



CITY OF BURLINGTON

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CITY OF BURLINGTON
Committee of the Whole Minutes
Robert Miller, Mayor
Beverly R. Gill, City Clerk
May 1, 2012

1. CALL TO ORDER/ROLL CALL

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

Student Representative present: Paul Dhillon Excused: Dale Morrow

Also present: City Attorney John Bjelajac, City Administrator Kevin Lahner, Police Chief Peter Nimmer, Treasurer Steve DeQuaker, Assistant to the Administrator Megan Johnson, Public Works Director Connie Wilson, Fire Chief Dick Lodle, Tom Foht of Kapur Engineering, Mr. David Wagner of Ehlers and Associates, Mr. John Grosskreutz of Kapur Engineering

2. CITIZENS COMMENTS AND QUESTIONS

None

3. APPROVAL OF MINUTES FOR APRIL 4, 2012

A motion was made by Prailes with a second by Rauch to approve the minutes from April 4, 2012. With all in favor, the motion carried.

4. PRESENTATION BY THE GIRL SCOUTS OF WISCONSIN SOUTHEAST REGARDING CREATING A RAIN GARDEN FOR THE CITY ON THE BURLINGTON PUBLIC WORKS FACILITY GROUNDS

Ms. Christy Swihart, 289 West State Street was in attendance to discuss the rain garden project proposed by the local girl scouts in honor of the 100th Anniversary of girl scouts. She stated that it is the goal of the girl scouts to create 100 rain gardens in honor of their anniversary.

Their proposal is to install a rain garden just south of the parking lot at the Department of Public Works grounds with an approximate size of three-hundred square feet. She stated this would be a two to three year project for the scouts with funding coming from the Burlington Area Garden Club and the Milwaukee Metropolitan Sewerage District/Graham Martin Foundation.

Dawidziak questioned how the garden would be maintained. Swihart replied that it would be eventually self-maintained due to the types of plants chosen but she assured council members this would not be an abandoned project.

Vos asked if the plants would be salt tolerant as there would be runoff from the parking lot in the winter months to consider. Swihart said that issue would be addressed.

Rauch mentioned that as a member of a firm that designs landscaping on a larger scale, they may be able to offer some assistance to the scout troop.

Wilson commented that she is excited about the project as the area suffers from erosion and it would be a nice stewardship project.

5. **PRESENTATION BY JOHN GROSSKREUTZ OF KAPUR & ASSOCIATES REGARDING THE PHASE II WASTEWATER TREATMENT PLANT UPGRADES AND IMPROVEMENT PROJECT**

Grosskreutz discussed the Phase II Wastewater Treatment Plant upgrades and the status of the project. The bid opening for this project is May 10th and it is anticipated the recommendation will be brought to council on the 15th of May.

Grosskreutz reminded council that it is important for the upgrades to be completed before the end of the year due to the use of 2012 Focus on Energy Grant Funds.

Vos questioned what is included in Phase III for the wastewater treatment plant. Lahner replied the third phase would concentrate on construction of structures for additional volume. Wilson added those structures would include a second clarifier, bio-tower and aeration system. Lahner stated that the volume doesn't justify those additions at this time.

Vos asked if the nine million dollars for Phase II would increase the sewer usage fees. Lahner explained that since 2008 there have been maintenance fee increases with the purpose of keeping up with the rate of inflation to pay for improvements.

Wilson commented that a rate study is being done at this time and is almost finished. Once the numbers are known for Phase II, the study can be completed.

6. **DISCUSSION REGARDING ELECTED OFFICIAL'S INSURANCE BENEFITS**

Both Vos and Johnson recused themselves from any discussion on insurance benefits due to being part of the insurance plan.

The mayor stated this is the sixth time this issue has been brought before common council since 2006. He stated at one time there were seven elected officials on the plan but it is now a total of two.

Lahner explained that the elected officials pay the full premium as do the retirees from the city.

Prailles questioned if it has cost the city any more money than the premiums collected since 2006. The mayor replied that the city has not been able to get records prior to 2009 as the insurance carrier had changed. He further stated that from 2009 until present, the amount paid in was a difference of a negative \$5500.00; the current year alone is running ahead by a plus \$3100.00.

Rauch felt the health insurance should sunset with the current people.

Simensen did not think the discussion at the council meeting was as involved as this and thought more of it had been discussed at budget meetings. She understood there was no end date and the individual decided when to get off of the policy. In her opinion, there was a liability to the city based on the claims that would affect the premiums. She said the coverage should end for elected officials.

Lahner added that in regard to dental insurance, it is not a self-insured policy as the health insurance and there are no claims cost to the city.

Simensen asked for clarification on the eligibility for dental insurance as it referenced five years. Lahner replied that it referred to a current member or former member who had served five years.

Preusker commented there is a risk with the self-insurance but if the elected officials leave once they get to Medicare age he did not have a problem with that and the fact that it was not a "freebie" as they were paying for their coverage.

The majority of members of council decided the current policy would continue and to let it end through attrition.

