



CITY OF BURLINGTON

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

**AGENDA
COMMON COUNCIL**

Tuesday, January 5, 2010

**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

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 December 15, 2009. *(K. Simenson)*
6. Letters and Communications: None.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports: 1 – 3 *(J. Fischer)*
 - Report 1 – Burlington Housing Authority minutes, November 10, 2009.
 - Report 2 – Library Board minutes, November 17, 2009.
 - Report 3 - Committee of the Whole minutes, December 15, 2009.
9. Payment of Vouchers. *(R. Prailes)*
10. Licenses and Permits. *(E. Johnson)*

11. Appointments and Nominations: *(J. Prailes)*

- A. Maria Veronico-Ventura to be reappointed as a HPC member, term to expire 1/4/13.
- B. Jeff Erikson to replace Pat Brzezinski as a HPC member, term to expire 1/4/13.
- C. Arlene Runkel to be reappointed as an Airport Committee member, term to expire 12/1/12.
- D. Tony Wang to be reappointed as a Common Council Student Member, term to expire 5/31/10.
- E. Bonit Gill to be reappointed as a Common Council Student Member, term to expire 5/31/10.
- F. Richie Hoffman to be appointed as a Plan Commission Student Member, term to expire 5/31/10.
- G. Jahna Newholm to be reappointed as a Library Board Student Member, term to expire 5/31/10.
- H. Paul Dixon to be reappointed as a Park Board Student Member, term to expire 5/31/10.
- I. Mac Sheperd to be appointed as a Park Board Student Member, term to expire 5/31/10.
- J. Carrie Coppernoll to be appointed as an Airport Committee Student Member, term to expire 5/31/10.

12. **PUBLIC HEARINGS**

None.

13. **RESOLUTIONS**

- A. Resolution 4382(58) to support 2009 Wisconsin Assembly Bill 392 to end Predatory Lending in Wisconsin. This item was discussed at the December 15, 2009 Committee of the Whole meeting. *(P. Hintz)*

14. **ORDINANCES**

None.

15. **MOTIONS**

None.

16. **OTHER MATTERS AS AUTHORIZED BY LAW**

17. **ADJOURNMENT** *(T. Vos)*

DRAFT

City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
January 5, 2010

1. **CALL TO ORDER - ROLL CALL**

Mayor Miller called the meeting to order at 7:14 p.m. starting with roll call. Aldermen present: Robert Prailes, Ed Johnson, Peter Hintz, Jim Prailes, Tom Vos, Jeff Fischer, Steve Rauch, Katie Simenson

Staff present: City Attorney John Bjelajac, City Administrator Kevin Lahner, Acting Police Chief Mark Anderson, Assistant to the Administrator Megan Johnson, Treasurer Bridget Souffrant, Director of Public Works Connie Wilson, Department of Public Works Supervisor Dick Pieters, Fire Chief Dick Lodle, Building Inspector Patrick Scherrer, Library Director Gayle Falk, Tom Foht of Kapur Engineering

2. **PLEDGE OF ALLEGIANCE**

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

3. **CITIZEN COMMENTS**

None

4. **CHAMBER OF COMMERCE REPRESENTATIVE**

None

5. **APPROVAL OF COMMON COUNCIL MINUTES**

A motion was made by Simenson with a second by Johnson to approve the minutes of the December 15, 2009 Common Council Meeting. With all in favor, the motion carried.

6. **LETTERS AND COMMUNICATIONS**

None

7. **REPORTS BY ALDERMANIC REPRESENTATIVES & DEPARTMENT HEADS**

Rauch questioned if the siren at Dyer School is working. Pieters reported that at this time the siren is not working, but he will be taking a look at it.

8. **REPORTS 1-3**

A motion was made by Fischer with a second by Hintz to approve Reports 1-3. With all in favor, the motion carried.

9. **PAYMENT OF VOUCHERS**

A motion was made by Bob Prailes with a second by Vos to approve Prepays (\$1,126,079.11), Vouchers (\$99,837.16) and Reimbursements (\$188.17) for a grand total of \$1,266,104.44 Discussion: Rauch questioned the total cost to the city for land purchased for the hotel and downtown project. Lahner will provide an updated spreadsheet with the total amounts. Johnson asked if this was the last purchase. Lahner stated it was the last purchase. Roll Call Ayes: Bob Prailes, Johnson, Vos, Hintz, Jim Prailes, Rauch, Simenson, Fischer Nays: None. Motion carried 8-0.

