finish after paving.

4) Storm Sewer: Reduce from $98,925.00 to $16,000.00 to reflect final adjustments & catch basins. Inlet protection remain in Road Work

Total Reduction of items 1-4 is $529,380 leaving a balance of $372,717.00

Total Reduction from $1,037,411.55 to $428,624.55 which includes 15% Contingency.

Also attached is a copy of the LLOC breakdown with the **items remaining** highlighted.

Please keep in mind we are not asking for Acceptance of the Utilities as part of this, just LLOC Reductions.

Thank you for your prompt attention to this request. Please advise as to next steps or anything we are missing.

Respectfully submitted,

Nancy Washburn
Land Development Administration, SP

Cc: Mike Timmers, Kapur & Associates
Birchwood Realty, LLC
Peter Riggs, City of Burlington, Director of Public Works

Exhibit To reduction request 8/2/2019

~~7/30/2018~~

KAPUR & ASSOCIATES, INC.

Item left in after reduction

Glen at Stonegate Addition II - Estimate for LOC

City of Burlington, Racine County, Wisconsin

Road Work

Item No.	Item Description	Unit	Bid Qty.	LOC Amt - Engineer's Est: Bid Unit $	LOC Amt - Engineer's Est: Bid Total $
	Clearing/grubbing	SY	1000	$ 3.50	$ 3,500.00
	Strip and Stockpile Topsoil	CY	2400	$ 4.50	$ 10,800.00
	Excavation Common	CY	2400	$ 6.50	$ 15,600.00
	10" Base Aggregate Dense 1 1/4-Inch	TN	4010	$ 13.00	$ 52,130.00
	1.75" HMA Pavement Type 3LT 58-28 S	TN	600	$ 68.00	$ 40,800.00
	2.25" HMA Pavement Type 4LT 58-28 S	TN	780	$ 68.00	$ 53,040.00
	Concrete Curb & Gutter 30-Inch Type D	LF	3260	$ 15.50	$ 50,530.00
	Concrete Sidewalk 4-Inch	SF	14670	$ 5.10	$ 74,817.00
	Silt Fence	LF	2400	$ 2.00	$ 4,800.00
	Inlet Protection (Type C)	EACH	8	$ 75.00	$ 600.00
	Landscaping Trees	EACH	66	$ 300.00	$ 19,800.00
	SUBTOTAL - Road Work			$	326,417.00

Sanitary Sewer

Item No.	Item Description	Unit	Bid Qty.	LOC Amt - Engineer's Est: Bid Unit $	LOC Amt - Engineer's Est: Bid Total $
	10" PVC SDR 35 Sanitary Sewer (Granular)	LF	1616	$ 85.00	$ 137,360.00
	6" PVC SDR 35 Sanitary Lateral (30 EA)	LF	980	$ 65.00	$ 63,700.00
	Sanitary MH Cover R-1661	EACH	9	$ 375.00	$ 3,375.00
	48" Dia Sanitary MH (9 EA)	VF	99	$ 325.00	$ 32,175.00
	$ 25,000 adjustment SUBTOTAL - Sanitary			$	236,610.00

Watermain

Item No.	Item Description	Unit	Bid Qty.	LOC Amt - Engineer's Est: Bid Unit $	LOC Amt - Engineer's Est: Bid Total $
	Connect to Existing 8" Watermain	EACH	2	$ 2,400.00	$ 4,800.00
	8" PVC C-900, DR-18 Watermain (Granular Backfill)	LF	1808	$ 65.00	$ 117,520.00
	Tracer Wire Access Box	EACH	2	$ 150.00	$ 300.00
	Curb Boxes	EACH	31	$ 800.00	$ 24,800.00
	1 1/4" Copper Type "K" Water Lateral	LF	900	$ 52.00	$ 46,800.00
	1 1/4" water Service Brass Sets	EACH	31	$ 475.00	$ 14,725.00
	8" Gate Valve	EACH	2	$ 1,800.00	$ 3,600.00
	Hydrant Assembly	EACH	4	$ 5,300.00	$ 21,200.00
	6" DI CL-53 Hydrant Lead	LF	40	$ 110.00	$ 4,400.00
	Watermain Testing/Flushing	LS	1	$ 2,000.00	$ 2,000.00
	final adjustments SUBTOTAL - Water			$	240,145.00

