



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 16, 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 June 6, 2009. *(S. Rauch)*
6. Letters and Communications: *(K. Simenson)*
 - A. A letter from Alderman Hintz regarding his absence at tonight's meetings.
 - B. A letter from Alderman Johnson regarding his absence at tonight's meetings.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports: 1 – 5: *(J. Fischer)*
 - Report 1 – Police and Fire Commission minutes, May 6, 2009.
 - Report 2 – Police and Fire Commission minutes, May 11, 2009.
 - Report 3 – Plan Commission minutes, May 12, 2009.
 - Report 4 – Community Development Authority minutes, May 19, 2009.
 - Report 5 – Committee of the Whole minutes, June 6, 2009.
9. Payment of Vouchers. *(R. Prailes)*
10. License and Permits. *(J. Prailes)*
11. Appointments and Nominations: None.

12. **PUBLIC HEARINGS**

- A. A public hearing to consider a resolution to vacate a small portion of Washington Street lying between Dodge Street and the railroad right-of-way, with reversion of title to such land to the City of Burlington and to amend the Official Map of the City of Burlington to show the same. *(T. Vos)*

13. **RESOLUTIONS**

- A. Resolution 4327(3) to approve vacating a portion of Washington Street east of Dodge Street with the reversion of title to such land to the City of Burlington and amend the Official Map to show the same. This item was discussed at the May 5, 2009 Committee of the Whole meeting. *(S. Rauch)*
- B. Resolution 4336(12) to approve Change Order Number One with C.D. Smith Construction for extra work done on Phase One Modifications at the Wastewater Treatment Plant in the amount of \$39,089. This item was discussed at the June 6, 2009 Committee of the Whole meeting. *(K. Simenson)*

14. **ORDINANCES**

None.

15. **MOTIONS**

- A. Motion 09-652 to approve an Airport Hangar Lease between the City of Burlington and Daniel Luke for 816 Hotel Taxiway for a term of 29 years at \$228 annually. This item was discussed at the June 6, 2009 Committee of the Whole meeting. *(J. Fischer)*

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

17. **ADJOURN INTO CLOSED SESSION** *(R. Prailes)*

Wis. Stats 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

- To discuss specific personnel issues.

18. **RECONVENE INTO OPEN SESSION** *(J. Prailes)*

1. Consideration on recommendations from the City Council.

19. **ADJOURNMENT** *(T. Vos)*

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

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www.burlington-wi.gov

Meeting Date: July 7, 2009

Resolution No.

Subject: Meeting Minutes from June 16, 2009

Ordinance No.

Submitted By: Beverly R. Gill, City Clerk

Motion:

Department: Clerk's Office

Other: Minutes

Details:

Attached please find the Common Council Minutes from the June 16, 2009 meeting. Staff recommends approval of these minutes.

Executive Action:

Staff recommends that the Common Council approve these minutes at the July 7, 2009 Common Council meeting.

Draft

**City of Burlington
Official Proceedings
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
Police Department Courtroom
June 16, 2009**

1. Call to Order-Roll Call

Mayor Miller called the meeting to order at 8:04 p.m. starting with roll call. Present were: Aldermen: Robert Prailes, Jim Prailes, Tom Vos, Jeff Fischer, Steve Rauch and Katie Simenson Excused: Peter Hintz, Ed Johnson

Staff present: Administrator Kevin Lahner, Assistant to the Administrator Megan Johnson, Attorney Tom Kircher, Department of Public Works, Utility Manager Connie Wilson, Police Chief Scot Eisenhauer, Department of Public Works Streets and Parks Division Larry Gobel and Library Director Gayle Falk. Also in attendance was Mr. Frank Tiefert of Applied Technologies.

2. PLEDGE OF ALLEGIANCE

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

3. CITIZEN COMMENTS

Ms. Debrajean Dukovan, 2849 West Drexel, Franklin attended the council meeting to discuss her current Fireworks Sales Permit. She requested from council that her permit be expanded to include "Class C" Fireworks. The mayor stated that because it was not on the agenda, no action could be taken at this time. Attorney Kircher discussed the fact that the city would have to change their local ordinance to accommodate this request. It was advised that the process to facilitate this change would take at least three months. Vos felt that for council to circumvent city ordinances would not be in the city's best interest.

