



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, September 15, 2020

6:30 p.m.

Common Council Chambers, 224 East Jefferson Street

Webinar Link: <https://us02web.zoom.us/j/83742370640?pwd=MVVaZHGwNXVWahdldDBnTEIxUFlYQT09>

Webinar ID: 837-4237-0640

Password: 441655

Telephone Dial: US: (312) 626-6799

- To attend a meeting, click on the link provided or dial in with the phone number provided on the meeting agenda. You may need to create a Zoom account if you access the meeting online.
- You will participate as an attendee, not a panelist. You will be muted by the meeting moderator.
- To participate/speak during a meeting when allowable, you will need to “raise your hand”. Online you will find a ‘raise hand’ option in the menu bar. Via phone, you can press *9.
- All meetings are recorded and subject to the Wisconsin Open Meetings Law.

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

1. **Call to Order - Roll Call**
2. **Citizen Comments:** Telephone Dial: US: (312) 626-6799, Webinar ID: 837-4237-0640
3. **Approval of Minutes** (*T. Meyer*)
 - A. To approve the September 1, 2020 Committee of the Whole Meeting Minutes.
4. **DISCUSSION:**
 - A. Regarding consolidating the Central Racine County Health Department into a Department of Racine County.

5. **RESOLUTIONS:**

- A. **Resolution 5032(28)** - To Declare Intent to Exercise Special Assessment Powers For Reconstruction of Sidewalks at Various Locations.

6. **ORDINANCES:**

- A. **Ordinance 2061(4)** - To consider approval of a Rezone Map Amendment request at Falcon Ridge Drive from Rm-2/C-1, Multi-Family Residential/Conservancy District to Rm-2/C-1/PUD, Multi-Family Residential/Conservancy District with a Planned Unit Development.

7. **MOTIONS:** NONE

8. **ADJOURNMENT** (*B. Grandi*)

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: September 15, 2020

SUBJECT: MEETING MINUTES - To approve the September 1, 2020 Committee of the Whole Meeting Minutes.

SUBMITTED BY: Diahnn Halbach, City Clerk

BACKGROUND/HISTORY:

The attached minutes are from the September 1, 2020 Committee of the Whole meeting.

BUDGET/FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the attached minutes from the September 1, 2020 Committee of the Whole meeting.

TIMING/IMPLEMENTATION:

This item is scheduled for final consideration at the September 15, 2020 Common Council meeting.

Attachments

COW Minutes



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, September 1, 2020

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

Mayor Hefty called the Committee of the Whole meeting to order via Zoom at 6:30 p.m. Roll Call - Present: Mayor Hefty, Alderman Susan Kott, Alderman Theresa Meyer, Alderman Bob Grandi, Alderman Ryan Heft, Alderman Steve Rauch, Alderman Jon Schultz, Alderman Tom Preusker. Excused: Alderman Todd Bauman.

Staff present: City Administrator Carina Walters, City Attorney John Bjelajac, Finance Director Steve DeQuaker, Assistant City Administrator/Zoning Administrator Megan Watkins, Police Chief Mark Anderson, Fire Chief Alan Babe, DPW Director Peter Riggs, Library Director Joe Davies and Human Resource Manager Jason Corbin.

2. **Citizen Comments:**

Keena Vos, 2710 Bieneman Road, Burlington, WI, commented about an airport meeting she attended that she said spoke of potential changes at the municipal airport which included allowing larger jets to fly in and thought the Council should know about this.

3. **Approval of Minutes** - To approve the August 18, 2020 Committee of the Whole Meeting Minutes. Motion: Alderman Grandi. Second: Alderman Kott. With all in favor, the motion carried.

4. **DISCUSSION:**

A. A discussion regarding the current Agreement between the City of Burlington and the Burlington Cemetery Board.

Administrator Walters provided an overview of the current intergovernmental agreement between the City of Burlington, Town of Burlington and the Burlington Cemetery Board, stating that some aspects of the agreement needs to be refreshed, including having a Council representative on the Board. Walters also stated that the agreement was drafted due to financial disparities, but now that the Cemetery is whole again, questioned if the Town and City's assistance is still needed. Walters then introduced cemetery board members Bev Gill and Paul Edwards.

Edwards provided a financial overview of the life insurance policy that was received resulting from a legal settlement. Edwards stated that a decision of where to allocate the \$78,000 needs to be made, which will either be the maintenance fund, the perpetual fund, or a combination of both. Edwards stated that maintenance funds can be spent; however perpetual funds cannot be spent. Edwards also stated that the cemetery has received generous donations to repair the Chapel, but some roads are in terrible condition and need repairs.

Alderman Rauch asked if the Board would be able to provide assets from 2019-2020, including liabilities, and profits and losses.

Alderman Preusker stated that the Life Insurance policy should have made the Cemetery whole and that the money should go back into the accounts it was originally taken from and that the City's role with the Cemetery should end and the Cemetery should make their budget work. Edwards responded that if the Cemetery dissolves because of financial instability, then according to state statutes, the City must take over.