10. **LICENSES AND PERMITS**

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

11. APPOINTMENTS AND NOMINATIONS

A motion was made by Jim Prailes with a second by Hintz to approve the appointments as presented. At this time, the mayor introduced the students being appointed to various committees. The mayor thanked them for volunteering and reminded them they have all the rights on the committees as other members with the exception of voting. They are required to attend the scheduled meetings and if unable, should contact their board president to excuse their absence. The high school will be contacted if they fail to show up for a meeting without an excused absence.

Rauch stated that he would prefer the students did not attend closed session meetings. The mayor stated that students were never allowed in closed session in regard to personnel issues but was willing to discuss it at a later date. With all in favor, the motion carried.

Appointments:

- Maria Veronico-Ventura reappointed to HPC with term expiration of 01-04-13
- Jeff Erikson appointed to HPC with term expiration of 01-04-13
- Arlene Runkel reappointed to Airport Committee with term expiration of 12-01-12
- Tony Wang appointed to Common Council as student member with term expiration of 05-31-10
- Bonit Gill appointed to Common Council as student member with term expiration of 05-31-10
- Richie Hoffman appointed to Plan Commission as student member with term expiration of 05-31-10
- Jahanna Newholm appointed to Library Board as student member with term expiration of 05-31-10
- Paul Dixon appointed to Park board as student member with term expiration of 05-31-10
- Mac Sheperd appointed to Park Board as student member with term expiration of 05-31-10
- Carrie Coppernoll appointed to Airport Committee as student member with term expiration of 05-31-10

12. PUBLIC HEARINGS

None

13. RESOLUTIONS ADOPTED

A. RESOLUTION 4382(58) "A RESOLUTION TO SUPPORT THE 2009 WISCONSIN ASSEMBLY BILL 392 TO END PREDATORY LENDING IN WISCONSIN"

A request for a second reading and motion to approve was made by Hintz with a second by Simenson. Discussion: Johnson requested an explanation of what the bill will actually accomplish. Lahner explained that it establishes an extra layer of oversight on this type of business, regulates interest and adds consumer protection to the citizens. Roll Call Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 8-0

14. ORDINANCES ADOPTED

None

15. MOTIONS ADOPTED

None

16. OTHER MATTERS AS AUTHORIZED BY LAW

Simenson requested a clarification in the December 15, 2009 council minutes. She stated that she had not personally received the letter from Greg and Judy Lemieux of the Inside Scoop but rather the letter had been received by the building inspector and then passed to Ms. Simenson.

17. ADJOURNMENT

A motion was made by Vos and seconded by Jim Prailes to adjourn the meeting. With all in favor, the meeting adjourned at 7:25 p.m.

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



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Administration Department
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Common Council Agenda Item Number: 8	Date: January 5, 2010
Submitted By: City Staff	Subject: Reports 1-3

Details:

Attached please find the following reports:

- Report 1 – Burlington Housing Authority minutes, November 10, 2009.
- Report 2 – Library Board minutes, November 17, 2009.
- Report 3 - Committee of the Whole minutes, December 15, 2009.

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these reports at the January 5, 2010 Common Council meeting.

**City of Burlington Housing Authority
Riverview Manor
November 10, 2009**

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, November 10th, 2009 at Riverview Manor at 6:30 P.M. The meeting was called to order by Chairman Lapp.

COMMISSIONERS PRESENT: Chairman Lapp, Secretary Heck, Board members LeRoy Stoehr, Charles Stublely and Resident Manager, Dorothy Henning. Board member Kelly Iselin was excused.

Minutes from the October 15th meeting was dispersed to board members and a motion was made by Stoehr to approve the minutes as read, seconded by Stublely and carried unanimously.

FINANCIAL REPORT:

Reserve Account balances as of October 31, 2009	
First Banking Center	\$ 97,540.33
M&I Bank	<u>\$ 26,684.97</u>
TOTAL	\$ 126,225.30

OCCUPANCY REPORT:

Manager Henning reported 13 on the waiting list for one bedroom units and one 2 bedroom unit is available. There are 2-2 bedroom units available.

BUILDING AND MAINTENANCE:

- **Manager Henning reported that the roofing job has been completed.**
- **A sales representative from ADT Surveillance Systems gave a demonstration and proposal for the ADT surveillance system. This was the third bid received and proposed to the board members. A motion was made by Heck and seconded by Stoehr to accept the lowest bid which was from ADT as demonstrated. Motion carried.**
- **12 new locks have been installed and keys distributed.**
- **Jenny Knaup from Warm-In of Beaver Dam will give the board members a demonstration on the air conditioning covers for the units in the near future.**

COMMUNICATIONS:

- Copies of general ledger sheets for monthly bills and payments from August and September were dispersed to board members for review.
- Michelle Jones from Gordon Maier Co. handed out copies of the audit report and discussed with the board members.