4. CHAMBER OF COMMERCE REPRESENTATIVE

Mr. Eric Thomsen of the Chamber of Commerce was in attendance at this evening's meeting and discussed the networking meeting to be held Wednesday, June 17, 2009 and the upcoming golf outing.

5. APPROVAL OF MINUTES FOR JUNE 2, 2009

Rauch made a motion and Vos seconded to approve the minutes from the June 2, 2009 Common Council Meeting. With all in favor, the motion carried.

6. LETTERS AND COMMUNICATIONS

Simenson made a motion and Jim Prailes seconded to accept Communications A & B. With all in favor, the motion carried.

7. REPORTS BY ALDERMANIC REPRESENTATIVES AND DEPARTMENT HEADS

Simenson questioned the parking lot at Echo Park as it appears to be larger compared to what it was originally and questioned if it was within the plans. She was also concerned with the trees that had been cut into and if they would survive. Gobel stated that the Park Board was aware of the expansion into the volleyball court, but had not done an actual count of the additional spaces. Simenson questioned the protocol regarding the expansion of the parking lot. Lahner explained that the original plan had

been redesigned to make it function better and after consultation with staff had signed off on the change. It was felt that the redesign would actually save the trees.

Vos also questioned whether that was the proper procedure. Lahner stated that in his mind, it was proper. Attorney Kircher spoke that it was like a change order and someone had to make the call. Vos felt that the Park Board who is in charge of the parks did not have a chance for input nor did the council and plan commission.

Simenson stated that these parks belong to the people and if the Park Board isn't going to be part of these decisions, then why have a Park Board at all.

Bob Prailes stated that as a member of the Park Board he knew there had been a discussion of taking space from the volleyball area, but the Park Board did not give their approval for the change.

The mayor said the intention was not to increase the size of the parking lot but to change the plans to save the trees. But, if the original plan were to be used, the trees would have to go.

Vos said that in the future, he did not want to approve projects that had already been approved by staff. Lahner assured him that would be the process in the future and this particular issue would be sent back to the Park Board.

Simenson questioned the chipping on the Riverwalk that was reported last year and wasn't corrected. Gobel stated that it had been looked at and found out that there were different processes used in some areas of the Riverwalk and until specifications could be put together it was determined to correct only some of the worst areas. He stated that it will be reviewed and placed in next year's street program. Vos questioned if the repair that had been done was still holding? Gobel stated that it was doing well.

Wilson reported that Phase One was coming to an end at the Wastewater Treatment Plant with the contractors moving off-site and only some housekeeping details to be finished. She also reported that the city's treatment plant will be hosting approximately one-hundred and twenty-five people who are members of the WWOA for an August 12th meeting.

Gobel reported on the progress of the State Street Project and how the proposed detour did not work as planned so vehicles will now have to be flagged. He anticipated the state being onsite next week for their portion of the project.

Chief Eisenhower commented on the success of several search warrants that had been issued recently.

8. REPORTS 1-5

Fischer made a motion and Simenson seconded to accept Reports 1-5. With all in favor, the motion carried.

9. VOUCHERS

Bob Prailes made a motion and Vos seconded to accept pre-pays (\$159,242.24), vouchers (\$252,464.25) and reimbursements (983.42) for a total amount of \$412,689.91
Roll Call Ayes: Bob Prailes, Jim Prailes, Vos, Rauch, Fischer and Simenson Nays: None
Motion carried 6-0

10. LICENSES AND PERMITS

Motion by Jim Prailes, second by Rauch 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 CONSIDER A RESOLUTION TO VACATE A SMALL PORTION OF WASHINGTON STREET LYING BETWEEN DODGE STREET AND THE RAILROAD RIGHT-OF-WAY WITH REVERSION OF TITLE TO SUCH LAND TO THE CITY OF BURLINGTON AND TO AMEND THE OFFICIAL MAP OF THE CITY OF BURLINGTON TO SHOW THE SAME" The mayor opened the public hearing at 8:35 p.m. A representative from McDonalds was present and asked if the plan had changed from the original idea of the vacation of the street to be split between the two property owners being McDonalds and the new hotel owners. Lahner stated it had changed from the original plan due to the fact another statute now governs the disposition because it is in a redevelopment area. A motion was made by Vos to close the public hearing. Jim Prailes seconded the motion and with all in favor, the Public Hearing closed at 8:38 p.m.