Storm Sewer				LOC Amt - Engineer's Est	
Item No.	Item Description	Unit	Bid Qty.	Bid Unit $	Bid Total $
	19x30-Inch(18"x 28.5" Arch Pipe)	LF	108	$ 75.00	$ 8,100.00
	24" RCP CL III Storm Sewer	LF	485	$ 60.00	$ 29,100.00
	12" RCP CL V Storm Sewer	LF	81	$ 55.00	$ 4,455.00
	15" RCP CL IV Storm Sewer	LF	334	$ 50.00	$ 16,700.00
	24" RCP FES w/ Grate	EACH	1	$ 2,500.00	$ 2,500.00
	60" Dia Storm MH	EACH	2	$ 3,100.00	$ 6,200.00
	48" Dia Storm MH	EACH	5	$ 2,300.00	$ 11,500.00
	Manhole Cover R-2561	EACH	7	$ 575.00	$ 4,025.00
	Inlet Cover Type H (2'x3')	EACH	7	$ 535.00	$ 3,745.00
	2'x3' Catch Basin	EACH	7	$ 1,800.00	$ 12,600.00
$ final adj* 16,000	SUBTOTAL - Storm			$	98,925.00
	SUBTOTAL			$	902,097.00
	15% Contingency per Developer's Agreement			$	135,314.55
	TOTAL - LOC			$	1,037,411.55

$ 372,717.00 Bal
+ 55,907.55 15%

$428,624.55 remaining LLOC Bal.

D:\Racine_Co\Burlington_City\Gov\180019_2018 Burlington Plan Review\PHSE09 Glen at Stonegate Phase 3\Letter of Credit\Glen at Stonegate Add #2.xls

2 of 2

Conditional Release

Date: 7/26/2019

Upon receipt by the undersigned of a check from Birchwood Realty LLC in the sum of: $295,096.53

payable to: Reesman's Excavating & Grading and when the check has been properly endorsed and

paid by the bank upon which it is drawn, this document shall become effective to release any construction lien, stop notice, or

bond right the undersigned has on the job of: The Glen at Stonegate Addition #2 located at:

Stonegate Road and Ravenswood Road, Burlington, WI .

This release covers a progress payment to the undersigned for all labor, services, equipment or material furnished to the owner through 6/30/2019

only and does not cover any retentions retained before or after the release date; extras furnished before the release date for which payment has not been received; extras or items furnished after the release date. Rights based upon work performed or items furnished under a written change order which has been fully execute by the parties prior to the release date are covered by this release unless specifically reserved by the claimant in this release. This release of any contractor's lien, stop notice, or bond right shall not otherwise affect the contrac rights, including rights between parties to the contract based upon a rescission, abandonment, or breach of the contract undersigned to recover compensation for furnished labor, services, equipment or material was not compensated by the progress payment.

Before any recipient of this document relies on it, the party should verify evidence of payment to the undersigned.

7/26/19

Doug Throndson

CFO

Michelle M. Anderson

Notary Public Signature

Michelle M. Anderson

Printed Name

08/10/2020

Commission Expires

Michelle M. Anderson Notary Public State of Wisconsin

Reesman Excavating & Grading

28815 Bushnell Road

Burlington, WI 53105
262 539 2124

Conditional Release

Date: 7/9/2019

Upon receipt by the undersigned of a check from Birchwood Realty LLC in the sum of: $228,912.03

payable to: Reesman's Excavating & Grading and when the check has been properly endorsed and

paid by the bank upon which it is drawn, this document shall become effective to release any construction lien, stop notice, or

bond right the undersigned has on the job of: The Glen at Stonegate Addition #2 located at:

Stonegate Road and Ravenswood Road, Burlington, WI .

This release covers a progress payment to the undersigned for all labor, services, equipment or material furnished to the owner through 5/31/2019

only and does not cover any retentions retained before or after the release date; extras furnished before the release date for which payment has not been received; extras or items furnished after the release date. Rights based upon work performed or items furnished under a written change order which has been fully execute by the parties prior to the release date are covered by this release unless specifically reserved by the claimant in this release. This release of any contractor's lien, stop notice, or bond right shall not otherwise affect the contrac rights, including rights between parties to the contract based upon a rescission, abandonment, or breach of the contract undersigned to recover compensation for furnished labor, services, equipment or material was not compensated by the progress payment.

