



**AGENDA
COMMON COUNCIL**

Tuesday, February 15, 2011

**To immediately follow the 6:30 p.m. Committee of the Whole meeting
Common Council Chambers, 224 East Jefferson Street**

Mayor Robert Miller
Robert Prailes, Alderman, 1st District
Edward Johnson, Alderman, 1st District
Jim Prailes, Alderman, 2nd District
Peter Hintz, Alderman, 2nd District
Tom Vos, Council President and Alderman, 3rd District
Steve Rauch, Alderman, 3rd District
Katie Simenson, Alderman, 4th District
Jeff Fischer, Alderman, 4th District

Student Representatives

David Martin, Burlington High School
Lauren Nadolski, Burlington High School

1. Roll Call
2. Pledge of Allegiance to the Flag.
3. Citizen Comments.
4. Chamber of Commerce Representative.
5. Approval of the Common Council minutes for February 3, 2011. *(J. Prailes)*
6. Letters and Communications: None
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1-4: *(P. Hintz)*
 - Report 1 – Historic Preservation Commission minutes, August 26, 2010
 - Report 2 – Airport Committee minutes, November 30, 2010
 - Report 3 – Plan Commission minutes, January 11, 2011
 - Report 4 - Committee of the Whole minutes, February 3, 2011
9. Payment of Vouchers. *(T. Vos)*
10. Licenses and Permits. *(S. Rauch)*

11. **APPOINTMENTS AND NOMINATIONS:**

- A. Reappoint David Uhen to the Airport Committee, term to expire 12/4/2013.
- B. Reappoint Joel Weis to the Zoning Board of Appeals, term to expire 1/1/2014.

12. **PUBLIC HEARINGS:**

- A. A Public Hearing to hear public comment regarding an amendment to the Municipal Code to create Section 315-64Q, “Exceptions to require sign permits; Off-Premise Signs”. (*K. Simenson*)

13. **RESOLUTIONS:**

- A. Resolution 4460(44) to declare intent to exercise special assessment powers under Wisconsin State Statutes for new sidewalk construction on portions of Falcon Ridge Drive, Oak Street and Shiloh Court. This item was discussed at the February 3, 2011 Common Council meeting. (*J. Fischer*)
- B. Resolution 4461(45) to declare intent to exercise special assessment powers under Wisconsin State Statutes for reconstruction of sidewalks. This item was discussed at the February 3, 2011 Common Council meeting. (*J. Fischer*)
- C. Resolution 4462(46) to authorize fee assessments for Weights and Measures license holders for July 1, 2009 through June 30, 2010. This item was discussed at the February 3, 2011 Common Council meeting. (*J. Fischer*)
- D. Resolution 4463(47) to approve the award of the bid for two new police vehicles with Miller Motors in the amount of \$44,211 plus set-up, title and license fees. This item was discussed at the February 3, 2011 Common Council meeting. (*J. Fischer*)

14. **ORDINANCES:**

- A. Ordinance 1921(24) to create Section 315-111E titled “Exceptions” for Historic Preservation Commission membership requirements in the Municipal Code. This item was discussed at the February 3, 2011 Common Council meeting. (*J. Fischer*)
- B. Ordinance 1922(25) to create Section 315-64Q titled “Off-Premise Signs” under Exceptions for required sign permits in the Municipal Code. This item was discussed at the February 3, 2011 Common Council meeting. (*J. Fischer*)

15. **MOTIONS:**

- A. Motion 11-701 to accept an Airport Hangar Lease with Specialty Aero, LLC for 909 & 925 Juliette Taxiway and 900 & 916 Bravo Taxiway for a term of twenty-nine years. This item was discussed at tonight’s Committee of the Whole meeting.

- B. Motion 11-702 to approve a Certificate of Appropriateness Application and Sign Permit in the Historic Preservation Overlay District for 460 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting.
- C. Motion 11-703 to approve a Certificate of Appropriateness Application in the Historic Preservation Overlay District for 388 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting.

16. **ADJOURNMENT** (*J. Prailes*)

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

**City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
February 15, 2011**

1. CALL TO ORDER - ROLL CALL

Mayor Bob Miller called the meeting to order at 7:28 p.m. starting with roll call. Aldermen present: Jim Prailes, Steve Rauch, Ed Johnson, Peter Hintz, Tom Vos, and Katie Simenson. High school students present: Lauren Nadolski and David Martin. Aldermen Jeff Fischer and Robert Prailes were excused.

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Police Chief Peter Nimmer, Treasurer Steve DeQuaker, Public Works Director Connie Wilson, Public Works Supervisor Dick Pieters, Fire Chief Dick Lodle, Library Director Gayle Falk and City Engineer Tom Foht of Kapur and Associates.

2. PLEDGE OF ALLEGIANCE

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

3. CITIZEN'S COMMENTS

None

4. CHAMBER OF COMMERCE REPORT

None

5. FEBRUARY 3, 2011 COMMON COUNCIL MINUTES

A motion was made by Rauch with a second by Johnson to approve the Common Council Minutes of February 3, 2011. With all in favor, the motion carried.