Alderman Grandi suggested figuring out a good plan to move forward with. Walters stated that a council member would attend the next Cemetery Board meeting to get a better understanding of their operations.

Bev Gill stated that the neglect has piled up while waiting for the insurance money to come in and the Cemetery needs help and doesn't want to see it dissolve.

5. **RESOLUTIONS:**

- A. **Resolution 5026(22)** - A Preliminary Resolution declaring intent to exercise special assessment powers under §66.0703, Wisconsin Statutes, for reconstruction of sidewalks at various locations.

Director Riggs provided an overview stating that the sidewalk replacement program assists the property owners with a 50/50 cost share program and that adopting this resolution is the first step to consider levying special assessments on property for sidewalk repair and replacement at various locations. Riggs further stated that this would go to bid on 9/10 with a Public Hearing on 9/15 and a final resolution on 10/6.

Alderman Schultz asked if this is for the 2020 Sidewalk Program as it seems late. Riggs responded that this is for the 2020 program and it is later than usual as this is normally concluded in the Spring.

Alderman Kott asked if the affected homeowners have been contacted. Riggs responded that they have all been notified.

- B. **Resolution 5027(23)** - To approve a Professional Services Agreement with GrahamSpencer for the City of Burlington's Re-Branding effort.

Administrator Walters provided an overview of the agreement and stated that this is the last stretch in order to proceed with future re-branding efforts. Walters then introduced Jay Graham to outline the elements of the Professional Services Contract. Graham then provided an overview of his firm.

Alderman Rauch asked what's included in the \$53,000. Walters responded that the purpose of the JEM grant is to hire a firm to research and prepare strategic recommendations to effectively and creatively re-brand our community and that GrahamSpencer would assist the City in identifying its community perception with respects to opinions, perceptions, misperceptions and biases of its community members, visitors, partners, business owners, neighbors, and other key stakeholders

- C. **Resolution 5028(24)** - To approve a change of Polling Location from Cross Lutheran Church to the Veteran's Terrace, located at 589 Milwaukee Avenue.

City Clerk Diahnn Halbach provided an overview stating that the Church Council had made a decision to not allow the City to utilize their facility as a polling location due to COVID-19 and that Veteran's Terrace has agreed to allow us to combine polling locations and conduct the election under one roof at the Veteran's Terrace. Halbach further stated that notifications will be mailed to all registered voters in Wards 1-4 as well as notices posted to the website, Facebook, and the local newspaper.

- D. **Resolution 5029(25)** - Authorizing the Disposal of two DPW trucks and various small engine equipment through public auction by J.J. Kane Auctioneers.

Director Riggs provided an overview stating that the DPW is seeking to dispose of two pickup trucks and various small engine equipment through public auction with J.J. Kane Auctioneers and the assets being disposed of is estimated to generate \$14,000 in revenue for the equipment replacement fund.

- E. **Resolution 5030(26)** - To approve Change Order #1 for the 2020 Street Improvement Program.

Director Riggs provided an overview stating that the change order is necessary due to unforeseen issues that resulted in needing a deeper mill which resulted in needing additional quantities of asphalt. Riggs stated that the original estimate for this work was \$36,326; however, the final cost came in at \$52,304.75, but there was also a credit of \$1,298.50 for a traffic signal repair that was damaged during construction, which brought the total Change Order to \$51,006.25. Riggs also stated that the promissory note received for the 2020 Street Program was \$598,185; the contract was awarded for \$545,023, so with the increase of the change order, the new total amounts to \$596,029.25. Riggs further stated that a future change order reduction will be presented to Council which will offset this total, resulting in a saving.

- F. **Resolution 5031(27)** - To approve a Jurisdictional Transfer Agreement between Wisconsin Department of Transportation, Racine County and the City of Burlington.

Administrator Walters provided an overview stating that in 2008 as part of the Burlington Bypass project, a Jurisdictional Transfer of STH 142 was approved between Racine County, the Town of Burlington and the City of Burlington, of which the City assumed responsibility for the portion of STH 142 from Edgewood Street to McCanna Pkwy. Walters further stated that after reviewing the 2008 agreement, it was noted that at a future date the City would annex this portion of roadway into the corporate limits in order to receive state aid for this section; however, to do this would create a Town island, which is prohibited according to State Statutes; therefore, the Jurisdictional Transfer needs to be amended. After meeting with the Town and County on several occasions, it was agreed that Racine County would accept jurisdiction of this portion of STH 142 and as part of this transfer, Racine County would be responsible for all maintenance and repair of the roadway and right-of-way and receive state aid for this section of roadway.

6. **MOTIONS:**

- A. **Motion20-982** - To direct Riverview Manor in having their own general liability & workers compensation policy.

Administrator Walters introduced this item and explained that over the last several years the Common Council has made several changes to include the Pool Board and Senior Center have their own insurance policies. Walters then explained that even though Riverview Manor pays their premiums, they have historically been under the City's General Liability and Worker's Compensation insurance policy, which affects the City's rates because the policy accepts their risks; whereas if they had their own policy, rate adjustments would affect their own policy and not the City's policy or rates. Walters further stated that as a matter of best practice, staff recommends Riverview Manor have their own general liability and worker's compensation insurance.

