



City of Burlington

City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1460
Phone: (262) 342-1161 Fax: (262) 763-3474
www.burlington-wi.gov

AGENDA COMMON COUNCIL

Tuesday, June 2, 2009

**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 minutes for May 19, 2009. (*E. Johnson*)
6. Letters and Communications:
 - A. Mayor Miller's absence from the Committee of the Whole and Common Council meetings.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports: 1 – 4: (*J. Prailes*)
 - Report 1 – Burlington Housing Authority minutes, April 9, 2009.
 - Report 2 – Park Board minutes, April 16, 2009.
 - Report 3 – Library Board minutes, April 28, 2009.
 - Report 4 – Committee of the Whole minutes, May 19, 2009.
9. Payment of Vouchers. (*P. Hintz*)
10. License and Permits. (*T. Vos*)
11. Appointments and Nominations: None.

12. Public Hearings: None.

13. **RESOLUTIONS**

- A. Resolution 4328(4) to approve Amendment Number Two to the Planned Unit Development Agreement for Springbrook Landing Subdivision. This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*S. Rauch*)
- B. Resolution 4329(5) to approve the 2008 Department of Natural Resources Compliance Maintenance Annual Report (CMAR). This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*K. Simenson*)
- C. Resolution 4330(6) to amend the 2009 Annual Budget to show a General Purpose Funds revenue into the Capital Replacement Fund and eliminate the operating transfer from the General Fund to the Capital Replacement Fund. This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*J. Fischer*)
- D. Resolution 4331(7) to approve and adopting an Identity Theft Prevention Program for the City of Burlington Water and Wastewater Utility. This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*R. Prailes*)
- E. Resolution 4332(8) to approve an agreement with Bray Architects for architectural services for the Integrated Public Works Facility. This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*E. Johnson*)
- F. Resolution 4333(9) to approve Task Order Number Sixty-Eight with Kapur & Associates, Inc. for civil engineering services to evaluate costs for radium removal for Wells #9 and #10 for the not-to-exceed amount of \$5,000. This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*J. Prailes*)
- G. Resolution 4334(10) to declare official intent to reimburse Wastewater System Capital Improvement Expenditures with proceeds from a State of Wisconsin Clean Water Fund Loan. This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*P. Hintz*)
- H. Resolution 4335(11) to consider approving an agreement between the City of Burlington and Racine County for license to operate Bushnell Park. This item was discussed at tonight's Committee of the Whole meeting. (*T. Vos*)
- I. Resolution 4337(13) to approve the purchase of two air-conditioning units for the Public Library from Vorpapel Service, Inc. for the not-to-exceed amount of \$19,330. This item was discussed at tonight's Committee of the Whole meeting. (*S. Rauch*)

14. **ORDINANCES**

- A. Ordinance 1881(2) to amend Section 315-27F, "Building Height", in the B-2 Central Business District and Sections of Appendix "A" of Chapter 315, "Zoning", of the City of Burlington Municipal Code to increase the maximum allowable building height to 60 feet. This item was discussed at the May 19, 2009 Committee of the Whole meeting. (*K. Simenson*)

- B. Ordinance 1882(3) to amend the Official Traffic Map to add a stop sign at Spring Brook Drive and S. Pine Street. This item was discussed at tonight's Committee of the Whole meeting. *(J. Fischer)*

15. **MOTIONS**

- A. Motion 09-651 approving an contract with Bartolota Fireworks Company, Inc. to produce and perform the fireworks display on July 4. This item was discussed at tonight's Committee of the Whole meeting. *(R. Prailes)*

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

19. **ADJOURNMENT** *(E. Johnson)*

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 Proceedings
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
Police Department Courtroom
June 2, 2009**

1. Call to Order-Roll Call

Council President Tom Vos called the meeting to order at 7:00 p.m. starting with roll call. Present were: Aldermen: Robert Prailes, Ed Johnson, Peter Hintz, Jim Prailes, Jeff Fischer, Steve Rauch, Katie Simenson Excused: Mayor Bob Miller

Staff present: Administrator's Assistant Megan Johnson, Department of Public Works, Utility Manager Connie Wilson, Fire Chief Dick Lodle, Attorney Tom Kircher, Police Chief Scot Eisenhauer, Department of Public Works Streets and Parks Division Larry Gobel, Treasurer Bridget Lois, Building Inspector Patrick Scherrer, Library Director Gayle Falk, Facilities Maintenance Manager Brian Wood, Tom Foht of Kapur Engineering

2. PLEDGE OF ALLEGIANCE

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

3. CITIZEN COMMENTS

None

4. CHAMBER OF COMMERCE REPRESENTATIVE

None

5. APPROVAL OF MINUTES FOR MAY 19, 2009

A motion was made by Johnson with a second by Rauch to approve the May 19, 2009 Common Council Minutes. With all in favor, the motion carried.

6. LETTERS AND COMMUNICATIONS

A motion was made by Rauch, second by Jim Prailes to approve Communication "A". With all in favor, the motion carried.

7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS

Jim Prailes reported that the Burlington Airport would be closed for two to three weeks beginning June 8, 2009 for resurfacing of the runway. He also commented on a letter that had been received and copied to the alderman with certain allegations as to the operation of the airport. He felt that one of the biggest issues was the questioning of the fuel sales. He wanted the aldermen to be aware that there is a policy in place for charging fifty-six cents per gallon above the purchase cost and because it is self-service the fuel can be sold cheaper than at airports that are not self-service. He felt that a lot of the letter contained erroneous information. Attorney Kircher will be responding to the letter.

Rauch requested that Scherrer take a look at the Med-Speed property as it was in need of grass cutting. Scherrer replied that they do have landscaping issues that he is aware of but the grass cutting would be something for the Department of Public Works.