6. LETTERS AND COMMUNICATIONS

None

7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS

Alderman Simenson questioned the status for construction of the downtown commercial building that will be adjacent the parking structure. Administrator Lahner stated the developer, Leslie Scherrer Development, has a deadline of at least twelve months from the time of signing the offer to purchase to begin construction of the building. He further stated he would get Alderman Simenson a copy of the agreement.

Alderman Vos questioned if there have been any proposals from realtors or offers to purchase the former DPW building and/or the city-owned building on Sheldon Street. Administrator Lahner stated he sent a request for proposal to several realtors to act as selling agent for both properties. As of this meeting he only received one proposal from a realtor. Vos stated he hopes the Council will definitively decide which properties and parcels it would like to sell prior to a realtor listing any properties to avoid any more problems.

Connie Wilson informed the Council of two upcoming Board of Public Works bid openings. She stated the 2011 Sidewalk and Utility Program bid opening will be March 10 and the Radium Removal Project bid opening will be March 17.

Administrator Lahner stated he is paying close attention to the current activity regarding Governor Walker's budget proposal, how it will affect the city employees and how it will affect the budget.

8. REPORTS 1-4

A motion was made by Simenson with a second by Rauch to approve Reports 1-4. With all in favor, the motion carried.

9. PAYMENT OF VOUCHERS

A motion was made by Hintz with a second by Rauch to approve pre-paids, vouchers and reimbursements in the amount of \$283,469.03 Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Rauch, Simenson; Nays: None; Motion carried 6-0.

10. LICENSES AND PERMITS

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

11. APPOINTMENTS AND NOMINATIONS

A motion was made by Johnson with a second by Vos to approve the reappointment of David Uhen to the Airport Committee and the reappointment of Joel Weis to the ZBA. With all in favor, the motion carried.

12. PUBLIC HEARING

A. "A PUBLIC HEARING TO HEAR PUBLIC COMMENT REGARDING AN AMENDMENT TO THE MUNICIPAL CODE TO CREATE SECTION 315-64Q, "EXCEPTIONS TO REQUIRE SIGN PERMITS; OFF-PREMISE SIGNS"

The public hearing was opened by the Mayor at 7:39 p.m. There were no comments. A motion was made by J. Prailes with a second by Simenson to close the public hearing. With all in favor, the public hearing closed at 7:40 p.m.

13. RESOLUTIONS

A. RESOLUTION 4460(44) "A RESOLUTION TO DECLARE INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER WISCONSIN STATE STATUTES FOR NEW SIDEWALK CONSTRUCTION ON PORTIONS OF FALCON RIDGE DRIVE, OAK STREET AND SHILOH COURT"

A request for a second reading and a motion to approve was made by Hintz with a second by Simenson. Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Rauch, Simenson; Nays: None; Motion carried 6-0.

B. RESOLUTION 4461(45) "A RESOLUTION TO DECLARE INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER WISCONSIN STATE STATUTES FOR RECONSTRUCTION OF SIDEWALKS"

A request for a second reading and a motion to approve was made by Vos with a second by J. Prailes. Alderman Rauch stated he would be abstaining from discussion and voting on this topic at 7:42 p.m. Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Simenson; Nays: None; Motion carried 5-0.

Alderman Rauch rejoined the meeting at 7:43 p.m.

C. RESOLUTION 4462(46) "A RESOLUTION TO AUTHORIZE FEE ASSESSMENTS FOR WEIGHTS AND MEASURES LICENSE HOLDERS FOR JULY 1, 2009 THROUGH JUNE 30, 2010"

A request for a second reading and a motion to approve was made by Rauch with a second by Hintz. Vos questioned if the dates were correct and if so, why are they from the year prior. Administrator Lahner explained that it goes according to the State's fiscal year which is how the City is billed. Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Rauch, Simenson; Nays: None; Motion carried 6-0.

D. RESOLUTION 4463(47) "A RESOLUTION TO APPROVE THE AWARD OF THE BID FOR TWO NEW POLICE VEHICLES WITH MILLER MOTORS IN THE AMOUNT OF \$44,211 PLUS SET-UP, TITLE AND LICENSE FEES"

A request for a second reading and a motion to approve was made by Simenson with a second by Johnson. Alderman Johnson questioned how much would the Police Department be getting for trade-in value for the cars being replaced. Chief Nimmer replied he has not received confirmed figures yet but expects roughly \$2,500 to \$3,500 per car. Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Rauch, Simenson; Nays: None; Motion carried 6-0.

14. ORDINANCES

A. ORDINANCE 1921(24) "AN ORDINANCE TO CREATE SECTION 315-111E TITLED "EXCEPTIONS" FOR HISTORIC PRESERVATION COMMISSION MEMBERSHIP REQUIREMENTS IN THE MUNICIPAL CODE"

A request for a second reading and a motion to approve was made by Hintz with a second by J. Prailes. Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Rauch, Simenson; Nays: None; Motion carried 6-0.

