



AGENDA COMMON COUNCIL

Tuesday, June 15, 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 June 1, 2010. *(K. Simenson) (J. Fischer)*
6. Letters and Communications: *(J. Fischer)*
 - A. Radium Removal Treatment Feasibility Study by Kapur and Associates, Inc.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1- 5: *(R. Prailes)*
 - Report 1 – 2009 Consumer Confidence & Annual Drinking Water Quality Report
 - Report 2 – Historic Preservation Commission minutes, March 25, 2010
 - Report 3 – Plan Commission minutes, April 13, 2010
 - Report 4 – Airport Committee minutes, April 22, 2010
 - Report 5 - Committee of the Whole minutes, June 1, 2010
9. Payment of Vouchers. *(E. Johnson)*
10. Licenses and Permits. *(J. Prailes)*
11. Appointments and Nominations: None.

12. **PUBLIC HEARINGS:**

- A. A Public Hearing to hear public comment regarding a rezone request from the Warren and Hazel Trust and Lynnea Rutkowski for property located at 600 Tower Street to rezone from Rs-3, Single-Family Residence District to Rs-2, Single-Family Residence District. *(P. Hintz)*

13. **RESOLUTIONS:**

- A. Resolution 4423(7) to consider approving the 2009 Compliance Maintenance Annual Report (CMAR). This item was discussed at the June 1, 2010 Committee of the Whole meeting. *(T. Vos)*

14. **ORDINANCES:**

- A. Ordinance 1899(2) to consider creating Section 22-10.1 of the Municipal Code regarding the disposal of abandoned property. This item was discussed at the June 1, 2010 Committee of the Whole meeting. *(S. Rauch)*
- B. Ordinance 1900(3) to consider amending Section 293-1B of the Municipal Code regarding the requirement to display a handicap place card. This item was discussed at the June 1, 2010 Committee of the Whole meeting. *(K. Simenson)*

15. **MOTIONS:**

- A. Motion 10-685 to consider a Certificate of Appropriateness and Façade Grant Applications in the Historic Preservation Overlay District for 412 N. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. *(J. Fischer)*

16. Adjournment *(R. 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.



AGENDA COMMITTEE OF THE WHOLE

Tuesday, June 15, 2010, 6:30 P.M.
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. Call to Order – Roll Call
2. Citizen comments and questions
3. Approval of minutes for June 1, 2010 (*T. Vos*)
4. **Topic:** Ordinance 1901(4) to consider a rezone request for property located 600 Tower Street to rezone from Rs-3, Single-Family Residence District to Rs-2, Single-Family Residence District. This item is scheduled for the July 6, 2010 Common Council meeting for consideration.
5. **Topic:** Resolution 4424(8) to consider a Certified Survey Map from the Warren and Hazel Hefty Trust and Robert and Suzanne Roesing for property located at 600 Tower Street and 600 Lewis Street. This item is scheduled for the July 6, 2010 Common Council meeting for consideration.
6. **Topic:** Motion 10-685 to consider a Certificate of Appropriateness and Façade Grant Applications in the Historic Preservation Overlay District for 412 N. Pine Street. Per common practice this item is placed on tonight's Common Council agenda for consideration.
7. Adjourn (*S. Rauch*)

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
June 15, 2010**

1. CALL TO ORDER - ROLL CALL

Mayor Miller called the meeting to order at 6:41 p.m. starting with roll call. Aldermen present: Bob Prailes, Ed Johnson, Jim Prailes, Tom Vos, Jeff Fischer, Steve Rauch, Katie Simenson Excused: Peter Hintz

Also present: City Attorney John Bjelajac, Administrator Kevin Lahner, Assistant to the Administrator Megan Johnson, Utility Director Connie Wilson, Department of Public Works Supervisor Dick Pieters, Library Director Gayle Falk, Fire Chief Dick Lodle, Treasurer Steve DeQuaker and Police Lt. Mark Anderson

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. COUNCIL MINUTES FROM JUNE 1, 2010

A motion was made by Simenson with a second by Johnson to approve the Council Minutes of June 1, 2010. With all in favor, the motion carried.

6. LETTERS AND COMMUNICATIONS

Mr. John Grosskreutz of Kapur Engineering was in attendance to answer any questions on the "Radium Removal Treatment Feasibility Study" by Kapur. Vos remarked that the construction cost of \$175.00 per square foot seemed extremely high. Grosskreutz replied that the \$175.00 figure was only an estimate.

Jim Prailes commented that he was uncomfortable with the high cost of the engineering fees which are twenty-five per-cent of the cost. Grosskreutz explained that the twenty-five per-cent includes engineering and contingencies.

Simenson questioned if the city had already paid for portions of the remediation. Grosskreutz stated that some of the expenses have been paid by the city.

Wilson spoke about the funding for the upgrades for the wells will come from the Safe Drinking Water Fund which is a state subsidized loan program with low interest rates. She stated that the anticipated interest rate for Wells 9 & 10 will be approximately 2.2%.

Vos was concerned about the effect this will have on the water rate. Grosskreutz replied that it was too early in the process to have that information available.

Simenson questioned the doubling of the cost from the original estimate. Wilson explained that the first numbers available were only for the equipment and did not include the buildings.

Vos wanted information supplied in regard to the annual cost to operate and the life expectancy of the project.

A motion was made by Fischer with a second by Rauch to approve Communication A. With all in favor, the motion carried.

7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS

Simenson commented that she had attended a Zoning Board of Appeals meeting and reported that she felt that some of the ordinances need to be adjusted so they do not create such hardships for property owners.

8. REPORT 1-5

A motion was made by Bob Prailes with a second by Johnson to approve Reports 1-5. With all in favor, the motion carried.

