



**AGENDA
COMMON COUNCIL
Tuesday, August 17, 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 August 3, 2010. (*J. Fischer*)
6. Letters and Communications: (*R. Prailes*)
 - A. A memorandum from Mayor Miller stating his absence from the August 17, 2010 meetings.
 - B. A memorandum from Alderman Johnson stating his absence from the August 17, 2010 meetings.
 - C. A memorandum from Alderman Rauch stating his absence from the August 17, 2010 meetings.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1-4: (*J. Prailes*)
 - Report 1 – Police & Fire Commission minutes, June 2, 2010
 - Report 2 – Plan Commission minutes, July 13, 2010
 - Report 3 – Joint Park Board / Common Council minutes, July 20, 2010
 - Report 4 – Committee of the Whole minutes, August 3, 2010
9. Payment of Vouchers. (*P. Hintz*)
10. Licenses and Permits. (*K. Simenson*)
11. Appointments and Nominations: (*J. Fischer*)
 - A. To appoint Bob Hartwick to the Board of Review, term ending May 1, 2013.

12. **PUBLIC HEARINGS:**

- A. A Public Hearing to hear public comment regarding a proposal to rezone property at 115 S. Teut Road from I-1, Institutional District to B-1, Neighborhood Business District. *(R. Prailes)*
- B. A Public Hearing to hear public comment regarding a proposal to amend Section 315-27B to allow municipal-owned parking structures, garages and parking lots as a “permitted use” in the B-2, Central Business District. *(J. Prailes)*

13. **RESOLUTIONS:**

None.

14. **ORDINANCES:**

- A. Ordinance 1905(8) to amend the Official Traffic Map to remove the “No Parking Zone” from W. State Street south of Schemmer Street. This item was discussed at the August 3, 2010 Committee of the Whole meeting. *(P. Hintz)*
- B. Ordinance 1906(9) to amend Section 315-70F of the Municipal Code to allow electronic signs as a conditional use in the I-1, Institutional District. This item was discussed at the August 3, 2010 Committee of the Whole meeting. *(K. Simenson)*

15. **MOTIONS:**

None.

16. **ADJOURNMENT** *(J. Fischer)*

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.

Draft

**City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
August 17, 2010**

1. CALL TO ORDER - ROLL CALL

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

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

Council President Tom Vos announced that he would be retaining his right to vote during this meeting.

2. PLEDGE OF ALLEGIANCE

Council President Tom Vos led the council, staff and audience in the Pledge of Allegiance.

3. CITIZEN'S COMMENTS

None

4. CHAMBER OF COMMERCE REPORT

Chamber of Commerce representative Mr. Greg Lemeiux reported on the following upcoming events:

- August 17, "Business after Hours" at John's Main Event
- August 24th "Welcome to Burlington Luncheon" at Napoli's,
- September 21, "Chocolate City Golf Outing" at Brown's Lake Golf Course.

5. COUNCIL MINUTES FROM AUGUST 3, 2010

A motion was made by Fischer with a second by Hintz to approve the Council Minutes of August 3, 2010. With all in favor, the motion carried.

6. LETTERS AND COMMUNICATIONS

A motion was made by Bob Prailes with a second by Simenson to accept the letters and communications. With all in favor, the motion carried.

7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS

Simenson questioned the high water usage by the Wastewater Treatment Plant. Wilson replied that the wastewater treatment plant is a large consumer of water. As an example, Wilson stated that the gas scrubber uses water as a coolant.

Simenson questioned the completion of roadwork within the city which then led to a discussion of the Walgreen's entrance. The steep grade at the entrance to Walgreens had yet to be addressed and Mr. Dick Pieters of the Department of Public Works stated that the project cannot move forward without written permission from Walgreen's. Tom Foht of Kapur Engineering had been trying for weeks without success to obtain a signature. Council President Vos then considered blocking off the entrance until Walgreen's supplied the signed paperwork. Due to the fact this item was not listed on the agenda, no action could be taken at this time.