7. **ADJOURNMENT**

Motion: Alderman Heft. Second: Alderman Rauch. With all in favor, the motion carried and the meeting was adjourned at 7:38 p.m.

Minutes respectfully submitted by:

Diahnn C. Halbach
City Clerk
City of Burlington



DATE: September 15, 2020

SUBJECT: DISCUSSION - Regarding consolidating the Central Racine County Health Department into a Department of Racine County.

SUBMITTED BY: Carina Walters, City Administrator

BACKGROUND/HISTORY:

In 2014, Aurora announced that it would no longer sponsor the Western Racine County Health Department which had been serving the nine communities in our region. At that time, the City began discussions with Racine County, our neighboring communities and the Central Racine County Health Department to develop a sustainable model to serve our needs as required by state law. These discussions led the nine communities previously served by the Western Racine Health Department agreeing to contract with the Central Racine Health Department for all health department related services.

In May 2020 the Central Racine County Board of Health approved a letter that was sent to County Executive Delagrave, expressing interest to becoming a department of Racine County. The impetus of the letter was due to COVID-19 and the strain of resources this placed on the staff of CRCHD. This included impact to low levy funding, a lean staff and insufficient infrastructure to fully combat COVID-19.

During the Heads of Government meeting held on Wednesday, August 12th, County Executive Delagrave and Margaret Gesner discussed the possible consolidation. By such a consolidation, the benefits would include:

- 1) Enhancement of fiscal and operational stability.
- 2) Create synergy and reduce redundancies between the Health Department and Racine County Departments.
- 3) Improve effectiveness and creating efficiencies for public health services among other benefits.

This evening both County Executive Delegrave and Margaret Gesner are present via zoom to discuss the collaboration in which the Mayor of Burlington and Administrator are in full support of the consolidation for the same reasons outlined above. Please note, this consolidation does not include the City of Racine as they will continue to run independently. Although the City of Racine runs independently, all Health Departments and Racine County have collaborated prior to COVID and even more so due to the pandemic to ensure appropriate support.

Should the Common Council be in favor of such consolidation, City staff will present an ordinance for future consideration that would disband the CRCHD and creating a Health Department under Racine County that includes the current 14 municipalities currently making up the CRCHD.

BUDGET/FISCAL IMPACT:

The suggested funding model would be conceptually similar to the Consolidated Dispatch model. Therefore, participating jurisdictions shall pay quarterly the County the total sum of approximately 850,000 starting in 2020. This payment will increase by 2% each year from 2022 through 2026 and beginning in 2027, the yearly payment shall be reduced by 20% until December 31, 2030 in which the entire levy would be born on Racine County's levy.

For comparison purposes, within our current agreement with CRCHD, the City will be levied, for 2021 an increased per capita rate to \$7.69, in accordance with the Intermunicipal Agreement by the average net new construction of 4.11%. If the continued funding mechanism is according to the terms of the current agreement our future levy may look similar to this.

Estimated City of Burlington Levy Contribution to Consolidation of CRCHD:

Est. Levy		2%	2%	2%	2%	2%
2020	2021	2022	2023	2024	2025	2026
\$80,777.00	\$83,955.00	\$85,634.10	\$87,346.78	\$89,093.72	\$90,875.59	\$92,693.10

-20%	-20%	-20%	-20%	-20%	
2027	2028	2029	2030	2031	
\$74,154.48	\$59,323.59	\$47,458.87	\$37,967.10	\$0.00	

RECOMMENDATION:

Staff is recommending to the Common Council to move forward with a future ordinance change regarding the consolidation of the CRCHD into a department of Racine County.

TIMING/IMPLEMENTATION:

This item is for discussion at the September 15, 2020 Committee of the Whole meeting.