13. RESOLUTIONS ADOPTED

A. RESOLUTION 4327(3) "A RESOLUTION TO APPROVE VACATING A PORTION OF WASHINGTON STREET EAST OF DODGE STREET WITH THE REVERSION OF TITLE TO SUCH LAND TO THE CITY OF BURLINGTON AND AMEND THE OFFICIAL MAP TO SHOW THE SAME" A motion was made by Rauch with a second by Simenson to approve Resolution 4327(3). Vos questioned if the city would retain the storm water easement that runs under this portion of the street all the way to the river? Attorney Kircher could not recall seeing a storm water easement on the map, but if there were one, the city would retain it. Gobel was instructed to have this checked with Kapur. Roll Call Ayes: Bob Prailes, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 6-0

B. RESOLUTION 4336(12) "A RESOLUTION TO APPROVE CHANGE ORDER NUMBER ONE WITH C.D. SMITH CONSTRUCTION FOR EXTRA WORK DONE ON PHASE ONE MODIFICATIONS AT THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$39,089" A motion was made by Simenson with a second by Rauch to approve Resolution 4336(12). Roll Call Ayes: Bob Prailes, Jim Prailes, Vos, Rauch, Fischer, Simenson Nays: None Motion carried 6-0

14. ORDINANCES ADOPTED

None

15. MOTIONS ADOPTED

MOTION 09-652 "A MOTION TO APPROVE AN AIRPORT HANGAR LEASE BETWEEN THE CITY OF BURLINGTON AND DANIEL LUKE FOR 816 HOTEL TAXIWAY FOR A TERM OF TWENTY-NINE YEARS AT \$228.00 ANNUALLY" A motion was made by Fischer with a second by Vos to approve Motion 09-652. With all in favor, the motion carried.

16. OTHER MATTERS AS AUTHORIZED BY LAW

None

17. ADJOURN INTO CLOSED SESSION PER WI.STATS.19.85(1)(C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES

RESPONSIBILITY" A motion was made by Bob Prailes with a second by Rauch to convene into closed session. With all in favor the closed session began at 8:43 p.m.

18. RECONVENE INTO OPEN SESSION

A motion was made by Jim Prailes to reconvene into open session. Simenson seconded the motion and with all in favor, the motion carried. There was no recommendation from closed session.

19. ADJOURNMENT

A motion was made by Vos with a second by Fischer to adjourn the meeting. With all in favor the meeting adjourned at 9:31 p.m.

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



City of Burlington

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Meeting Date: June 16, 2009

Resolution No.

Subject: Communication A & B

Ordinance No.

Submitted By: Alderman Hintz

Motion:

Department: Mayor's Office

Other: Communications

Details:

Communication A – Alderman Peter Hintz will be unable to attend the June 16, 2009 Committee of the Whole and Common Council meetings.

Communication B – Alderman Edward Johnson will be unable to attend the June 16, 2009 Committee of the Whole and Common Council meetings.

Executive Action:

For informational purposes only.

To: Mayor Miller
City Council
From: Alderman Hintz
Date: June 8, 2009
Re: June 16 meeting

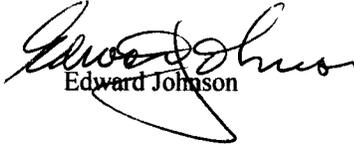
I will not be in attendance at the Tuesday, June 16 City Council meeting. I will be out of state June 12-21. I will catch up with Aldermanic responsibilities the week of June 22.
Thank you-

Peter Hintz

TO: Mayor Bob Miller
Clerk Bev Gill

DATE: June 10, 2009

I will be out of town on June 16 and will be unable to attend the City Council meeting.


Edward Johnson

Executive Action:

Staff recommends that the Council accept these reports at the June 16, 2009 Common Council meeting.

CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
Police Department Courtroom
June 2, 2009 6:30 p.m.

1. Call to Order/Roll Call

Council President Tom Vos 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 Excused: Mayor, Bob Miller

Staff present: Assistant to the Administrator 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 and Tom Foht of Kapur Engineering

Council President Tom Vos announced that it was his intention to retain his voting rights during the council meeting this evening.

2. Citizen Comments

None

3. Approval of Minutes from May 19, 2009

A motion was made by Fischer and a second by Hintz to approve the minutes from the May 19, 2009 meeting. Simenson requested the minutes reflect that the homeowner's association had not had a chance to discuss the issue prior to the May 19, 2009 council meeting. The recording of that meeting will be listened to again and the minutes will be amended and presented at the next Committee of the Whole meeting for adoption.