Before any recipient of this document relies on it, the party should verify evidence of payment to the undersigned.

Doug Throndson

CFO

Reesman Excavating & Grading

28815 Bushnell Road

Burlington, WI 53105
262 539 2124

Notary Public Signature

Terri L. Kreutzer

Printed Name

January 23, 2021

Commission Expires

NOTARY PUBLIC
TERRI L. KREUTZER
STATE OF WISCONSIN

Partial Waiver and Conditional Release

Date: 5/21/2019

Upon receipt by the undersigned of a check from Birchwood Realty LLC in the sum of: $ 81,101.99

payable to: Reesman's Excavating & Grading and when the check has been properly endorsed and

paid by the bank upon which it is drawn, this document shall become effective to release any construction lien, stop notice, or

bond right the undersigned has on the job of: The Glen at Stonegate Addition #2 located at:

Stonegate Road and Ravenswood Road, Burlington, WI .

This release covers a progress payment to the undersigned for all labor, services, equipment or material furnished to the owner through 4/30/2019

only and does not cover any retentions retained before or after the release date; extras furnished before the release date for which payment has not been received; extras or items furnished after the release date. Rights based upon work performed or items furnished under a written change order which has been fully execute by the parties prior to the release date are covered by this release unless specifically reserved by the claimant in this release. This release of any contractor's lien, stop notice, or bond right shall not otherwise affect the contrac rights, including rights between parties to the contract based upon a rescission, abandonment, or breach of the contract undersigned to recover compensation for furnished labor, services, equipment or material was not compensated by the progress payment.

Before any recipient of this document relies on it, the party should verify evidence of payment to the undersigned.

Michael Church

3

Vice President

Notary Public Signature

Reesman Excavating & Grading

28815 Bushnell Road

Burlington, WI 53105
262 539 2124

Terri L. Kreutzer

Printed Name

1/23/21

Commission Expires

NOTARY PUBLIC
TERRI L. KREUTZER
STATE OF WISCONSIN

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

DATE: August 20, 2019

SUBJECT: **ORDINANCE 2051(17)** - To amend Chapter 315-74, "Signs in the Historic Preservation Overlay (HPO) District" of the Code of the City of Burlington.

SUBMITTED BY: Megan Watkins, Assistant City Administrator | Zoning Administrator

BACKGROUND/HISTORY:

The Historic Preservation Commission has held a number of workshops in an effort to explore the Historic Preservation Overlay District sign code, as well as the guidelines for Certificates of Appropriateness. Through these discussions, the following amendments were made to Chapter 315-74 of the Municipal Code:

- All references to Historic Preservation District have been changed to "HPO District"
- 315-74B(1) – Added "Awning signs should be limited to the valance only"
- 315-74B(2) – Added language referencing signs visible from the windows or entries, attached and detached are counted as total allowable signage
- 315-74B(3) – changed "sign board" to "sign band"
- 315-74B(4) – Increased the allowable amount of signage from three signs to four signs. Signs displaying hours of operation are not included in this total
- 315-74D – Cleaned up the language, kept the intent of this section
- 315-74F – Added language to allow for logo or company colors outside of the HPO color palette as allowable
- 315-74G – Added this item to allow street-facing corner buildings on a sign on each street-facing façade
- 315-74H – Added this item to allow for signage in the alleyway for delivery identification

The Historic Preservation Commission approved these changes to Ch. 315-74 at their July 25, 2019 meeting.

BUDGET/FISCAL IMPACT:

N/A

RECOMMENDATION:

The HPC amd Staff recommends approval of this text amendment to Chapter 315-74, Signs in the Historic Preservation Overlay District.

TIMING/IMPLEMENTATION:

This item is for discussion at the August 20, 2019 Committee of the Whole meeting, and scheduled for the September 3, 2019 Common Council meeting for final consideration. A Public Hearing for this ordinance will be held at tonight's Common Council meeting.