9. PAYMENT OF VOUCHERS

A motion was made by Johnson with a second by Bob Prailes to approve pre-paids, vouchers and reimbursements in the amount of \$469,440.46. Johnson questioned the LF Green Development invoice that was listed on the vouchers. The mayor stated LF Green is a company that is working on the downtown redevelopment. Roll Call Ayes: Bob Prailes, Johnson, Jim Prailes, Vos, Rauch, Fischer, Simenson Motion carried 7-0

10. LICENSES AND PERMITS

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

11. APPOINTMENTS AND NOMINATIONS

None

12. PUBLIC HEARING

"A PUBLIC HEARING TO HEAR PUBLIC COMMENT REGARDING A REZONE REQUEST FROM THE WARREN AND HAZEL HEFTY TRUST AND LYNNEA RUTKOWSKI FOR PROPERTY LOCATED AT 600 TOWER STREET TO REZONE FROM RS-3, SINGLE-FAMILY RESIDENCE DISTRICT TO RS-2, SINGLE-FAMILY RESIDENCE DISTRICT"

The mayor opened the public hearing at 7:00 p.m. There were no public comments. A motion was made by Vos with a second by Jim Prailes to close the public hearing. With all in favor, the public hearing closed at 7:01 p.m.

13. RESOLUTIONS

RESOLUTION 4423(7) "A RESOLUTION TO CONSIDER APPROVING THE 2009 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR)"

Vos requested a second reading of Resolution 4423(7) and a motion to approve. Simenson provided the second and with all in favor, the motion carried.

14. ORDINANCES

A. ORDINANCE 1899(2) "AN ORDINANCE TO CONSIDER CREATING SECTION 22-10.1 OF THE MUNICIPAL CODE REGARDING THE DISPOSAL OF ABANDONED PROPERTY"

A request for a second reading and a motion to approve Ordinance 1899(2) was made by Rauch with a second by Simenson. Roll Call Ayes: Bob Prailes, Johnson, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 7-0

B. ORDINANCE 1900(3) "AN ORDINANCE TO CONSIDER AMENDING SECTION 293-1B OF THE MUNICIPAL CODE REGARDING THE REQUIREMENT TO DISPLAY A HANDICAP PLACE CARD"

A request for a second reading and a motion to approve Ordinance 1900(3) was made by Simenson with a second by Jim Prailes. Roll Call Ayes: Bob Prailes, Johnson, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 7-0

15. MOTIONS

MOTION 10-685 "A MOTION TO CONSIDER A CERTIFICATE OF APPROPRIATENESS AND FAÇADE GRANT APPLICATION IN THE HISTORIC PRESERVATION OVERLAY DISTRICT FOR 412 NORTH PINE STREET"

A motion was made by Fischer with a second by Rauch to approve Motion 10-685. With all in favor, the motion was approved.

16. ADJOURNMENT

A motion to adjourn was made by Bob Prailes with a second by Jim Prailes. With all in favor, the motion carried and the meeting adjourned at 7:15 p.m.

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



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: 8	Date: June 15, 2010
Submitted By: City Staff	Subject: Reports 1-5

Details:

Attached please find the following reports:

- Report 1 - 2009 Consumer Confidence & Annual Drinking Water Quality Report
- Report 2 - Historic Preservation Commission minutes, March 25, 2010
- Report 3 - Plan Commission minutes, April 13, 2010
- Report 4 - Airport Committee minutes, April 22, 2010
- Report 5 - Committee of the Whole minutes, June 1, 2010

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these reports at the June 15, 2010 Common Council meeting.

2010 Consumer Confidence Report for the Year 2009

City of Burlington, WI (System ID #25201770)

The Burlington Water Utility is pleased to present this annual report regarding its water supply. This report is intended to summarize the water sampling results done in 2009. The Utility is committed to providing high quality water to its customers in amounts that meet their needs and protect their health at a fair price. The Utility will provide services with sensitivity to customers' concerns and diligently strive to conserve vital resources, support community interests and growth. Please read this report carefully and contact the Utility with questions.

We are proud to report Burlington water meets all USEPA standards, except for radium and gross alpha. Burlington water contains natural radium measured up to 7.17 pCi/L and gross alpha measured up to 26.3 pCi/L. These do not meet the present USEPA standards of 5.0 pCi/L for radium and 15 pCi/L for gross alpha. The City of Burlington has hired their engineer, Kapur & Associates, to evaluate cost comparisons for the different alternatives to remove radium and gross alpha and make recommendation on the most cost effective solution and provide an estimated schedule. Funding has been applied for through the Safe Drinking Water Fund.

Source of Water

The source of water for the Burlington water distribution system consists of five drilled groundwater municipal wells (numbered 7-11), each finished in the deep sandstone aquifer. A summary of each facility is as follows:

Well No. 7: Located at the intersection of Origen Street and Reynolds Avenue. The well discharges at a rate of 1,000 gallons per minutes (gpm) directly into the 300,000 gallon elevated tank located to the northwest of the pump house.

Well No. 8: Located on Sheldon Street near Beloit Street on the southwest side of the City. The well discharges at a rate of 1,000 gpm directly into a 300,000 gallon ground storage reservoir.

Well No. 9: Located at Clover Drive and Weiler Road on the east side of the City. The well has the ability to either pump directly to the system or to a 300,000 gallon ground storage reservoir at a rate of 900 gpm.

Well No. 10: Located on Karyl Street in the Bear Meadows Subdivision. The well discharges at a rate of 1,200 gpm directly into a 300,000 gallon ground storage reservoir.

Well No. 11: Located at the intersection of Liberty Drive and South Pine Street. The well discharges at a rate of 1,500 gpm directly into a 500,000 gallon ground storage reservoir.

Water System Information

If you have any questions about the content of this report or any concerns about your water utility, please contact Connie Wilson, DPW-Utility Manager at 262-539-3647. We want our customers to be informed about their water utility. The City of Burlington Committee of the Whole meets on the 1st and 3rd Tuesdays of every month at 6:30 p.m. at the Council Chambers in the Police Department building (224 E. Jefferson Street).

We ask that all of our customers help us protect our water sources by conserving water and by participating in upcoming City efforts to increase awareness of groundwater protection. The Burlington Water Utility intends to continually maintain your confidence. Thank you for your support and for allowing us to continue providing high quality drinking water, a most precious resource. Please feel free to call our office if you have questions concerning this report or any other water supply issues.