Attachments

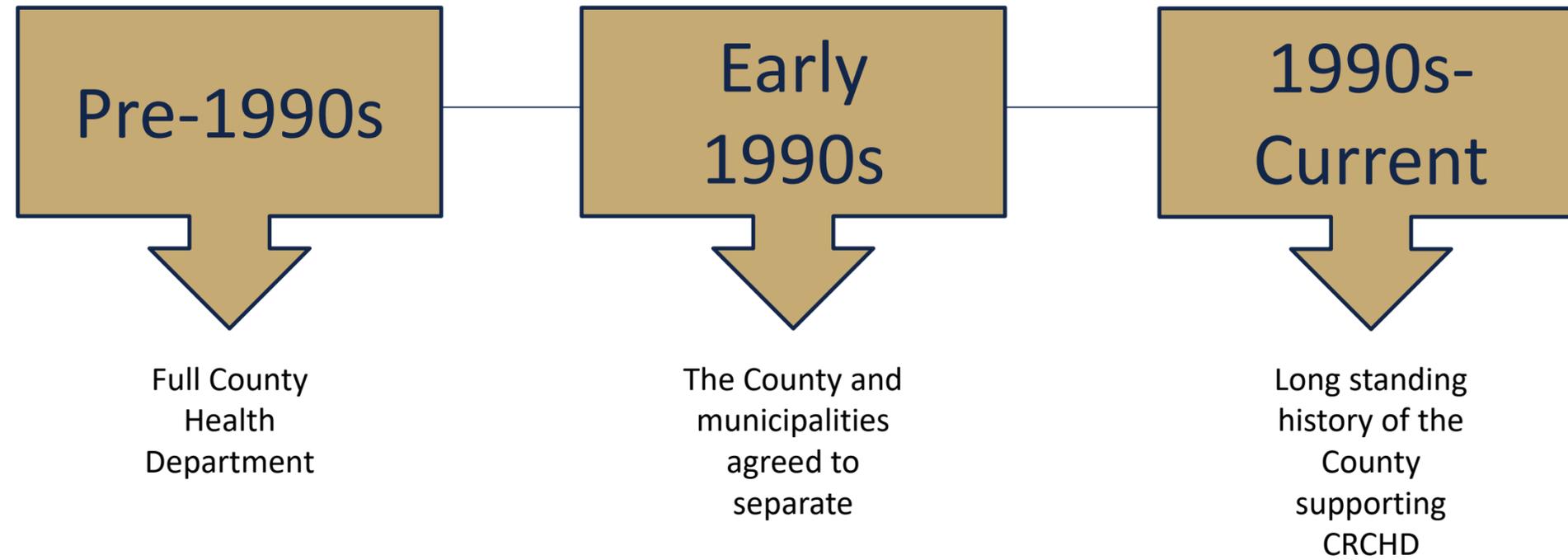
RC_CRCHD Consolidation

RACINE COUNTY
&
CENTRAL RACINE COUNTY HEALTH DEPARTMENT

Consolidation



Purpose



Current Collaborations:

- Home Visitation
- Trauma Informed Care
- Covid-19

June 15th Letter from Central Racine County Board of Health

COVID-19 Pandemic Impact on Operations

COVID-19 Investigations (From the beginning of March through August 10th)



Compared to:



Thus causing a need for staffing assistance:

- Racine County EOC and JIC have lent support throughout the pandemic.
- Racine County lent CRCHD an average of 3-4 employees per day for one month.

While the future for COVID-19 remains uncertain, Central Racine County Board of Health (BOH) believes that discussion between CRCHD and Racine County could allow both entities to become stronger and better armed to address the current pandemic as well as future public health needs.

Goals:

Create a stronger Health Department for Racine County with CRCHD as a Division of Racine County Government

1

Create greater stability for
and strengthen Health
Department

2

Create synergy and reduce
redundancies between
Health Department and
Racine County

3

Enhance delivery of public
health services

Objectives

- Enhance fiscal and operational stability for Health Department
- Create synergy and reduce redundancies between Health Department and Racine County Departments
- Improve effectiveness and efficiencies of public health services for residents
 - Public health crosses municipal boundaries
- Determine equitable funding mechanism for a Health Department

Current Board of Health Priorities

GOVERNANCE
(Municipal Control)

FISCAL
(How much it costs municipalities)

**QUALITY
OF
SERVICE**

FLEXIBILITY

**INTEGRATION
OF
EMPLOYEES**

**INFRASTRUCTURE
SUPPORT**

Governance and Policy-Making

Public Health Division

Health Officer

- Administers the Public Health Division and reports to County Government in accordance with state statutes and rules

Public Health Staff

Board of Health

Members appointed by the County Executive

- 4 Citizens with competence in Public Health
- 3 County Supervisors who represent CRCHD jurisdictions
- Health Officer
- Medical Advisor - Chair

Responsibilities:

- Make recommendations to the Public Health Officer on overall operations
- Meet at least quarterly – **WI State 251.04(5)**
- Identification of and commitment to the programs and services to be delivered - **WI Statute 251.04(6)(a)**
- Provide leadership that fosters local involvement and commitment, that emphasizes public health needs and that advocates for equitable distribution of public health resources - **WI Statute 251.04(6)(b)**

** Although the Public Health Officer operates the Division in accordance with the policies, procedures and processes adopted by the Board of Health, it is recognized that the Division employees are Racine County employees and that they are subject to Racine County rules and regulations. Racine County shall have sole power and authority to make all hiring, firing, discipline, promotion and other related personnel decisions regarding the Public Health Division. **

Potential Time Frame

August 2020 to December 2020

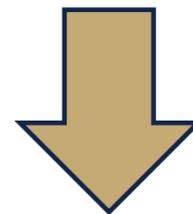
Discussions regarding the consolidation of Central Racine County Health Department



December 2020

Municipalities must give notice of withdrawal from the current health department at least one year prior to commencement of the fiscal year at which the withdrawal takes effect.