Chief Eisenhower gave a Power Point presentation on crime statistics for the last month. He also discussed the recently acquired Tasers which he considered a very important part of crime fighting.

Gobel gave an update on the current street program and Scherrer discussed the Pick N Save store that is nearing completion. Scherrer was concerned with the operation of the newly installed stop and go lights near the new Pick N Save store. The store had initially requested a temporary occupancy permit but now thought they would request a final inspection. Scherrer was concerned how that would fit in with the Wisconsin Department of Transportation's plan for the intersection from a flashing yellow to full use of the lights.

Rauch questioned Scherrer on the geo-thermal unit that was being installed at a home on Oakland Avenue and questioned if it was in the Well-Head Protection District? Scherrer stated that it was not in the Well-Head Protection District.

Lodle reported that the county's generator project on Origen Street was completed yesterday.

8. REPORTS 1-4

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

9. VOUCHERS

A motion by Hintz, second by Johnson to accept pre-paids (\$209,136.51), vouchers (\$120,074.22) and reimbursement (\$818.83) for a grand total of \$330,029.56 Roll Call: Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer and Simenson Nays: None Motion carried 8-0

10. LICENSES AND PERMITS

A motion by Hintz, second by Simenson to approve licenses as presented. All in favor and the motion carried.

11. APPOINTMENTS AND NOMINATIONS

None

12. PUBLIC HEARING

None

13. RESOLUTIONS ADOPTED

A. RESOLUTION 4328(4) "A RESOLUTION TO APPROVE AMENDMENT NUMBER TWO TO THE PLANNED UNIT DEVELOPMENT AGREEMENT FOR SPRINGBROOK LANDING SUBDIVISION" Motion by Rauch, second by Bob Prailes to approve Resolution 4328(4). Discussion: Mr. Joe Dawidziak, 1165 Hidden Creek was present and was questioned by Simenson if he was okay with being the only person on the Architectural Board? Mr. Dawidziak replied that the committee had met on Tuesday evening and were fine with the way the proposal was written. But, they did suggest that a third person be included on the Architectural Board. Mr. Dawidziak had spoken to the developer, Mr. Kevin McKillip and Mr. McKillip wasn't interested in including a third person. McKillip felt that if there were controversy, the issue would go to the unbiased Plan Commission for resolution.

At this time Mr. Dawidziak requested that Tom Vos not vote on this resolution due to a conflict of interest. Vos agreed to vote present on the roll call.

Simenson directed a question at Attorney Kircher that if the Homeowner's Association felt an additional person should be added to the Architectural Board that perhaps that needed to be discussed and brought back to council. Attorney Kircher stated that the motion was before council at this time and a decision of yes or no had to be voted. Roll Call Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Rauch, Fischer Nays: Simenson Present: Vos Motion carried 6-1

B. RESOLUTION 4329(5) "A RESOLUTION TO APPROVE THE 2008 DEPARTMENT OF NATURAL RESOURCES COMPLIANCE MAINTENANCE ANNUAL REPORT(CMAR)" Motion by Simenson, second by Jim Prailes to approve Resolution 4329(5). With all in favor, the motion carried.

C. RESOLUTION 4330(6) "A RESOLUTION TO AMEND THE 2009 ANNUAL BUDGET TO SHOW A GENERAL PURPOSE FUNDS REVENUE INTO THE CAPITAL REPLACEMENT FUND AND ELIMINATE THE OPERATING TRANSFER FROM THE GENERAL FUND TO THE CAPITAL REPLACEMENT FUND" Motion by Fischer, second by Johnson to approve Resolution 4330(6). With all in favor, the motion carried.

D. RESOLUTION 4331(7) "A RESOLUTION TO APPROVE AND ADOPT AN IDENTITY THEFT PREVENTION PROGRAM FOR THE CITY OF BURLINGTON WATER AND WASTEWATER UTILITY" Motion by Bob Prailes, second by Jim Prailes to approve Resolution 4331(7) With all in favor, the motion carried.

E. RESOLUTION 4332(8) "A RESOLUTION TO APPROVE AN AGREEMENT WITH BRAY ARCHITECTS FOR ARCHITECTURAL SERVICES FOR THE INTEGRATED PUBLIC WORKS FACILITY: Motion by Johnson to adopt Resolution 4332(8). Johnson then amended his motion to include the phrase "not-to-exceed the amount of \$96,000"; second by Simenson. Roll Call Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 8-0

F. RESOLUTION 4333(9) "A RESOLUTION TO APPROVE TASK ORDER NUMBER SIXTY-EIGHT WITH KAPUR & ASSOCIATES INC. FOR CIVIL ENGINEERING SERVICES TO EVALUATE COSTS FOR RADIUM REMOVAL FOR WELLS #9 AND #10 FOR THE NOT-TO-EXCEED AMOUNT OF \$5,000" Motion by Jim Prailes, second by Simenson to approve Resolution 4333(9) Roll Call Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 8-0

G. RESOLUTION 4334(10) "A RESOLUTION TO DECLARE OFFICIAL INTENT TO REIMBURSE WASTEWATER SYSTEM CAPITAL IMPROVEMENT EXPENDITURES WITH PROCEEDS FROM A STATE OF WISCONSIN CLEAN WATER FUND LOAN" Motion by Hintz, second by Jim Prailes to approve Resolution 4334(10). With all in favor, the motion carried.

H. RESOLUTION 4335(11) "A RESOLUTION TO CONSIDER APPROVING AN AGREEMENT BETWEEN THE CITY OF BURLINGTON AND RACINE COUNTY FOR LICENSE TO OPERATE BUSHNELL PARK" Motion by Rauch, second by Hintz to approve Resolution 4335(11) With all in favor, the motion carried.