Water Sample Test Results

The City of Burlington routinely monitors for many compounds in your drinking water. The City has followed the sampling requirements set forth by the Department of Natural Resources (DNR) according to Federal and State laws. The following table lists the detected compounds found in the City's water during 2009.

2009 Table of Detected Compounds

Detected Compound	Level Detected	Range	Highest Allowed (MCL)	MCLG	Sample Date	Violation	Source
Total Coliform Bacteria	0	--	1	0	1/09 to 12/09	No	Naturally present in environment
Fecal Coliform	0	--	0	0	1/09 to 12/09	No	Human and animal fecal waste
Nitrates	N.D.	0.025 – 0.075	10.0 mg/l	10 mg/l	02/27/09	No	Runoff from fertilizer use; Erosion of natural deposits
Benzene	N.D.	0.23 – 0.82	5 ppb	0 ppb	02/24/09	No	Discharge from factories; Leaching from gas storage tanks and landfills
Carbon Tetrachloride	N.D.	.17 - .57	5 ppb	0 ppb	02/24/09	No	Discharge from chemical plants and other industrial activities
1,2-Dichlorobenzene (O-)	N.D.	.18 - .61	600 ppb	600 ppb	02/24/09	No	Discharge from industrial chemical factories
1,4-Dichlorobenzene (P-)	N.D.	.13 - .42	75 ppb	75 ppb	02/24/09	No	Discharge from industrial chemical factories
1,2-Dichloroethane	N.D.	.11 - .37	5 ppb	0 ppb	02/24/09	No	Discharge from industrial chemical factories
1,1-Dichloroethylene	N.D.	.22 - .73	7 ppb	7 ppb	02/24/09	No	Discharge from industrial chemical factories
1,2-Dichloroethylene CIS	N.D.	.17 - .57	70 ppb	70 ppb	02/24/09	No	Discharge from industrial chemical factories
1,2-Dichloroethylene, TRA	N.D.	.19 - .63	100 ppb	100 ppb	02/24/09	No	Discharge from industrial chemical factories
Dichloromethane	N.D.	.21 - .78	5 ppb	0 ppb	02/24/09	No	Discharge from pharmaceutical and chemical factories
1,2-Dichloropropane	N.D.	.14 - .47	5 ppb	0 ppb	02/24/09	No	Discharge from industrial chemical factories
Ethyl Benzene	N.D.	.18 - .59	700 ppb	700 ppb	02/24/09	No	Discharge from petroleum refineries
Chlorobenzene	N.D.	.16 - .52	100 ppb	100 ppb	02/24/09	No	Discharge from chemical and agricultural chemical factories
Styrene	N.D.	.12 - .41	100 ppb	100 ppb	02/24/09	No	Discharge from rubber and plastic factories; Leaching from landfills
Tetrachloroethylene	N.D.	.17 - .56	5 ppb	0 ppb	02/24/09	No	Leaching from PVC pipes; Discharge from factories and dry cleaners
Toluene	N.D.	.12 - .40	1,000 ppb	0 ppb	02/24/09	No	Discharge from petroleum factories
1,2,4-Trichlorobenzene	N.D.	.22 - .74	70 ppb	70 ppb	02/24/09	No	Discharge from textile finishing factories
1,1,1-Trichloroethane	N.D.	.13 - .43	200 ppb	200 ppb	02/24/09	No	Discharge from metal degreasing sites and other factories
1,1,2-Trichloroethane	N.D.	.16 - .53	5 ppb	3 ppb	02/24/09	No	Discharge from industrial chemical factories
Trichloroethylene	N.D.	.23 - .77	5 ppb	0 ppb	02/24/09	No	Discharge from metal degreasing sites and other factories
Vinyl Chloride	N.D.	.21 - .68	.2 ppb	0 ppb	02/24/09	No	Leaching from PVC piping; Discharge from plastic factories
Xylene Total	N.D.	.42 – 1.4	1,000 ppb	0 ppb	02/24/06	No	Discharge from petroleum factories; Discharge from chemical factories
Gross Alpha, excl. R&U (pCi/L)	26.3	7.76 – 26.3	15	0	02/04/09	Yes	Erosion of natural deposits
Radium (226 + 228) (pCi/L)	7.17	1.6 – 7.17	5	0	02/04/09	Yes	Erosion of natural deposits

Definitions:

Parts per million (ppm) or Milligrams per liter (mg/l) - one part per million corresponds to one minute in two years or a single penny in \$10,000.

Parts per billion (ppb) or Micrograms per liter (ug/l) - one part per billion corresponds to one minute in 2,000 years, or a single penny in \$10,000,000.

Picocuries per liter (pCi/L) - picocuries per liter is a measure of the radioactivity in water.

Maximum Contaminant Level (MCL) - The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology

Maximum Contaminant Level Goal (MCLG) - The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

No Detect (N.D.) - No trace of compound found.

Not Applicable (N/A) - Does not apply

It is known that all sources of drinking water are subject to potential contamination by compounds that are naturally occurring or are man-made. Those substances can be microbial, organic or inorganic chemical or radioactive material. The small levels of detected compounds do not pose a health risk and the Environmental Protection Agency (EPA) has determined that your water is SAFE at these levels.

All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. It should also be remembered that some people might be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, persons with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection from potential contaminants are available from the Environmental Protection Agency's **Safe Drinking Water Hotline (800-426-4791)**.



City of Burlington

HISTORIC PRESERVATION COMMISSION MEETING MINUTES THURSDAY, MARCH 25, 2010

Chairman Tom Stelling called the meeting to order at 6:30 P. M.

Roll call: Present: Commissioners Bob Henney, Peter Hintz, Maria Veronico-Ventura, Tina Chitwood of RCEDC, Building Inspector Patrick Scherrer, and Chairman Tom Stelling. Commissioner Joel Weis and Judy Stone were excused. Chairman Stelling stated that we do have a quorum.

