



AGENDA COMMON COUNCIL

Tuesday, November 15, 2011

**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 October 18, 2011. (*J. Fischer*)
6. Letters and Communications: (*R. Prailes*)
 - A. A memorandum regarding Alderman Johnson's absence from the November 15th meetings.
7. Reports by Aldermanic Representatives and Department Heads.
8. Reports 1-7: (*J. Prailes*)
 - Report 1 – Plan Commission minutes, September 13, 2011
 - Report 2 – Burlington Housing Authority minutes, September 15, 2011
 - Report 3 – Historic Preservation Commission minutes, September 22, 2011
 - Report 4 – Budget Workshop minutes, October 13, 2011
 - Report 5 – Budget Workshop minutes, October 19, 2011
 - Report 6 – Budget Workshop minutes, October 26, 2011
 - Report 7 – Committee of the Whole minutes, November 1, 2011
9. Payment of Vouchers. (*P. Hintz*)
11. Licenses and Permits. (*T. Vos*)

11. **APPOINTMENTS AND NOMINATIONS:** A-J (*S. Rauch*)

A. John Lynch to be appointed to the Historic Preservation Commission, expires 1/4/14

The following are Student Representatives:

B. Sarnpal Dhillon to be appointed to the Common Council, expires May 31, 2012

C. Dale Marrow to be appointed to the Common Council, expires May 31, 2012

D. Kyle Burns to be appointed to the Plan Commission, expires May 31, 2012

E. Biannca Clayton to be appointed to the Plan Commission, expires May 31, 2012

F. Miranda Meyers to be appointed to the Library Board, expires May 31, 2012

G. Katie Hart to be appointed to the HPC, expires May 31, 2012

H. Serena Wanask to be appointed to the HPC, expires May 31, 2012

I. Chase Robers to be appointed to the Park Board, expires May 31, 2012

J. Rosie Uhen to be appointed to the Airport Commission, expires May 31, 2012

12. **PUBLIC HEARINGS:**

A. A Public Hearing to consider the proposed 2012 Annual Budget for the City of Burlington.
(*K. Simenson*)

13. **RESOLUTIONS:**

A. Resolution 4509(34) to approve the purchase of two S&L pumps for the STH 11 lift station from Energenecs in the amount of \$29,721. This item was discussed at tonight's Committee of the Whole meeting. (*J. Fischer*)

14. **ORDINANCES:**

None

15. **MOTIONS:**

None

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

1. Wis. Stats 19.85(1)(e), deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons requiring a closed session.

- Consideration to sell public property.

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

1. Consideration on recommendations from the City Council.

18. **ADJOURNMENT** (*P. Hintz*)

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

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

Common Council Agenda Item Number: 5	Date: November 15, 2011
Submitted By: Beverly R. Gill, City Clerk	Subject: Meeting Minutes

Details:

Attached please find the minutes from November 1, 2011 Common Council meetings. Staff recommends approval of these minutes.

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Common Council approve these minutes at the November 15, 2011 Common Council meeting.



City of Burlington
Official Minutes
Common Council
Robert Miller, Mayor
Beverly R. Gill, City Clerk
November 1, 2011

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

Mayor Bob Miller called the meeting to order at 6:38 p.m. starting with roll call. Aldermen present: Bob Prailles, Ed Johnson, Peter Hintz, Jim Prailles, Tom Vos, Steve Rauch, Jeff Fischer, Katie Simenson

Also present: City Attorney John Bjelajac, Police Chief Peter Nimmer, Treasurer Steve DeQuaker, Public Works Director Connie Wilson, Library Director Gayle Falk, Assistant to the Administrator Megan Johnson

City Administrator Kevin Lahner arrived at 6:40 p.m.

2. **PLEDGE OF ALLEGIANCE**

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

3. **CITIZEN'S COMMENTS**

None

4. **CHAMBER OF COMMERCE REPORT**

None

5. **APPROVAL OF COMMON COUNCIL MINUTES FOR OCTOBER 18, 2011**

A motion was made by Simenson with a second by Johnson to approve the common council minutes of October 18, 2011. With all in favor, the motion carried.

6. **LETTERS AND COMMUNICATIONS**

A motion was made by Fischer with a second by Hintz to accept the letters and communications as presented. With all in favor, the motion carried.

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

Chief Nimmer reported the receipt of a \$25,000 grant by the police department from the Wisconsin Bureau of Traffic and Safety. Nimmer stated \$20,000 will be used for overtime costs and \$5,000 for equipment purchase. Nimmer further added the goal of this grant wasn't to write more tickets but rather to gain compliance from the drivers to wear their seatbelts.

8. **REPORTS 1-5**

A motion to approve Reports 1-5 was made by B. Prailles with a second by Simenson. With all in favor, the motion carried.

9. **PAYMENT OF VOUCHERS**

A motion was made by Johnson with a second by Hintz to approve vouchers, pre-paid and reimbursements in the amount of \$869,767.75. Simenson questioned a bill for the repair of the police car. Nimmer replied the car had been involved in an accident and the amount would be reimbursable with insurance coverage minus the deductible. Roll Call Aye: B. Prailles, Johnson, Hintz, J. Prailles, Vos, Rauch, Fischer, Simenson Nay: None. Motion carried 8-0.

10. LICENSES AND PERMITS

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

11. APPOINTMENTS AND NOMINATIONS

None

12. PUBLIC HEARINGS

None

13. RESOLUTIONS

A. RESOLUTION 4506(31) "A RESOLUTION TO APPROVE A CONTRACT WITH LJM ARCHITECTS TO CONDUCT A HISTORIC BUILDING SURVEY IN THE CITY OF BURLINGTON FOR THE AMOUNT OF \$24,000"

A request for a second reading and a motion to approve was made by Hintz with a second by Rauch. Simenson requested more information on this resolution. Mr. Tom Stelling, Chairman of the Historic Preservation Committee was present and stated that in 2008 and 2009 the HPC had been given "Certified Local Government Status" that would allow the identification of properties outside of the current historic district and designate them as significant. Roll Call Aye: B. Prailes, Johnson, Hintz, J. Prailes, Vos, Rauch, Fischer, Simenson Nay: None Motion carried 8-0

B. RESOLUTION 4507(32) "A RESOLUTION TO APPROVE THE PURCHASE OF CARPETING FOR THE PUBLIC LIBRARY FROM BEST VALUE FLOORING IN THE AMOUNT OF \$30,816.80"

A request for a second reading and a motion to approve was made by Vos with a second by Rauch. Johnson questioned when the carpeting would be installed. Falk replied the schedule is still being worked out but the preference would be between the Christmas and New Years holidays.

Roll Call Aye: B. Prailes, Johnson, Hintz, J. Prailes, Vos, Rauch, Fischer, Simenson Nay: None. Motion carried 8-0.

C. RESOLUTION 4508(33) "A RESOLUTION TO CONSIDER APPROVING CHANGE ORDER NUMBER ONE WITH AUGIE'S EXCAVATING & GRADING, INC FOR THE RIVERSIDE PARK IMPROVEMENT PROJECT FOR A REDUCTION IN THE AMOUNT OF \$35,908.30"

A request for a second reading and a motion to approve was made by Rauch with a second by Hintz. Vos questioned if the issue with the DNR had been resolved regarding the wrong colored stone used along Echo Park. Lahner replied that issue had been addressed. Roll Call Aye: B. Prailes, Johnson, Hintz, J. Prailes, Vos, Rauch, Fischer, Simenson Nay: None Motion carried 8-0

14. ORDINANCES

A. ORDINANCE 1936(13) "AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 219, "NOISE" OF THE MUNICIPAL CODE"

A request for a second reading and a motion to approve was made by Simenson with a second by Vos. Simenson questioned what type of a response a citizen could expect from the police department if a call is made at 2:00 a.m. and the individual does not want to wait for the police officer. Nimmer replied that if the individual did not want to wait for the officer then it would be up to the officer to find the source of the noise and if the noise had stopped, it would make it difficult to respond. Nimmer also stated the call could be made anonymously.

Vos did not like the idea of anonymous complaints and thought there had to be a better way.

Atty. Bjelajac said it would be best to try and speak to Echo Lake to determine which piece of equipment is creating the noise and if it doesn't cease then it could be considered a nuisance action and be referred to Racine County Circuit Court.

Ms. Yvonne Braunschweig, 133 Hillcrest Drive, Burlington did have an alderman visit the neighborhood to witness the noise. She said the noise has been a problem for close to twenty years. She reported the noise is constant with it ending on a Friday afternoon around four o'clock and then beginning again on Monday morning.

Atty. Bjelajac said there were several solutions with the first being to live with the noise, but he was not advocating that solution. The second thing would be to discuss the problem with Echo Lake and hope for cooperation. The third solution is to enforce the local noise ordinance. The final action would be to file a public nuisance claim by the city or a private nuisance claim by citizens.

Atty. Bjelajac said that he lives near that area and if the noise were to occur at a "reasonable" hour, he would like to be notified so he could witness it himself.

Fischer questioned the penalty provision. Atty. Bjelajac stated the penalties are per day with the first offense being \$5.00 to \$500.00 and the second \$10.00 to \$1000.00.

A request for a second reading and a motion to approve was made by Simenson with a second by Vos to approve. Roll Call Aye: B. Prailes, Johnson, Hintz, Jim Prailes, Vos, Rauch, Fischer, Simenson Nay: None. Motion carried 8-0.

B. ORDINANCE 1937(14) "AN ORDINANCE TO AMEND THE RACINE COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR THE CITY OF BURLINGTON FOR LOTS 1, 2 AND 3 OF CSM 3012 ON MARYLAND AVENUE"

A request for a second reading and a motion to approve was made by Fischer with a second by Hintz to approve. Roll Call Aye: B. Prailes, Johnson, Hintz, J. Prailes, Vos, Rauch, Fischer, Simenson Nay: None. Motion carried 8-0.