CITY OF BURLINGTON

City Clerk

300 N. Pine Street, Burlington, WI, 53105
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Common Council Agenda Item Number: 6A-C	Date: August 17, 2010
Submitted By: Alderman Simenson	Subject: Communications

Details:

- A. An email from Mayor Miller stating his absence from the August 17, 2010 meetings.
- B. A memorandum from Alderman Johnson stating his absence from the August 17, 2010 meetings.
- C. An email from Alderman Rauch stating his absence from the August 17, 2010 meetings.

Options & Alternatives:

N/A

Financial Remarks:

N/A

Executive Action:

This correspondence is for approval at the August 17, 2010 Common Council meeting.

From: Miller, Robert
Sent: Tuesday, August 10, 2010 9:36 AM
To: Megan Johnson
Subject: RE: Absence from August 17 COW/Council meetings

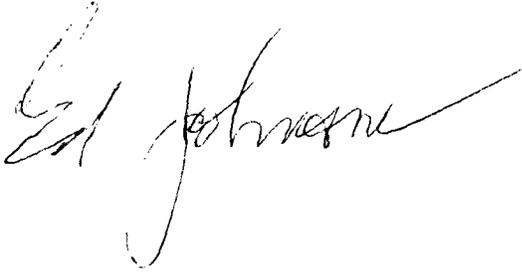
I will not be able to attend the August 17, 2010 Council and Cow Meetings.

Bob Miller

TO: Mayor Robert Miller

FROM: Alderman Ed Johnson

I will be on vacation with my family during the August 17th Council meeting.

A handwritten signature in black ink, appearing to read "Ed Johnson". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Megan Johnson

From: Steve Rauch [srauch2@wi.rr.com]
Sent: Monday, August 09, 2010 9:16 PM
To: Megan Johnson
Subject: RE: Absence from August 17 COW/Council meetings

I will not be able to attend the August 17 COW/Council meeting.

Thanks,

Steve

Steve Rauch
3rd District Alderman
City of Burlington

262-767-1910



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Common Council Agenda Item Number: 8	Date: August 17, 2010
Submitted By: City Staff	Subject: Reports 1-4

Details:

Attached please find the following reports:

Report 1 – Police & Fire Commission minutes, June 2, 2010
Report 2 – Plan Commission minutes, July 13, 2010
Report 3 – Joint Park Board / Common Council minutes, July 20, 2010
Report 4 – Committee of the Whole minutes, August 3, 2010

Options & Alternatives:
N/A

Financial Remarks:
None.

Executive Action:
Staff recommends that the Council accept these reports at the August 17, 2010 Common Council meeting.



CITY OF BURLINGTON

POLICE – FIRE COMMISSION

300 North Pine Street, Burlington, Wisconsin 53105
(262) 763-3717



MINUTES

**City of Burlington Police and Fire Commission
Burlington Fire Station
165 W Washington Street
June 2, 2010**

Call to Order and Roll Call:

The meeting of the Police and Fire Commission was called to order at 6:31 p.m. by Commission Vice President Patla. All Commissioners present together with Chief Nimmer and Chief Lodle.

Public Comments:

None.

Approval of Minutes:

A Motion was made by Commissioner Busch, seconded by Commissioner Schultz, to approve the April 7, 2010 minutes. Motion carries unanimously.

A Motion was made by Commissioner Hotvedt to approve the May 5, 2010 minutes subject to the following two corrections:

- Add the name "William" to the designation of Assistant Chief McCourt
- Add "Scott Koski was appointed to Hose Company #1 as of May 3, 2010

Motion carries unanimously.

Police and Fire Commission Business:

Election of Officers of the Police and Fire Commission for 2010-2011 pursuant to Section 2.03 of the Rules and Regulations for the Police and Fire Commission of Burlington, Wisconsin

A Motion was made by Commissioner Kopack-Hill to nominate Commissioner Patla as President. No second was made. Motion did not proceed.

A Motion was made by Commissioner Busch, seconded by Commissioner Kopack-Hill, to nominate Commissioner Hotvedt as President. No further nominations. All five Commissioners voted for Commissioner Hotvedt. Commissioner Hotvedt elected President.

A Motion was made by Commissioner Kopack-Hill, seconded by Commissioner Hotvedt, to nominate Commissioner Patla as Vice President. No further nominations. All five Commissioners voted for Commissioner Patla. Commissioner Patla elected Vice President.