Wisconsin State Statute 251.15(3)



January 2022

Central Racine Health Department becomes part of Racine County

Financing

			2%	2%	2%	2%	2%	-20%	-20%	-20%	-20%	-20%
	2020 levy	2021 est. levy	2022 payment	2023 payment	2024 payment	2025 payment	2026 payment	2027 payment	2028 payment	2029 payment	2030 payment	2031 payment
Mount Pleasant	199,454	203,443	207,512	211,662	215,895	220,213	224,617	179,694	134,770	89,847	44,923	-

10-year Proposed Financing Plan

- Participating jurisdictions shall pay the County the sum of approximately 850,000 starting in 2022.
- This payment will increase by 2% each year from 2022 through 2026.
- The payments shall be payable in quarterly installments due on the 1st day of January, April, July and October of each year.
- Starting in 2027, the yearly payment shall be reduced by 20% until December 31, 2030, the County assumes the new financial model.

LEVEL OF SERVICES

LEVEL III HEALTH DEPARTMENT

- Maintain the Health Department as Level III Health Department
- CRCHD is nationally accredited by the Public Health Accreditation Board (PHAB)
- Fulfill the current Health Department contract for offices to remain in Franksville through 2022

PROGRAMMING & SERVICES

- Environmental Health services remain the same
- Community Health services remain the same
- Commitment to efficient administrative and financial structure

CURRENT EMPLOYEES

- ✓ Current employees will be given preference for hiring.
- ✓ Hired employees' health insurance is bridged from CRCHD to RC.
- ✓ Hired employees will receive current County benefits.
Years of service will be credited for earned vacation

Future Possibilities

- This structure is adaptable to support continuity of services without additional cost for these municipalities and all municipalities who decide to join.
- Centralization of services to provide more effective service delivery.



DATE: September 15, 2020

SUBJECT: **RESOLUTION 5032(28)** - To Declare Intent to Exercise Special Assessment Powers For Reconstruction of Sidewalks at Various Locations.

SUBMITTED BY: Peter Riggs, Director of Public Works

BACKGROUND/HISTORY:

This resolution is the final step in the special assessment process for sidewalk reconstruction associated with the 2020 Sidewalk Reconstruction Project.

Consistent with past practices of the City, the proposed assessments may be paid in cash or in three annual installments with an interest rate of 3.5% payable to the Treasurer. The City Clerk will mail a copy of the resolution to each property owner, as well as publish an Installment Notice when the contract is set. A public hearing will be held before the Common Council on September 15, 2020.

The attached Resolution identifies the sidewalks that will be completed in 2020.

BUDGET/FISCAL IMPACT:

This work was planned and accounted for within the 2020 DPW Streets Budget. The total estimated cost for the project is \$36,888.30, with one-half of that cost (\$18,444.15) being assessed to the property owners, and the City responsible for the remaining one-half.

RECOMMENDATION:

Staff recommends that the Common Council approve this final intent to exercise Special Assessments for the reconstruction of sidewalks as listed in the attached final resolution.

TIMING/IMPLEMENTATION:

This item is for discussion at the September 15, 2020 Committee of the Whole meeting, and is scheduled for final consideration at the October 6, 2020 Common Council meeting.

Attachments

Res 0532(28) Special Assesments for Sidewalks 2020

RESOLUTION NO. 5032(28)
Introduced by: Committee of the Whole

A FINAL RESOLUTION EXERCISING ASSESSMENT POWER REGARDING THE 2020 SIDEWALK RECONSTRUCTION PROGRAM, AT VARIOUS LOCATIONS.

WHEREAS, the Common Council of the City of Burlington, Racine County and Walworth County, Wisconsin, have had plans and specifications prepared for the reconstruction of certain sidewalks in the area described in the Report mentioned below and which is on file with the City Clerk, such area is located in the City of Burlington, as follows:

HOUSE NUMBER	STREET NAME
989	Cedar Drive
465	W Chestnut Street
348	Church
414	Dale Drive
432	Emerson Street
241 & 249	E Highland Avenue
241	W Jefferson Street
225	N Kane Street
84	McHenry Street
464-466	Northrop
464	Orchard Street
272	Origen Street
273	S Perkins Boulevard
332	Robins Run
518	Tower Street

WHEREAS, the Common Council intends to award a contract for such sidewalk reconstruction project to the lowest responsible bidder for such project; and

WHEREAS, the Common Council intends to pay for the cost of such reconstruction project by levying special assessments, in an exercise of its police power, pursuant to the terms and provisions of Section 66.0703 of the Wisconsin Statutes, and the Common Council expressly declared this in a Preliminary Resolution No. 5026(22) adopted September 1, 2020, all as required by such Statute; and

WHEREAS, as further required by Section 66.0703 of the Wisconsin Statutes, a Report has been prepared and duly filed with the City Clerk regarding such project and proposed special assessments, written notice of the same having been properly and timely mailed to all interested parties, as required by law; and

WHEREAS, as further required by Section 66.0703 of the Wisconsin Statutes, a public hearing was held on September 15, 2020, regarding the said project, the Report and proposed special assessments, at which hearing persons appeared and voiced their questions and objections to the same;