C. ORDINANCE 1938(15) "AN ORDINANCE TO AMEND THE RACINE COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR THE CITY OF BURLINGTON FOR LOT 1 OF CSM 1999 ON SOUTH PINE STREET AND THE STH 11 BYPASS"

A request for a second reading and a motion to approve was made by B. Prailes with a second by Johnson to approve. Roll Call Aye: B. Prailes, Johnson, Hintz, J. Prailes, Vos, Rauch, Fischer, Simenson Nay: None. Motion carried 8-0.

15. MOTIONS

A. MOTION 11-730 "A MOTION TO APPROVE THE INSTALLATION OF A SPRINKLER SYSTEM AT BRANEN FIELD"

A motion to approve was made by Johnson with a second by Hintz. Motion carried 8-0.

B. MOTION 11-731 "A MOTION TO APPROVE A CERTIFICATE OF APPROPRIATENESS AND SIGN PERMIT IN THE HPC OVERLAY DISTRICT FOR 109 EAST CHESTNUT STREET"

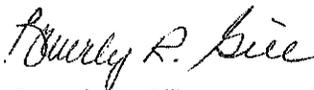
A motion to approve was made by Vos with a second by J. Prailes. Motion carried 8-0.

C. MOTION 11-732 "A MOTION TO APPROVE A CERTIFICATE OF APPROPRIATENESS AND SIGN PERMIT IN THE HPC OVERLAY DISTRICT FOR 557 MILWAUKEE AVENUE"

A motion to approve was made by Hintz with a second by Simenson. Motion carried 8-0.

16. ADJOURN

A motion was made by Vos with a second by Simenson. With all in favor, the meeting adjourned at 7:10 p.m.



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



Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
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Common Council Agenda Item Number: 6A	Date: November 15, 2011
Submitted By: Alderman Ed Johnson	Subject: Communications

Details:

Communication A – Alderman Ed Johnson will be unable to attend the November 15, 2011 Committee of the Whole and Common Council meetings.

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept this communication at the November 15, 2011 Common Council meeting.

TO: Beverly Gill, City Clerk
FROM: Ed Johnson, Alderman
DATE: November 2, 2011

This is to inform you that I will be out of town on November 15 and will not attend the council meeting.

A handwritten signature in cursive script, appearing to read "Ed Johnson". The signature is written in black ink and is positioned below the main body of text.



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Common Council Agenda Item Number: 8	Date: November 15, 2011
Submitted By: City Staff	Subject: Reports 1-7

Details:

Attached please find the following reports:

- Report 1 – Plan Commission minutes, September 13, 2011
- Report 2 – Burlington Housing Authority minutes, September 15, 2011
- Report 3 – Historic Preservation Commission minutes, September 22, 2011
- Report 4 – Budget Workshop minutes, October 13, 2011
- Report 5 – Budget Workshop minutes, October 19, 2011
- Report 6 – Budget Workshop minutes, October 26, 2011
- Report 7 – Committee of the Whole minutes, November 1, 2011

Options & Alternatives:

N/A

Financial Remarks:

None.

Executive Action:

Staff recommends that the Council accept these reports at the November 15, 2011 Common Council meeting.



Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
September 13, 2011, 6:30 p.m.

Mayor Robert Miller called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. Roll call: Aldermen Tom Vos and Robert Prailes; Commissioners Darrel Eisenhardt and John Lynch were present. Commissioners Chris Reesman and Michael Deans were excused. Town of Burlington Representative Phil Peterson was absent. Also present were City Administrator Kevin Lahner, City Planner Patrick Meehan, Zoning Administrator Patrick Scherrer and Public Works Director Connie Wilson.

APPROVAL OF MINUTES

Alderman Vos moved and Commissioner Lynch seconded to approve the minutes of August 9, 2011. All were in favor and the motion carried.

CITIZEN COMMENTS

None

LETTERS & COMMUNICATIONS

None

PUBLIC HEARINGS

A. A Public Hearing to hear public comments regarding a Conditional Use application from Andrew Naber of ASDA Enterprises, Inc. for property located at 756 Maryland Avenue to use for sorting and transferring recycling material.

- Mayor Miller opened the public hearing at 6:32 p.m.
- There were no comments. Alderman Vos moved and Commissioner Lynch seconded to close the Public Hearing at 6:33 p.m. All were in favor and the motion carried.

B. A Public Hearing to hear public comments regarding a Conditional Use application from Andrew Naber of ASDA Enterprises, Inc. for property located at 680 Maryland Avenue to use for truck repair and storage.

- Mayor Miller opened the public hearing at 6:33 p.m.
- There were no comments. Alderman Vos moved and Commissioner Eisenhardt seconded to close the Public Hearing at 6:34 p.m. All were in favor and the motion carried.

OLD BUSINESS

None

NEW BUSINESS

A. Consideration to recommend approval to the Common Council of Ordinance 1932(9) to consider attaching property to the City of Burlington pursuant to WI Statute 66.0225 and the City-Town Agreement, to permanently zone the attached land and amend the Official Map of the City.

- Mayor Miller opened this issue for discussion.
- Alderman Prailes questioned if the Hitching Post bar and the properties on the west side of Teut Road are included in the attachment. Mayor Miller stated they are not.
- Alderman Prailes questioned if sewer is available for the attaching properties. Administrator Lahner stated there currently is accessible sewer.
- Commissioner Lynch questioned if this is the follow up to the lawsuit from ten years ago. Mayor Miller stated that is correct.
- There were no further comments.

Commissioner Lynch moved and Alderman Vos seconded to recommend approval of Ordinance 1932(9) to the Common Council. *All in favor and the motion carried.*

B. Consideration to approve a Conditional Use Application from Andrew Naber of ASDA Enterprises, Inc. for property located at 756 Maryland Avenue to use for sorting and transferring recycling material.

- Mayor Miller opened this issue for discussion.
- Commissioner Lynch questioned exactly what the business operation would be. Mayor Miller stated ASDA Enterprises would transport recycling material from their garbage collection business to the site, compact it into bundles and then transport it off site.
- Commissioner Lynch questioned if there is any control of what kind of materials can be brought to the site. Andrew Naber, applicant, stated it would be standard household recycling materials which is regulated by the Department of Natural Resources. Patrick Meehan stated hazardous waste is not allowed per Municipal Code.
- Commissioner Eisenhardt questioned if this would be the recycling collected from the city of Burlington. Mayor Miller stated that ASDA Enterprises contracts with several neighboring communities but does not handle the City of Burlington.

- Commissioner Eisenhardt questioned if Mr. Naber would be purchasing the site. Administrator Lahner stated he would only be leasing the building and purchasing the compactor. The City would retain ownership of the property.
- There were no further comments.

Alderman Vos moved and Commissioner Eisenhardt seconded to approve a Conditional Use Permit for property at 756 Maryland Avenue, subject to Patrick Meehan's August 31, 2011 memorandum to the Plan Commission as follows:

- Meeting the requirements of Section 315-30(C)(17) (for "Recycling Centers") of the City Zoning Ordinance.
- That the Plan Commission by resolution and the Common Council by ordinance, amend the Comprehensive Plan, as it pertains to those portions of the subject property currently shown as "Governmental and Institutional" land use classification to the "Industrial" land use classification under the provisions of both Section 66.1001(4) of the Wisconsin Statutes and Chapter XV titled "Implementation Element" of the recent City-adopted SEWRPC Community Assistance Planning Report No. 301 titled A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035.

C. Consideration to approve a Conditional Use Application from Andrew Naber of ASDA Enterprises, Inc. for property located at 680 Maryland Avenue to use for truck repair and storage

- Mayor Miller opened this issue for discussion.
- Alderman Vos questioned if Mr. Naber would be leasing the entire building. Mr. Naber responded that he would be using only the back half of the building and the lot.
- Mayor Miller questioned if the building would be subdivided. Claude Lois, agent for Mr. Naber, stated Mr. Naber would be using about sixty-two feet of the building which would be divided from the rest of the building.
- Mayor Miller questioned if the members of the ChocolateFest board have been notified of the use of the lot. Mr. Lois stated they have been notified and have worked out the details for when the festival will be held.
- Alderman Vos questioned when the business would be opening. Mr. Lois stated a lease for 748 Maryland is currently in the process of Council consideration however Mr. Naber would like to begin preparing and rehabilitating the two sites immediately.
- There were no further comments.

Alderman Vos moved and Commissioner Lynch seconded to approve a Conditional Use Permit for property at 680 Maryland Avenue, subject to Patrick Meehan's August 31, 2011 memorandum to the Plan Commission as follows:

- Meeting the requirements of Section 315-30(C)(1) (for "Automobile upholstery, body repair, and engine repair") of the City Zoning Ordinance.

All in favor and the motion carried.

D. Consideration to approve Resolution 9 to amend the Multi-Jurisdictional Comprehensive Plan for Lots 1, 2 and 3 of CSM 3012 along Milwaukee Avenue and Maryland Avenue.

- Mayor Miller opened this issue for discussion.
- There were no comments.

Commissioner Lynch moved and Alderman Vos seconded to approve Plan Commission Resolution No. 9. *All in favor and the motion carried.*

E. Consideration to recommend Ordinance 1933(10) to the Common Council to amend the Official Zoning Map by rezoning a portion of Lot 1 of CSM 1999 (S. Pine Street and STH 11 Bypass) from Rm-2 District to B-1 District.

- Mayor Miller opened this issue for discussion.
- Commissioner Lynch questioned what type of business would be allowed with the B-1 District. Administrator Lahner stated that any type of commercial business, such as retail, light office, gas stations, restaurants, to name a few, could fit in the B-1 District. Patrick Scherrer stated that it would be businesses like what is on STH 36 (Milwaukee Avenue).
- Administrator Lahner stated that the developer of the property talked with the neighbors who didn't seem to have an issue with the property being zoned B-1.
- Public Works Director Wilson questioned if this site is in the Wellhead Protection District. Patrick Meehan stated it is not.
- There were no further comments.