B. ORDINANCE 1922(25) "AN ORDINANCE TO CREATE SECTION 315-64Q TITLED "OFF-PREMISE SIGNS" UNDER EXCEPTIONS FOR REQUIRED SIGN PERMITS IN THE MUNICIPAL CODE. A request for a second reading and a motion to approve was made by Vos with a second by Hintz. Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Rauch, Simenson; Nays: None; Motion carried 6-0.

A request for a second reading and a motion to approve was made by Vos with a second by Hintz. Roll Call Ayes: Johnson, Jim Prailes, Hintz, Vos, Rauch, Simenson; Nays: None; Motion carried 6-0.

15. MOTIONS

A. MOTION 11-701 TO ACCEPT AN AIRPORT HANGAR LEASE WITH SPECIALTY AERO, LLC FOR 909 & 925 JULIETTE TAXIWAY AND 900 & 916 BRAVO TAXIWAY FOR A TERM OF TWENTY-NINE YEARS.

A motion was made by Johnson with a second by Rauch. With all in favor, the motion carried.

B. MOTION 11-702 TO APPROVE A CERTIFICATE OF APPROPRIATENESS APPLICATION AND SIGN PERMIT IN THE HISTORIC PRESERVATION OVERLAY DISTRICT FOR 460 N. PINE STREET.

A motion was made by J. Prailes with a second by Hintz. With all in favor, the motion carried.

C. MOTION 11-703 TO APPROVE A CERTIFICATE OF APPROPRIATENESS APPLICATION IN THE HISTORIC PRESERVATION OVERLAY DISTRICT FOR 388 N. PINE STREET.

Alderman J. Prailes stated he would be abstaining from voting on this topic and stepped away from the meeting at 7:50 p.m. A motion was made by Hintz with a second by Johnson. With all in favor, the motion carried.

Alderman J. Prailes rejoined the meeting at 7:50 p.m.

16. ADJOURNMENT

A motion was made by Vos with a second by Rauch to adjourn the meeting. With all in favor, the motion carried and the meeting adjourned at 7:50 p.m.

Recording Secretary
Megan E. Johnson
Assistant to the City Administrator



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

Common Council Agenda Item Number: 8	Date: February 15, 2011
Submitted By: City Staff	Subject: Reports 1-4

Details:

Attached please find the following reports:

- Report 1 – Historic Preservation Commission minutes, August 26, 2010
- Report 2 – Airport Committee minutes, November 30, 2010
- Report 3 – Plan Commission minutes, January 11, 2011
- Report 4 - Committee of the Whole minutes, February 3, 2011

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these reports at the February 15, 2011 Common Council meeting.



City of Burlington

HISTORIC PRESERVATION COMMISSION MEETING MINUTES THURSDAY, AUGUST 26, 2010

Call to Order

The meeting was called to order by Acting Chairman Peter Hintz at 6:30 p.m.

Roll Call

Present: Commissioners Bob Henney, Alderman Peter Hintz Acting Chairman, Joel Weis, Building Inspector/Zoning Administrator Patrick Scherrer and Tina Chitwood of Racine County Economic Development Corporation. Commissioner Judy Stone arrived at 6:31 p.m. Excused: Chairman Tom Stelling and Commissioner Maria Veronico-Ventura.

Citizen Comments

Dale Bruesewitz brought up the painting of El Chava Super Mercado at 116 W. Chestnut St. and Acting Chairman Hintz stated that this would be addressed under discussion of current projects.

Approval of June 24, 2010 Minutes

Acting Chairman Hintz entertained a motion to approve the minutes of June 24, 2010. Commissioner Henney stated that 140 W. Chestnut St. should not read "painted railing red". Commissioner Weis stated that he should be included in the roll call of the minutes. Secretary June Bobier stated that Patrick Scherrer, Building Inspector should be included in the roll call of the minutes. Acting Chairman Hintz entertained a motion. Commissioner Henney motioned to approve the minutes as amended and Commissioner Weis seconded the motion. All aye. Motion carried.

Certificate of Appropriateness for Mike Melby, BTSR, 152 E. Chestnut St.

Dennis Spankowski of Burli Signs addressed the commission and gave a short presentation stating that they are placing letters on an existing sign. There was some concern about the size of the sign being 70 square feet. The maximum allowed under the regular zoning code would be 60 square feet. Zoning Administrator Scherrer asked Mr. Melby if the fake stone is behind the existing sign. Mr. Melby stated that there is not. Zoning Administrator Scherrer stated that under the regular code they use the "framed" area of the sign to determine the square feet and it was his recommendation to leave the sign the way it is because if it is taken down to conform to the 60 square feet area allowed then the façade would require some patching that would not look good. Commissioner Stone stated that there was no uniformity among the font and size of the lettering. There was some discussion about making the lettering all caps but there would be a lack of room. It was agreed that it would be better if the lettering were all in bold caps. Zoning Administrator stated that under the typical city code if you change the lettering on an existing same it is the same as if you were putting up a new

sign. Acting Chairman Hintz entertained a motion. Commissioner Erickson motioned to approve the re-lettering of the sign without reducing the sign and in future if the stone from the building is removed it would have to conform to the 60 square foot area requirement. Commissioner Weis seconded. All aye. Motion carried.