I. RESOLUTION 4337(13) "A RESOLUTION TO APPROVE THE PURCHASE OF TWO AIR-CONDITIONING UNITS FOR THE PUBLIC LIBRARY FROM VORPAGEL SERVICE, INC FOR THE NOT-TO-EXCEED AMOUNT OF \$19,330" Motion by Rauch, second by Johnson to

approve Resolution 4337(13). Fischer questioned where the money was coming from to pay for the air conditioners? Lois responded that it would be coming out of the General Fund. Roll Call Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 8-0

14. ORDINANCES ADOPTED

A. ORDINANCE 1881(2) "AN ORDINANCE TO AMEND SECTION 315-27F "BUILDING HEIGHT" IN THE B-2 CENTRAL BUSINESS DISTRICT AND SECTIONS OF APPENDIX "A" OF CHAPTER 31, "ZONING," OF THE CITY OF BURLINGTON MUNICIPAL CODE TO INCREASE THE MAXIMUM ALLOWABLE BUILDING HEIGHT TO 60 FEET" Motion by Simenson, second by Hintz to approve Ordinance 1881(2). With all in favor, the motion carried.

B. ORDINANCE 1882(3) "AN ORDINANCE TO AMEND THE OFFICIAL TRAFFIC MAP TO ADD A STOP SIGN AT SPRING BROOK DRIVE AND SOUTH PINE STREET" Motion by Fischer, second by Simenson to approve Ordinance 1882(3). With all in favor, the motion carried.

15. MOTIONS ADOPTED

MOTION 09-651 "A MOTION TO APPROVE A CONTRACT WITH BARTOLOTTA FIREWORKS COMPANY, INC. TO PRODUCE AND PERFORM THE FIREWORKS DISPLAY ON JULY 4TH, 2009"

A motion by Bob Prailes, second by Rauch to approve Motion 09-651. Ayes: Bob Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer Nays: Simenson Motion carried 7-1.

16. OTHER MATTERS AS AUTHORIZED BY LAW

Hintz questioned the status of the structure on Bridge Street. Attorney Kircher explained that the city has issued a raze order and have also been in contact with the parties involved with the project. It is proposed by the parties involved to transfer title from the current owner Mesec Properties to McGill Construction. The city has given them until June 20th to accomplish this title transfer with the city refraining from pursuing the raze order. If the title is transferred by the 20th of June the city will then provide an additional three months for planning.

Connie Wilson provided an update on the radium issue with the water department. She reported that Well #11 also tested high. Letters and brochures regarding the radium had been mailed to the citizens with only three calls being fielded by the water department.

17. ADJOURNMENT

A motion by Johnson, second by Bob Prailes to adjourn the meeting. With all in favor, the meeting adjourned at 7:56 p.m.

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



City of Burlington
City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1460
Phone: (262) 342-1161 Fax: (262) 763-3474
www.burlington-wi.gov

Meeting Date: June 2, 2009	Resolution No.
Subject: Communication A	Ordinance No.
Submitted By: Mayor Miller	Motion:
Department: Mayor's Office	Other: Communication A

Details:

Communication A – Mayor Miller will be unable to attend the June 2, 2009 Committee of the Whole and Council meetings.

Executive Action:

For informational purposes only.



City of Burlington

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Meeting Date: June 2, 2009

Resolution No.

Subject: Reports 1 - 4

Ordinance No.

Submitted By: Beverly R. Gill, City Clerk

Motion:

Department: City Clerk's Office

Other: Reports

Details:

Attached please find the following reports:

Report 1 – Burlington Housing Authority minutes, April 9, 2009.

Report 2 – Park Board minutes, April 16, 2009.

Report 3 – Library Board minutes, April 28, 2009.

Report 4 – Committee of the Whole minutes, May 19, 2009.

Executive Action:

Staff recommends that the Council accept these reports at the June 2, 2009 Common Council meeting.

**City of Burlington Housing Authority
Riverview Manor
April 9, 2009**

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, April 9, 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, Kelly Iselin, Charles Stublely and Resident Manager, Dorothy Henning.

Minutes from the March 12th. meeting was dispersed to board members and a motion was made by Stoehr to approve the minutes as read, seconded by Iselin and carried unanimously.

FINANCIAL REPORT:

Reserve Account balances as of March 31, 2009

First Banking Center	\$ 91,945.66
M&I Bank	<u>\$ 26,653.70</u>
TOTAL	\$ 118,599.36

OCCUPANCY REPORT:

Manager Henning reported 24 on the waiting list for 1 bedroom units and 2 waiting for a 2 bedroom unit.

BUILDING AND MAINTENANCE:

- Preventative maintenance bids for heating and air conditioning for year 2009 and 2010 have been received. Board members have not made a decision due some questions and concerns regarding the proposals. There will be further discussion at the May board meeting.
- Bids from at least 3 roofing contractors for roof replacement at Riverview will be sought in the near future.
- Board members suggested that Manager Henning contact another company for pricing of surveillance equipment for Riverview Manor.

COMMUNICATIONS:

- A motion by Heck, seconded by Stoehr to send Resident Manager Henning to a Managing Rural Development Compliance seminar on May 13th and 14th. at Madison. Motion carried unanimously.

NEW BUSINESS:

- **After much discussion, board members decided it is necessary to implement a monthly rent raise of \$20.00 which will have to be approved by Rural Development.**

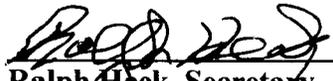
UNFINISHED BUSINESS:

- **A motion was made by Stoehr, seconded by Stublely to accept the changes recommended by board members regarding Secretary duties performed in Article II – Section 4 of the by-laws. Upon receiving the redrafted by-laws, the annual meeting will be held with election.**

ADJOURNMENT:

There being no further business, motion to adjourn was made by Iseline, seconded by Stoehr and carried unanimously. Meeting adjourned 8:10 P.M.