Attachments

Ord 2051(17)

ORDINANCE NO. 2051(17)
Introduced by: Committee of the Whole

AN ORDINANCE TO AMEND CHAPTER 315-74, "SIGNS IN ~~HPO~~ HISTORIC PRESERVATION OVERLAY (HPO) DISTRICT" OF THE CODE OF THE CITY OF BURLINGTON

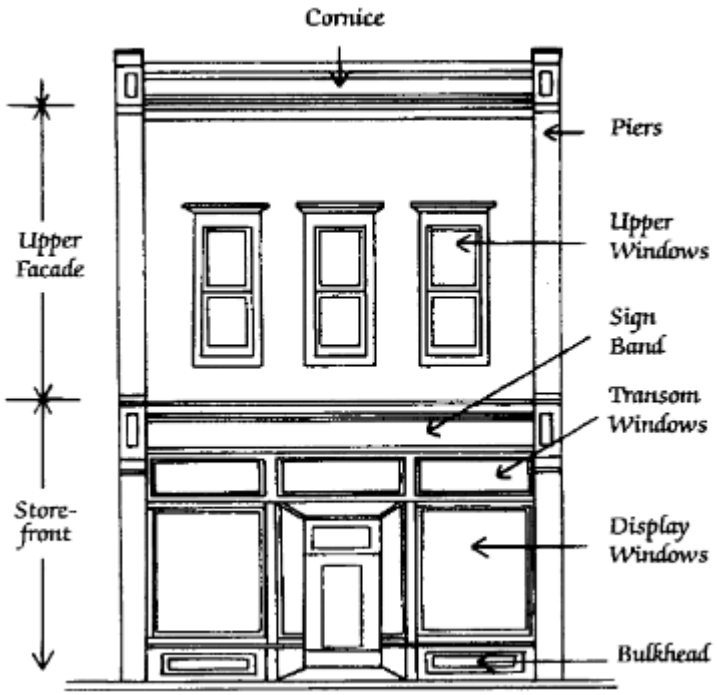
I. Chapter 315-74 of the Code of the City of Burlington, Racine County, Wisconsin, "Street Façade Signs in HPO Historic Preservation Overlay District is hereby amended as follows:

In addition to the requirements set forth in other sections of this chapter, signs located in the HPO ~~Historic Preservation Overlay~~ District shall also conform to the additional standards indicated below. Where conflicts exist between the standards set forth in other sections of this chapter and this section, the standards set forth in this section shall prevail in the HPO ~~Historic Preservation Overlay~~ District.

A. Signs prohibited in the HPO ~~Historic Preservation Overlay~~ District. In addition to those signs prohibited in all zoning districts as set forth in § 315-65 of this chapter, the following signs shall be prohibited in the HPO ~~Historic Preservation Overlay~~ District:

(1) Freestanding signs prohibited. No freestanding signs shall be permitted in the HPO Historic Preservation Overlay District. Notwithstanding the prohibition of sandwich signs set forth in § 315-65, one freestanding sandwich sign not exceeding a maximum of six square feet per sign face may be permitted per business in the HPO District when such sign does not constitute a public safety or traffic hazard as determined by the Zoning Administrator.

(2) Plastic formed facade signs prohibited. No plastic formed signs or signs formed from plastic-like materials shall be permitted in the HPO Historic Preservation Overlay District unless such materials simulate historic signage.



B. Wall, fascia (including transoms), and awning signs.

(1) Placement of wall, fascia (including transoms), and awning signs. All wall, fascia (including transoms), and awning signs shall be placed below the upper edge of the traditional building sign band as indicated below. No wall, fascia, or awning signage shall be allowed to be located above the upper edge of the traditional building sign band. (See Subsection C for the allowance of projecting and hanging signs). Awning signs should be limited to the valance only.

(2) Maximum signage area. The total maximum cumulative signage area of all ~~exterior~~ signage placed upon the street-facing facade (including all wall, fascia, ~~and~~ awning signs and interior signs visible from the display windows and entries) of a building (not including ~~signage placed inside windows,~~ freestanding sandwich signs, or projecting and overhanging signs placed above the upper edge of the building sign band) shall not exceed 15% of the total area of that portion of the first floor street-facing facade which lies below the upper edge of the building sign band. Gilded, vinyl, or painted letters or other signage placed on the inside or outside (attached and detached) of storefront display windows shall not be counted towards the total maximum cumulative signage area.