Citizen Comments: There were no citizen comments.

Approval of January 28, 2010 Meeting Minutes: Chairman Stelling entertained a motion for approval of the January 28, 2010 minutes. Commissioner Veronico motioned to approve and Commissioner Henney seconded. All aye. Motion carried.

119 W. Chestnut Street – H & P Enterprises, Jake Skony (Harry Bigelow, building owner) – Certificate of Appropriateness Application

Chairman Stelling stated that Mr. Skony, who was unable to attend the meeting, plans to replace a damaged door with a steel door with a $\frac{3}{4}$ window. It will be painted green to match the trim of building. He entertained a motion for approval. Commissioner Hintz moved and Commissioner Henney seconded. All aye. Motion carried.

109 E. Chestnut Street – The Jasmine Tree, Greg Howe – Certificate of Appropriateness Application

Tina passed out colored photos of the proposed project showing the paint colors for the building. Greg Howe, owner of the building was present and stated that he knows that the second story windows need replacing but does not wish to do them at this time. Chairman Stelling advised Mr. Howe of the process for federal credits for his façade work. Mr. Howe plans to paint the second story windows a brownstone color. Chairman Stelling advised him that if he does replace the second story windows that no vinyl windows will be allowed. Commissioner Henney stated that the transom area above the door needs to be painted brown. Chairman Stelling entertained a motion. Commissioner Veronico moved to approve the paint colors as presented in Option No. 2 with the colors

of Newport Indigo and Bold Bolection and Brownstone as presented in the photograph labeled #2 to replace and paint over the existing colors and to include the trim for the upstairs window. Commissioner Hintz seconded. All aye. Motion carried. Mr. Howe was advised to come back before the commission when he replaces his windows.

Discussion of Current Projects and Response Team Visits:

Thrivent Insurance at 400 N. Pine St. has installed their wall sign. After a walk-thru, a façade grant was approved for disbursement. Christy's Bridal at 489 Milwaukee Ave. has installed their signs and awnings and after a walk-thru, their façade grant was also approved for disbursement.

Review of Grant Funding Status

Tina stated that there are unobligated funds available in the amount of \$6,192. Chairman Stelling stated that we can start a "waiting list" if need be.

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

The El Chava Mexican Grocery Store at 116 W. Chestnut St. has been informed that painting the bulkhead (below the window) orange is a violation.

Discussion of policies, procedures, and the vision for the future of the Historic Preservation Commission (Strategy Session)

Chairman Stelling stated that as a "CLG" (Certified Local Government) we can start itemizing properties that we deem have historical significance for our National Register. Tina stated that we can apply for subgrants in order to hire consultants to help with the process. Commissioner Veronico inquired as to what is the list. Chairman Stelling stated that we need an inventory of buildings that might be considered historical. We can also suggest things like the water tower, St. Mary's annex, the internment story structure at Burlington Cemetery, St. Mary's Church and Church of the Nazarene. Zoning Administrator Scherrer stated that the list can include significant "residences". Tina asked what we can do to market the commission's activities. Chairman Stelling stated we need to start with the Historical Society and the State of Wisconsin. Commissioner Veronico stated that the Chamber of Commerce should become involved. Chairman Stelling stated that we need to put our brochure out at different events. He also stated that we need to get a sign that says "Downtown Historic District" at bypass intersections and advised Commissioner Hintz to bring this to the attention of the Council.

Adjournment

Chairman Stelling entertained a motion. Commissioner Henney moved to adjourn the meeting and Commissioner Veronico seconded. The meeting adjourned at 7:15 P.M.



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

Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
April 13, 2010, 6:30 p.m.

Mayor Miller called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. followed by roll call: Aldermen Tom Vos and Steve Rauch; Commissioners Chris Reesman, Darrel Eisenhardt, John Lynch and Bob Henney. Student Representative Richie Hoffman was present, Student Representative Carrie Coppernoll was excused and Town of Burlington Representative Phil Peterson was absent. Also present were City Administrator Kevin Lahner, Building Inspector/Zoning Administrator Patrick Scherrer.

APPROVAL OF MINUTES

Alderman Vos moved and Alderman Rauch seconded to approve the minutes of March 9, 2010. All were in favor and the motion carried.

CITIZEN COMMENTS

None

PUBLIC HEARINGS

A. A Public Hearing to hear public comments regarding a Conditional Use Application from Wal-Mart for property located at 1901 Milwaukee Avenue to change the exterior colors, building signage and freestanding sign.

- Mayor Miller opened the public hearing at 6:32 p.m.
- Alderman Vos questioned if the proposed changes were only color and logo changes. Mayor Miller stated that is correct. The colors will be changed from the green scheme to blue as shown on the photograph provided in the meeting packet. Administrator Lahner stated the color and logo schemes will be similar to the Wal-Mart in Delavan.
- There were no further comments. Commissioner Lynch moved and Commissioner Eisenhardt seconded to close the Public Hearing at 6:34 p.m. All were in favor and the motion carried.

OLD BUSINESS

None.

NEW BUSINESS

A. Consideration to approve a Conditional Use Application, Site Plan Application and Sign Package from Wal-Mart for property located at 1901 Milwaukee Avenue.

- Mayor Miller opened this issue for discussion.
- Mayor Miller stated Randall Swain, representing Wal-Mart, was present and able to answer any questions the commission may have. Mr. Swain stated the project will consist of changing the color scheme and updating the logo which will ultimately reduce the total square footage used for the signs.
- There were no further comments.

Commissioner Lynch moved and Alderman Rauch seconded to approve a Conditional Use and Site Plan Application for 1901 Milwaukee Avenue, subject to Patrick Meehan's March 23, 2010 memorandum to the Plan Commission as follows:

- The following drawings and materials submitted by the applicant:
 - Signage: Sheet A2.1 (1 Sheet, dated 2/1/10 as prepared by L. Brown Pendleton, Architect).
 - Exterior Elevations: Sheet A2 (Black and White Print), (1 Sheet, dated 1/25/10 as prepared by L. Brown Pendleton, Architect).
 - Exterior Elevations: Sheet A2 (COLOR Print), (1 Sheet, dated 1/25/10 as prepared by L. Brown Pendleton, Architect).
 - Before/After" photos of ground-mounted, free-standing sign modifications (1 Sheet, undated, preparer not indicated).