4. RESOLUTION 4335(11) "A RESOLUTION TO CONSIDER APPROVING AN AGREEMENT BETWEEN THE CITY OF BURLINGTON AND RACINE COUNTY FOR LICENSE TO OPERATE BUSHNELL PARK"

Johnson questioned whether the amount offered by Racine County will be sufficient to cover the costs? Gobel explained that the City has been maintaining portions of the park for years with the trade-off of priority scheduling for city activities. Due to county layoffs and not hiring seasonal help the city has been requested to do a little more. Gobel stated that this request will only add a little more responsibility to the Department of Public Works but felt the compensation was adequate to cover the extra work. Gobel stated that the city would have extra storage space for winter by utilizing the maintenance building on the site.

Hintz questioned the permits for beer that will have to be issued with Gobel stating that portion has not been worked out at this time. Due to the city police not having jurisdiction in Bushnell Park, the county would have to enforce.

Vos questioned the availability of water especially at the newest baseball diamond. Gobel stated that water was an issue in all of Bushnell Park and there have been discussions through the years on that topic with the county. Vos also stated that it was his understanding that the Bushnell Family had left money in a trust and he questioned whether there would be any money for providing water to the park. Gobel said that he would have to check with the county as they would be in charge of the trust.

5. **RESOLUTION 4336(12) "A RESOLUTION TO CONSIDER APPROVING CHANGE ORDER NUMBER ONE WITH C.D. SMITH CONSTRUCTION FOR EXTRA WORK DONE ON PHASE ONE MODIFICATIONS AT THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$39,089"**

Bob Prailes questioned if the engineers were in attendance as there were questions that needed to be answered. Connie Wilson stated that she would request that they attend the next Council meeting on June 16, 2009. Vos stated that the City had requested two changes and the rest were oversights. Wilson said that sometimes the designs do not work and modifications must be made. She also stated that the work has been done, but has not yet been paid. Vos felt that the change order should be approved before the work is completed so any discrepancies can be addressed. Wilson stated that for the most part she agrees with that but there are instances where it is not practical due to crane costs, safety issues, by-pass issues and possible DNR fines in which someone has to make the decision to move the project forward. Vos reiterated that his personal opinion was that approval needs to be given prior to moving forward and then questioned if the Council were to say "no" to this Task Order, what then becomes of the bill? Attorney Kircher stated that if someone with authority has authorized the work then the City is obligated to pay.

6. **RESOLUTION 4337(13) "A RESOLUTION TO CONSIDER APPROVING THE PURCHASE OF TWO TRANE AIR-CONDITIONING UNITS FOR THE PUBLIC LIBRARY FROM VORPAGEL SERVICE, INC FOR THE NOT-TO-EXCEED AMOUNT OF \$19,330"**

Mr. Brian Wood was present to address any questions from Council. Bob Prailes questioned why the low bid was not taken. Wood explained that the low bid did not include crane charges that were required in the bid document.

Simenson understood that there had been issues at the police department with this contractor and questioned why they were given consideration. Wood explained that the issue she was referencing to was stray voltage and that had been covered by insurance. She also thought there was a problem with maintenance and was assured by Wood all maintenance was now done on a regular schedule.

Fischer questioned if this was a budgeted item? Lois answered that this was not budgeted but due to the age and inefficiency of these air conditioners it was decided at this time to replace both units. Wood stated that one of the units is not working and with the expense of hiring a crane, and the electric company taking down wires it was deemed to be the best opportunity to replace both units. Lois also stated that there were Focus on Energy Grants in the amount of \$840.00 that would be applied for once the work is completed.

Scherrer stated that twenty to twenty-three years on a roof-top unit is certainly at the end of its life cycle and with the newer units being much more efficient there would certainly be energy savings.

Simenson questioned when the air conditioners were scheduled for replacement? Lois stated that she did not believe the Library was part of the Equipment Replacement Fund. Simenson felt that the library should from this time forward have a replacement schedule. Falk stated that due to their austere budgets, money had not been set aside for this type of replacement.

7. **ORDINANCE 1882(3) "AN ORDINANCE TO CONSIDER AMENDING THE OFFICIAL TRAFFIC MAP TO ADD A STOP SIGN AT SPRING BROOK DRIVE AND SOUTH PINE STREET"**

It was explained that a temporary stop sign has now been placed on Spring Brook Drive and South Pine Street. Due to the bypass construction, local traffic will be routed off of Yahnke Road to Spring Brook Drive to the intersection of South Pine Street.