Façade Grant Application for Mike Melby, BTRSR, 152 E. Chestnut St.

Tina Chitwood recommended a façade grant for the approved sign in the amount of \$250. Acting Chairman Hintz entertained a motion. Commissioner Weis moved to approve and Commissioner Erickson seconded. All aye. Motion carried. A roll call vote was then taken. Stelling: excused; Erickson: Aye; Henney: Aye; Hintz: Aye; Stone: Aye; Veronico-Ventura: absent; Weis: Aye.

Sign Permit Application for Needful Things, Greg Davis, 173 E. Chestnut St.

Greg Davis, owner, was present and gave a short presentation. Acting Chairman Hintz entertained a motion. Commissioner Erickson moved to approve the sign (6 square foot wall sign on the existing sign band area located above the windows on the front of the building made of century-old barn wood with pine letters 6 inches tall colored orange and goldenrod) and Commissioner Henney seconded. All aye. Motion carried.

Certificate of Appropriateness for 240 E. Chestnut St., Face It, Linda Fischer

John Fischer, owner, was present and gave a short presentation. He stated that he wants to paint the front and back of the building a shade darker gray with highlighted accent color of charcoal. He showed a sample of the colors. There was some discussion regarding the sign being made of a plastic-like material and since the code states that as long as the material is historic-like in appearance then it would be acceptable. Tina Chitwood wanted a revised estimate from the Fischer's since power washing of the building is not allowed, but we would allow scraping. Acting Chairman Hintz entertained a motion. Commissioner Weis moved to approve the Certificate of Appropriateness and Commissioner Erickson seconded. All aye. Motion carried.

Sign Permit Application for 240 E. Chestnut St., Face It, Linda Fischer

Acting Chairman Hintz entertained a motion. Commissioner Henney motioned to approve the sign permit application. (10 foot long, four foot tall, vinyl wall sign for the front of the building above the canopy/awning area located above the windows and entry door with violet lettering, blue trim and an ivory background and the installation of an eight foot long, three foot tall vinyl wall sign for the rear of the building below the pitched roofline and above the rear door with violet lettering, blue trim and an ivory background) and Commissioner Stone seconded. All aye. Motion carried.

Façade Grant Application for 240 E. Chestnut St., Face It, Linda Fischer

Acting Chairman Hintz entertained a motion. Commissioner Erickson moved to approve the façade grant application in the amount of \$250 for the sign and \$245 for the scraping (rather than the proposed power washing) caulking and staining and Commissioner Weis seconded. A roll call vote was then taken. Stelling: excused; Erickson: Aye; Henney: Aye; Hintz: Aye; Stone: Aye; Veronico-Ventura: absent; Weis: Aye.

Certificate of Appropriateness for 609 N. Pine St., Cannella Response Television, LLC, Accounting, Midwest Tai Chi and Self Defense

Carrie Bartz, representative for the window sign, gave a short presentation. Acting Chairman Hintz entertained a motion. Commissioner Erickson moved to approve the Certificate of Appropriateness and Commissioner Henney seconded. All aye. Motion carried.

Sign Permit Application for 609 N. Pine St., Cannella Response Television, LLC, Accounting, Midwest Tai Chi and Self Defense

Acting Chairman Hintz entertained a motion. Commissioner Henney moved to approve the Sign Permit application. (a 22-inch wide x 36-inch long door window sign – 5.5 square feet – to cover about 57.4 percent of the door glass with colors of brown, gray and black) and Commissioner Erickson seconded. All aye. Motion carried.

Façade Grant Application for 609 N. Pine St., Cannella Response Television, LLC, Accounting, Midwest Tai Chi and Self Defense

Acting Chairman Hintz entertained a motion. Commissioner Erickson moved to approve the façade grant application in the amount of \$78.85 for the window sign and Commissioner Stone seconded. A roll call vote was then taken. Stelling: excused; Erickson: Aye; Henney: Aye; Hintz: Aye; Stone: Aye; Veronico-Ventura: absent; Weis: Aye.

Acting Chairman Hintz that these items are officially approved at the next council meeting.

At this time Patrick Scherrer, Building Inspector stated that some siding came down at 488-92 N. Pine St. (Cannella Response Television) and that it was repainted the same color that had been approved the commission earlier. This was an emergency repair.

Discussion of Current Projects and Response Team Updates

140 W. Chestnut St. (Bruesewitz) – Façade grant (\$250.00) for a sign was disbursed and closed June 22, 2010.

148 W. Chestnut St. – Dale Bruesewitz stated that the railing is to be white, not red, fence is up. (The September 25, 2008 minutes indicated that the approved color was “skelly red”.) He stated that there is now a fence around the property.