The next monthly meeting is scheduled for May 14, 2009.



Ralph Fleck, Secretary



City of Burlington

CITY OF BURLINGTON

PARK BOARD MINUTES

Thursday, April 16, 2009

6:30 PM

165 West Washington Street, Burlington, WI 53105

Chairman Darrell Eisenhardt, Commissioners Clay Brandt, Tom Follis, Kelly Kamlager, Heather Kane-Terhorst, Todd Schalinske, Alderman Bob Prailes, DPW Supervisor Larry Gobel, High School Students: Paul Dixon, Will Paulus

Chairman Darrell Eisenhardt called the meeting to order at 6:35 P.M.

Roll Call: Present: Commissioners Brandt, Follis, Kamlager, Schalinske and Chairman Eisenhardt. Also present: Larry Gobel, DPW Supervisor and High School Student Paul Dixon. Excused: Commissioner Kane-Terhorst. Absent: Alderman Bob Prailes and Will Paulus.

Approval of March, 19, 2009 Minutes: Chairman Eisenhardt entertained a motion for approval of the March 19, 2009 Minutes. Motion to approve made by Commissioner Brandt. Seconded by Commissioner Follis. All voted aye, motion carried.

Citizens Comments: None

Aldermanic Report: None

DPW Supervisor Report: Larry Gobel, DPW Supervisor reported that water has been turned on in all parks. He also reported letters have been sent out prospective summer employees. Schedules were starting to be received from the various baseball groups. Congress field had a storm water issue, which was repaired by the CPW crews.

Matt Kordecki, Eagle Scout, had contacted Larry Gobel and indicated he would be starting his project at Rockland Lake, and the DPW would assist him with items previously discussed.

Old Business

- a. **Baseball 2000:** Bud Milroy was present and stated they had received bids for lighting from Muscoe Lighting, and a business plan for payment will be brought back to the Park Board members for review when available.

Mr. Milroy had several security concerns regarding Beaumont field. He requested permission to look into security lights by the building and down the left field line, and possibly by the refreshment building. In addition, he requested locks on various gates to discourage people from entering. Larry Gobel, DPW Supervisor stated he would prefer the locks be City issued locks so the gates could be accessed by City personnel should the need arise.

Mr. Milroy asked if a sign could possibly be put up identifying who has permission for using the fields. Larry Gobel, DPW Supervisor stated he would check with Scot Eisenhauer, Police Chief for the appropriate wording.

b. Continued Discussion on Parks Capital Expenditures

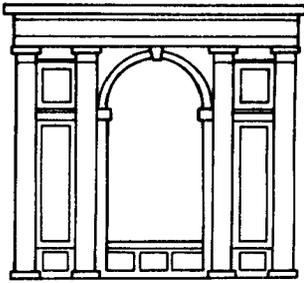
The Commissioners discussed items from the Parks Capital Projects list provided by Larry Gobel, DPW Supervisor. Completed items reviewed and Chairman Eisenhardt asked the Commissioners to review items and to come back with ideas for items they feel would be an enhancement for the Parks.

Other Items: The Park Board Commission discussed driving through the Parks to familiarize the Members of size and location. A tentative date of April 30, 2009. Everyone agreed to meet at the DPW located at 824 Milwaukee Avenue, Burlington, WI. Deb Rintamaki will send out verification notices via email confirming time and date.

There being no further items for discussion, Chairman Eisenhardt entertained a motion to adjourn. Motion made by Commissioner Brandt. Seconded by Commissioner Kamlager. All voted aye and Chairman Eisenhardt adjourned the meeting at 7:55 P.M.

Minutes respectfully submitted by:

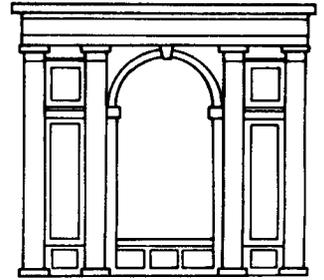
**Deb Rintamaki
Department of Public Works**



Burlington Public Library

166 East Jefferson Street • Burlington, Wisconsin 53105
(262) 763-7623 • Fax (262) 763-1938

www.burlingtonlibrary.org



Minutes of the Burlington Public Library Board of Trustees

The Burlington Public Library Board of Trustees met on Tuesday, April 28, 2009 in the Burlington Public Library storytime room. Present were Penny Torhorst, Yvonne Braunschweig, Kay Pockat, Bridget Savaglia, Steve Rauch, Pat Hurley, Pat Hoffman, Scott Johnson, and Dianne Boyle. Also present were high school representative Jahna Newholm and Carrie Coppernoll. Also present were Gayle Falk and Linda Berndt.

Torhorst called the meeting to order at 4:03.

Minutes of the March 24, 2009 meeting were approved. Braunschweig moved, and Johnson seconded. Motion passed.

The April 2009 General Fund Bills, Prepaids, Reimbursements and March 2009 General Fund Deposits were discussed and approved. Braunschweig moved approval and Hoffman seconded. Motion passed. The April 2009 Trust Fund Bills and March 2009 Trust Fund Deposits were approved. Hoffman moved and Braunschweig seconded. Motion passed.

Falk asked for Board approval of two items from trust funds. First is Leapfrog Tag kits. Tag is a pen that is programmed to read a book when you move the pen across the words. We would like to have 4 kits, 10 additional books, 1 game and an extra storage case. The second items are two baby changing stations, one for each bathroom. Brian will be installing them for us. Hurley moved and Rauch seconded the motion to use \$400.00 of grocery money for Tag kits, and \$400.00 of grocery money for the changing tables. Motion passed.