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Report on file with the City Clerk regarding said 2020 Sidewalk Reconstruction project, including the plans and specifications therefore, is hereby amended to be in conformity with any final amendments made to the same by the Common Council of the City of Burlington (if any), and as so modified, such Report is hereby adopted and finally approved; and
2. That said sidewalk reconstruction project shall be implemented and conducted in accordance with the said Report and related plans and specifications; and
3. The cost of such sidewalk reconstruction project shall be paid by the levying of special assessments, in an exercise of the police power of the City of Burlington Common Council, pursuant to Section 66.0703 of the Wisconsin Statutes, and that such special assessments be levied in the amounts and in the manner specified in the said Report referred to above (payment for said improvements is to be made by assessing 50% of the total cost to the property benefitted), such special assessments being determined on a reasonable basis and all of the assessed properties being benefitted by the said project; and,
4. That the assessments may be paid in cash or in three installments to the Treasurer, installment payments to bear an interest rate of three point five percent (3.5%) per annum on the unpaid balance from the date of the publication of the Installment Notice; and,
5. That the City Clerk is directed to publish this Final Resolution as a Class I notice in the official paper; and the City Clerk is further directed to mail a copy of this Final Resolution to all interested parties whose post office address is known or can be ascertained with reasonable diligence. Additionally, to the extent provided for by law, the City Clerk is further directed to publish an Installment Notice regarding the said special assessments.

Introduced: September 15, 2020

Adopted:

Jeannie Hefty, Mayor

Attest: _____
Diahnn Halbach, City Clerk



DATE: September 15, 2020

SUBJECT: ORDINANCE 2061(4) - To consider approval of a Rezone Map Amendment request at Falcon Ridge Drive from Rm-2/C-1, Multi-Family Residential/Conservancy District to Rm-2/C-1/PUD, Multi-Family Residential/Conservancy District with a Planned Unit Development.

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

BACKGROUND/HISTORY:

This item is to consider recommending approval of a Rezone Map Amendment request from Jesse Dropik of Millennium Dream Homes, LLC, for property along Falcon Ridge Drive. The applicant is requesting to rezone the property from Rm-2/C-1, Multi-Family Residential/Conservancy District to Rm-2/C-1/PUD, Multi-Family Residential/Conservancy District with a Planned Unit Development. The applicant proposes to maintain these zoning addresses, but also add a PUD Planned Unit Development Overlay District given the application is for a condominium development. The applicant proposes to construct “Falcon Woods” a 30-unit condominium.

This items was presented and approved at its September 8, 2020 Plan Commission meeting. Additionally, a Public Hearing will be held before the Common Council on September 15, 2020.

BUDGET/FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of this rezone map amendment.

TIMING/IMPLEMENTATION:

This item is for discussion at the September 15, 2020 Committee of the Whole meeting, and is scheduled for final consideration at the October 6, 2020 Common Council meeting.

Attachments

Ordinance - Falcon Woods

Rezone survey

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY REZONING FALCON RIDGE DRIVE FROM RM-2 MULTI-FAMILY RESIDENTIAL/CONSERVANCY DISTRICT TO RM-2/C-1/PUD, MULTIPLE-FAMILY RESIDENTIAL/CONSERVANCY DISTRICT WITH A PLANNED UNIT DEVELOPMENT

WHEREAS, Jesse Dropik, applicant, requests property located at Falcon Ridge Drive (Falcon Woods), as described in Attachment "A" to be rezoned to Rm-2/C-1/PUD, Multiple-Family Residential/Conservancy District with a Planned Unit Development, in order to use the property for multi-family; and,

WHEREAS, this request was heard at, and recommended for approval by the Plan Commission at their September 8, 2020 meeting; and,

WHEREAS, a public hearing was held regarding this matter at the Common Council's September 15, 2020 meeting.

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

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

Owner:	Jesse Dropik
Applicant:	Jesse Dropik
Location of Request:	Falcon Ridge Drive (Falcon Woods)
Existing Zoning:	Rm-2/C-1, Multi-Family Residential/Conservancy District
Proposed Zoning:	RM-2/C-1/PUD, Multiple-Family Residential/Conservancy District with a Planned Unit Development
Proposed Use:	To develop a 30-unit condominium (Falcon Woods)

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

NOW THEREFORE BE IT FURTHER ORDAINED that the City Clerk shall provide a copy of this ordinance to Planning and Development Director, Julie Anderson, of Racine County Planning and Development, located at 14200 Washington Ave., Sturtevant, WI 53177.

Introduced: September 15, 2020
Adopted:

Jeannie Hefty, Mayor

Attest:

Diahnn Halbach, City Clerk

ATTACHMENT A

Legal Description

206-03-19-29-084-000

Falcon Ridge Drive

Lot 1, Certified Survey Map No. 2174, Volume 6, Page 671, being part of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 3 North, Range 19 East. Said land being in the City of Burlington, County of Racine and State of Wisconsin.