Commissioner Eisenhardt moved and Commissioner Lynch seconded to recommend approval of Ordinance 1933(10) to the Common Council subject to Patrick Meehan's September 3, 2011 memorandum to the Plan Commission as follows:

- That the Plan Commission by resolution, and the Common Council by ordinance, amend the Comprehensive Plan, as it pertains to those portions of the subject property (proposed Lot 1 of the proposed Certified Survey Map) currently shown as "High Density Residential (Less than 6,200 sq. ft. Per dwelling)" land use classification to the "Commercial" land use classification under the provisions of both Section 66.1001(4) of the Wisconsin Statutes and Chapter XV titled "Implementation Element" of the

recent City-adopted SEWRPC Community Assistance Planning Report No. 301 titled A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035.

- That a public hearing for the proposed rezoning is to be held pursuant to the provisions of Section 315-121 of the City Zoning Ordinance.
- That all of that portion of the subject property (proposed Lot 1 of the proposed Certified Survey Map) currently shown as zoned in the Rm-2 Multiple-Family Residence District and the PUD Planned Unit Development Overlay District be rezoned by the Common Council to the B-1 Neighborhood Business District.

All in favor and the motion carried.

F. Consideration to recommend approval to the Common Council of a Certified Survey Map to re-divide Lot 1 of CSM 1999 along S. Pine Street and the STH 11 Bypass.

- Mayor Miller opened this issue for discussion.
- There were no comments.

Alderman Vos moved and Alderman Prailes seconded to recommend approval of a Certified Survey Map for property on S. Pine Street, subject to Kapur & Associates August 26, 2011 and Patrick Meehan's September 3, 2011 memorandums to the Plan Commission as follows:

- Pursuant Section 278-39 A(5) the existing and proposed contours shall be shown but may be waived if parcels are fully developed. No contours are currently shown. We recommend waiving the requirement of contours in lieu of a future site plan.
- Pursuant Section 278-39 A(8), no subdivider appears to be listed and should be listed and a revised Certified Survey Map submitted to the City.
- Pursuant Section 236.34(1)(d), the outside diameter of pipe set shall be indicated on a revised Certified Survey Map submitted to the City .

All in favor and the motion carried.

G. Consideration to approve Resolution 10 to amend the Multi-Jurisdictional Comprehensive Plan for a portion of Lot 1 of CSM 1999 along S. Pine Street and the STH 11 Bypass.

- Mayor Miller opened this issue for discussion.
- There were no comments.

Alderman Vos moved and Commissioner Eisenhardt seconded to approve Plan Commission Resolution No. 10. *All in favor and the motion carried.*

H. Consideration to recommend approval to the Common Council of Resolution 4494(19) to consider vacating a public right-of-way identified as Yahnke Road south of Hidden Creek Lane and north of the Burlington Bypass with reversion of title of such land to the abutting property owner.

- Mayor Miller opened this issue for discussion.
- Commissioner Lynch questioned if the vacation was merely a clean up process. Mayor Miller stated it was. Administrator Lahner stated the vacation was part of the original Development Agreement with Springbrook Crossing when the STH 11 Bypass was complete.
- Alderman Vos stated he would like to see an access off of Pine Street to the lift station instead of the current access that goes through the neighborhood. Administrator Lahner stated that when a development approaches the City for this property; negotiations would be held to gain access off Pine Street. He further stated there is a significant hill in front of the lift station so access would need to be further north.
- There were no further comments.

Commissioner Lynch moved and Alderman Prailes seconded to recommend approval of Resolution 4494(19) to the Common Council.

All in favor and the motion carried.

ADJOURNMENT

Alderman Vos moved and Commissioner Eisenhardt seconded to adjourn the meeting at 6:50 p.m.

All were in favor and the motion carried.

Recording Secretary
Megan E. Johnson
Assistant to the City Administrator

**City of Burlington Housing Authority
Riverview Manor**

September 15, 2011

The regular monthly meeting of the City of Burlington Housing Authority was held on Thursday, September 15th.. 2011, 6:30 P.M. at Riverview Manor. The meeting was called to order by Chairman Lapp.

COMMISSIONERS PRESENT: Chairman Lapp, Vice-Chairman Stublely, Secretary Heck, Commissioners Stoehr , also present was Resident Manager, Dorothy Henning. Commission Iselin was excused.

Minutes from the August 18th. 2011 meeting was dispersed to board members and a motion was made by Stublely, seconded by Stoehr to approve the minutes as read, carried unanimously.

FINANCIAL REPORT:

Reserve Account balances as of August 31, 2011

Talmer Bank FBC	\$ 40,760.98
M&I Bank	<u>\$ 15,136.78</u>
TOTAL	\$ 55,897.76

OCCUPANCY REPORT:

Manager Henning reported that all units are occupied with 13 on the waiting list for 1 bedroom units and 3 for 2 bedroom units.

BUILDING AND MAINTENANCE:

- Bids for annual inspection and service of fire protection equipment were reviewed and discussed and a motion was made by Stoehr and seconded by Stublely to accept the bid from Fox River Fire and Safety, LLC., motion carried unanimously.
- Board members reviewed the bid from Solofra Plumbing regarding new hot water heater and changing soft water lines to cold supply in resident units. No action was taken. The bid for a A.O. Smith hot water heater would include a discount because of the missing heat exchanger that was not returned from First Supply. It was reported to Solofra Plumbing that the exchanger had been lost or stolen and therefore they would discount a new hot water heater. Board members agreed to accept the bid and Manager Henning will contact Rural Development to verify that no other bids will be required because of the reduced cost of the heater.

- Riverview Manor received a letter from Western Racine County Health Dept in reply to a complaint they received regarding white dust in a unit at the Manor. Their letter described the most likely source of this dust was an oxygen humidifier that the tenant ran in the unit. The resident has since moved and the unit has been thoroughly cleaned. An inspection has been done and the dust has not returned, therefore the complaint was unverified.
- Manager Henning dispersed information from Coin Appliance Co. regarding cost saving of water and energy by installing front loading washers. Also discussed energy efficient lighting
- The annual city fire inspection has been completed

COMMUNICATION

- Board members reviewed the monthly bills and operating statements.
- Mr. Tom Breuer attended the board meeting at Riverview and spoke to board members regarding the smell of cigarette smoke in Mrs. Schuckman's (his mother-in law's) unit. He indicated that Mrs. Schuckman has been concerned about the odor for a period of time. The cleaning -housekeeping employee at Riverview along with Manager Henning have checked the unit on various occasions when contacted about the smell and have not been able to detect any cigarette smoke odor or find any possible source other than the possibility of a lingering smell from a previous tenant who resided there when smoking was still allowed. The board members suggested she move to another unit when one became available or offered to have her unit painted.
- The board members will discuss the matter further and Chairman Lapp will send a letter to the Breuer's regarding everything that was discussed.

NEW BUSINESS: .

UNFINISHED BUSINESS

ADJOURNMENT:

There being no further business, motion to adjourn was made by Heck, seconded by Stubleby and carried unanimously. Meeting adjourned 7:55 P.M. The next monthly meeting is tentatively scheduled for October 13th. 2011


 Ralph Heck, Secretary



City of Burlington

HISTORIC PRESERVATION COMMISSION MEETING MINUTES THURSDAY, SEPTEMBER 22, 2011

Call to Order

The meeting was called to order by Chairman Stelling at 6:30 p.m.

Roll Call

Present: Chairman Tom Stelling, Commissioners Peter Hintz, and Judy Stone, Joel Weis and Maria Veronico-Ventura were present. Commissioner Jeff Erickson was excused. Building Inspector/Zoning Administrator Patrick Scherrer was also excused. Also present was Stephanie Schulte of Racine County Economic Development Corporation.

Citizen Comments

Chairman Stelling conveyed to the commission that Commissioner Peter DeRosier passed away on September 7th and is missed by his family, friends and this commission.

Approval of August 25, 2011 Minutes

Chairman Stelling entertained a motion. Commissioner Veronico motioned to approve the minutes of the August 25, 2011 meeting. Commissioner Hintz seconded. All aye. Motion carried.

581 N. Pine St., Robert Whitney, \$18 Eyeglass Place, Certificate of Appropriateness, Sign Permit Application and Façade Grant Application

Commissioner Veronico motioned that this item be opened for discussion and Commissioner Weis seconded. It was the consensus of the commission that this sign is not historically accurate and that the realistic pictures of the "eyes" inside the glasses be hand-sketched instead. Commissioner Veronico retracted her motion and Commissioner Weis seconded. Commissioner Veronico motioned to approve the sign without photographic eyes and be replaced with a sketch of the eyes. Commissioner Weis seconds the motion. All aye. Motion carried.

549 N. Pine St., Kellie Levans, Rocking Fun Music, Certificate of Appropriateness, Sign Permit Application and Façade Grant Application

Chairman Stelling entertained a motion to approve. Commissioner Veronico motioned and Commissioner seconded to approve the sign as in Meehan's memo. All aye. Motion carried.

557 Milwaukee Ave., El Burrito Loco – discussion on repainting of existing sign

The applicant, Juana Cortez, did not bring the drawings of the proposed sign as planned. Chairman Stelling advised them of the process for bringing the appropriate forms before the commission.

Discussion of Current Projects and Response Team Visits.

Chairman Stelling stated that there has been nothing started on the Sullivan project at 256 E. Chestnut St.

Review of Grant Funding Status

Stephanie Schulte of RCEDC stated that there is \$725 in round 3 left that has not been disbursed, Round 4 disbursed just under \$1,000 with another \$500 being spent tonight. There is \$23,500 left in Round 4. A portion of the remaining amount has been allotted to approved and under construction projects, awaiting final completion and approval before disbursement of their grants.

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

Chairman Stelling stated that Trend Setters needs to be put on list of current projects.