He also stated that he is not happy with the orange color that part of the front of the building at 116 W. Chestnut St. (El Chava Super Mercado) was painted. He stated that the rules should be enforced uniformly. Pat Scherrer is to call the owner about this. Commissioner Stone stated that we need a time frame in which people need to become compliant.

Review of Grant Funding Status

Tina Chitwood stated that there are unobligated funds prior to today’s meeting of \$1192.00. There is a \$12,871.00 balance. Today we approved \$824 in funds. Tina presented a request in July to the CDA to recapitalize the façade grant program. City Administrator Lahner sent the request to Ehlers

and they are going to try to capitalize the program with monies from the TID and she has not heard a response from him yet on that. Tina also marketed the façade grant program at two events in July – at a finance seminar sponsored by Business Lending Partners at the Veteran’s Terrace and also at the July Chamber of Commerce meeting.

Update regarding the WHS CLG subgrant application.

Tina Chitwood stated that we are going to pursue putting in an application to the Wisconsin Historical Society to do an intensive community-wide survey of historic structures. We need to do a letter of intent that is due by September 9. She received three responses from three different firms that are eligible to do work for the Historical Society. All came in at around the same price for a community-wide survey at around \$25,000, which is 100 percent covered by the grant should we receive one. Acting Chairman Hintz asked if we would have to receive the grant before we start the inventory and Tina stated that we would.

Discussion of historic paint colors by John Krueger of Menards.

John Krueger, manufacturer’s representative for Konkel paints working with the Menards Store introduced himself and stated that he was here to learn the Historic Preservation process in hopes to be working with us regarding paints and building products. Commissioner Stone asked if Menard’s have a list of historic paints and John stated that they do. He stated that he has realized the importance of colors by being at tonight’s meeting.

Review and possible action concerning façade grant allotments approved in 2007 and 2008 which have not been disbursed to applicants.

Tina stated that there are four façade grants approved in 2007 and 2008 that have not been disbursed. Ultimately, there was no response to letters sent or phone calls initiated by Tina to comply. There was a consensus that the property owners and business owners can reapply for a Certificate of Appropriateness for what has been done on their facades so far.

Kerkman’s Split Ends, 316 N. Pine St.

A response team visit was done in July and work was not completed as approved. Acting Chairman Hintz entertained a motion. Commissioner Stone moved to rescind the façade grant amount of \$2,550 (façade work included bulkhead replacement with windows to include four separate pieces of glass and glass to resemble 336 N. Pine St. and to remove tile bulkheads and replace with a smooth non-texture cement board which were not done) and Commissioner Weis seconded to rescind. A roll call vote was then taken. Stelling: excused; Erickson: Aye; Henney: Aye; Hintz: Aye; Stone: Aye; Veronico-Ventura: absent; Weis: Aye.

John Hobbs, 340 N. Pine St.

Acting Chairman Hintz entertained a motion. Commissioner Weis moved and Commissioner Erickson seconded to rescind the façade grant amount of \$204.28 for replacement of a door. A roll call vote was then taken. Stelling: excused; Erickson: Aye; Henney: Aye; Hintz: Aye; Stone: Aye; Veronico-Ventura: absent; Weis: Aye.

Former Hammes Emporium, 160 E. Chestnut St.

Acting Chairman Hintz entertained a motion. Commissioner Erickson moved and Commissioner Weis seconded to rescind the façade grant amount of \$250.00 for a sign. A roll call vote was then taken. Stelling: excused; Erickson: Aye; Henney: Aye; Hintz: Aye; Stone: Aye; Veronico-Ventura: absent; Weis: Aye.

Troost, 133 E. Chestnut St.

A response team visit was done and the black cornice has not been painted.

There was a consensus to give them 30-45 days or they will lose their funding rather than rescinding since this is a more recent project. A letter to Mr. Troost will be sent by Tina.

Commissioner Erickson stated that we need “policing powers”. Scherrer will cite Jasmine Tree (109 E. Chestnut St.) for inappropriate paint colors for the building. There was a consensus that façade grants should have conditions of approval, like you lose funding if work is not completed within 6 months or a year and Tina will look into this.

Discussion Concerning Potential/Future Projects and Notices of Violations in the Historic Preservation Overlay District

Scherrer stated he was out of the loop due to surgery on his arm.

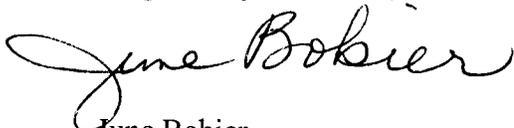
Discussion of policies, procedures and the vision for the future of the Historic Preservation Commission

There were no items to report.

Adjournment

Acting Chairman Hintz entertained a motion to adjourn. Commissioner Weis moved and Commissioner Henney to adjourn at 7:41 P.M.