Rauch questioned if the city would have been able to close Spring Brook Drive instead of allowing this traffic to continue? Attorney Kircher stated that the county or state does not have jurisdiction in this area only the city. Chief Eisenhower felt that though this isn't a perfect solution, it appeared to be working.

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

Simenson spoke against the use of city money for fireworks as she didn't feel that it was a necessity and that it should be a service organization that sponsors the event, not the city.

9. **MOTION 09-652 "A MOTION TO CONSIDER APPROVING AN AIRPORT HANGAR LEASE BETWEEN THE CITY OF BURLINGTON AND DANIEL LUKE FOR 816 HOTEL TAXIWAY FOR A TERM OF TWENTY-NINE YEARS AT \$228.00 ANNUALLY"**

No comments

10. **OTHER MATTERS**

No comments

11. **ADJOURN**

A motion was made by Bob Prailes with a second by Johnson to adjourn. With all in favor, the meeting adjourned at 7:00 p.m.

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



City of Burlington

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Burlington, Wisconsin 53105-1460
Phone: (262) 763-7996 Fax: (262) 763-3474
www.burlington-wi.gov

Meeting Date: June 16, 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 16, 2009

Total Prepaids:	\$159,242.24
Total Vouchers:	\$ 252,464.25
Reimbursements:	\$ 983.42
Grand Total:	\$412,689.91

Executive Action:

Staff recommends that the Common Council accept these vouchers and prepaids in the amount of \$412,689.91 at the June 16, 2009 Council meeting.



City of Burlington

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Phone: (262) 342-1161 Fax: (262) 763-3474
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Meeting Date: June 16, 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 16, 2009.

Executive Action:

Staff recommends the Common Council accept the presented licenses at the June 16, 2009 Council meeting.

June 16, 2009

Licenses Recommended for Approval

Operator's Licenses

Alby, Julie A.
Aldrich, Morgan A.
Andrews, Sylvia A.
Bodovinac, John A.
Brown, Kim M.
Chambers, Leighann C.
Chapman, James D.
Corbett, Sandra L.
Cowick, Jeremy K.
Dexter, Richard A.
Ebert, Scott D.
Glebke, Kevin J.
Golon, LuAnne H.
Gross, Susan L.
Gutsmiedel, Cindy L.
Hannan-fernandez, Scott J.
Hatch, Jennifer S.
Hinzpeter, Brian K.
Hoffman, Charmain E.
Hopkins, Trisha A.
Koch, John H.
Koski, Scott W.
Leppin, Susan M.
Lois, Bernard M.
Lois, Glenn F.
Longo, Dennis J.
Maccaux, Brenda S.
Mahoney, David A.
Mata, Miriam
Merten, Jr., John R.
Milatz, William W.
Miller, Michael V.
Milroy, Jr., Bernard J.
Olson, Kim A.
Pellegrino, Tiffany N.
Peuschold, Amy L.
Pieters, Mark R.
Richter, Scott L.
Richter-Huber, Susan M.
Schiller, Sandra K.
Skrundz, Vince N.
Spurling, Wendy J.
Stadter, Dana J.
Strelow, Jodi B.
Thomas, Kathleen M.
Wasilevich, Scott B.
Weidner, Betsey A.

Change of Agent

Trade Name: Pizza Hut
Address: 940 Milwaukee Avenue
Agent: Richard Rodey

Licenses Recommended for Denial

Operator's Licenses

Ayala, Lynda K.
Hurst, Joshua A.



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Meeting Date: June 16, 2009	Resolution No.
Subject: A Public Hearing regarding vacating a portion of Washington Street between McDonalds and the Burlington Co-op.	Ordinance No.
Submitted By: Kevin Lahner, City Administrator	Motion:
Department: Administration Department	Other: Public Hearing

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a street vacation for a portion of Washington Street between the Co-op and McDonald's. This item was introduced at the May 5 Committee of the Whole and recommended by the Plan Commission at their May 12 meeting.

Executive Action:

This item is for a Public Hearing only.