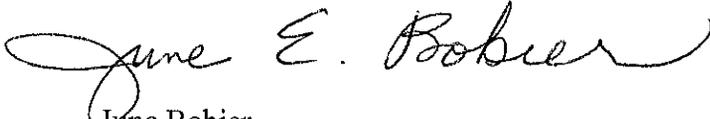
Certified Local Government, City of Burlington Survey: Chairman Stelling stated that Stephanie Schulte of RCEDC, Joe De Rose and Don VandeSand and himself interviewed 2 of the 3 companies that submitted proposals to do the historical survey of the city. The companies are LJM Architects, Inc. and Mead & Hunt Inc. They will do the survey over the next year of the entire city including: commercial buildings outside the existing Historic District, residential homes and potentially create housing districts, and monuments; specific items that are historically unique like our iron crosses in all of the local cemeteries, and Lustron houses (all low maintenance porcelain enamel finished metal homes constructed in 1948 - 1950). He further stated that a decision will be made within a week as to which company we will be hiring. The results of the survey can be used by the city, a Certified Local Government. The Commission can also apply for future grants also for projects such as residential homes that are 40 years old or older. If this survey indicates a structure or site as being historically significant, an investment credit of 20% can be granted for restoration as long as the project applies and is approved for being listed on the national register. He further apprised the commission that these companies will give presentations to the city at an HPC meeting.

Commissioner Hintz stated that he suggested to City Administrator Lahner that if the hotel tax goes to 8% that some of those funds be directed back to our committee in the form of grant monies since we as a commission promote tourism.

Adjournment

Chairman Stelling entertained a motion. Commissioner Hintz moved to adjourn the meeting and Commissioner Veronico seconded. All aye. Motion carried. The meeting was adjourned at 7:12 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "June E. Bobier". The signature is written in black ink and is positioned above the typed name.

June Bobier
Administrative Assistant
City of Burlington



Finance Department

300 N. Pine Street, Burlington, WI, 53105
(262) 342-1170 – (262) 342-1178 fax
www.burlington-wi.gov

Common Council Budget Workshop Minutes

October 13, 2011

DPW Community Room – 2200 S. Pine Street

Workshop convened at 5:30 pm

In Attendance: Mayor Miller; Aldermen Bob Prailes, Ed Johnson, Jim Prailes, Peter Hintz, Jeff Fischer and Steve Rauch; City Administrator Kevin Lahner, City Treasurer Steve DeQuaker, Library Director Gayle Falk, Police Chief Peter Nimmer and Administrative Services Manager Kim Hardesty.

Administrator Lahner discussed the budgeting process for the 2012 Budget, new features in the budget relative to performance measures, municipal facts report and the Citizen Budget Partners review. Included was a recap of issues in the 2012 budget for the departments present.

Library Director Gayle Falk presented the Library budget. Discussion ensued on the funding provided by the county and also by the City. Past practice has been to make the Library at or close to a net zero budget with City funding. This year the Maintenance of Effort has been eliminated by the State. Prior years, the City had to contribute a minimum of the average of the last three year's funding. Falk also mentioned that the spending of the funds being budgeted were controlled by the Library Board. From the Equipment Replacement Fund, the carpeting replacement is scheduled for this year with major roof work scheduled for 2012.

Chief Nimmer and Kim Hardesty presented the Police Department budget. Emphasis on PD staff reductions, and overtime expense reductions were highlighted. Additional discussion ensued concerning a combined PD with the County and the positive and negative aspects of this type of arrangement relative to costs and staffing. Equipment Replacement Fund expenditures for the Police Department in 2012 involve two vehicles and some equipment. The police squad replacement schedule is being modified to a three year cycle rather than five years due to the excess wear and tear on the squad cars. Initial costs will include the accessories like computers and light bars, but these items will be transferred to new vehicles at the trade-in of old vehicles.

Meeting adjourned at 7:50 pm

Steve DeQuaker
City Treasurer



Finance Department

300 N. Pine Street, Burlington, WI, 53105
(262) 342-1170 – (262) 342-1178 fax
www.burlington-wi.gov

Common Council Budget Workshop Minutes

October 19, 2011

DPW Community Room – 2200 S. Pine Street

Workshop convened at 5:30 pm

In Attendance: Mayor Miller; Aldermen Bob Prailes, Ed Johnson, Jim Prailes, Peter Hintz, Jeff Fischer, Katie Simenson and Steve Rauch; City Administrator Kevin Lahner, City Treasurer Steve DeQuaker, Fire Chief Richard Lodle, Public Works Director Connie Wilson and DPW Supervisor Dan Jensen.

Lahner gave a PowerPoint presentation for the Public Works - Streets, Parks, Water and Wastewater departments as well as the Fire Department showing no major issues for 2012.

Chief Lodle presented the fire department budget for 2012 showing no major changes in the current budget year as compared to the 2011 budget. The Equipment Replacement Fund includes a roof replacement for the Fire Station in 2012 due to aging and being at the end of its 20 year life cycle. The roof has been monitored by a roofing company yearly for the past few years, and the project has been able to be delayed, but it looks like it will need replacement in 2012.

Connie Wilson presented the Water Utility and Wastewater Utility budget. 2012 will be the first year of the full water rate increase. There are also no major improvement plans in 2012. Wastewater is looking at approximately a 3% rate increase in 2012. Also, from a capital project perspective the Phase 2 upgrade of \$7.6 million is scheduled for 2012. This will be funded by a Clean Water Fund loan. Wilson further state Wastewater has paid off its original 20 year note on the first phase of the treatment plant upgrades this past year. Service fees for upgrades that several industrial users were paying toward a portion of the note will also be eliminated this year. The total is about \$500,000 in revenue reduction. The Phase 2 expansion “may” allow us to charge our industrial users a fee, but most of the phase 2 upgrade is aging equipment rather than brick and mortar. Costs can be determined and if they are specific to bigger users, a fee will be determined. 2012 will also show the end of the Echo Lake and Bohner’s Lake sanitary district contracts.

It was decided that at the next budget meeting, the Wastewater Treatment Plant presentation on the Phase 2 expansion would be given to the Council at 5:30 pm with Budget discussions immediately after.

Dan Jensen presented the Streets and Parks budget for 2012. He is investigating several areas for cost savings, including pre-wetting streets for better snow removal, a tracking system to track specific job tasks. All are part of the Performance Measures project. Jensen further presented his Equipment Replacement Fund needs for 2012. Discussion on these revolved mainly around trading in of two ¾ ton trucks for 1 ¼ ton, more economical truck, status of the leaf-vac system, options for the pothole “hot patch” system, and the trading in of \$46,000 worth of older vehicles and equipment for a more reliable and flexible two-vehicle system with interchangeable components. Discussion on the pothole issue will be investigated by Dan for additional options.

Meeting adjourned at 7:55 pm

Steve DeQuaker
City Treasurer



Finance Department

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(262) 342-1170 – (262) 342-1178 fax
www.burlington-wi.gov

**Common Council Budget Workshop Minutes
October 26, 2011**

DPW Community Room – 2200 S. Pine Street

Workshop convened at 5:30 pm

In attendance: Mayor Miller; Aldermen Bob Prailes, Ed Johnson, Jim Prailes, Peter Hintz, Katie Simenson and Steve Rauch; City Administrator Kevin Lahner, City Treasurer Steve DeQuaker, Public Works Director Connie Wilson, Wastewater Operator Ben Blink, Wastewater Operator Don Hefty and City Engineer Tom Foht; Stacey Cook and John Grosskreutz of Kapur & Associates, Inc.

Kapur & Associates presented the Waste Water Treatment Plant expansion details for the 2012 budget year. Connie introduced Blink and Hefty as Wastewater Operators who had not seen the presentation yet.

Budget discussions began at 6:20 pm. (Hintz and Johnson arrived for the budget discussions at 6:15 pm)

Lahner presented the Administrative, Finance and TIF budgets for discussion. No major changes in the budget were noted for 2012, other than LEADS training at \$3,500 per person included in the Finance and Administration budgets. State numbers are expected sometime in early November to finalize the Levy, MIL rate and manufacturing values. There is some room upwards in the levy cap due to the TIF 4 close and net new construction of about 3.3%. With the close of TIF District #4 there will be transfer of excess increment into the general fund of \$206,000 in 2012. Additional increments will be paid out to the School District, Gateway and the County in January as well.

Discussion on the property sales followed with an example of the fund balance changes if the sale happened in 2011 or 2012. In either case the fund balance would be roughly 27% in 2012.

Discussion on the amount of funds being set aside as reserved for future capital projects. This fund will be at \$350,000 by 2012, unless the funds are needed. We can also put more or less money into the fund as the year progresses.

Discussion on the methods and purpose of the performance measurement project was presented. Data will be collected and reported beginning in January 2012. An add-on feature is being planned as an enhancement to the City website where this information will be posted. The performance measures will help with future performance based budgeting.

Meeting adjourned at 8:10 pm

Steve DeQuaker
City Treasurer



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

Common Council Agenda Item Number: 10	Date: November 15, 2011
Submitted By: Beverly R. Gill, City Clerk	Subject: Licenses

Details:

Operator's Licenses

Benser, Tina M.
Boersma, Kathryn E.
DeLassus, Nicole M.
Fox, Derek K.
Herrera, Juan M.
Kinnard, Nash L.
Mitchell, Jon D.

Class "B" Beer License

Name: Juana Garcia Cortez
Address: 156 Randolph Street
Trade Name: Burrito Loco
Address: 557 Milwaukee Avenue

Class "A" Beer License

Name: Los Corrales Enterprise, LLC
Agent: Luis G. Rodriguez
Address: 7618 46th Avenue, Kenosha
Trade Name: Super Mercado Los Corrales
Address: 116 West Chestnut Street

Financial Remarks:

Applicants are charged a fee of which a portion funds the background checks performed by the Police Department. Business license 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 November 15, 2011 Council meeting.