All in favor and the motion carried.

ADJOURNMENT

Commissioner Lynch moved and Alderman Rauch 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

CITY OF BURLINGTON
AIRPORT COMMITTEE

Date: Thursday, April 22, 2010

Meeting was called to order at 6:00 by Airport Manager, Gary Meisner.

Present:

Jim Prailes
Gary Meisner
Arlene Runkel
David Uhen
John Hotvedt

Excused:

Jerry DeLay
Kevin Remer

Motion was made by Prailes, seconded by Uhen, to approve the March 25, 2010 minutes as written.
Motion carried.

Open Floor Audience comments: None

Present: Nick DeMarco

Motion was made by Meisner, seconded by Runkel, to approve a Hangar lease for 709 Airport Drive for John Bailey, Knots 2 U. Motion carried.

Motion was made by Meisner, seconded by Hotvedt, to approve a Hangar lease for 948 Bravo Taxiway for Nick DeMarco. Motion carried.

Runkel reported on the planning progress of the annual Burlington Airport Fly-In. Trains, Planes and Automobiles, Sunday, August 29, 2010.

Airport Manager's Report:

Discussion concerning the remaining Hangar Space available and installation of Revolving Beacon.

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

Meeting was adjourned at 6:29 pm.

Respectfully submitted,

Arlene Runkel
Secretary

Arlene Runkel

WILL HONORS-8

DRAFT

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
June 1, 2010

1. CALL TO ORDER/ROLL CALL

Mayor Miller called the meeting to order at 6:35 p.m. starting with roll call. Aldermen present: Edward Johnson, Peter Hintz, Jim Prailes, Tom Vos, Jeff Fischer, Steve Rauch, Katie Simenson
Excused: Bob Prailes Student representatives present: Bonit Gil Excused: Tony Wang

Also present: City Attorney John Bjelajac, Administrator Kevin Lahner, Police Chief Peter Nimmer, Building Inspector Patrick Scherrer, Library Director Gayle Falk, Utility Supervisor Connie Wilson, Fire Chief Dick Lodle, Treasurer/Budget Officer Steve DeQuaker

2. CITIZENS COMMENTS AND QUESTIONS

Alderman Vos speaking as a citizen, remarked on the pothole on State Street by the former Quick Mart. He also commented that the two-hour parking limits near some downtown businesses may not be sufficient.

3. MINUTES FROM MAY 18, 2010

A motion was made by Hintz with a second by Johnson to approve the May 18, 2010 Committee of the Whole Minutes. With all in favor, the motion carried.

4. DISCUSSION AND PRESENTATION OF THE ANNUAL INVESTMENT REPORT Steve DeQuaker, City Treasurer and Budget Officer gave a presentation on the "Annual Investment Report". Rauch questioned the combined beginning totals of 4.5 million dollars (Government Investment Pool and CD's) with the ending balance of 3 million dollars. Lahner conjectured that the difference was due to bond payments.

Johnson questioned the use of managed funds for the city. DeQuaker explained there are fund managers who specialize in managing municipal funds in accordance with state and local statutes.

5. RESOLUTION 4423(7) "TO CONSIDER APPROVING THE 2009 COMPLIANCE MAINTENANCE ANNUAL REPORT" Mayor Miller introduced Resolution 4423(7) for discussion. Utility Supervisor Wilson was commended for a well-run wastewater treatment plant that was reflected in a score of 3.92 out of a possible 4.00 from the Department of Natural Resources.

Wilson reported that the city's treatment plant is running well with no violations. She also reported there is enough land for sludge application for many years down the road; the finances look good with the WWTP contributing to the replacement fund and the operator in charge has all the right certificates.

This item will move forward to the June 15, 2010 Common Council meeting for consideration.

6. ORDINANCE 1899(2) "TO CONSIDER CREATING SECTION 22-10.1 OF THE MUNICIPAL CODE REGARDING THE DISPOSAL OF ABANDONED PROPERTY" Mayor Miller introduced Ordinance 1899(2) for discussion. Police Chief Nimmer's proposal would be to eliminate the yearly auction and replace it with an ongoing online auction company. He felt it would save on the man hours it takes to set up the annual auction and would free up the space in the police department. He stated the online auction service takes a share of the revenue and will come to the department once a month and pick up all the property that is going to the auction. The auction company will also refurbish items that are no longer functioning whereas in the past, these items would have been discarded.

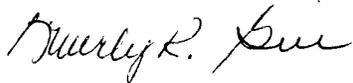
This item will move forward to the June 15, 2010 Common Council meeting for consideration.

7. **ORDINANCE 1900(3) "TO CONSIDER AMENDING SECTION 293-1B OF THE CODE OF THE CITY OF BURLINGTON TITLED 'STATE TRAFFIC LAWS ADOPTED'"** Mayor Miller introduced Ordinance 1900(3) for discussion. Police Chief Nimmer requested this amendment as his department is spending a lot of manpower writing citations for those who have a handicap placard but fail to display it. These individuals who receive a citation then come to the police department and have the ticket dismissed. Nimmer would like his department to be able to write citations for the habitual offenders who fail to display this placard.

This item will move forward to the June 15, 2010 Common Council meeting for consideration.