NEW BUSINESS:

- Chairman Lapp and Manager Henning reported on their attendance of the WI-CARH seminar at Wisconsin Dells on November 5th and 6th. and spoke about how beneficial they felt the seminar was. They also spoke about the possibility of a capital assessment necessary in the future for Riverview.

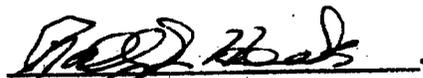
UNFINISHED BUSINESS:

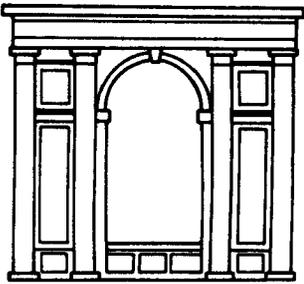
- The by-laws amendments have been received and the annual meeting will be held when all board members can attend and election of officers can be voted on.

ADJOURNMENT:

There being no further business, motion to adjourn was made by Heck, seconded by Stoehr and carried unanimously. Meeting adjourned 8:20 P.M.

The next monthly meeting is scheduled for December 3rd. but it may be necessary to change that date due to the availability of board members.

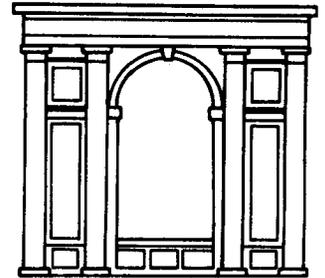

Ralph Heck, Secretary



Burlington Public Library

166 East Jefferson Street • Burlington, Wisconsin 53105
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www.burlingtonlibrary.org



Minutes of the Burlington Public Library Board of Trustees

The Burlington Public Library Board of Trustees met on Tuesday, November 17, 2009 in the Burlington Public Library meeting room. Present were Scott Johnson, Steve Rauch, Yvonne Braunschweig, Pat Hurley, and Pat Hoffman. Excused were Dianne Boyle, Penny Torhorst, Kay Pockat, and Bridget Savaglia. Also present were Library Director Gayle Falk and Administrative Assistant Linda Berndt.

Johnson called the meeting to order at 4:00.

Minutes of the October 27, 2009 meeting were approved. Braunschweig moved, and Rauch seconded. Motion passed.

The November 2009 General Fund Bills, Prepaids, Reimbursements and October 2009 General Fund Deposits were discussed. Hoffman moved approval of the General Fund Bills, Prepaids, Reimbursements and October 2009 General Fund Deposits, Braunschweig seconded. Motion passed. The November 2009 Trust Fund Bills and October 2009 Trust Fund Deposits were approved. Hurley moved and Hoffman seconded. Motion passed.

Committee Reports:

There were no committee reports at this time.

Federated Library Report: Braunschweig will be attending the Lakeshores Library board meeting later tonight.

Old Business:

Friends Update: The Friends have met several times. They have recruited a new member to write grants for the group. They are planning to help the Library through Fundraising and deliver our message into the community. They are currently working on their project to improve the children's area of the library. Their next fund raiser will help purchase computers and software for the adult area.

Budget: There is a public hearing at tonight's council meeting where citizens can ask questions about the budget.

New Business:

Employee Appreciation: Falk asked Board to approve \$200.00 of Booksale money for Staff Appreciation. After discussion the Board decided to authorize \$300.00 for staff appreciation and \$25 for volunteer appreciation. Hoffman moved and Hurley seconded the motion to use \$300.00 of Booksale money for Staff Appreciation. Motion passed.

2010 Calendar: Falk handed out the calendar for 2010 with the proposed board meeting dates and also the proposed library closing dates. Brauschweig moved and Rauch seconded the motion to approve the 2010 calendar as proposed. Motion passed. Board meetings will continue to be the fourth Tuesday except in July because of the booksale (July 20), and November (November 16) and December (December 14) due to the holidays.

Internet Plans: Falk already mentioned Friends' plans to conduct a fund raiser to provide computers and software for the adult area next year.

Coming Events: A calendar of library events for the rest of November and into December was included in the packet. The Pinebrooke program consists of a memory program with slides on different subjects.

Monday we had a special needs class from the high school here and they played wii in the storytime room. They plan to come again to take advantage of the wii.

Directors Report: Monthly Report: The numbers were good. The circulation numbers were up but the walk-in numbers were down some.

The Board asked how the Love, Inc. cards were working out. Falk said that although the program was still small, it was doing what we hoped in getting materials into the hands of people who otherwise would not qualify for cards.