CITY OF BURLINGTON

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

Common Council Agenda Item Number: 11	Date: November 15, 2011
Submitted By: Mayor Miller	Subject: Appointment A-J

Details:

- A. John Lynch to be appointed to the Historic Preservation Commission, expires 1/4/14 (replacing Peter DeRosier)

The following are Student Representatives:

- B. Sarnpal Dhillon to be appointed to the Common Council, expires May 31, 2012
- C. Dale Marrow to be appointed to the Common Council, expires May 31, 2012
- D. Kyle Burns to be appointed to the Plan Commission, expires May 31, 2012
- E. Bianca Clayton to be appointed to the Plan Commission, expires May 31, 2012
- F. Miranda Meyers to be appointed to the Library Board, expires May 31, 2012
- G. Katie Hart to be appointed to the HPC, expires May 31, 2012
- H. Serena Wanask to be appointed to the HPC, expires May 31, 2012
- I. Chase Robers to be appointed to the Park Board, expires May 31, 2012
- J. Rosie Uhen to be appointed to the Airport Commission, expires May 31, 2012

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 these appointments at the November 15, 2011 Common Council meeting.



CITY OF BURLINGTON

Administration Department
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Common Council Agenda Item Number: 12A	Date: November 15, 2011
Submitted By: Kevin Lahner, City Administrator & Steve DeQuaker, City Treasurer	Subject: Public Hearing A for the proposed 2012 Annual Budget.

Details:

A Public Hearing has been scheduled to hear comments from the public regarding the proposed 2012 Annual Budget. Workshops were conducted in October with the Common Council and Department Heads to project City revenues and expenses for the next year.

Options & Alternatives:

A Public Hearing on the Budget is required by state law.

Financial Remarks:

The levy limit based upon net new construction and TIF 4 close is \$5,463,660. This is up 3.3% from the 2010 levy of \$5,288,914. Revised budget is based on the new levy limit. The City's General Fund budget expenditures are \$7,342,196. The revised budget reflects Common Council priorities of devoting funds to Equipment Replacement, Capital Improvements and Library. The City's total budget, including all funds is \$19 million.

Executive Action:

This item is for public comment only.

City of Burlington, Racine and Walworth Counties, Wisconsin

Notice is hereby given that on TUESDAY, November 15, 2011 at or shortly after 6:30 p.m. in the Council Chambers of the Police Department, the Common Council for the City of Burlington will hold a PUBLIC HEARING on the Proposed 2012 Budget for the City of Burlington. The Proposed Budget in detail is available for inspection at the City Clerk's Office and at the Burlington Public Library during regular hours. The following is a summary of the Proposed 2012 Budget and is likely to change based upon State budgetary input until the Proposed 2012 Budget is adopted by the Common Council.

BUDGET SUMMARY FOR THE CITY OF BURLINGTON

GENERAL FUND

	Budget 2011	Proposed Budget 2012	Percent Change
Revenues			
Taxes	\$ 4,842,830	\$ 4,872,113	
Intergovernmental Revenues	\$ 1,471,008	\$ 1,259,584	
Licenses and Permits	\$ 286,464	\$ 274,026	
Fines and Forfeitures	\$ 205,000	\$ 225,000	
Charges for Services	\$ 35,500	\$ 46,700	
Special Assessments	\$ 74,382	\$ 73,782	
Property Sales and Recoveries	\$ 250,050	\$ 100,050	
Investment Income	\$ 12,000	\$ 6,150	
Other	\$ 4,550	\$ 18,550	
Total Revenues	<u>\$ 7,181,784</u>	<u>\$ 6,875,955</u>	-4.26%
Expenditures			
Current:			
General Government	\$ 938,399	\$ 948,527	
Public Safety	\$ 3,507,300	\$ 3,431,468	
Public Works	\$ 2,433,618	\$ 2,362,881	
Health and Human Services	\$ 96,753	\$ 102,272	
Culture, Recreation and Education	\$ 3,500	\$ 3,400	
Conservation and Development	\$ 168,402	\$ 155,521	
Total Expenditures	<u>\$ 7,147,972</u>	<u>\$ 7,004,068</u>	-2.01%
Excess Revenues Over (Under)			
Expenditures	\$ 33,812	\$ (128,113)	
Other Financing Sources (Uses)			
Special Capital Outlay	\$ 300,000	\$ 50,000	
Operating Transfers In	\$ 430,000	\$ 309,059	
Operating Transfers Out	\$ (443,213)	\$ (192,309)	
Total Other Financing Sources (Uses)	<u>\$ (13,213)</u>	<u>\$ 166,750</u>	
Excess Revenues and Other Financing Sources Over (Under) Expenditures & Other Uses			
Net Change in Fund Balance	\$ 20,599	\$ 38,637	
Fund Balances - January 1	\$ 2,342,237	\$ 2,294,252	
Fund Balances - December 31	\$ 2,362,836	\$ 2,332,889	

	Fund Balance	Total	Total	Fund Balance
	1/1/2012	Revenues	Expenditures	12/31/2012
Governmental:				
General	\$ 2,294,252	\$ 6,875,955	\$ 6,937,318	\$ 2,232,889
Library	\$ 40,968	\$ 761,700	\$ 800,093	\$ 2,575
Block Grant	\$ 356,081	\$ 51,500	\$ 134,500	\$ 273,081
TIF 3 RLF Loan	\$ 529,832	\$ -	\$ -	\$ 529,832
Wehmoff	\$ 54,757	\$ 87	\$ -	\$ 54,844
Park Development	\$ 107,662	\$ 25,330	\$ -	\$ 132,992
Library Trust	\$ 99,246	\$ 12,650	\$ 15,450	\$ 96,446
DeRozier	\$ 48,871	\$ 750	\$ -	\$ 49,621
Debt Service -TIF 3	\$ 1,925,894	\$ 3,553,839	\$ 3,714,125	\$ 1,765,608
TIF 3 Capital Projects	\$ -	\$ -	\$ -	\$ -
Debt Service	\$ (474,914)	\$ 11,300	\$ 11,513	\$ (475,127)
Debt Service -ER TID	\$ (2,295,939)	\$ 42,000	\$ -	\$ (2,253,939)
Capital Projects - Infr.	\$ (0)	\$ 1,300	\$ 1,300	\$ (0)
Storm Water	\$ 13,284	\$ 3	\$ -	\$ 13,287
Façade Grants	\$ 32,766	\$ 35	\$ 5,000	\$ 27,801
TIF 4	\$ 0	\$ -	\$ -	\$ 0
Downtown Redev	\$ (0)	\$ 20	\$ -	\$ 20
Equipment Replacement	\$ 1,456,032	\$ 502,450	\$ 571,970	\$ 1,386,512
Enterprise:				
Wastewater	\$ 1,183,809	\$ 3,616,281	\$ 3,065,299	\$ 1,734,792
Water	\$ 274,234	\$ 2,617,664	\$ 2,618,045	\$ 273,853
Airport	\$ 102,206	\$ 687,484	\$ 595,072	\$ 194,618
Internal Service:				
Self Insurance	\$ 439,720	\$ 1,496,856	\$ 1,303,860	\$ 632,716
	<u>\$ 6,188,762</u>	<u>\$ 20,257,204</u>	<u>\$ 19,773,545</u>	<u>\$ 6,672,421</u>

Date : October 26, 2010

Submitted by: Steven J. DeQuaker, Budget Officer/Treasurer

City of Burlington Budget Presentation November 15, 2011



Budget Timeline

Thursday, October 13- Common Council Workshops
Wednesday, October 19- Common Council Workshop
Wednesday, October 26- Common Council Workshop
Tuesday, November 15 - Public Hearing on Budget
Tuesday, December 6 - Budget Adoption

2011 Accomplishments

Successfully closed Tax Increment District #4, adding approximately \$31 million of new value to the General Fund Tax Rolls

Received \$42,000 in grant funds for Digital Portable Radios in the Police Department

By December, 2011 Radium Removal Projects will be completed at wells #9 and 10

By November, 2011 will have completed Riverside Park grant project to stabilize bank, add connecting path and fishing piers.

Upgraded City's website, including the addition of a Facebook and Twitter page and a Complaint Management System.

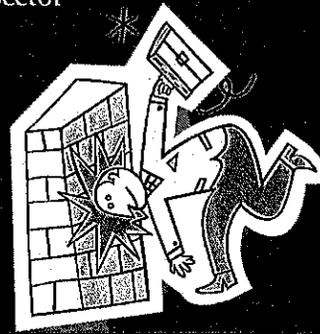
General Fund Overview

2012 General Fund built around the following assumptions:

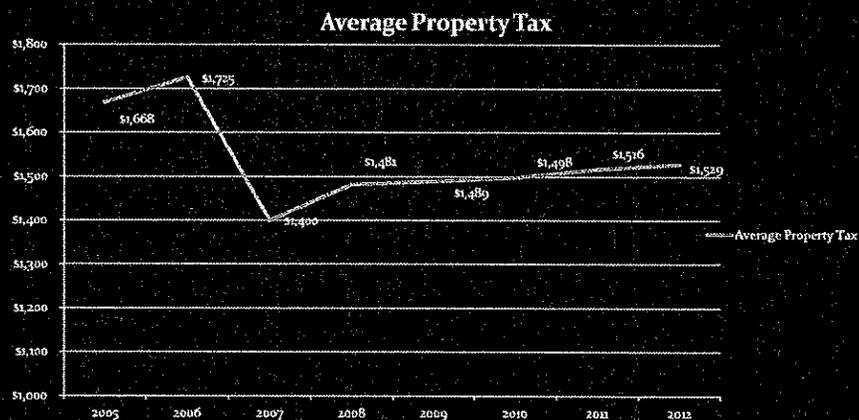
- No increase in tax levy
- Absorbs reductions in state aids (Net decrease of \$84,000)
- Continues to fund future capital projects (buildings) fund
- Maintains essential city services
- Reflects current state of economy and state budget situation

General Fund Overview

- Current fiscal conditions limit our abilities to begin new projects and/or initiatives that require additional resources
 - Tax Levy Caps
 - Reduced State Aid
 - Reduction in Property Value
 - Reduced economic activity in private sector
 - 12% TIF Cap



Average Property Tax Bill/General Fund Expenditures/State Aid



Water/Wastewater Overview

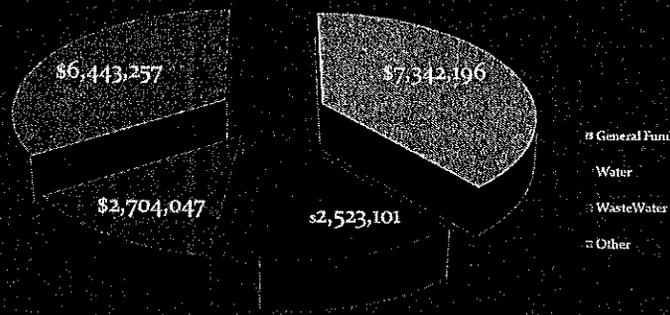
Water

- No rate increase in 2012
- Fully funds Restrict Cash Requirements
- Reflects full year of PSC approved rate increase

Wastewater

- Reflects 3% rate increase
- Will include Wastewater Plant Phase 2 upgrades

Total Budgeted Expenditures





Department of Public Works

Wastewater & Water Utility

6551 S. Pine Street, Burlington, WI 53105

(262) 539-3646 - (262) 342-1173 - (262) 539-3648 fax

www.burlington-wi.gov

Committee of the Whole Item Number: 4	Date: November 15, 2011
Submitted By: Connie Wilson, Department of Public Works Director	Subject: Resolution 4509(34) to consider the purchase of two sewer pumps for the STH 11 lift station (Well 9) in the amount of \$29,721.