8. **ADJOURN**

A motion was made by Simenson with a second by Jim Prailes to adjourn the meeting. With all in favor, the meeting adjourned at 6:55 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
Phone: (262) 342-1170 Fax: (262) 342-1178
www.burlington-wi.gov

Common Council Agenda Item Number: 9	Date: June 15, 2010
Submitted By: Steve DeQuaker, Treasurer	Subject: Prepays and Vouchers

Details:	
Attached please find the Prepays and Vouchers list for bills accrued through June 15, 2010:	
Total Prepays:	\$205,127.93
Total Vouchers:	\$263,123.89
Reimbursements:	\$1,188.64
Grand Total:	<u><u>\$469,440.46</u></u>

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

- Financial Remarks: 5 Largest Disbursements on Prepays and Vouchers**
- 1) Wanasek Corp – Payment No. 1 for 2010 Utility & Sidewalk Improvement Program \$104,389.14
 - 2) L F Green Development – Downtown Grant Reimbursable Subcontractors \$60,081.00
 - 3) Sierra Petroleum Co., Inc. – Purchase of AV Gas 100LL \$27,694.54
 - 4) Pieper Electric, Inc – Billing #2 to remove existing field lighting and install new field lighting at Beaumont Field \$25,353.00
 - 5) Wisconsin DNR – Environmental Fees for NR101 Wastewater, Wastewater Groundwater and Lab Certification \$18,230.29

Executive Action:
Staff recommends that the Common Council accept these Prepays and Vouchers in the amount of \$469,440.46 at the June 15, 2010 Council meeting.



CITY OF BURLINGTON

City Clerk

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

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Common Council Agenda Item Number: 10	Date: June 15, 2010
Submitted By: Beverly R. Gill, City Clerk	Subject: Licenses

Details:

The alcohol license list for applications accrued through June 15, 2010 are as follows:

Licenses Recommended for Approval

Operator's & Business Licenses

(Please see the attached list)

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 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 June 15, 2010 Council meeting.

June 15, 2010
Licenses Recommended for Approval

OPERATOR'S LICENSES

Andrews, Sylvia A.	McKusker, James J.
Appenzeller, Brian E.	Milatz, Dave M.
Appenzeller, Mary T.	Morrison, Marissa A.
Beison, Kimberly D.	Noel, Gene D.
Busch, Julie M.	Pralle, Madison E.
Dangutis, Kristi L.	Rebollar, Pedro
Esposito, Joseph F.	Riemer, Gerald K.
Fell, Deborah M.	Riemer, Theresa J.
Geddes, Dawn M.	Roskoske-Kissane, Sandra J.
Grochowski, Brent M.	Satter, Deborah J.
Gross, Susan C.	Schafer, Kerry L.
Haglund, Brendan E.	Schlitz, Lynda M.
Hallett, Staci L.	Spencer, Joshua J.
Ketterhagen, Kyle A.	Stammers, Linda L.
Krause Jr., Rudolph J.	Thornton, Melissa S.
Kromm, Tara N.	Vos, Elise M.
Kujawa, Denise L.	Wiess, Sarah E.
Martin, Jason L.	

CLASS "A" FERMENTED MALT BEVERAGES

Name: K Mart Corporation
Agent: Gary Sibilski
Address: 8160 214th Avenue, Bristol, Wisconsin
Trade Name: Kmart #9713
Address: 1058 Milwaukee Avenue, Burlington

COMBINATION "CLASS A"

Name: Jose K. Antony
Trade Name: Marathon Express
Address: 233 North Pine Street, Burlington

COMBINATION "CLASS B"

Name: Bertha Benitez
Address: 125 E. Market St., Burlington
Trade Name: Los Compadres Restaurant
Address: 725 N. Milwaukee Avenue



CITY OF BURLINGTON

Administration Department
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Common Council Item Number: 11A	Date: June 15, 2010
Submitted By: Kevin Lahner, City Administrator	Subject: A rezone request to rezone 600 Tower Street from Rs-3 to Rs-2.

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a rezone request for 600 Tower Street. The applicant would like to rezone the parcel from Rs-3, Single-Family Residence District to Rs-2, Single-Family Residence District. The main difference between the two zoning classifications is that Rs-3 allows for modified two-family dwellings that are owner occupied with a Conditional Use Permit.

This item was recommended for approval by the Plan Commission at their June 8 meeting.

Options & Alternatives:

For public comment only.

Financial Remarks:

None.

Executive Action:

This item is for a Public Hearing at the June 15, 2010 Common Council meeting and is scheduled for the Common Council meeting the same night for consideration.

**NOTICE OF PUBLIC HEARING
FOR AMENDING THE ZONING MAP**

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Common Council of the City of Burlington proposes to amend Chapter 315 of the Municipal Code, Zoning Map, as it pertains to:

Owner: Warren & Hazel Hefty Trust and Lynnea Rutkowski
Applicant: Attorney Michael Kelly on behalf of Lynnea Rutkowski
Applicant Address: P.O. Box 700, Burlington, WI 53105
Location of Request: 600 Tower Street
Existing Zoning: Rs-3, Single-Family Residence District.
Proposed Zoning: Rs-2, Single-Family Residence District
Proposed Use: To combine the parcel with 600 Lewis Street and have conforming zoning.
Tax I.D. Number: 206-03-19-31-012-000
Legal Description:

THAT PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 19 EAST, BOUNDED AS FOLLOWS: COMMENCE AT THE NORTH ¼ CORNER OF SAID SECTION 31; THENCE NORTH 88°46'19" EAST ALONG THE NORTH LINE OF SAID NORTHEAST ¼ SECTION 985.52 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 88°46'19" EAST ALONG SAID NORTH LINE 124.60 FEET TO A FOUND IRON PIPE AT THE NORTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1044; THENCE SOUTH 01°27'34" EAST (RECORDED AS SOUTH 01°29'42" EAST) ALONG THE WEST LINE OF SAID LOT 1, 124.60 FEET TO A FOUND IRON PIPE; THENCE NORTH 89°27'42" WEST 132.09 FEET TO A FOUND IRON PIPE AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 12 OF THE FOURTH ADDITION TO HIGHRISE; THENCE NORTH 01°28'38" WEST (RECORDED AS NORTH 01°29'42" WEST) ALONG EAST LINE OF SAID LOT 1, 120.53 FEET TO THE PLACE OF BEGINNING, CONTAINING 16,190 SQUARE FEET OF LAND MORE OR LESS. SAID LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

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

**WEDNESDAY, JUNE 15, 2010 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.

CITY OF BURLINGTON

Dated at Burlington, Wisconsin, this 25th day of May, 2010.