A Motion was made by Commissioner Kopack-Hill, seconded by Commissioner Schultz, to nominate Commissioner Busch as Secretary. No further nominations. All five Commissioners voted for Commissioner Busch. Commissioner Busch elected Secretary.

A Motion was made to table #6B of the Agenda, the discussion and possible action on the review and potential ratification of the Rules and Regulations for the Police and Fire Commission of Burlington, Wisconsin by Commissioner Hotvedt, seconded by Commissioner Kopack-Hill. Motion carries unanimously.

New Business: None

Fire Chief's Report and Fire Department Business:

After presentation and discussion led my Chief Lodle, Jose Ibarra was appointed to Hose Company #2.

New Business:

Police Chief's Report and Police Business:

Presentation of 2009 Annual Report presented by Chief Nimmer.

Adjournment:

Motion to adjourn made by Commissioner Hotvedt at 7:27 p.m., seconded by Commissioner Kopack-Hill. Motion carries unanimously.

Joseph F. Busch
Secretary



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
July 13, 2010, 6:30 p.m.

Alderman Vos, Chairman, called the Plan Commission meeting to order this Tuesday evening at 6:35 p.m. followed by roll call: Alderman Robert Prailes; Commissioners Chris Reesman, Darrel Eisenhardt, John Lynch and Bob Henney were present. Mayor Miller was excused. Town of Burlington Representative Phil Peterson was absent. Also present were City Administrator Kevin Lahner and City Planner Patrick Meehan.

Alderman Vos stated as he is chairing the meeting he would be retaining his right to vote.

APPROVAL OF MINUTES

Commissioner Eisenhardt moved and Commissioner Reesman seconded to approve the minutes of June 8, 2010. All were in favor and the motion carried.

CITIZEN COMMENTS

None

PUBLIC HEARINGS

None.

OLD BUSINESS

None.

NEW BUSINESS

A. Consideration to approve a Site Plan Application from Blue Rhino for property located at 680 Milwaukee Avenue (Walgreens) to house an outside LP cylinder exchange unit.

- Chairman Vos opened this issue for discussion.
- Commissioner Eisenhardt questioned if the recommendation is to have the storage unit located on the side of the building. Patrick Meehan stated yes, he recommends approval of the Site Plan contingent on the unit being located on the north side of the building.
- There were no further comments.

Commissioner Henney moved and Alderman Prailes seconded to approve the Site Plan Application for 680 Milwaukee Avenue, subject to Patrick Meehan's June 18, 2010 memorandum to the Plan Commission as follows:

- Meehan & Company, Inc. recommends that the Plan Commission approve the proposed LP gas cylinder exchange (vending) cage to be located on the sidewalk area of the existing building and, while not required by the City Zoning Code, encourage the applicant to place the LP gas cylinder exchange (vending) cage on a building elevation which does not face Milwaukee Avenue due to the industrial/utilitarian appearance of the LP gas cylinder exchange (vending) cage.

All in favor and the motion carried.

B. Consideration to recommend approval to the Common Council of a Certified Survey Map for the Downtown Redevelopment Project on Dodge Street and Washington Street.

- Chairman Vos opened this issue for discussion.
- Commissioner Eisenhardt questioned if the parking garage was downsized from the original plans. Administrator Lahner responded that the footprint of the garage is still the same size.
- Commissioner Lynch questioned if Washington Street will be vacated as indicated on the CSM. Administrator Lahner stated per DOT regulations the section of Washington Street that the parking garage will go over cannot be listed as a roadway. He further stated that there will be a clearance of a maximum of ten feet where cars can still drive through that will be clearly identified for larger vehicles. Patrick Meehan stated a street vacation can not be executed through a CSM and would need to be approved as a separate item by the Council. He further stated this CSM approval should be contingent upon the street being vacated. Administrator Lahner stated the paperwork is being finalized to accomplish the vacation.
- Commissioner Lynch questioned if the parking structure will go over the existing parking lot on Dodge and Washington Streets. Administrator Lahner stated it would not, that the structure will end at the Washington Street right-of-way.
- Alderman Prailes and Commissioner Lynch questioned if the plans to create angled parking are still in place and if the remainder of Dodge Street on the east side would be angled parking. Administrator Lahner stated there will be angled parking in front of the hotel on the east side only and the city is currently working with the DOT to get continued angled parking along Dodge Street. Lynch questioned if the road is wide enough for that and Administrator Lahner stated it is.
- Commissioner Henney questioned if the parking lot will continue to allow 24-hour parking for permit holders, stating it is hard to clean the lot in the winter when the cars are not moved. Administrator Lahner stated city staff is in discussions on how to handle that and if the parking garage will be utilized for permit holders.
- Commissioner Lynch questioned if there is a plan in place to clean up the back sides of the buildings downtown now that they are visible. Administrator Lahner stated the Historic Preservation Committee is currently working on that issue with façade grants. He further stated the parking garage will provide some screening as well.