We are taking part in the Lakeshores Job Grant which gave us a laptop with software for doing a resume and cover letter. Educators' Credit Union will be donating some jump drives for people who want to save their resumes.

BPL In the News: There were many articles and calendar events in the papers this month. There was an article on Linda Godfrey. She has provided programs at the library on her books including *The Beast of Bray Road*, *The Poison Widow*, and *Weird Wisconsin*.

Rauch stated that a new Library was slated under Capital Improvement projects for 2014.

The Board discussed the possibility of having students from the high school translate forms into Spanish. Hoffman thought there was too much risk of inadvertent mistakes in translation. If we need something translated she can give us a few names of the people that the School District uses for translators and interpreters.

It was stated again that the Director's review will take place in January of 2010.

Public Communication to the Board: There were none at this time.

Meeting was adjourned at 4:30 PM. Hurley moved to adjourn and Braunschweig seconded the motion.
Motion passed.

Our next meeting will be on Tuesday, December 15th at 4:00 PM in the Burlington Public Library Meeting Room.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Rauch".

Steve Rauch
Aldermanic Representative

DRAFT

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
December 15, 2009

1. CALL TO ORDER/ROLL CALL

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

Staff present: City Attorney John Bjelajac, City Administrator Kevin Lahner, Acting Police Chief Mark Anderson, Assistant to the Administrator Megan Johnson, Treasurer Bridget Souffrant, Director of Public Works Connie Wilson, Fire Chief Dick Lodle, Building Inspector Patrick Scherrer, Library Director Gayle Falk, Tom Foht of Kapur Engineering arrived at 6:40 p.m.

2. CITIZENS COMMENTS

None

3. APPROVAL OF MINUTES FROM DECEMBER 1, 2009

A motion was made by Fischer with a second by Jim Prailes to approve the minutes from the December 1, 2009 Committee of the Whole meeting. With all in favor, the motion carried.

4. RESOLUTION 4381(57) "TO CONSIDER APPROVING A REDUCTION IN THE LETTER OF CREDIT FOR INFRASTRUCTURE IMPROVEMENTS AT THE FOX RIVER LANDING SUBDIVISION AND TO ENTER INTO AN AGREEMENT WITH MURPHY FARM, LLC AND B.R. AMON & SONS, INC. FOR FUTURE ROADWAY REPAIR"

Mayor Miller introduced Resolution 4381 (57) for discussion. Johnson requested further information regarding this resolution. Lahner explained that the original developer (Murphy Farm LLC) had met all of their obligations for the Fox River Landing Subdivision, but there remains an issue of pavement failure. The city's engineer has proposed a revised Development Agreement with Amon and Sons to extend the warranty period for the streets and provide a letter of credit in the amount of \$42,849. This new agreement would release Murphy Farm LLC and hold Amon and Sons liable for the paving issue.

Attorney Bjelajac further explained there had been a difference of opinion in how the patching had been done in certain sections of the street. The completed patches would carry a one-year warranty and other suspected areas would be given a three-year warranty for future repairs.

Rauch was concerned with the remaining two-thirds of the subdivision yet to be built and the effect on the roads with the heavy construction equipment.

Foht then spoke about the patches that had initially been done but done incorrectly and it was suggested by Amon to extend the warranty. Some of these patches were then redone and given a one-year warranty. The remainder of these patches was then given a three-year warranty.

Simenson then asked that if you compare a road with patches against one without any patching, what the difference would be in the life expectancy of the road. Foht stated that there would be no difference.

This resolution will move forward to this evening's Common Council meeting.

5. RESOLUTION 4379(55) "TO CONSIDER SUPPORTING 2009 WISCONSIN ASSEMBLY BILL 392 TO END PREDATORY LENDING IN WISCONSIN"

Mayor Miller introduced Resolution 4379(55) for discussion. The mayor explained this resolution was to render support for Assembly Bill 392. Vos did not think the city could limit this type of business as they are legal.

This resolution will now move to the January 5, 2010 Council meeting.

6. MOTION 09-674 "TO CONSIDER APPROVING THE BOOKING AND PAYMENT OF FIFTY PER-CENT TO BARTOLOTTA FIREWORKS COMPANY, INC FOR THE FIREWORKS DISPLAY ON JULY 4, 2010"

Mayor Miller introduced Motion 09-674 for discussion. There was no discussion and this motion will move forward to this evening's council meeting.

7. OTHER MATTERS

None

8. ADJOURN

A motion was made by Bob Prailes with a second by Simenson. With all in favor, the motion carried and the meeting adjourned at 6:48 p.m.