Beverly R. Gill, City Clerk

Published in the Burlington Standard Press
May 27 and June 5, 2010

Motion 10-685



CITY OF BURLINGTON

Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

www.burlington-wi.gov

Motion to approve a Certificate of Appropriateness Application for the project located at 412 N. Pine Street.



CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
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Committee of the Whole Item Number: 6	Date: June 15, 2010
Submitted By: Patrick Meehan, City Planner	Subject: Motion 10-685 to approve a Certificate of Appropriateness Application in HPC Overlay District for 412 N. Pine Street (B.W. Surveying).

Details:

The Historic Preservation Commission (HPC) recommends approval of the Certificate of Appropriateness Application for the project located at 412 N. Pine Street.

The proposed project consists of:

- Removal and rebuilding of the rear and rooftop side corner, tuck pointing and repair of the base of the rear wall. Materials to be used are Cream City bricks and Westron 100 mortar.

Approval is contingent upon:

- Approval of the Burlington Common Council.
- Building improvements to be performed in accordance with the municipal code for the Historic Preservation Overlay District.

This Certificate of Appropriateness Application was reviewed and approved at the May 27, 2010 HPC meeting.

Options & Alternatives:

The alternative would be to not approve this request however the building is in need of repair.

Financial Remarks:

The approved items will be paid 100% by the business owner/building owner.

Executive Action:

This item is for discussion at the June 15, 2010 Committee of the Whole meeting and per common practice it is scheduled for the Common Council meeting for consideration the same night.

MEEHAN & COMPANY, INC.

PATRICK J. MEEHAN, AICP, AIA
PRESIDENT

P O BOX 925
HALES CORNERS, WI 53130-0925
PHONE: (414) 529-9559
FAX: (414) 529-9559

MEMORANDUM

TO: Historic Preservation Commission
City of Burlington

FROM: Meehan & Company, Inc.
Patrick J. Meehan, AICP

SUBJECT: Review of the Application for a "Certificate of Appropriateness" for Improvements to Property Located at 412 N. Pine Street in the City of Burlington (Zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District). Applicant: Robert Wetzel.

DATE: April 30, 2010

INTRODUCTION

Pursuant to the April 19, 2010 request of the City Administrator of the City of Burlington, Meehan & Company, Inc. has prepared the following review of the application for a "Certificate of Appropriateness" for improvements to property located at 412 N. Pine Street in the City of Burlington. The subject property is zoned in the HPO Historic Preservation Overlay District and B-2 Central Business District.

The proposal calls for the removal and rebuilding of the rear and rooftop side corner, tuck pointing of the brick masonry rear and rooftop side corner, and the repair of the base of the rear wall. Materials proposed to be used/provided are "Cream City" bricks and "Westron 100" mortar for tuck pointing. Based upon the application materials submitted (including the various photographs of the existing conditions), it is the understanding of Meehan & Company, Inc. that material types, colors, and workmanship are to match the historic mortar and brick including its historic placement and tuck-pointing style. Also based upon the application materials submitted, it is the further understanding of Meehan & Company, Inc. that the proposed project does not include the storefront of the building, the replacement of any window sills, or the replacement of any windows (or other openings) and does not include any type of cleaning or application of surface treatment such as paint or stain.

No new signage or exterior lighting is proposed by the applicant.

CONSISTENCY WITH "CERTIFICATE OF APPROPRIATENESS" APPLICATION REQUIREMENTS OF SECTION 315-139 OF THE CITY OF BURLINGTON ZONING ORDINANCE

Under the requirements of Section 315-139 of the City of Burlington Zoning Ordinance, the following items are required to be submitted by an applicant for a "Certificate of Appropriateness." Following each item listed below is a comment (*in underlined italics*) on whether the applicant meets each specified application requirement:

- A. Architectural plans, elevations, photographs, color samples, and/or perspective drawings. Architectural plans, elevations, and/or perspective drawings and sketches

illustrating the design and character of all proposed alterations (except painting) shall be submitted. A color building elevation or perspective rendering of the exterior of the proposed building(s) shall be required for review by the Historic Preservation Commission for all types of alterations except painting. Said elevations and perspective drawings, when required, shall indicate the location and placement of all auxiliary building equipment, such as heating, ventilating and/or air-conditioning equipment. These drawings are to be drawn to a recognized architectural scale with the name of the project noted. Building plans shall be submitted with all detail drawn on each elevation. Plans drawn with partial building details indicated will be returned to the applicant for redrafting. For alterations consisting of painting only, color samples and photographs shall be submitted indicating the areas to be painted.

Complete to the extent needed to convey the proposed work to be accomplished. However, applicant indicates that "Cream City" bricks and "Westron 100" mortar samples are to be provided. [Note: These have not been viewed by Meehan & Company, Inc. and Meehan & Company, Inc. assumes that these will be brought before the Historic Preservation Commission for its review.]

- B. Name and address. Name and address of the applicant.

Complete.

- C. Owner/developer. Owner's and/or developer's name and address.

Complete.

- D. Architect/engineer. Architect's and/or engineer's name and address.

No architect/engineer appears to be involved with the proposed project.

- E. Date. Date of submittal of plans.

Complete.

- F. Scale. Scale of drawings noted on each drawing.

Complete to the extent needed to convey the proposed work to be accomplished. A total of 16 photographs has been submitted by the applicant illustrating the existing conditions which are proposed to be addressed by the proposed project.

- G. Building type, size, and location. The type, size, and location of all structures with all building dimensions shown.

Complete to the extent needed to convey the proposed work to be accomplished. Building dimensions not provided but do not appear to be needed for the proposed project.

- H. Height. The height of building(s).

Building height not specifically provided but based upon the photographs submitted, the building is two stories in height.

- I. Exterior materials samples to be provided. Samples of exterior materials and their

colors.