The Southeast 1/4 of the Northeast 1/4 of Section 29, Township 3 North, Range 19 East; excepting therefrom a strip 2 rods wide running South from the Northeast corner of said 40 acres along the East line to Burlington and Rochester Road; also excepting a parcel of land 12 rods North and South by 40 rods East and West off the Southeast corner thereof; also excepting therefrom Lot 1 of Certified Survey Map No. 46, Volume 1, Page 99-100; also excepting therefrom lands described In deed recorded in Volume 2329, Page 611; also excepting therefrom Certified Survey Map Number 2174, Volume 6, Page 671, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 3 North, Range 19 East. Said land being in the City of Burlington, County of Racine and State of Wisconsin.

ALTA/NSPS LAND TITLE SURVEY

Situated on Falcon Ridge Drive, in the City of Burlington, Racine County, Wisconsin

The Land is described as follows:

Lot 1, Certified Survey Map Number 2174, Volume 6, Page 871, being part of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 3 North, Range 19 East. Said lands being in the City of Burlington, Racine County, Wisconsin.

The Southeast 1/4 of the Northeast 1/4 of Section 29 Township 3 North, Range 19 East, excepting therefrom a strip 2 rods (33 feet) wide running South from the Northeast corner of said 40 acres along the East line to Burlington & Rochester Road, also excepting a parcel of land 12 rods (198 feet) North and South, by 40 rods (660 feet) East and West off the Southeast corner thereof, also excepting therefrom Lot 1 of Certified Survey Map Number 46, Volume 1, Page 99-100, also excepting therefrom lands described in deed recorded in Volume 2329, Page 611, also excepting therefrom Survey Map Number 2174, Volume 6, Page 871, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 3 North, Range 19 East. Said land being in the City of Burlington, Racine County, Wisconsin.

Tax ID No. 205-03-19-29-084-000

Prepared for: Millennium Dream Homes LLC

Survey No. 168162-RMK

A. Basis of Bearings

Bearings are based on the South line of the Northeast 1/4 of Section 29-3-19, which is assumed to bear South 88°39'49" West.

B. Title Commitment

This survey was prepared based on Heritage Title Services, Inc., an agent for Chicago Title Insurance Company title commitment number RG-310447, effective date of April 27, 2020, which lists the following easements and/or restrictions from schedule B-III:

1. 6-7. **Visible evidence shown, if any.**

2-5. 9. **Not survey related.**

8. **Easements or claims of easements not shown by the public records, Affects site by location - shown.**

C. Flood Note

According to flood insurance rate map of the City of Burlington, community panel number 55101C0134D, effective date of May 2, 2012, this site falls in zone X (areas determined to be outside the 0.2% annual chance floodplain)

D. Elevations

Elevations refer to NGVD29 Datum.

E. Notes

There are no curb cuts for access to this site.

There is no evidence of wetland flags on the site observed in the process of conducting the fieldwork.

To: Millennium Dream Homes LLC, Heritage Title Services, Inc., and Chicago Title Insurance Company

This is to certify that this map and plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items 1, 2, 3, 4, 5, 6(a), 8, 11 and 18 of Table A, thereof. The fieldwork was completed on June 3, 2020.

Date of Plat or Map: June 10, 2020

Revision to Map: July 23, 2020

Michael J. Ratzburg
 Michael J. Ratzburg
 Professional Land Surveyor
 Registration Number 2236
 michael.ratzburg@rasmith.com