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



CITY OF BURLINGTON

Finance Department

300 N. Pine Street, Burlington, WI 53105
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Common Council Agenda Item Number: 9	Date: January 5, 2010
Submitted By: Bridget Souffrant, Treasurer	Subject: Prepays and Vouchers

Details:	
Attached please find the Prepays and Vouchers list for bills accrued through January 5, 2010:	
Total Prepays:	\$1,126,079.11
Total Vouchers:	\$99,837.16
Reimbursements:	\$188.17
Grand Total:	<u><u>\$1,226,104.44</u></u>
Options & Alternatives: Approve expenditures as presented or alter purchasing procedures.	

Financial Remarks: 5 Largest Disbursements on Prepays and Vouchers
1) Trust Account of Kerkman & Dun - purchase of Bulk Petroleum 224 E Washington St. \$828,696.93
2) Wanasek - final payment for the 2009 Street & Sidewalk Improvement Program \$181,099.95
3) Kapur & Associates, Inc – for Burlington Wastewater Treatment Facilities Phase 2 & 3 Expansion \$24,146.09
4) Badger Meter, Inc - Orion Receiver & Accessories \$13,811.60
5) North American Salt Company - purchase of bulk salt \$6,004.22.

Executive Action: Staff recommends that the Common Council accept these Prepays and Vouchers in the amount of \$1,226,104.44 at the January 5, 2010 Council meeting.
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Common Council Agenda Item Number: 10	Date: January 5, 2010
Submitted By: Beverly R. Gill, City Clerk	Subject: Licenses

Details:

The alcohol license lists for applications accrued through January 5, 2010 are as follows:

Licenses Recommended for Approval

Operator's Licenses

- Deak, Tracey R.
- Gums, Katharine R.
- Kapischke, Robin A.
- Lois, Douglas J.
- Olson, Heather A.
- VanWormer, Jennifer L.

The Police Department has performed a background check on these applicants and recommends approval for the applicants to receive an Operator's License.

Options & Alternatives:

Financial Remarks:

Applicants are charged a fee of \$15, a portion of which 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 January 5, 2010 Council meeting.



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Common Council Agenda Item Number: 11

Date: January 5, 2009

Submitted By: Mayor Miller

Subject: Appointments A - C

Details:

- A. To reappoint Maria Veronico-Ventura to the Historic Preservation Commission, term ending 1/4/2013.
- B. Jeff Erickson to replace Pat Brzezinski as an HPC member, term ending 1/4/2013. A short bio from Jeff is attached.
- C. Arlene Runkel to be reappointed as an Airport Committee member, term to expire 12/1/2012.

Options & Alternatives:

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

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept this appointment at the January 5, 2010 Common Council meeting.

Work with a Qualified Professional



Jeff Erickson
Associate Broker

Bear Realty of Burlington
565 Milwaukee Avenue
Burlington, WI 53105

Business: (262) 763-8116
Mobile: (262) 206-9920
Fax: (262) 763-8119
Email: jeffe@bearsells.com

- Multi-Million Dollar Producer
- Lifetime Resident of Burlington
- 20-Year Proven Track Record
- Member of WRA and LARA
- Proudly Serving Racine, Kenosha & Walworth Counties

For twenty years, Jeff has been committed to assisting buyers and sellers in Burlington and the surrounding areas. He has successfully marketed all types of properties including residential, commercial, multi-family, vacant land, and industrial. Jeff is consistently a top-producing agent at Bear Realty.

Being a lifelong resident of Burlington, combined with raising his *own* family here, he has developed an in depth knowledge of the schools, recreation, and entertainment in the community. Jeff knows the market well and is able to answer questions about the area with first hand expertise.

Jeff is an active member of the Burlington Kiwanis Club, an organization whose mission is to "Better the Community One Child at a Time."

His commitment to service and dedication to the community are great reasons to choose Jeff as your Realtor.



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Common Council Agenda Item Number: 11	Date: January 5, 2009
Submitted By: Mayor Miller	Subject: Student Appointments D - J

Details:

Board/Committee	Student	High School	Appoint/Reappoint	Term Ending
Airport Committee	Carrie Coppernoll	CCHS	Appoint	June 9, 2010
Common Council	Bonit Gill	CCHS	Reappoint	June 9, 2010
Common Council	Tony Wang	BHS	Reappoint	June 9, 2010
Library Board	Jahnna Newholm	BHS	Reappoint	June 9, 2010
Park Board	Paul Dixon	BHS	Reappoint	June 9, 2010
Park Board	Mac Sheperd	CCHS	Appoint	June 9, 2010
Plan Commission	Richie Hoffman	BHS	Appoint	June 9, 2010

Options & Alternatives:

The Council may elect to deny these requests.

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these appointments at the January 5, 2010 Common Council meeting.