- There were no further comments.

Commissioner Lynch moved and Commissioner Eisenhardt seconded to recommend approval of a Certified Survey Map for Dodge and Washington Street, subject to Patrick Meehan's June 18, 2010 memorandum to the Plan Commission as follows:

- That the legal vacation of that segment of E. Washington Street which is indicated as "vacated" on the face of the proposed Certified Survey Map be legally accomplished prior to the recordation of the proposed Certified Survey Map with the Racine County Register of Deeds.
- Pursuant to the requirements of Sections 236.34(1)(c) and 236.20(2)(b), all monuments erected, corners, and other points established in the field are to be graphically shown in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend on the Certified Survey Map, except lot, outlot, and meander corners need not be shown. The legend for metal monuments on the Certified Survey Map shall indicate the kind of metal, the outside diameter, length, and weight per lineal foot of the monuments.
- Pursuant to the requirements of Section 278-39(A)(1), that the existing 100-year recurrence interval floodplain be indicated on Sheet 1 of the proposed Certified Survey Map with a note indicating the current 100-year floodplain elevation and also a note that a "Letter of Map Revision" (with the date of said letter indicated) has been submitted to the Federal Emergency Management Agency (FEMA) and the Wisconsin Department of Natural Resources for the removal of the eastern edge of the subject property from the 100-year recurrence interval floodplain and that a revised Sheet 1 be submitted to the City accordingly.
- Pursuant to the requirements of Section 278-39(A)(5), existing and proposed contours be indicated. However, due to the fact that existing topography will be submitted as part of a forthcoming Site Plan for the subject property, it is recommended that this requirement be waived by the Plan Commission pursuant to the requirements of Section 278-11 of the City Subdivision of Land Ordinance.

All in favor and the motion carried. This item will move forward to the July 20, 2010 Committee of the Whole meeting.

ADJOURNMENT

Commissioner Lynch moved and Commissioner Henney seconded to adjourn the meeting at 6:45 p.m. All were in favor and the motion carried.

Recording Secretaries
June Bobier and Megan E. Johnson

**City of Burlington
Official Minutes
Joint Meeting
Park Board and Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
July 20, 2010**

1. CALL TO ORDER - ROLL CALL

Park Board Chairman Darrel Eisenhardt called the meeting to order at 5:39 p.m. starting with roll call. Commissioners present: Clay Brandt, Tom Follis, Kelly Kamlager, Todd Schalinske, Peter Turke

Aldermen present: Bob Prailes, Ed Johnson, Peter Hintz, Jim Prailes, Jeff Fischer, Steve Rauch Excused: Katie Simenson

Also present: City Attorney John Bjelajac, Administrator Kevin Lahner, Utility Director Connie Wilson, Department of Public Works Supervisor Dick Pieters, and Mr. Blake Tyson of Schreiber Anderson Associates, Inc.

Mayor Bob Miller arrived at 5:43 p.m. and Alderman Tom Vos arrived at 5:53 p.m.

2. CITIZEN'S COMMENTS

None

3. APPROVAL OF PARK BOARD MINUTES FOR JUNE 17, 2010

A motion was made by Alderman Bob Prailes with a second by Todd Schalinski to approve the June 17, 2010 minutes. With all in favor, the motion carried.

4. ALDERMANIC REPORT

None

5. DPW SUPERVISOR REPORT

Dick Pieters reported the fencing and surface at the tennis court had been removed from Sunset Park. Rauch questioned if any consideration had been given to paving additional parking at Sunset Park. Lahner replied that it was not being considered at this time. Eisenhardt said that there has been a lot of discussion at the Park Board level regarding playground equipment for the tots and a warm-up area for baseball teams which would mean additional space would be needed.