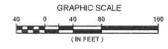
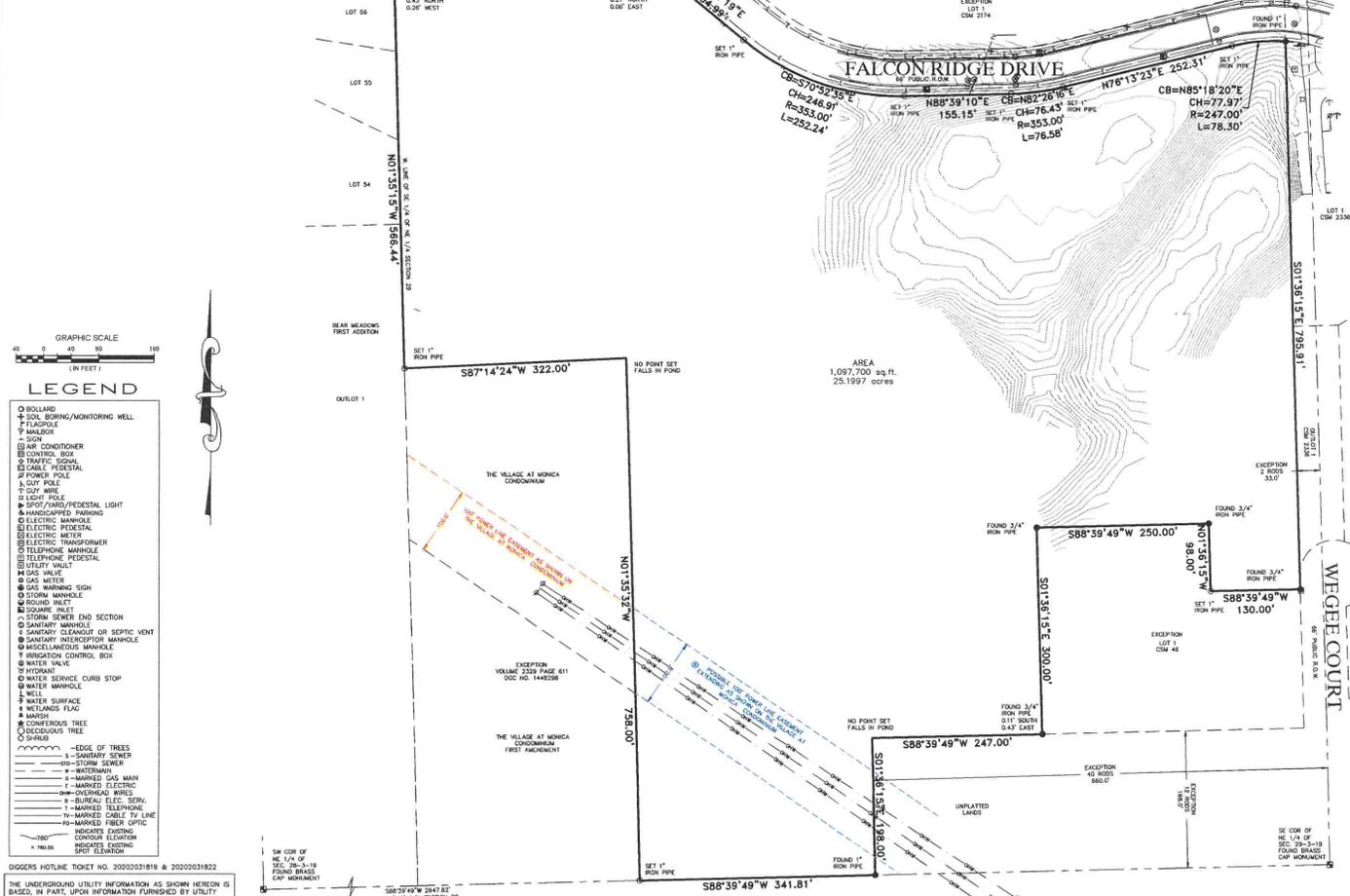
raSmith
 CREATIVITY BEYOND ENGINEERING

16745 W. Blumound Road
 Brookfield, WI 53005.5938
 (262) 781-1000
 rasmith.com

SHEET 1 OF 2



LOCALITY MAP - NOT TO SCALE



LEGEND	
○	BOUNDARY
+	SOIL BORING/MONITORING WELL
△	FLUORIDE
▽	MALIBOX
□	SEW
⊠	AIR CONDITIONER
⊞	CONTROL BOX
⊟	TRAFFIC SIGNAL
⊠	STABLE, PEDESTAL
⊡	POWER POLE
⊢	LIGHT POLE
⊣	DUY WIRE
⊤	LIGHT POLE
⊥	SPOT/WARD/PEDESTAL LIGHT
⊦	HANDICAPPED PARKING
⊧	ELECTRIC MANHOLE
⊨	ELECTRIC PEDESTAL
⊩	ELECTRIC METER
⊪	ELECTRIC TRANSFORMER
⊫	TELEPHONE MANHOLE
⊬	TELEPHONE PEDESTAL
⊭	UTILITY WELLS
⊮	GAS VALVE
⊯	GAS METER
⊰	GAS WARNING SIGN
⊱	STORM MANHOLE
⊲	BOUND INLET
⊳	SQUARE WELLS
⊴	STORM SEWER END SECTION
⊵	SANITARY MANHOLE
⊶	SANITARY CLEANOUT OR SEPTIC VENT
⊷	SANITARY INTERCEPTOR MANHOLE
⊸	MISCELLANEOUS MANHOLE
⊹	IRRIGATION CONTROL BOX
⊺	WATER VALVE
⊻	HYDRANT
⊼	WATER SERVICE CURB STOP
⊽	WATER MANHOLE
⊾	WELL
⊿	WATER SURFACE
⊿	WELDLAND FLAG
⊿	MARSH
⊿	CONSERVATION TREE
⊿	CONSERVATION TREE
⊿	SPRINK
⊿	EDGE OF TREES
⊿	SANITARY SEWER
⊿	WATERMAIN
⊿	MARKED GAS MAIN
⊿	MARKED ELECTRIC
⊿	OVERHEAD WIRE
⊿	BUREAU ELEC. SERV.
⊿	MARKED TELEPHONE
⊿	MARKED CABLE TV LINE
⊿	MARKED FIBER OPTIC
⊿	INDICATES EXISTING CONDUIT ELEVATION
⊿	INDICATES EXISTING SPOT ELEVATION

DIGGERS HOTLINE TICKET NO. 20202031819 & 20202031822

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED ON PARTIAL UTILITY INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

(P) INDICATES PIPE SIZES PER RECORD PLANS. OTHER PIPE SIZES ARE ESTIMATED. NO PIPE SIZES SHOULD BE RELIED UPON WITHOUT FURTHER VERIFICATION.

S:\168162\Draw\AS1100\Draw\1 SHEET 1