Respectfully submitted,



June Bobier
Administrative Assistant
City of Burlington

**City of Burlington – Airport Committee
Burlington Municipal Airport
Burlington, WI**

Date: Thursday, November 30, 2010.

Committee chairman Jerry DeLay called the meeting to order at 6:05 p.m.

Present:

**Gary Meisner
David Uhen
Kevin Remer
Jerry DeLay**

Excused:

**Arlene Runkel
John Hotvedt
Alderman Jim Prailes**

**Motion was made by Uhen, seconded by Meisner, to approve the September 23, 2010 minutes as written.
Motion carried.**

There were no open floor comments.

Airport Manager's Report:

Budget for 2011 was discussed.

There being no further business, motion was made by Remer, seconded by Meisner, to adjourn the meeting. Motion carried.

Meeting was adjourned at 6:15 p.m.

Next meeting date is January 27, 2011 at 6:00 p.m.

Respectfully submitted by:


**Jerry DeLay
Committee Chairman**



**Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
January 11, 2011, 6:30 p.m.**

Mayor Robert Miller called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. Roll call: Alderman Robert Prailes; Commissioners Chris Reesman, John Lynch, Darrel Eisenhardt and Michael Deans and Student Representative Sarah Strong were present. Alderman Tom Vos was excused. Student Representative Andrew Krismer and Town of Burlington Representative Phil Peterson were absent. Also present were City Administrator Kevin Lahner and City Planner Patrick Meehan

APPROVAL OF MINUTES

Alderman Prailes moved and Commissioner Lynch seconded to approve the minutes of December 14, 2010. All were in favor and the motion carried.

- Student Representative Andrew Krismer arrived at 6:32 p.m.

CITIZEN COMMENTS

None

LETTERS & COMMUNICATIONS

Commissioner Lynch moved and Commissioner Eisenhardt seconded to approve Communication "A". All were in favor and the motion carried.

PUBLIC HEARINGS

None.

OLD BUSINESS

None.

NEW BUSINESS

A. Consideration to recommend Ordinance 1919(22) to the Common Council to amend the Official Zoning Map by rezoning 681 Maryland Avenue from I-1 and M-1 Districts to M-1 District entirely.

- Mayor Miller opened this issue for discussion.
- Commissioner Lynch questioned if this parcel is part of the former city landfill. Mayor Miller replied that it is and that it encompasses the ChocolateFest grounds.

- Administrator Lahner explained that the purpose of this rezone is because the recently approved Certified Survey Map of this parcel shows a dual zoning which would make the parcel non-conforming.
- There were no further comments.

Commissioner Lynch moved and Commissioner Eisenhardt seconded to recommend approval of Ordinance 1919(22)

All in favor and the motion carried.

ADJOURNMENT

Alderman Prailes moved and Commissioner Deans seconded to adjourn the meeting at 6:35 p.m. *All were in favor and the motion carried.*

Recording Secretary
Megan E. Johnson
Assistant to the City Administrator

DRAFT

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
February 3, 2011

1. CALL TO ORDER/ROLL CALL

Mayor Bob Miller called the meeting to order at 6:30 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Tom Vos, Jeff Fischer, Katie Simenson Excused: Jim Prailes, Steve Rauch

High school students Excused: Lauren Nadolski Absent: David Martin

Also present: City Administrator Kevin Lahner, City Attorney John Bjelajac, Police Chief Peter Nimmer, Treasurer Steve DeQuaker, Public Works Director Connie Wilson, Fire Chief Dick Lodle, Assistant to the Administrator Megan Johnson

2. CITIZENS COMMENTS AND QUESTIONS

Attorney John Hotvedt, 432 Milwaukee Avenue reported that he was respectfully withdrawing the offer to purchase for the Department of Public Work's Building on behalf of Mr. Craig Faust amid the public controversy or disgruntlement that the property should have been listed. It was not in Mr. Faust's best interest to be a part of that controversy or to stand in the way should the city decide it is in its' best interest to list the property. Attorney Hotvedt stated that given the timing and those issues, the offer was being respectfully withdrawn.

Atty. Hotvedt thanked the members of council, city staff and officials that worked with himself and Mr. Faust in good faith. Atty. Hotvedt wanted to set the record straight from his perspective, that as a taxpayer of this city and on behalf of his client, Mr. Faust had made an unsolicited offer to the city to address a need of his business and to provide something very nice for this community and ChocolateFest.

Atty. Hotvedt further stated that the city had entered into good faith negotiations and the officials that were involved worked extremely hard and diligently to protect and further the interests of the city. He further said that he wanted to again thank those that worked with him and those who disagreed with how things went or had questions about the contract. He felt that everyone worked hard and voted their conscience and he greatly respected them for that.

Atty. Hotvedt wanted the people in this community to know that the people he worked with should be commended but when he read today's newspaper and saw that someone's honesty and integrity was being publicly questioned he felt that it was really irresponsible, deplorable and uninformed and he did have an objection to that.

He reiterated that he attended the council meeting this evening to withdraw the offer and not to proceed with any further negotiations.