Committee Reports:

The City has adopted a new employee policy manual for the non union people. The next time our personnel committee meets we need to go over the items in the City manual and see how they affect us and what changes we want to adopt.

Federated Library Report

Bernie Bellin, Lakeshores administrator, is leaving in July and they are going to start to interview candidates on Friday and Saturday of this week. Gayle will be at the interviews on Friday.

Old Business:

Friends Update: The Friends group has an architect that is examining the library blueprints for the children's area and he will make recommendations for redesigning the space to make the most of what space we have. Additionally, the Friends are working on plans for the Booksale and Summer Reading Program, and have donated money for purchasing DVDs.

New Business:

Events: The Board looked over and commented on several of the programs on the Events calendar. WAPL Conference is May 7 & 8 in the Dells. Judy and Gayle will be attending.

Falk had a summary sheet of all the questions from the National Library Week survey and the responses.

The library has been quieter since the signs were put out on the tables asking people to be aware of their noise level.

We now have an automated phone call for holds. This is a recorded voice that calls to tell you that an item has come in and is ready for you to check out. There have been very few complaints or concerns so far about the automated calls. The response has been overwhelmingly good. We also started sending out courtesy emails warning patrons when their items are coming due.

Annual Report:

Falk said that we needed to change some numbers in our annual report. The city has released some money to us that they had been accumulating at the end of the year. In the future, it will roll over into our account. This will change the numbers that were put on the annual report. Johnson moved and Braunschweig seconded the motion to approve the changes to the Annual Report as shown on the report. Motion passed.

Directors Report: Falk reported that for the first third of the year circulation is up about 12 %.

It was suggested that the high school representatives give a short summation of their time spent on the Library Board. The May meeting will be their last meeting. They will be off for the summer and then the mayor will appoint new students in the fall.

In the News:

No one has been referred from Love, Inc. for a special card yet.

There was no public communication to the board.

Meeting was adjourned at 4:343PM. Braunschweig moved to adjourn and Hoffman seconded the motion. Motion passed.

Our next meeting will be on Tuesday, May 26th at 4:00 PM in the Burlington Public Library Storytime Room.

Respectfully submitted,



Steve Rauch
Aldermanic Representative

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
Police Department Courtroom
May 19, 2009 6:30 p.m.

1. Call to Order/Roll Call

Mayor Miller called the meeting to order at 6:30 p.m. starting with roll call. Present were: Aldermen: Robert Prailes, Ed Johnson, Peter Hintz, Jim Prailes, Jeff Fischer, Steve Rauch and Katie Simenson and High School Students Bonit Gill and Tony Wang. Excused: Tom Vos.

Staff present: City Administrator Kevin Lahner, Department of Public Works, Utility Supervisor Connie Wilson, Fire Chief Dick Lode, Attorney Tom Kircher, Police Chief Scot Eisenhauer, Department of Public Works Streets and Parks Division Larry Gobel, Treasurer Bridget Lois, Building Inspector Patrick Scherrer, Tom Foht of Kapur Engineering and Attorney Alan Marcuvitz.

2. Citizen Comments

None

3. Approval of Minutes

A motion was made by Johnson to approve the May 5, 2009 Minutes. Jim Prailes seconded the motion and with all in favor, the motion carried.

4. RESOLUTION 4328(4) "A RESOLUTION TO CONSIDER APPROVING AMENDMENT NUMBER TWO TO THE PLANNED UNIT DEVELOPMENT AGREEMENT FOR SPRINGBROOK LANDING SUBDIVISION"

Mayor Miller explained that McWan Homes LLC, the developer of Springbrook Landing Subdivision has proposed an amendment to the Planned Unit Development Agreement. This amendment would allow for more flexibility in the design of the homes. The Architectural Control Committee of Springbrook Landing reviews and approves any design change that is not part of the original twelve home designs.

Attorney John Hotvedt representing McWan was in attendance and he stated that both Mr. Kevin McKillip and Mr. Joe Dawidziak would serve on the Architectural Control Committee. They would remain on this committee as long as they owned property in the subdivision. Rauch questioned if this would be in writing in an agreement? Attorney Hotvedt stated that was correct. He also stated that this was given approval at the May 12, 2009 Plan Commission meeting.

Johnson questioned the changes that could occur in the development without city approval. It was his understanding that any deviation from the twelve designs would have to go in front of the Plan Commission but all other conditions would remain the same.

Simenson was concerned that the original residents had bought into a concept with it changing once and now another change. She also felt that there should be one more resident added to the Architectural Committee which would give the homeowners more of a say. Attorney Hotvedt stated that with the first change that had occurred, signatures of approval had been acquired from all of the homeowners. With the current proposed change, the homeowners again had been notified and he felt that they were very much aware of the proposal.

Building Inspector Patrick Scherrer also requested that the changes be made available to him in writing as he is the one that reviews the building permits. Attorney Hotvedt stated that he could provide that information in writing to Mr. Scherrer.

City Administrator Lahner reiterated that the whole concept is remaining the same but it will give the developer more flexibility in what can be built.

Jim Prailles questioned whether a ranch-style home could be built? Lahner stated that due to the narrowness of the lot, it would not be practical.

Rauch stated that he also would be in favor of another person being added to the architectural committee and he would like to see the developer's website updated to reflect the changes that have been made.

Mr. Joe Dawidziak, 1165 Hidden Creek spoke to the council stating he understood the original agreement and how it should be adhered to, but he also understood that the development needed to be completed. Attorney Kircher questioned If the Homeowner's Association could provide input prior to the June 2, 2009 Council Meeting when a decision would be made on the proposal. Mr. Dawidziak stated that the Home Owner's Association would be meeting prior to June 2nd.