**CITY OF BURLINGTON
NOTICE OF HEARING**

NOTICE IS HEREBY GIVEN by the Common Council of the City of Burlington, Racine County, Wisconsin, that a public hearing and action on a Resolution providing for the discontinuance of a portion of dedicated right-of-way will be held by the Common Council in the Council Chambers at the Police Department, 224 East Jefferson Street, Burlington, Wisconsin during the meeting of the Common Council on June 16, 2009 beginning at 6:30 P.M. or shortly thereafter.

Said Resolution is to vacate and discontinue a certain section of Washington Street lying between Dodge Street and the railroad right-of-way, as follows:

That part of Washington Street adjoining Blocks 26 and 31 of the Original Plat of Burlington and being located in the Northeast 1/4 of Section 32, Township 3 North, Range 19 East, City of Burlington, State of Wisconsin, described as follows:

Said part of Washington Street located West of and adjoining the Wisconsin Central Railroad Right of Way, East of and adjoining Dodge Street, South of and adjoining said Block 26 and North of and adjoining said Block 31; said parcel containing 0.31 acre, more or less;

title to such land shall remain with the City; and to amend the Official Map of the City of Burlington accordingly.

NOTICE IS FURTHER GIVEN that at said hearing opportunity will be given to any person or persons, whether or not represented by agent or attorney, to be heard either for or against the requested street discontinuance, title reversion and map amendment; and

FURTHER that owners of frontage on the portion of the street to be discontinued or within 2,650 feet of the ends of the portion to be discontinued have the right to file written objection to the proposed discontinuance pursuant to Wis. Stat. s. 66.1003.

Dated at Burlington, Wisconsin, this 6 day of May, 2009.

BY ORDER OF THE COMMON COUNCIL
Beverly Gill, Clerk

Posted 5/21/2009

Published as a Class III Notice in the Burlington Standard Press on May 21, May 28 and June 4, 2009



City of Burlington

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Meeting Date: July 7, 2009

Resolution No.

Subject: Closing a portion of Perkins Boulevard during Farmers Market hours for a classic car show. **Ordinance No.**

Submitted By: Scot Eisenhauer, Chief of Police and Larry Gobel, DPW Supervisor **Motion:** 09-653

Department: Police Department and Public Works Department – Streets and Parks. **Other:**

Details:

A street closure request has been received from Carol Reed of the Farmer's Market to block off a portion of Perkins Boulevard from Washington Street to the Perkins Boulevard parking lot driveway. She is requesting to block the road on certain Thursdays (as listed on the attached request) from 3 p.m. to 7 p.m. in coordination with the Farmer's Market to hold a classic car show. Both the Police Department and the Department of Public Works have reviewed this request and do not have any issues with it. Staff recommends approval of this request.

Executive Action:

This item was discussed at the June 16, 2009 Committee of the Whole meeting and is placed on the July 7, 2009 Common Council agenda the same night for consideration.



Historic Downtown
BURLINGTON
Farmers' Market

113 E. Chestnut Street, Suite B • Burlington, WI 53105 • (262) 210-6360
burlingtonfrmarket@sbcglobal.net • www.burlingtonchamber.org

May 26, 2009

City of Burlington
Mayor Miller
300 N. Pine Street
Burlington, WI 53105

Dear Mayor Miller:

As Market Manager for the Burlington Farmers' Market, I would like to request the City Council's consideration for closing off a portion of the street directly behind downtown Wehmhoff Square Park (Perkins Blvd.) on the following dates: 6/25, 7/23, 8/27, 9/24. The street would be closed from the intersection at Perkins and Washington to the entrance of the public parking lot. It would not interfere with traffic flow into and out of that lot.

The purpose would be to display vintage automobiles with the Burlington Car Club in conjunction with the Farmers' Market on those dates and during the same hours as the market 3 p.m. to 7 p.m.

Please feel free to contact me with any concerns or questions you might have at 210-6360. Thank you.

Sincerely,

Carol Reed



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: July 7, 2009

Resolution No.

Subject: HPC Certificate of Appropriateness Application for 557 Milwaukee Avenue.

Ordinance No.

Submitted By: Tina Chitwood, RCEDC

Motion: 09-655

Department: Presented by Alderman Peter Hintz

Other:

Details:

Consideration of a recommendation from the Historic Preservation Commission to approve a Certificate of Appropriateness Application for 557 Milwaukee Avenue (Daily Brew) to allow for:

- Removal of the existing cedar shake shingle roofs/awnings.
- Installation of aluminum awnings with Sombrell fabric.