Pieters also discussed the addition of a fence line on the first base side of Beaumont Field that had been added without his knowledge.

Pieters reminded Park Board members of the upcoming budget season and to keep in mind upgrades for Sunset Park.

6. NEW BUSINESS

Mr. Blake Tyson of Schreiber Anderson Associates was present for discussion on the "Open Space and Trails Plan" that was prepared by his company. Mr. Tyson explained this final presentation was the result of six months of public participation which included a site inventory analysis. He felt one the biggest strengths that he had observed was the inter-agency cooperation with the city.

Peter Hintz questioned the absence of Karcher School's playground on the map. Hintz explained that the city had paid for the equipment which is actually located at one of the schools. Schreiber Anderson will update the map and distribute the corrected page.

Vos stated that he was a proponent of selling off parks that aren't being used. He questioned if staffing was part of this study. Mr. Tyson replied that it was not included. Vos then challenged the Park Board to analyze whether there is sufficient man power to maintain these parks.

Alderman Jim Prailes brought up the subject of putting in bathrooms at Riverside Park, but understood that the floodplain was an issue.

Lahner questioned Tyson regarding the rubberized surfaces that are available for playgrounds. Tyson's opinion was that mulch was still the best choice for a variety of reasons.

A motion was made to approve the Schreiber Anderson Plan by Alderman Bob Prailes with a second by Alderman Tom Vos. With all in favor, the motion carried.

7. ADJOURNMENT

A motion was made by Alderman Bob Prailes with a second by Commissioner Brandt to adjourn the meeting. With all in favor, the meeting adjourned at 6:23 p.m.

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

DRAFT

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
August 3, 2010

1. CALL TO ORDER/ROLL CALL

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

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, Fire Chief Dick Lodle, Treasurer Steve DeQuaker, Police Chief Peter Nimmer, Tom Foht of Kapur Engineering

2. CITIZENS COMMENTS AND QUESTIONS

None

3. MINUTES FROM JULY 20, 2010

A motion was made by Fischer with a second by Rauch to approve the July 20, 2010 Committee of the Whole Minutes. With all in favor, the motion carried.

4. RESOLUTION 4430(14) "A RESOLUTION TO CONSIDER VACATING A PORTION OF WASHINGTON STREET LYING WESTERLY OF DODGE STREET WITH REVERSION OF TITLE OF SUCH LAND TO THE CITY OF BURLINGTON"

The mayor introduced Resolution 4430(14). It was explained that this resolution is the first step in vacating a portion of Washington Street just west of Dodge Street. This vacated portion of land will be used for the new parking structure. There will be a height restriction of 13 ½ feet for the portion of the parking structure that will be over Washington Street.

Due to publication requirements, this resolution will not move forward until the September 21st Common Council meeting.

5. ORDINANCE 1905(8) "AN ORDINANCE TO CONSIDER AMENDING THE OFFICIAL TRAFFIC MAP TO REMOVE THE "NO PARKING ZONE" FROM WEST STATE STREET SOUTH OF SCHEMMER"

The mayor introduced Ordinance 1905(8) to council. Area residents had requested that the "No Parking Zone" on West State Street be repealed. With the reduction of businesses in the area, there is less congestion and the removal of the "No Parking Zone" will add an additional parking spot.

This item is scheduled for the August 3, 2010 Common Council meeting.

6. ORDINANCE 1906(9) "AN ORDINANCE TO CONSIDER AMENDING SECTION 315-70F OF THE MUNICIPAL CODE TO ALLOW ELECTRONIC SIGNS AS A PERMITTED USE IN THE I-1, INSTITUTIONAL DISTRICT"

The mayor introduced Ordinance 1906(9). Along with the new addition to the Gateway Technical College (HERO Center), an electronic sign board has been requested. This proposed amendment would allow all schools, churches and municipal buildings to have electronic message boards. At this time, these signs are only allowed in the B-1, B-2 and B-2A commercial districts.

Rauch questioned if these signs would be subject to a size limitation. Lahner responded there would be limitations.