5. RESOLUTION 4329(5) "A RESOLUTION TO CONSIDER APPROVING THE 2008 DEPARTMENT OF NATURAL RESOURCES COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR)"

Mayor Miller commended the wastewater treatment facility on their successful "Compliance Maintenance Annual Report". The plant earned a score of 4.0 based on a 4.0 system. Ms. Wilson stated that this is a required yearly report.

6. RESOLUTION 4330(6) "A RESOLUTION TO CONSIDER AMENDING THE 2009 ANNUAL BUDGET TO SHOW A GENERAL PURPOSE FUNDS REVENUE INTO THE CAPITAL REPLACEMENT FUND AND ELIMINATE THE OPERATING TRANSFER FROM THE GENERAL FUND TO THE CAPITAL REPLACEMENT FUND"

The mayor explained this was merely a housekeeping matter and the dollar amounts in the budget were not affected.

7. RESOLUTION 4331(7) "A RESOLUTION TO CONSIDER APPROVING AND ADOPTING IDENTITY THEFT PREVENTION PROGRAM FOR THE CITY OF BURLINGTON WATER AND WASTEWATER UTILITY"

Lois discussed this resolution that was prompted by the Federal Trade Commission's requirement that utilities also have security procedures in place. Simenson questioned whether there would be any additional cost related to this request. Lois stated there was no additional cost involved.

8. RESOLUTION 4332(8) "A RESOLUTION TO CONSIDER APPROVING AN AGREEMENT FOR ARCHITECTURAL SERVICES FOR THE INTEGRATED PUBLIC WORKS FACILITY"

Mayor Miller explained that Applied Technologies had been given the contract to conduct an analysis of combining the Public Works operation now located on Milwaukee Avenue and relocate it to the Water/Wastewater facility on Highway 83 South. Lahner discussed that the city would use up to one million dollars in Clean Water Fund Loans for the design and construction of a combined facility. He stated that three firms had been interviewed by city staff for architectural services with the Bray Architectural Firm from Milwaukee awarded the contract for an amount of \$96,000.

Rauch questioned if the AAR money was guaranteed and Lahner explained that when the intent to apply was submitted, the score that was received on the application was favorable to receive the funds, but there is no guarantee.

Simenson questioned Lahner what the estimated cost would be without receiving any of the stimulus money. He stated that it is 3.4 million dollars with the cost being split between water, wastewater and the general fund. Simenson also questioned how the wastewater treatment plant could justify using funds that would be benefiting the Department of Public Works. Wilson explained that the funds that are spent are carefully scrutinized by the DNR and the proposed facility that will be built will have shared usage with the utilities which justifies the expense and will then qualify for the funds. Simenson further questioned the amount of Stimulus Funds would be available. Lahner explained that fifty per-cent would be Clean Water Funds with the remainder in subsidized loans.

Simenson stated that she had been contacted by residents in her district who are concerned about taxes to support all of the planned developments within the city. It was explained by the administrator that there are critical needs with the DPW building and by taking advantage of the Stimulus Funds it will significantly lower the cost in the long term. Simenson then questioned whether taxes will have to be raised significantly to pay for these projects. Lahner felt that the taxes should not be raised, but reminded Simenson that any tax increase is made up of a variety of factors throughout the whole city.

Fischer stated that he thought the whole idea behind the combining of departments would be to reduce operational cost, avoid duplication of services and creating efficiencies between the departments with an added benefit of the use of the methane gas.

Lahner also spoke about the sale of the property on Milwaukee Avenue. Due to the proximity of the landfill site, it will be difficult to develop but he hoped to sell it for a competitive price.

9. RESOLUTION 4333(9) "A RESOLUTION TO CONSIDER APPROVING TASK ORDER NUMBER SIXTY-EIGHT WITH KAPUR & ASSOCIATES, INC. FOR CIVIL ENGINEERING SERVICES TO EVALUATE COSTS FOR RADIUM REMOVAL FOR WELLS #9 AND #10 FOR THE NOT-TO-EXCEED AMOUNT OF \$5,000"

Mayor Miller stated that a report had been received from the DNR stating the presence of unacceptable radium levels in both Well Number Nine and Ten. Kapur will report back on different options to address the issue.

Johnson questioned that if this is in two wells, could it also start showing up in the other wells. Wilson stated that it was a real possibility as she explained that the radium has always been present but in lower levels. She explained that the city has five wells and those wells pump to the standpipe which means that the water the residents receive is "blended". She stated that because of the blending there is a slight potential that the city could test out of the requirement. Wilson also stated that fifty communities from Green Bay south to Illinois have radium removal systems.

Rauch questioned when the DNR would be testing the blended water for radium and Wilson stated that this has already been done. The lab results will not be available for at least six weeks from the Wisconsin State Lab of Hygiene. Once the report is received, the DNR will give the city a very generous compliance schedule. She estimated at least three to four years to be compliant.

Wilson stated that letters would be going out this week to the water customers along with a brochure which will offer further explanation of radium. She stated that she will be available to answer all questions personally that the residents of the city may have.

Simenson suggested that the city wait for the results rather than go ahead and spend the five thousand dollars at this time. Wilson stated that she felt it wasn't advisable as the city is under a notice of violation at this time and it is better to be pro-active.

10. RESOLUTION 4334(10) "A RESOLUTION TO CONSIDER DECLARING OFFICIAL INTENT TO REMIBURSE WASTEWATER SYSTEM CAPITAL IMPROVEMENT EXPENDITURES WITH PROCEEDS FROM A STATE OF WISCONSIN CLEAN WATER FUND LOAN"

Wilson explained that this is a housekeeping issue that serves notice to the DNR that it is the city's intention to be reimbursed approximately \$669,500 for the street program.