Approval contingent upon:

- Height of the awning to be in compliance with the Awning Code §315-61;
- After the tear off of the cedar shake roof, a response team visit will be required to confirm the treatment on the building. (Building owner would like to install MDO plywood and paint the plywood to match the rest of the building,) and
- Color of the awning fabric to be provided to the HPC for their review/approval.

This Certificate of Appropriateness was approved at the June 25, 2009 Historic Preservation Committee meeting.

Executive Action:

This Certificate of Appropriateness Application for 557 Milwaukee Avenue is for discussion at the July 7, 2009 Committee of the Whole meeting and per common practice is placed on the Common Council agenda for consideration the same night.



MEMORANDUM

TO: City of Burlington Common Council

FROM: Tina Chitwood, Community Development Specialist
Racine County Economic Development Corporation

DATE: June 29, 2009

SUBJECT: 557 Milwaukee Avenue
1st Quest Investments (Daily Brew Coffee Shop)/ Dennis Spankowski
Certificate of Appropriateness Application

The purpose of this memorandum is to notify the Common Council that the Historic Preservation Commission (HPC) recommends approval of the Certificate of Appropriateness Application for the project located at 557 Milwaukee Avenue.

The proposed plan of work to be completed consists of:

- Remove existing cedar shake shingle roofs/awnings.
- Install aluminum awnings with Sombrell fabric.

Approval contingent upon:

- Height of the awning to be in compliance with the Awning Code §315-61;
- After the tear off of the cedar shake roof, a response team visit will be required to confirm the treatment on the building. (Building owner would like to install MDO plywood and paint the plywood to match the rest of the building,) and
- Color of the awning fabric to be provided to the HPC for their review/approval.

Note: Applicant included shutters installation in their Certificate of Appropriateness Application but no motion to approve/deny the shutters installation was made by the HPC members. The HPC members did agree to a response team visit to address the topic of installing shutters on the building.

This Certificate of Appropriateness Application was reviewed and approved at the June 25, 2009 HPC meeting.