Simenson asked if the electronic signs are subject to any time limitations. Lahner stated that with the current ordinance there is no such control.

Simenson was also concerned that allowing electronic signs in residential areas could become a nuisance.

The council agreed that this change should be by conditional use only and be referred to Plan Commission.

This item is scheduled for the August 17, 2010 Common Council meeting.

7. **MOTION 10-688** "A MOTION TO CONSIDER AN AIRPORT HANGAR LEASE WITH KNOTS 2U FOR 709 AIRPORT DRIVE FOR THE ANNUAL AMOUNT OF \$469.20"

The mayor introduced Motion 10-688. This motion is to consider a twenty-nine year hangar lease agreement with John Bailey (Knots 2U) for 709 Airport Drive.

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

8. **MOTION 10-689** "A MOTION TO CONSIDER AN AIRPORT HANGAR LEASE WITH 948 BRAVO, LLC FOR 948 BRAVO TAXIWAY FOR THE ANNUAL AMOUNT OF \$444.60"

The mayor introduced Motion 10-689. This motion is to consider a twenty-nine year hangar lease agreement with 948 Bravo, LLC for 948 Bravo Taxiway.

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

9. **ADJOURNMENT**

A motion was made by Simenson with a second by Rauch to adjourn the meeting. With all in favor, the meeting adjourned at 6:45 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: August 17, 2010

Submitted By: Steve DeQuaker, Treasurer

Subject: Prepays and Vouchers

Details:

Attached please find the Prepays and Vouchers list for bills accrued through August 17, 2010:

Total Prepays:	\$114,693.73
Total Vouchers:	\$468,150.44
Reimbursements:	\$470.50
Grand Total:	<u><u>\$583,314.67</u></u>

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

Financial Remarks: 5 Largest Disbursements on Prepays and Vouchers

- 1) Scherrer Direct, LLC – Integrated Department of Public Works \$236,932.48
- 2) Wanasek Corp – Payment 2 for the 2010 Utility & Sidewalk Improvement Program \$129,975.42
- 3) Veolia – Trash & Recycle pick up for the City of Burlington \$39,134.31
- 4) Sierra Petroleum Co – Purchase of AV Gas 100LL for the Burlington Airport \$28,069.24
- 5) Stelling & Associates Architects, LTD – Architects Services for City of Burlington Parking Deck \$22,500.00

Executive Action:

Staff recommends that the Common Council accept these Prepays and Vouchers in the amount of \$583,314.67 at the August 17, 2010 Council meeting.



CITY OF BURLINGTON

City Clerk

300 N. Pine Street, Burlington, WI, 53105
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Common Council Agenda Item Number: 10	Date: August 17, 2010
Submitted By: Beverly R. Gill, City Clerk	Subject: Licenses

Details:

The alcohol license list for applications accrued through August 17, 2010 are as follows:

Licenses Recommended for Approval

- Beaster, Andrea L.
- Bent, Jo L.
- Davis, Barbara H.
- Linden, Chrisandra A.
- Mitton, Randy D.
- Rogan, Pat
- Scherrer, Jean A.
- Wade, Julie A.

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 August 17, 2010 Council meeting.



CITY OF BURLINGTON

Administration Department
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(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

Common Council Agenda Item Number: 11	Date: August 17, 2010
Submitted By: Mayor Miller	Subject: Appointment A

Details:

- A. To appoint Bob Hartwick to the Board of Review to replace Jeff Cramer, term ending May 1, 2013.

Options & Alternatives:

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

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept this appointment at the August 17, 2010 Common Council meeting.



CITY OF BURLINGTON

Administration Department

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(262) 342-1161 – (262) 763-3474 fax
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Common Council Item Number: 12A	Date: August 17, 2010
Submitted By: Kevin Lahner, City Administrator	Subject: A Public Hearing for Ordinance 1908(11) to consider rezoning 115 S. Teut Road

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding an ordinance to rezone request from Sandra Miller, owner of Creature Comforts Veterinary Service for property located at 115 S. Teut Road to use as a veterinary clinic and pet day care facility. The parcel is currently zoned I-1, Institutional under City zoning. Requested zoning for this property is B-1, Neighborhood Business District and Commercial with the Multi-Jurisdictional Plan.