11. ORDINANCE 1881(2) "AN ORDINANCE TO CONSIDER AMENDING SECTION 315-27f, "BUILDING HEIGHT" IN THE B-2 CENTRAL BUSINESS DISTRICT AND SECTIONS OF APPENDIX "A" OF CHAPTER 315, ZONING OF THE CITY OF BURLINGTON MUNICIPAL CODE TO INCREASE THE MAXIMUM ALLOWABLE BUILDING HEIGHT TO 60 FEET"

The mayor explained that this text amendment is to increase the height from thirty-five feet to sixty-feet in the B-2 Business District. This would directly affect both the proposed hotel and offices.

12. OTHER MATTERS

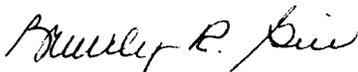
Rauch had received a petition regarding the placement of a stop sign on Kendrick and Westridge from the residents in the area. He was advised to present it to the police chief for his recommendation.

Hintz said that at certain times of the day it is very difficult to turn from Dunford to Pine Street and that area should be studied. He also said that a left turn lane may be needed at Market and Pine.

Simenson questioned why the well site on Ridge Road continues to be mowed. She felt that if it isn't going to be a well site any longer that it should be sold. Wilson said that it has been appraised but the timing wasn't right for the sale of the property.

13. ADJOURNMENT

A motion was made by Jim Prailes to adjourn the meeting. Hintz seconded the motion and with all in favor, the meeting adjourned at 7:27 p.m.



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



City of Burlington

City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1460
Phone: (262) 763-7996 Fax: (262) 763-3474
www.burlington-wi.gov

Meeting Date: June 2, 2009

Resolution No.

Subject: Vouchers and Prepaid Bill Payments

Ordinance No.

Submitted By: Bridget Lois, Treasurer

Motion:

Department: Finance Office

Other: Vouchers & Prepaids

Details:

Attached please find the Voucher and Prepaid list for bills accrued through June 2, 2009

Total Prepaids:	\$ 209,136.51
Total Vouchers:	\$ 120,074.22
Reimbursements:	\$ 818.83
Grand Total:	\$330,029.56

Executive Action:

Staff recommends that the Common Council accept these vouchers and prepaids in the amount of \$330,029.56 at the June 2, 2009 Council meeting.

For Council Approval

Prepays:	05/21/09	\$26,848.45
	05/28/09	\$182,288.06

Total Prepays		<u>\$209,136.51</u>
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Vouchers:	06/02/09	\$120,074.22
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Reimbursements:	05/22/09	\$818.83
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GRAND TOTAL		<u><u>\$330,029.56</u></u>
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City of Burlington

City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1460
Phone: (262) 342-1161 Fax: (262) 763-3474
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Meeting Date: June 2, 2009

Resolution No.

Subject: Licenses and Permits

Ordinance No.

Submitted By: Beverly R. Gill, City Clerk

Motion:

Department: Clerk's Office

Other: Licenses

Details:

Please see the attached alcohol license list for applications accrued through June 2, 2009.

Executive Action:

Staff recommends the Common Council accept the presented licenses at the June 2, 2009 Council meeting.

OPERATOR'S LICENSES

Aldred, Andrew M.
Appenzeller, Brian E.
Appenzeller, Mary T.
Baer, Ashley L.
Bork, Jante` E.
Bublitz, Karen K.
Butler, Sherry L.
Clark, Gregory B.
Curler, David M.
Curtiss, Terri L.
Darling, Barbara J.
Dietwchweiler, Walter, L.
Erickson, Kelly M.
Fiegel, Amy J.
Hawley, Kelly J.
Hewitt, Kendra K.
Hiltibran, Mary L.
Katarow, Linda F.
Kletecka, Keri A.
Kringer, Anthony S.
Leach, Diana S.
Licht, Eric S.
Longo, Nate D.
Lovato, Brian L.
Martin, Jason L.
MCCarthy, Patricia E.
Menken, Tamra A.
Molle`, Margaret I.
Noel, Gene D.
O'Conner, William J.
Riemer, Gerald K.
Riemer, Theresa J.
Rios, David A.
Robers, Barbara A.
Sailors, Elaine C.
Schaar, Megan K.
Schafer, Kerry L.
Schiemann, Lee S.
Schlitz, Lynda M.
Sorensen, Karen L.
Spiegelhoff, Justin D.
Stone-Busch, Julie
Sutheimer Gail M.
Thornton, Melissa S.
Tucker, Abigail R.
Twinam, Laure E.
Waite, Juli L.
Weber, Tracy M.
Wiemer, Robert F.
Williams, Vicki L.
Yanke, Arthur G.

NOTICE IS HEREBY GIVEN that the following applications have been filed with the city clerk to deal in intoxicating and fermented malt beverages:

CLASS "A" FERMENTED MALT BEVERAGES

Name: K Mart Corporation
Agent: Dave Rios
Trade Name: Kmart #9713
Address: 1058 Milwaukee Avenue, Burlington

Name: JMP Burlington Petroleum, Inc.
Agent: Valerie Tollers
Trade Name: Burlington Petroleum, Inc.
Address: 500 East State Street, Burlington

Name: Kwik Trip, Inc.
Agent: Edward L. Albrecht
Trade Name: Kwik Trip #401
Address: 500 Falcon Ridge Drive, Burlington

COMBINATION "CLASS A"

Name: Aldi, Inc.
Agent: Wendy Zirbel
Trade Name: Aldi #83
Address: 2009 Lynch Way, Burlington

Name: Hansen's Pine Street Market, LLC
Agent: Dawn Hansen
Trade Name: Hansen's Pine Street Market
Address: 501 South Pine Street, Burlington