(3) Maximum signage lettering. The maximum size of letters on a wall or fascia sign shall be no greater than 12 inches in height and cover no more than 60% of the sign ~~board~~ band or window upon which the letters are placed.

(4) Maximum number of wall, fascia (including transoms), and awning signs. The total maximum number of all wall, fascia (including transoms), and awning signs placed upon the street-facing facade of a building shall not exceed four ~~three~~ signs. Gilded, vinyl, or painted letters or other business signage on the inside or outside (attached or detached) of storefront display windows shall ~~not~~ be counted towards the maximum number of wall, fascia (including transoms), and awning signs. Hours of operation shall not be included in these calculations as they are not considered business signage.

(5) Wall and fascia (including transoms) sign placement not to visually obscure architectural details. No wall sign or fascia (including transoms) shall be placed so as to visually obscure architectural details which are important to the historic character of the HPO ~~Historic Preservation Overlay~~ District and the building upon which such wall or fascia sign is placed.

C. Projecting and hanging signs. Projecting and hanging signs are allowed in the HPO ~~Historic Preservation Overlay~~ District to extend only over public rights-of-way occupied by pedestrian sidewalks subject to the following:

(1) Minimum and maximum height of a projecting and hanging sign~~s~~. All such projecting or hanging signs in the HPO District shall be elevated a minimum height of eight feet. Projecting or hanging signs may be placed above the sign band; however, no projecting or hanging sign shall extend above the top edge of the largest second story window.

(2) Limitation of the extension of a projecting and hanging sign~~s~~. Any such projecting or hanging sign in the HPO District shall not project more than five feet from the surface of its supporting building. All such projecting signs in the HPO District shall not be permitted to extend closer than two feet to any public street curb or pavement or to any public alley curb or pavement.

(3) Placement of projecting and hanging signs. All projecting and hanging signs in the HPO District shall be placed perpendicular to the building facade and not flush with the building facade.

(4) Maximum area of a projecting and hanging sign. The maximum cumulative permitted area allowed for all projecting or hanging signs on a structure in the HPO District shall not exceed 7% of the upper building facade area. The upper building facade area shall be determined by multiplying the width of the upper building facade by its height (height as measured from the upper edge of the sign band to the upper edge of the cornice).

(5) Limitation of the number of projecting and hanging signs. The total number of projecting signs allowed a structure in the HPO District shall be one sign per business.

D. Illumination of signs. Non-flashing, illuminated signs shall be permitted in the HPO District. If signs are illuminated, said signs shall be externally illuminated and subject to the provisions of §315-70E of this chapter. No ~~internally illuminated signs, including but not limited to~~ electronic message signs~~,~~ shall be installed in the HPO ~~Historic Preservation Overlay~~ District. ~~If signs are illuminated, said signs shall be externally illuminated and subject to the provisions of § 315-70E of this chapter. Nonflashing, illuminated neon signs shall be permitted in the HPO Historic Preservation Overlay District.~~

E. Limitations on types of window signs (including transom windows). All window business signs (including transom windows) in the HPO ~~Historic Preservation Overlay District~~ shall be gilded, painted, vinyl, etched glass, or leaded glass letters placed on the inside or outside of storefront display windows. Product and/or company logo signs are allowed on the inside of storefront display windows.

F. Signage color. All signage shall be of a color which is compatible with the color of the building construction materials found in the HPO ~~Historic Preservation Overlay~~ District. Company or organizational logos with colors outside of the HPO color palette are allowed.

G. Signage for corner buildings. If a structure in the downtown district is on a corner and therefore has two street-facing facades, consideration to a second sign will be given. The sign dimension can mirror what is allowable on the primary side, if the second side is equal to or larger in size than the primary façade and existing signage. If the secondary façade is shorter, signage must be proportional to the primary façade signage, based on the width of the structure.

H. Alleyway signage for deliveries. Signage in the alleyway to identify businesses for deliveries and staff access are permitted. Alleyway signs shall not exceed 2 foot by 4 foot or eight total square feet in size.

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

III. All other language as contained in Chapter 315 of the Municipal Code of the City of Burlington shall remain without change and in full force and effect.

Introduced: August 20, 2019
Adopted:

_____
Jeannie Hefty, Mayor

Attest:

_____
Diahnn Halbach, City Clerk