Details:

Attached for your review and approval are two proposals to purchase and install two dry pit sewage pumps at the STH 11 lift station. The study that was completed by Kapur and Associates for the Radium Removal Project recommends upgrades to this lift station for the increased flows in conjunction with the radium removal system at Well #9. The existing pumps are 40 years old and due for replacement. The pumps will be upgraded from 125 gpm to 350 gpm as recommended thus handling the increased flows. This work is required to bring the City of Burlington drinking water supply back into compliance with the US EPA Safe Drinking Water standards addressing the Wisconsin DNR Noncompliance letter dated April 30, 2009.

The proposal from L.W. Allen suggests using Fairbanks Morse pumps which would require piping modifications and 10 hours of bypass pumping during the installation of the equipment. Kapur and Associates recommends approval of the proposal from Energenecs to install Smith and Loveless pumps as no modifications are required to the lift station. This lift station currently uses Smith and Loveless equipment.

City staff has reviewed and recommend approval of the proposal in the amount of \$29,721.

Options & Alternatives:

The Council could choose not to replace the pumps, but at 40 years told they are at the end of their useful life.

Financial Remarks:

The recommendation brings the total project to \$29,721 which includes the two pumps, valves and installation. Original cost estimate of \$15,000 in the 2011 Budget was without installation and replacement of check valves. The additional cost will be covered by the Wastewater Replacement Account, accordingly.

Executive Action:

This item is for discussion at the November 15, 2011 Committee of the Whole meeting and due to the timeliness, it is placed on tonight's November 15, 2011 Common Council meeting for consideration.

Resolution No.
Introduced by: Committee of the Whole

**A RESOLUTION APPROVING THE PURCHASE OF TWO DRY PIT SEWAGE PUMPS
WITH INSTALLATION AT THE STH 11 LIFT STATION FROM ENERGENECS FOR A
NOT-TO-EXCEED PRICE OF \$29,721**

WHEREAS, on June 1, 2004 the Common Council did approve Resolution 3812(18), a Resolution Adopting a Purchasing Policy for the City of Burlington and on May 16, 2006 approved Resolution 4015(3), updating such Purchase Policy; and,

WHEREAS, the Purchasing Policy requires that all non-construction related Budget Items requiring expenditures of \$15,000 or more be reviewed and pre-approved by the Common Council; and,

WHEREAS, the Council may direct, at its discretion, that the item is to be bid in the same manner as construction contracts, or that it is to be combined with or included in another governmental bid, but shall not be required to do so; and,

WHEREAS, the Department of Public Works is scheduled to purchase two dry pit sewage pumps at the STH 11 lift station in conjunction with the Radium Removal Project at Well #9 with funds included in the 2011 Annual Budget; and,

WHEREAS, the Department of Public Works requested proposals from Energenecs and L.W. Allen, Inc. for the pumps, valves and installation.

WHEREAS, the purchase of two dry pit sewage pumps with installation from Energenecs for the not-to-exceed amount of \$29,721 has been recommended by the City Engineer and Department of Public Works Director.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington that the purchase of the aforementioned pumps is hereby approved for the total amount of \$29,721.

Introduced: November 15, 2011
Adopted:

Robert Miller, Mayor

Attest:

Beverly R. Gill, City Clerk



energenecs

PROPOSAL

Date: 11/04/2011 **11-04bur.sl**
Project Name: (2) S/L 4B2A Complete Pumps for the Hwy. 11
Lift Station - S/N 3409
To: Burlington WWTP **Phone:**
Connie Wilson **Fax:**

Energenecs is pleased to offer the following (2) Smith and Loveless pumps as replacements to the original pumps that were installed in 1965 for the Hwy. 11 Lift Station.

Specifically includes:

Two (2) 4B2A Complete Pumps, w/ pump stands - 7.5 hp motors, 1170 rpm, 9-7/8" impellers for single pump flows at 350 gpm and both pumps at 450 gpm.

> By selecting these pumps you will receive some present or future long term cost savings:

- * S/L motors are 75% efficient.
- * These pumps are direct drop in replacements to the existing pumps -- no spool pieces or installation modifications.
- * Retain existing controls since motors remain at the same 7.5 hp.

Note: Installation and startup is available upon request.

Proposal Excludes: Installation and startup

Total Cost: \$26,193.00 (Both Pumps)

(Freight included)

All applicable taxes will be added to the above price.
Energenecs terms and conditions attached apply.

Delivery: 6-8 wks (Due to Holiday's)

If you have any questions, please contact me directly.

Sincerely,
Gary Dean
262-387-1313 direct
262-376-7722 fax
CC: Bob Lecey P.E.



energenecs

PROPOSAL

Date: November 9, 2011

Project Name: Burlington Hwy. 11 Lift Station
Pump Replacement

To: John Grosskreutz
Kapur and Associates
7711 N. Port Washington Road
Milwaukee, WI 53217

Phone: 1-414-351-6668

Fax: 1-414-351-4117

Energenecs is pleased to offer the following scope of responsibility for the Burlington Hwy. 11 lift station pump replacement project.

Specifically includes:

Quantity one (1) installation of two S&L pumps and replacement of two existing 6" discharge valves. Valves and pumps to be owner supplied.

Proposal Excludes:

Scope excludes any piping modifications due to owner valve selection. It is also assumed that all other piping, valves and electrical to be re-used - any defective components will be replaced at a time and material basis outside of this scope. By-pass pumping to be by others.

Total Cost: \$3,528 Tax Not Included
All applicable taxes will be added to the above price.
Energenecs terms and conditions attached apply.

Submittals/Shop Drawings: weeks
Delivery: weeks

If you have any questions, please contact me directly.

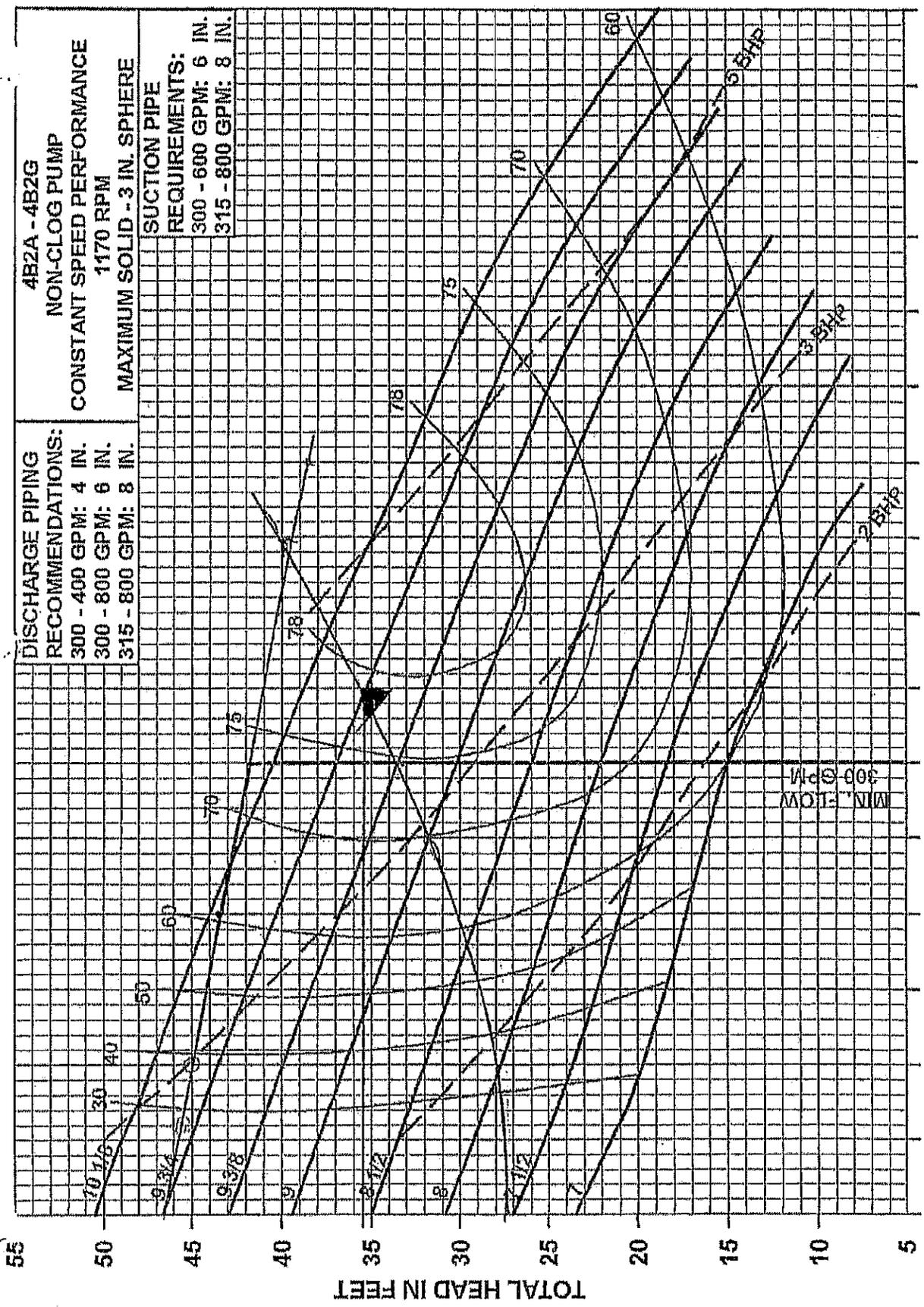
Sincerely,

Jared Felder
energenecs, Inc.