The applicant indicates that "Cream City" bricks and "Westron 100" mortar samples are to be provided. [Note: These have not been viewed by Meehan & Company, Inc. and Meehan & Company, Inc. assumes that these will be brought before the Historic Preservation Commission for its review.]

J. Additional information may be required. Additional information and data that may be required by the City Administrator, City Planner, City Engineer, Historic Preservation Commission or the Common Council may include, but not be limited to, the following upon request:

(1) Photographs from the site of adjacent neighboring structures and/or property.

A total of 16 photographs has been submitted by the applicant illustrating the existing conditions which are proposed to be addressed by the proposed project.

(2) Detailed drawings of decorative elements of the building(s) or structure(s).

Not applicable since there are not decorative elements involved with the proposed work to be accomplished.

(3) Sectional building or site drawings drawn to a recognized engineering or architectural scale.

Sectional building and/or site drawing are not provided but do not appear to be needed for the proposed project.

CONSISTENCY WITH HPO DISTRICT STANDARDS OF REVIEW FOR THE COMMON COUNCIL'S APPROVAL OF A "CERTIFICATE OF APPROPRIATENESS" PURSUANT TO THE REQUIREMENTS OF SECTION 315-42B. AND E. OF THE CITY OF BURLINGTON ZONING ORDINANCE

Under the requirements of Section 315-42B. and E. of the City of Burlington Zoning Ordinance, the following are the standards of review for the approval of a "Certificate of Appropriateness" by the Common Council pursuant to the requirements of section 315-42B. and E. of the City of Burlington Zoning Ordinance. Following each item listed below is a comment (in underlined italics) on whether the application meets each specified standard for approval.

B. District standards. District standards shall conform to those required in the underlying basic zoning district. In addition, the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines," as amended, published by the Burlington Historic Downtown Main Street District, shall be used by the Historic Preservation Commission, Plan Commission, and Common Council as HPO District design standards and guidelines.

Based upon the application materials submitted (including the various photographs of the existing conditions), it is the understanding of Meehan & Company, Inc. that material types, colors, and workmanship are to match the historic mortar and brick including the historic placement and tuck-pointing style and does not include any type

of cleaning or application of surface treatment such as paint or stain. Based upon the application materials submitted and the above, it appears that the design guidelines as set forth in the publication titled "Burlington Historic Downtown Main Street District: Design Quality - Standards Guidelines" would be met.

E. Limitation on structural or appearance changes. Structural changes shall be regulated in the following manner:

- (1) Certificate of appropriateness required. There shall be no alteration in the architectural appearance of any structure within an HPO District without the approval or conditional approval of plans for such alterations by the Common Council. In determining whether to grant approval or approve with conditions or reject the request for a certificate of appropriateness, the Common Council shall take into consideration the recommendation of the Historic Preservation Commission. The recommendation of the Historic Preservation Commission to the Common Council may be to grant approval, approve with conditions or reject the request for a certificate of appropriateness. For the purposes of this section, alterations shall include any exterior change (including painting), addition to, or demolition of any part or all of the exterior of a structure. The Common Council shall make its decision within 45 days of its receipt of the Historic Preservation Commission's recommendation regarding the application for a certificate of appropriateness. Persons who are granted a certificate of appropriateness by the Common Council are required to obtain all other permits required by this Municipal Code or by the State of Wisconsin, from the appropriate authority, for the proposed alteration. [Amended 2-20-2001 by Ord. No. 1650(54); 12-7-2004 by Ord. No. 1762(14)]

Based upon the application materials submitted (including the 16 photographs) it does not appear that there would be an alteration in the architectural appearance of any structure by the implementation of the proposed project.

- (2) Basis for approval. No alterations shall be permitted that would tend to destroy or seriously impair the particular character and quality of the HPO Historic Preservation Overlay District. No change or alteration (including painting) of an historic structure, historic site, or historic district shall be permitted which destroys, seriously impairs, or significantly alters its character in terms of its historical or architectural interest.

Based upon the application materials submitted (including the 16 photographs) it does not appear that the proposed project would result in any of the above destroying, seriously impairing, or significantly altering the character in terms of its historical or architectural interest.

- (3) Repairs, destruction and reconstruction. [Amended 12-7-2004 by Ord. No. 1762(14)]

- (a) Notwithstanding the provisions of § 315-84, total lifetime structural repairs, restoration, or alterations of a preservation structure may exceed 50% of the City's equalized value of the structure if the Common Council determines, upon recommendation by the Historic Preservation Commission, that the structure will be repaired, restored, or altered in a way that maintains the character of the structure and the character of the HPO District without significant alteration or change in such character.

No person in charge of an historic structure or improvement in an HPO Historic Preservation Overlay District shall be granted a permit to demolish such property without review and recommendations by the Historic Preservation Commission to the Common Council.

No comment.

- (b) In the case of a two-story structure in the HPO District which has been destroyed, the Common Council may determine, upon recommendation by the Historic Preservation Commission, that the replacement structure may be constructed as a one-story structure but in a way that maintains the historic character of the destroyed two-story structure and the character of the HPO District streetscape facade without significant alteration or change in such character.

Not applicable.

RECOMMENDATION

Based upon the foregoing findings, it is recommended that the Historic Preservation Commission recommend to the Common Council the approval of the proposed "Certificate of Appropriateness" subject to the following conditions:

1. The application and various other attached materials submitted to the City by the applicant for the "Certificate of Appropriateness" in compliance with Sections 315-42B. and E., and 315-139 of the City of Burlington Zoning Ordinance.
2. That material types, colors, and workmanship used for the proposed project are to match the historic mortar and brick including its historic placement and tuck-pointing style. When possible, existing bricks which are in good condition shall be reused for the project.
3. That the proposed project does not include the storefront of the building.
4. That the proposed project does not include the replacement of any window sills or replacement of any windows (or other openings)
5. That the proposed project does not include any type of cleaning or application of surface treatment such as paint or stain.
6. Any additional conditions which may be recommended by the Historic Preservation Commission consistent with City Zoning Ordinance requirements for the HPO Historic Preservation Overlay District.