Name: B & O Petroleum LLC
Agent: Suraj Ozman
Trade Name: B & O Petroleum LLC
Address: 364 Milwaukee Avenue, Burlington

Name: Marly, LLC
Agent: Jim G. Jante
Trade Name: Rice's Liquor
Address: 681 Milwaukee Avenue, Burlington

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

Name: Spiegelhoff's Markets, LLC
Agent: Thomas Wiemer
Trade Name: Gooseberries Fresh Food Market
Address: 690 West State Street, Burlington

Name: Ultra Mart Foods, LLC
Agent: Steven C. Immel
Trade Name: Pick 'N Save #6414
Address: 1120 Milwaukee Avenue, Burlington

Name: Richter Foods, Burlington, Inc.
Agent: Lawrence R. Richter
Trade Name: Sentry Foods
Address: 156 South Pine Street, Burlington

Name: Wal-Mart Stores East, LP
Agent: Brian Hocking
Trade Name: Wal-Mart Supercenter #3488
Address: 1901 Milwaukee Avenue, Burlington

Name: KAS Enterprises Inc., II
Agent: Kausar Sheikh
Trade Name: Burlington Food & Fuel
Address: 416 Milwaukee Avenue, Burlington

CLASS "B" FERMENTED MALT BEVERAGES

Name: PH Green Bay, LLC
Agent: Rebecca George
Trade Name: Pizza Hut
Address: 940 Milwaukee Avenue, Burlington

Name: KAE, Inc.
Agent: Donald Golon
Trade Name: Flippy's Fast Food
Address: 401 North Pine Street, Burlington

Name: JJK Inc.
Agent: Ricardo Pompa
Trade Name: White Fox Den Restaurant
Address: 864 Milwaukee Avenue, Burlington

"CLASS C" WINE

Name: JJK Inc.
Agent: Ricardo Pompa
Trade Name: White Fox Den
Address: 864 Milwaukee Avenue, Burlington

COMBINATION "CLASS B"

Name: Trac-Tone, Inc.
Agent: Gloria Henry
Trade Name: Coach's Sports Bar and Grill
Address: 488 Milwaukee Avenue

Name: The Boneyard Pub and Grille, LLC
Agent: James F. Jones
Trade Name: The Boneyard Pub and Grille
Address: 1709 Milwaukee Avenue

Name: Cottonpicker, Inc.
Agent: William P. Foster
Trade Name: Cottonpicker, Inc.
Address: 2600 Browns Lake Drive, Burlington

Name: J. Collins Investments 82
Agent: Joel Collins
Trade Name: Therapy
Address: 117 West Chestnut Street, Burlington

Name: Fred's Parkview Inc.
Agent: Fred Mabson
Trade Name: Fred's
Address: 596 North Pine Street, Burlington

Name: Bertha Benitez
Trade Name: Los Compadres
Address: 725 Milwaukee Avenue, Burlington

Name: Memorial Terrace Management Group
Agent: William J. Smitz
Trade Name: Memorial Terrace
Address: 589 Milwaukee Avenue, Burlington

Name: Burlington Brewing Company
Agent: Jeffrey J. Fischer
Trade Name: BBC
Address: 217 North Pine Street, Burlington

Name: Goldschmidt & Neu, Inc.
Agent: Christine Ann Neu Schmidt
Trade Name: Chris' USA
Address: 724 Milwaukee Avenue, Burlington

Name: Fairway Cafe, Inc.
Agent: Chad Wilks
Trade Name: Fairway Cafe, Inc.
Address: 932 Brown's Lake Drive, Burlington

Name: Rumors Never End, Inc.
Agent: David Mitchell, Agent
Trade Name: Rumors Never End, Inc.
Address: 232 North Main Street, Burlington

Name: JJCW, Inc. of Burlington
Agent: Rhonda Lauer
Trade Name: Foxville Restaurant
Address: 141 North Pine Street, Burlington

Name: Char Grill, Inc.
Agent: Jeffrey Marsh
Trade Name: Charcoal Grill & Rotisserie
Address: 580 Milwaukee Avenue

Name: D&S Restaurant, Ltd.
Agent: David Corbett
Trade Name: Gabby's Palace
Address: 356 North Pine Street

Name: Veronico's
Agent: Maria A. Veronico
Trade Name: Veronico's
Address: 336 North Pine Street, Burlington

Name: Puntillo Enterprises, Inc.
Agent: John Puntillo
Trade Name: John's Main Event
Address: 556 North Pine Street, Burlington

Name: Lois & Lois LLC
Agent: Mary Lynn Lois
Trade Name: Log Cabin Tavern
Address: 233 West Jefferson Street, Burlington

Name: Napoli, Inc.
Agent: Simone Pedone
Trade Name: Napoli Pizza
Address: 132 North Pine Street, Burlington

Name: The Blue Carpet of Burlington, Inc.
Agent: Ryan Benkendorf
Trade Name: Benderz
Address: 460 North Pine Street, Burlington

Name: Towne & Country Lanes, Inc.
Agent: Merrill M. Draper
Trade Name: Towne & Country Lanes, Inc.
Address: 264 South Pine Street, Burlington

Name: TMP Enterprises, LLC
Agent: Tanya Peterson
Trade Name: BJ Wentkers
Address: 230 Milwaukee Avenue, Burlington

Name: R. Zumpano, LLC
Agent: Ralph Zumpano, Jr.
Trade Name: Zumpano's Ristorante & Pizzeria
Address: 180 East Chestnut Street, Burlington

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

Dated: May 22, 2009



City of Burlington

City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1460
Phone: (262) 763-7996 Fax: (262) 763-3474
www.burlington-wi.gov

**Motion to approve a contract with Bartolota Fireworks Company, Inc.
to produce and perform the fireworks display on July 4.**