4B2A - 4B2G
 NON-CLOG PUMP
 CONSTANT SPEED PERFORMANCE
 1170 RPM
 MAXIMUM SOLID - 3 IN. SPHERE

SUCTION PIPE
 REQUIREMENTS:
 300 - 600 GPM: 6 IN.
 315 - 800 GPM: 8 IN.

DISCHARGE PIPING
 RECOMMENDATIONS:
 300 - 400 GPM: 4 IN.
 300 - 800 GPM: 6 IN.
 315 - 800 GPM: 8 IN.



0705
 62L14A

U.S. GALLONS PER MINUTE

ENERGENECS, INC. TERMS & CONDITIONS

Purchase Order Forms

Orders submitted on BUYER'S purchase order forms will be accepted only with the express understanding that no statements, clauses or conditions contained in said order form will be binding on the SELLER if they in any way modify the SELLERS Terms & Conditions of sale.

Prices

All prices are F.O.B. factory unless expressly stated otherwise. Prices DO NOT include sales, excise, municipal, state or other government taxes.

Acceptance

Acceptance of a quotation, whether by a separate purchase order or by other means, shall constitute an acknowledgment of the quotation as written and an acceptance of the Terms & Conditions hereof.

Credit Approval

The credit terms specified on the face hereof are subject to SELLERS continuing approval of BUYERS credit and if, in SELLERS sole judgment, BUYERS credit or financial standing is so impaired as to cause SELLER in good faith to deem itself insecure, SELLER may withdraw the extension of credit and require other payment terms.

Force Majeure

Seller will not be liable for failure to deliver or perform, for any delay in the performance of orders or contracts, or in the delivery or shipment of goods, or for any damages suffered by the BUYER by reason of such delay or failure, when such delay or failure is, directly or indirectly, caused by, or in any manner arises from delays of suppliers or carriers or any other cause or causes beyond SELLER'S control.

Payment

95% payment due on shipment of equipment to job site. 5% due on acceptance of the system. Net 30 days on all invoices. 95% payment must be received before start up can be authorized. Any balance owed by BUYER is subject to a 1.5% per month delinquency charge until paid. **FIELD STARTUP SERVICE CANNOT BE AUTHORIZED WITHOUT 95% PAYMENT BEING REMITTED TO SELLER IN ADVANCE OF PERFORMING START UP SERVICES.** If no startup is required, 100% payment is due net 30 days from invoice date. **BUYERS PAYMENT OBLIGATION IS IN NO WAY CONTINGENT UPON BUYERS RECEIPT OF PAYMENT FROM ANY OTHER PARTY.** In addition to all other amounts due hereunder, BUYER shall reimburse SELLER in full for all collection costs or charges, including reasonable attorney fees, which SELLER may incur with respect to the collection of past due amounts from BUYER, including interest on overdue accounts. If BUYER is in default under this or any other agreement with SELLER, SELLER may, at their option, defer performance hereunder until such default is cured. SELLER shall have no obligation to provide factory startup assistance and/or factory training until all invoices (including retentions) for equipment have been paid in full.

Warranty

SELLER is a system integrator/manufacturers representative and, as such, our product guaranty(s) and warranty(s) is set forth in the manufacturer's instruction book or operation and maintenance manual that accompanies each product. SELLER does not offer its customers any warranty or guarantee that would impose upon SELLER greater obligations than those imposed by the manufacturers we represent.

SELLER shall not be liable for any incidental or consequential loss, damage or expense arising directly or indirectly from the use of the product. SELLER shall not be liable for any damages or charges for labor or expense in making repairs or adjustments to the product within the warranty period without prior written approval of SELLER. SELLER shall not be liable for any damages or charges sustained in the adaptation or use of its engineering data or services.

SELLER makes no warranties, expressed or implied, except as set forth in such standard Terms & Conditions of sale in this agreement. No claims of any kind shall be greater in amount than the purchase price of the SELLER'S products in respect of which such claims are made. SELLER is not liable in any event hereunder for any consequential, incidental or liquidated damages or penalties. **IN ANY CASE SELLER SHALL NOT BE LIABLE FOR FIELD WORK BY STAFF OTHER THAN THE SELLER UNLESS EXPRESSLY AUTHORIZED IN WRITING, IN ADVANCE, BY THE SELLER. THIS IS IN SPECIFIC REGARD TO BACK CHARGES.**

BUYER agrees to reimburse SELLER for ALL expenses incurred in servicing a warranty request if the cause of the warranty request is determined to be other than a manufacturer's defect or failure of a SELLER supplied component.

Claim Period

All goods are shipped at the risk of the buyer after they have been delivered by SELLER to the carrier. BUYER shall immediately inspect said equipment upon receipt of equipment and any damage must be noted on the freight carriers bill of lading at time of receipt. SELLER is not liable for any shortages or non-conformance unless notified thereof by BUYER within 10 days after BUYERS receipt of said equipment.

Changes, Cancellations, Returns

All requests for changes, cancellations and/or returns must have prior written approval and are conditional on manufacturers cancellation/return policies and subject to a restocking and/or service charge for order handling, inspection, reconditioning and repackaging, as required. Authorized returned goods must be packaged and shipped prepaid to manufacturer. Products more than six (6) months old cannot be returned for credit. Terms and conditions stated herein shall also govern and be binding to all BUYER requested/approved change orders.

SELLER shall retain a security interest in the equipment until the full purchase price has been paid. BUYER'S failure to pay any amounts when due shall give SELLER the right to possession and removal of the equipment at any time upon giving at least ten (10) days prior written notice. SELLER'S taking of such possession shall be without prejudice to any other remedies SELLER may have. Title to the equipment shall transfer to the BUYER upon shipment from SELLER.

Submittal Drawings and Operation/Maintenance Manuals

Submittal drawings and operation & maintenance documentation is provided in accordance with plan documents.

THE SELLER RESERVES THE RIGHT TO REVIEW AND REVISE THIS PROPOSAL AFTER THIRTY DAYS FROM ISSUANCE.
ENERGENECS, INC.

I accept this proposal and all terms thereof:

By: _____ Gary Dean _____

Accepted: _____

Title: _____

Date: _____



Pumping Application

SMITH & LOVELESS INC.

www.smithandloveless.com

Smith & Loveless Pump Station Offers Town Decades of Service



Application: Lakeville, Minn.
S&L Equipment: Underground Pump Station
Installed: 1966

Time tells all. After thirty years of service, the Smith & Loveless Lift Station in Lakeville, Minn., is still going strong. The station, which serves more than 50 office complexes, runs nearly as efficiently as when it was first installed in 1967.

The secret to its long life? Quality design and craftsmanship, regular maintenance and a manufacturer committed to service for the life of its products. Smith & Loveless Pump Stations are factory-built and tested, ensuring that it will perform optimally when installed. In addition, they are designed with the operator in mind. That is, they are designed with durable components that facilitate longer service life and less service cost.

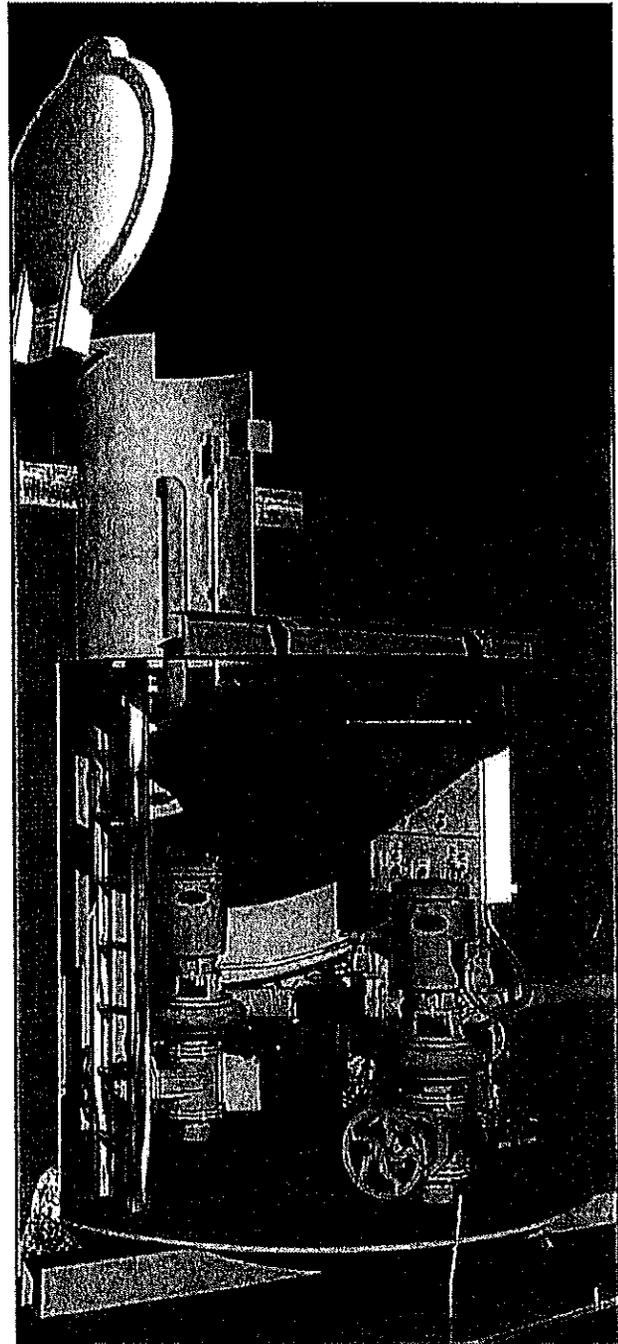
Ken Seurer, Lakeville Utilities' Supervisor, can appreciate these design benefits — he has not had a clog in the past 10 years. In fact, the only repairs the station has required—in 30 years—were replacing air compressors and bubbler lines.