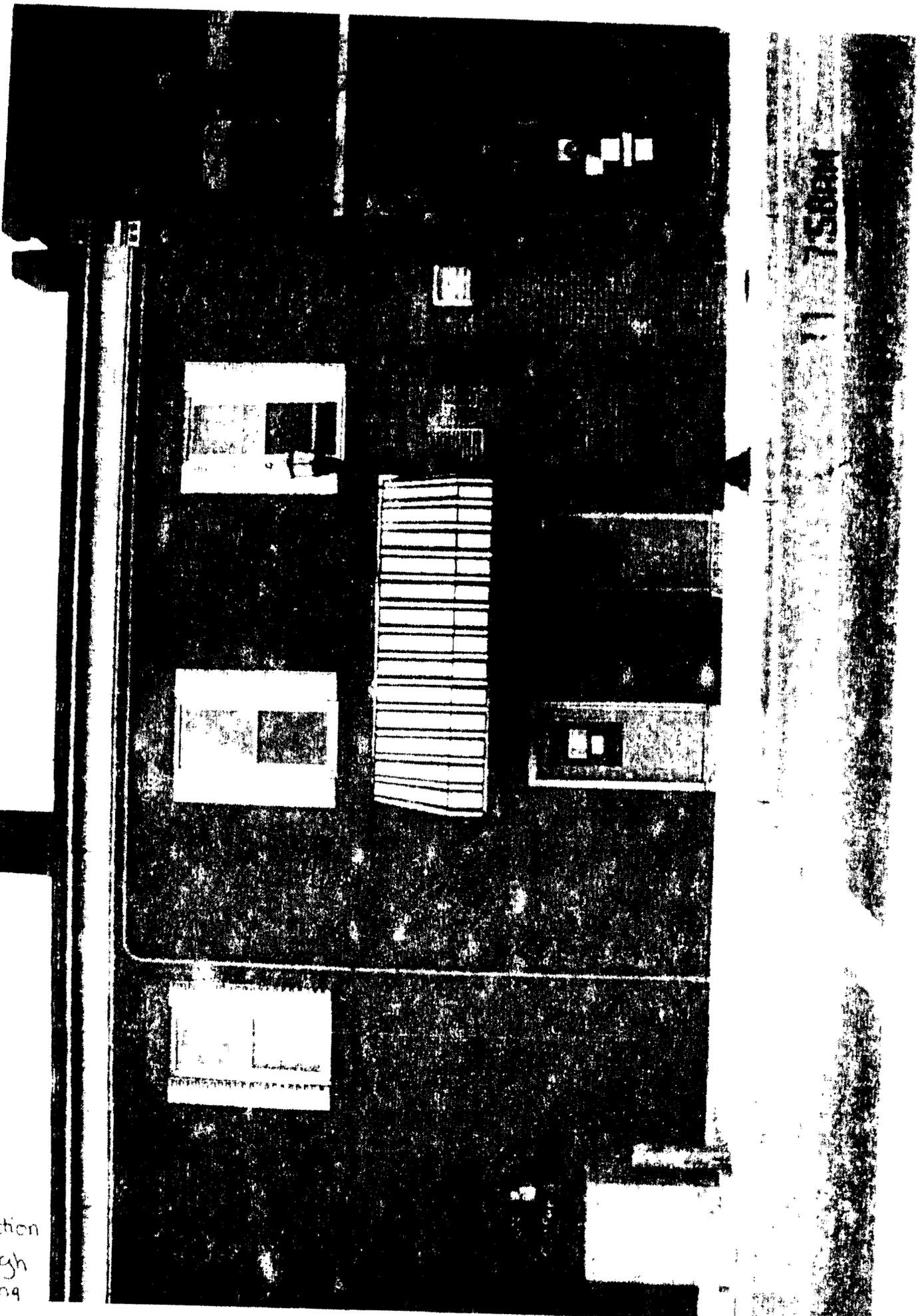


Proposed

CONTRACT

1000 ... 2017 ...

posed
Shutters
Awning -
30" projection
4'8" high
12'3" long



Application for the Certificate of Appropriateness

Per section § 315.42 of the HPO Historic Preservation Overlay District zoning ordinance, the following application must be completed when alterations in the architectural appearance of any structure within the HPO district is proposed.

Please provide the following:

1. Architectural plans, elevations, photographs, color samples and/or perspective drawings and sketches illustrating the design and character of all proposed alterations (except painting, see below) must be submitted. Said elevations and drawings 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 completed 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

2. Applicant Name: 1ST QUIST INVESTMENTS
3. Contact Name: Dennis Spankowski
4. Name of Tenant: Daily Brew Coffee Shop
5. Name of Business: " "
6. What is (are) the existing use(s) of the building? commercial coffee shop
7. Telephone Number: 763-7654 Facsimile Number _____
8. E-Mail Address _____
9. Project Address: 557 Milwaukee AV _____, Burlington, WI
10. Mailing Address: 125 FRONT ST Burlington, WI
11. Does the applicant own the project building? Yes No
12. If no, please list owner's name and address: _____
13. Architect or engineer's name and address: _____
14. Date of submittal of plans: 6-11-09
15. Scale of drawings noted on each drawing: 1/2"
16. Building type, size and location: BRICK 30' x 60'
17. Height of building: 30'
18. Exterior material samples to be provided: 1/2"

Amended April 2003

NOTE: Please supply material samples of all exterior alterations for the HPC meeting

19. Proposed Start Date: 7-10-09

20. Proposed Completion Date: 7-20-09

NOTE: Please provide any and all information that will illustrate to the Commission the effect of the proposed change.

D. Sporkowski
Signature of Applicant

D. Sporkowski
Signature of Property Owner

Please reserve my position for Façade grant money in the event additional funding is made available in the future. I understand I would be required to complete a Façade Grant Application within 10 business days of notification of fund availability or I would lose my reserved position.



STOP! Have you included the following with your application?

- 1) Color photographs of your current building facade, including some view of the buildings on either side for context;
- 2) Architectural plans, elevations, and/or perspective drawings and sketches illustrating the design and character of all proposed alterations completed to a recognized architectural scale with the name of the project noted;
- 3) Historic photos of your building as it appeared in the past. You are required to visit the Burlington Historical Society Museum at 232 North Perkins Blvd. for this information if your project includes façade renovations;
- 4) Material samples of all exterior alterations, i.e., color samples, siding. Only one sample per design element is required;
- 5) ^{(4) reduced} 16 copies of all supplemental information; i.e., drawings, renderings, elevations, photos/pictures, etc. that are not easily duplicated due to size or other restrictions.



If any of the above pertain to your project and are not included with your application, your application will be considered INCOMPLETE and will not be placed on the meeting agenda for discussion.

THANK YOU FOR YOUR COOPERATION!

Amended November 2006