3. APPROVAL OF MINUTES FOR JANUARY 18, 2011

A motion was made by Bob Prailes with a second by Vos to approve the minutes from January 18, 2011. With all in favor, the motion carried.

4. RESOLUTION 4460(44) "A RESOLUTION TO CONSIDER DECLARING INTENT TO EXERCISE ASSESSMENT POWERS UNDER WISCONSIN STATE STATUTES FOR NEW SIDEWALK CONSTRUCTION ON PORTIONS OF FALCON RIDGE DRIVE, OAK STREET AND SHILOH COURT"

Mayor Miller led the discussion regarding Resolution 4460(44). Johnson questioned if this resolution pertained to those areas that do not have sidewalks. Lahner stated that was correct and with the adoption of this resolution it starts the process and allows for bids to be let for the project.

Vos asked if putting in new sidewalks shouldn't have been handled by the developer's agreement. Lahner explained that previously there was no provision for a deadline for sidewalk improvements and sidewalks were put in when the houses were built. New developer's agreements have provisions for deadlines for sidewalk improvements.

5. **RESOLUTION 4461(45) "A RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER WISCONSIN STATE STATUTES FOR RECONSTRUCTION OF SIDEWALKS WHERE COMPLAINTS HAVE BEEN RECEIVED"**

Mayor Miller introduced Resolution 4461(45) to the council for discussion. Hintz asked if there had been more than one complaint received on any area. Lahner replied that occasionally there are complaints received but the city's engineering technician and director of public works does the inspecting and prepares a list of sidewalks for repair. Lahner further explained this is not a complete list of sidewalks in the city that need to be repaired but given the amount of money budgeted it is what can be addressed this year.

Vos did not think the word "complaint" was an accurate description of the process. Atty. Bjelajac stated that the language could be revised and he agreed that the wording wasn't an accurate description.

This resolution is scheduled for the February 15, 2011 Common Council meeting.

6. **RESOLUTION 4462(46) "A RESOLUTION TO CONSIDER AUTHORIZING FEE ASSESSMENTS FOR WEIGHTS AND MEASURES LICENSE HOLDERS FOR JULY 1, 2009 THROUGH JUNE 30, 2010"**

Mayor Miller introduced Resolution 4462(46) to the council for discussion. Johnson questioned if this was a charge from the state that was passed to the city with the city then collecting from the people. The mayor explained that several years ago the state wanted the local municipalities to take on the weights and measures inspections but if they were not able to, the state would provide the service but it would cost a fee. The city contracts with the state and then passes this fee to the businesses that are required to have a weights and measure's inspection.

This resolution is scheduled for the February 15, 2011 Common Council meeting.

7. **RESOLUTION 4463(47) "A RESOLUTION TO CONSIDER APPROVING THE AWARD OF THE BID FOR TWO NEW POLICE VEHICLES WITH MILLER MOTORS IN THE AMOUNT OF \$44,211 PLUS SET-UP, TITLE AND LICENSE FEES"**

Mayor Miller introduced Resolution 4463(47) to the council for discussion. Simenson questioned if Miller Motors could be contacted and asked to match the amount from the low bidder. Nimmer had questioned Miller Motors and they had replied that if they reduced one of the amounts by \$168.00 that it would be a loss for them. Nimmer further stated that some of the dealers were willing to go to a zero profit on the bids.

Simenson then questioned if it were possible to replace the administrative vehicle with something that would get better gas mileage and last longer than 120,000 miles. Nimmer further replied that it is very hard on cars with all of the idling, stopping and starting necessary in the city.

Hintz asked if it wouldn't be better to purchase two Crown Victorias as there would always be another squad to take its' place in case one of the cars became disabled. Nimmer replied that the administrative car would not have the cameras and computers installed that the squads need to have available.

8. **ORDINANCE 1921(24) "AN ORDINANCE TO CONSIDER CREATING SECTION 315-111E TITLED "EXCEPTIONS" FOR HISTORIC PRESERVATION COMMISSION MEMBERSHIP REQUIREMENTS IN THE MUNICIPAL CODE"**

Mayor Miller introduced Ordinance 1921(24) for discussion. The mayor explained that the membership on the Historic Preservation Commission now requires one of the civilian members from Plan Commission to be appointed to the HPC. Vos asked if the mayor would be looking for someone from the outside to serve on the commission. The mayor replied that it would have to be someone who has the time and wants to serve the community.

9. **ORDINANCE 1922(25) "AN ORDINANCE TO CONSIDER CREATING SECTION 315-64Q TITLED "OFF-PREMISE SIGNS" UNDER EXCEPTIONS FOR REQUIRED SIGN PERMITS IN THE MUNICIPAL CODE"**

Mayor Miller introduced Ordinance 1922(25) for discussion. Simenson questioned if the city would be paying for the Veteran's Terrace parking sign that will be placed on the Wilson's lot? The mayor replied that the city would not be paying for the sign.