This property is currently located in the annexation area per the City/Town STH 36/83 North Corridor municipal boundary agreement that was approved in 2001. Per the agreement (item 2.d.iii.), this specific property will be required to annex into the city by 2011 however water and sewer connection is not required until either a land division or service is extended to that area.

The City of Burlington/Town of Burlington Joint Extraterritorial Committee and the Plan Commission both recommended approval of this rezone request.

Options & Alternatives:

For public comment only.

Financial Remarks:

None.

Executive Action:

This item is for Public Hearing at the August 17, 2010 Common Council meeting and is scheduled for the September 7, 2010 Common Council meeting 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: Sandra Miller, Creature Comforts
Applicant: Sandra Miller, Creature Comforts
Applicant Address: 6025 S. Pine Street
Location of Request: 115 S. Teut Road
Existing Land Use Zoning: I-1, Institutional
Proposed Land Use Zoning: B-1, Neighborhood Business District
Proposed Use: To use existing structure as a pet day care facility.
Tax I.D. Number: 206-03-19-22-011-000
Legal Description:

PART OF THE NORTHWEST ¼ OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 19 EAST, OF THE FOURTH MERIDIAN, TOWNSHIP OF BURLINGTON, COUNTY OF RACINE, STATE OF WISCONSIN, MORE PARTICULARLY AS FOLLOWS: BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 22, THENCE SOUTH 88°24'11" WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 22, 1134.25 FEET TO THE CENTER LINE OF LOOMIS ROAD; THENCE SOUTH 55° 32'03" WEST, ALONG SAID CENTER LINE 358.64 FEET; THENCE SOUTH 52°48'19" WEST ALONG SAID CENTER LINE, 231.99 FEET TO THE PLACE OF BEGINNING OF PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 52°48'19" WEST ALONG SAID CENTER LINE, 200.00 FEET; THENCE SOUTH 34°27'57" EAST, 400.00 FEET; THENCE NORTH 52°48'19" EAST PARALLEL WITH THE CENTER LINE OF LOOMIS ROAD, 200.00 FEET; THENCE NORTH 34°27'57" WEST 400.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.834 ACRES OF LAND, SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHWESTERLY 33 FEET FOR HIGHWAY PURPOSES. CONTAINS 1.6282 ACRES OF LAND EXCLUSIVE OF HIGHWAY

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:

**TUESDAY, AUGUST 17, 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 27th day of July, 2010.

Beverly R. Gill, City Clerk

Published in the Burlington Standard Press
August 5 and 12, 2010



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 Item Number: 12B	Date: August 17, 2010
Submitted By: Kevin Lahner, City Administrator	Subject: A Public Hearing for Ordinance 1907(10) to consider amending Section 315-27B of the Municipal Code to allow municipal-owned parking structures, garages and parking lots in the B-2 District.

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding an ordinance to amend Section 315-27B to allow municipal-owned parking structures, garages and parking lots as a “permitted use” in the B-2, Central Business District. As the Downtown Parking Structure has been designated to be located in the B-2 District, a text amendment is necessary to be compliant with the Municipal Code.

This amendment has been recommended by the Plan Commission at their August 10, 2010 meeting.

Options & Alternatives:
For public comment only.

Financial Remarks:
None.

Executive Action:
This item is for Public Hearing at the August 17, 2010 Common Council meeting and is scheduled for the September 6, 2010 Common Council meeting for consideration.

STATE OF WISCONSIN

COUNTY OF RACINE

The Common Council in and for the City of Burlington

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

To Whom It May Concern:

NOTICE is hereby given that the Common Council of the City of Burlington proposes Chapter 315 of the Municipal Code of the City of Burlington, Racine County, Wisconsin, Zoning, **SECTION 315-27B Permitted Uses in the B-2, Neighborhood Business District** to allow municipal-owned parking structures, garages and parking lots as a permitted use in order to address the City of Burlington's need to encourage commercial growth in the City.

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

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

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

TUESDAY, AUGUST 17, 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.

Dated at Burlington, Wisconsin, this 27th day of July, 2010.

Beverly Gill, City Clerk

*Published in the **Burlington Standard Press**
July 29th and August 5th, 2010*