Still, the Smith & Loveless reputation was not built on quality construction and design alone, but also on complete customer service through the life of the product. Although the Lakeville station is still going strong, Seurer wanted to check on the availability of parts for his station. He was pleasantly surprised that Smith & Loveless still could provide them.

"It is unusual to have a company provide parts for equipment that is more than 30 years old," he said. "I am glad to see Smith & Loveless is still a service provider."

Smith & Loveless keeps extensive records detailing every component used in the Lakeville station and every other piece of equipment it manufactures. Should the Lakeville station ever require new components, Smith & Loveless can provide them, as the company has thousands of parts in stock for replacement.

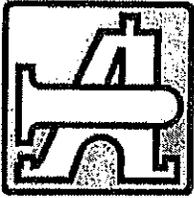
The thirty-year success story of Lakeville's Pump Station exemplifies the Smith & Loveless commitment to service. This commitment begins in innovative and efficient designs, is forged in quality manufacturing, and endures in a lifetime customer relationship.



E-mail: answers@smithandloveless.com • Phone: 913.888.5201 • FAX: 913.888.2173

Smith & Loveless Inc. System Innovators for global pumping, water and wastewater treatment

PROPOSAL



L.W. ALLEN, INC.

4633 Tompkins Drive - Madison, WI 53716

A Full Service Distributor
608.222.8622

Phone

Fax 608.222.9414

PUMPS - CONTROLS - REPAIR CENTER

Burlington WWTP
6551 South Pine Street
PO Box 477
Burlington, WI 53105

PROPOSAL ID: 1012011.RSB
REFERENCE: Dry pit sewage pump
LOCATION: Hwy. 11 - Lift Station #4
BID DATE: November 7, 2011

FREIGHT IS F.O.B. ORIGIN <input type="checkbox"/> ALLOWED <input type="checkbox"/> PREPAID & ADD <input checked="" type="checkbox"/> COLLECT		TERMS: NET-30 DAYS PER ATTACHED TERMS AND CONDITIONS PRICES DO NOT INCLUDE SALES OR USE TAXES
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ITEM	QUAN	DESCRIPTION	TOTAL PRICE
A	2	L.W. Allen is pleased to provide a quotation for the following equipment and services. Furnish Two (2) Fairbanks Morse size 4" Model 5442 flexible coupled solids handling sewage pumps. These pumps will be driven by a 7.5HP, 1200 rpm motor. This pump is equipped with a mechanical seal and stainless steel sieve.	<p style="text-align: right;">Total Investment \$22,358.00</p>
B	1	Installation of above Two (2) Pumps and Motors. Not Included: Freight, by-pass pumping or anything not specifically mentioned in this scope of supply.	<p style="text-align: right;">Total Investment \$ 2465.00</p>
C	1	Furnish and Install Two (2) Size 6 shut-off discharge valves. Donny and Ben stated that these valves leak back and do not fully shut off the forcemain.	<p style="text-align: right;">Total Investment \$ 1958.00</p>

ACCEPTED THIS _____ DAY OF _____, 20____

PRICE FIRM FOR 30 DAYS

NAME OF PURCHASER

SUBMITTED THIS:

November 7, 2011

BY:

NAME & TITLE

L.W. ALLEN, INC.-BY:

Rick Bartelt

22358
2465

24823
2000

DESIGNERS - MANUFACTURERS - SALES - SERVICE

MEMBERS: AWWA - WEF - WRWA - WWOA

\$ 26823 total

Terms and Conditions

Controlling Provisions: These terms and conditions shall supersede any provisions, terms, and conditions contained on any purchase order or other written form Buyer may use or provide (whether received by Seller prior or subsequent to date hereof), and the rights of the parties shall be governed exclusively by the provisions, terms, and conditions hereof.

Quotations and Acceptance: Acceptance of a quotation, whether by a separate purchase order or by other means, shall constitute an acknowledgment and approval of the quotation as written and an acceptance of the Terms and Conditions hereof. Written quotations shall expire on the date specified in the quotation or, in the absence of such specification, thirty calendar days from the date issued. Seller may, by written notice, terminate a quotation at any time prior to acceptance. Any purchase order received after expiration of a quotation, which Seller honors, shall be subject to all of the Terms and Conditions hereof.

Submittal Drawings: Submittal of drawings for approval, if required, will be made after receipt of complete information from buyer. The quantity of the submittal drawings will be as specified in the contract documents. Additional sets will be supplied at \$150.00 per set. Return to Seller of one (1), final approved drawing constitutes notice to Seller to proceed with manufacturer. If this order is conditioned upon "engineer approval" Seller requires written notification from buyer in the form of approved submittal data.

Force Majeure: Seller shall not be liable for failure to deliver or perform, for any delay in the performance of orders or contracts, or in the delivery of shipment of goods, or for any damages suffered by the buyer due to such delay or failure, when the delay or failure is, directly or indirectly, caused by or arises from delays of suppliers or carriers or any other cause beyond Seller's control.

Prices and Taxes: All prices are F.O.B. factory unless expressly stated otherwise. Prices do not include sales, excise, municipal, state or other governmental taxes. Buyer shall be responsible for all taxes.

Credit Approval: The credit terms specified on the face hereof are subject to Seller's continuing approval of Buyer's credit. Seller may withdraw the extension of credit and require modified payment terms if, in Seller's sole judgment, Buyer's credit or financial standing is impaired to the point where Seller in good faith deems itself insecure.

Delivery: Unless otherwise specified in this quotation, delivery will be F.O.B. Seller's point of shipment. Buyer will accept delivery within twenty (20) days after Seller notifies Buyer that the equipment is ready for shipment. If Buyer does not furnish exact shipping instructions within ten (10) days after acceptance of this proposal, Seller will select, at its discretion, the means and terms of shipment. Seller will not be liable for any loss resulting from such selection. The time of delivery is an estimate only, and Seller may change such time if it does not receive the information and approvals necessary to proceed with the manufacture of equipment.

Title, Risk of Loss, Inspection of Equipment: Title and risk of loss to the equipment shall pass to Buyer upon delivery of the equipment to the carrier. Buyer shall immediately inspect equipment upon receipt and any damage must be noted on the carrier's bill of lading at time of receipt. Seller is not liable for any shortages or nonconformance unless notified by Buyer within 10 days of Buyer's receipt of the equipment. Buyer will make all claims for loss or damage in transit against the carrier.

Changes, Cancellations, Returns: All changes, cancellations, or returns must have Seller's prior written approval and are conditional on compliance with manufacturer's cancellation/return policies and subject to restocking fees and service charges. Authorized returned equipment must be packaged and shipped prepaid to manufacturer.

Payment: Unless the Seller extends alternative credit terms, 90% of the total purchase price is due net 30 days after delivery of equipment (but in all cases prior to field service start-up, if earlier) and the remaining 10% is due upon start-up of equipment by Seller's field technician, but in no event more than 90 days after shipment of equipment. Any balance owed by Buyer after the due date is subject to a 1.5% per month delinquency charge until paid. **FIELD START-UP SERVICE CANNOT BE AUTHORIZED WITHOUT RECEIPT OF PAYMENT IN THE AMOUNT OF 90% OF THE TOTAL PURCHASE PRICE.** If no start-up is required, 100% payment is due net 30 days from invoice date. **BUYER'S PAYMENT OBLIGATION IS IN NO WAY CONTINGENT UPON BUYER'S RECEIPT OF PAYMENT FROM ANY OTHER PARTY.**

Indemnification and Default: In addition to all other amounts due hereunder, buyer shall reimburse Seller in full for all collection costs or charges, including reasonable attorney fees, which Seller may incur in the collection of past due amounts from buyer, including interest on overdue accounts. If buyer is in default under this or any other agreement with Seller, Seller may defer performance hereunder until such default is cured. Seller shall have no obligation to provide factory startup assistance and/or factory training until all invoices (including retentions) for equipment have been paid in full.

Security Interest: Seller shall retain a security interest in the equipment until the full purchase price has been paid. Buyer's failure to pay any amounts due shall give Seller the right to possession and removal of the equipment after providing ten (10) days written notice. Seller's taking of such possession shall be without prejudice to any other remedies Seller may have.

Warranty and Liability: Buyer shall have such warranty rights, and only such warranty rights, as may be extended by the manufacturer of the product. The terms and conditions of any such warranty rights are set forth in the Manufacturer's Operation/Maintenance Manual which accompanies each product. Seller does not otherwise offer any guaranty or warranty for the product. Seller disclaims any and all warranties; express or implied, including the warranties of merchantability and fitness, except as may be set forth in the terms and conditions of sale in this Agreement or in any express written warranty which seller may have otherwise extended to Buyer for the product.

Seller shall not be liable for any damages, charges for labor, or expense in making repairs or adjustments to the product without prior written approval of Seller. Seller shall not be liable for any damages or charges sustained in the adaptation or use of its engineering data or service by Buyer or any third party. Seller shall not be liable for startup or any other field work performed by personnel other than authorized representatives of Seller unless expressly approved in writing in advance by Seller. Seller shall in no event be liable for any consequential, incidental or liquidated damages or penalties. Seller's liability under this Agreement shall in no event exceed the lesser of: (i) the cost of remedialing any defect or deficiency in the performance of Seller hereunder; or (ii) the purchase price of the product in respect of which the claim is made.

Operation/Maintenance Manuals: Buyer's installation, maintenance and operation manuals will be furnished in the number of copies specified at the time of quotation in contract documents. If none specified, one will be provided at no added cost, with additional copies at \$150.00 each.