10. **ADJOURNMENT**

A motion was made by Johnson with a second by Hintz to adjourn the meeting. With all in favor, the meeting adjourned at 6:47 p.m.

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



Common Council Agenda Item Number: 9	Date: February 15, 2011
Submitted By: Steve DeQuaker, Treasurer	Subject: Prepays and Vouchers

Details:

Attached please find the Prepays and Vouchers list for bills accrued through February 15, 2011:

Total Prepays:	\$176,742.10
Total Vouchers:	\$106,726.93
Reimbursements:	\$0.00
Grand Total:	<u><u>\$283,469.03</u></u>

Options & Alternatives: Approve expenditures as presented or alter purchasing procedures.

- Financial Remarks: 4 Largest Disbursements on Prepays and Vouchers**
- 1) Lincoln Benefit Life Insurance - Needed to reissue two checks for \$36,750 & \$7,250 to replace the check that was written for \$44,000
 - 2) City of Burlington - CDA Real Estate Tax \$36,362.59
 - 3) We Energies – WWTP \$21,730.16
 - 4) City of Burlington – PILOT Real Estate Tax \$17,428.39

Executive Action:
Staff recommends that the Common Council accept these Prepays and Vouchers in the amount of \$283,469.03 at the February 15, 2011 Council meeting.



Common Council Agenda Item Number: 10	Date: February 15, 2011
Submitted By: Beverly R. Gill, City Clerk	Subject: Licenses

Details:

The alcohol license list for applications accrued through February 15, 2011 are as follows:

Licenses Recommended for Approval

OPERATOR'S LICENSES

Barels, Benjamin C.
Costa, Tara M.
Fouts, Tiffany L.
Hinz, Ryan M.
Homan, Regan E.
Johnson, Brian J.
Johnson, Izabela
Nienhaus, Susan C.
Puntillo, Bride D.
Roscizewski, Aaron M.
Sanders, Kayla A.
Shefchik, Shanna M.
Way, Codi M.

The Police Department has performed a background check on these applicants and recommends approval for

Financial Remarks:

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

Executive Action:

Staff recommends the Common Council accept the presented licenses at the February 15, 2011 Council meeting.



CITY OF BURLINGTON

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

Common Council Agenda Item Number: 11	Date: February 15, 2011
Submitted By: Mayor Miller	Subject: Appointment A & B

Details:

- A. To reappoint David Uhen to the Airport Committee, term to expire 12/4/2013.
- B. To reappoint Joel Weis to the Zoning Board of Appeals, term to expire 1/1/2014.

Options & Alternatives:

The Council may elect to deny this request and ask the Mayor to seek a different person for this board.

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these appointments at the February 15, 2011 Common Council meeting.



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Common Council Item Number: 12A	Date: February 15, 2011
Submitted By: Kevin Lahner, City Administrator	Subject: Ordinance 1922(25) to consider creating Section 315-64Q, “Off-premise sign permit requirement exceptions” in the Municipal Code.

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding creating Section 315-64Q in the Municipal Code. This amendment proposes to add “Off-Premise Signs” to the list of exemptions for signs requiring a permit. More specifically, “Off-Premise Sign” refers to a sign for a parking lot serving an associated principal use, such as the case of the Wilson lot across the street from Veterans Terrace.

Options & Alternatives:

For public comment only.

Financial Remarks:

None.

Executive Action:

This item is for a Public Hearing at the February 15, 2011 Common Council meeting.

STATE OF WISCONSIN

COUNTY OF RACINE

The Common Council in and for the City of Burlington

**NOTICE OF PUBLIC HEARING
FOR AMENDING THE CODE OF THE CITY OF BURLINGTON**

To Whom It May Concern:

NOTICE is hereby given that the Common Council of the City of Burlington proposes to create **SECTION 315-64Q** "Exceptions to require sign permits; Off-Premise Signs" of the Zoning Ordinance.

I. Chapter 315 of the Municipal Code of the City of Burlington, Racine County, Wisconsin, Zoning, Section 315-64Q, Off-Premises Signs proposals is as follows:

- Q.** An off-premise sign is allowed to identify a parking lot serving an associated principal use. One sign per entrance drive from a public right-of-way, not to exceed sixty inches in height and five square feet in area.

THIS ORDINANCE MAY HAVE THE EFFECT OF CHANGING THE ALLOWABLE USE OF THE PROPERTIES IN ALL ZONING DISTRICTS. A MAP OF THE ZONING DISTRICTS IS ON FILE AND AVAILABLE FOR VIEWING CITY HALL.

Chapter 315 of the Municipal Code of the City of Burlington shall be amended as necessary to reflect these changes, with the remainder of Chapter 315 remaining without change and in full force and effect. A copy of this ordinance is on file and available for viewing at City Hall.

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

TUESDAY, FEBRUARY 15, 2011 DURING THE MEETING OF THE COMMON COUNCIL SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

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

Dated at Burlington, Wisconsin, this 11th day of January, 2011.

Beverly Gill, City Clerk

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