7. **RESOLUTION 4550(1) "A RESOLUTION TO CONSIDER A CONTRACT WITH VOORHEES ASSOCIATES, LLC TO CONDUCT THE 2012 STRATEGIC PLANNING SESSION"**

The mayor introduced Resolution 4550(1) to the council for discussion. He stated the last study had been done in 2008 and it was time to update the study with the new council members.

Vos questioned who would be participating in the session. The mayor thought it would only be for staff and council members.

This resolution is scheduled for the May 15, 2012 Common Council meeting.

8. **RESOLUTION 4551(2) "A RESOLUTION TO CONSIDER APPROVING AMENDMENT NUMBER ONE TO TASK ORDER NUMBER SEVENTY-NINE WITH KAPUR & ASSOCIATES FOR CIVIL ENGINEERING SERVICES AND CONSTRUCTION MANAGEMENT WITH THE RADIUM REMOVAL PROJECT IN THE AMOUNT OF \$16,410"**

The mayor introduced Resolution 4551(2) to the council for discussion.

Grosskruetz reported that both wells are up and running but there is an issue with Well #10 which is being worked out with the DNR. Grosskruetz further stated that once a site is touched, everything must then be brought up to code.

Rauch questioned how we could not have known that it needed to be brought up to code and an explanation of "extended construction management". Grosskruetz said it was an oversight by the DNR through the years; the "extended construction management" referred to the fact Well #10 was down for a month and a half which led to the delay of the project.

Preusker asked Grosskruetz to elaborate on the violation with the DNR and the problem with the well. Grosskruetz said the issue was with the overflow pipe on the reservoir that needed to be above ground. He also added the shaft in the main pump in the well had broken due to age.

Vos questioned the removal of the silt fence and the timing of the landscaping. Grosskruetz replied the first of May is the timing for that part of the project. Vos also asked about one of the wells that had been identified as marginal and now that both systems are up and running, would it make a difference. Grosskruetz thought that it would.

Vos did not understand the scope of services expanded and asked Grosskruetz for an explanation. Grosskruetz replied they continued to work on Well No. 9 Project during this time. He also reminded council members the project was extended three months during which time Kapur continued to provide the standard services. Grosskruetz also clarified the amount of \$16,410 was split between additional fees of \$8,000 with the remainder for the design of the upgrade at Well #10.

This resolution is scheduled for the May 15, 2012 Common Council meeting.

9. **RESOLUTION 4552(3) "A RESOLUTION TO CONSIDER A PRELIMINARY RESOLUTION TO DECLARE INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS FOR THE ALLEY IN ELMHURST SUBDIVISION"**

The mayor introduced Resolution 4552(3) to the council for discussion.

Johnson questioned if this project had been bid. Lahner replied this is only the estimate with the public hearing to follow and then the actual amount to be billed.

This resolution is scheduled for the May 15, 2012 Common Council meeting.

10. **RESOLUTION 4553(4) "A RESOLUTION TO CONSIDER AWARDING THE SALE OF \$3,190,000 GENERAL OBLIGATION STREET IMPROVEMENT BONDS, SERIES 2012A"**

The mayor introduced Resolution 4553(4) to the council for discussion. Mr. Dave Wagner of Ehler's and Associates was present to discuss this resolution.

Simenson was concerned with the future and whether borrowing was a sustainable method to use for road work.

The mayor said the amount of money from this bond will only accomplish half of what needs to be done for street repair, but he did not anticipate any additional borrowing until 2017 when TIF 3 will be closed.

Lahner said the amount of road work that would have been done in five years will be condensed into two years with a significant savings in interest.

Wagner explained the handout that was given to council and commented that the anticipated \$3,190,000 had been reduced to \$3,155,000 due to favorable bids received.

The consensus of the council was to move forward with this resolution.

11. RESOLUTION 4554(5) "A RESOLUTION TO CONSIDER AMENDMENT ONE TO THE PLANNED UNIT DEVELOPMENT AGREEMENT WITH JW WEST RIDGE, LLP"

The mayor introduced Resolution 4554(5) to the council for discussion.

Rauch questioned if the proposed apartments would look the same as the ones that are already built. The mayor said they would be built in the same style.

This resolution is scheduled for the May 15, 2012 Common Council meeting.

12. ORDINANCE 1947(1) "AN ORDINANCE TO CONSIDER AMENDING THE OFFICIAL ZONING MAP BY REZONING 216 WEST JEFFERSON STREET FROM RD-2, TWO-FAMILY RESIDENTIAL TO B-2, CENTRAL BUSINESS DISTRICT"

The mayor introduced Ordinance 1947(1) to the council for discussion.

Simenson had looked at the area and was concerned with the narrowness of the street in regard to parking.

Rauch was not in favor of changing the zoning from residential to commercial.

Hintz had spoken to some of the members of the neighborhood and they were not in favor of the change to their neighborhood. Hintz felt the council should respect the wishes of the neighbors.

Mr. Tom Stelling of Stelling and Associates along with Ms. Megan McCarthy representing Barefoot Yoga were present to explain their position on the proposed zoning change from residential to business district.

Stelling described the building as a historic structure which has never been claimed as such. Their task was to maintain the essence of the structure while finding an adaptive use for the building.

McCarthy described her two-year search for a suitable building with nothing in the downtown area that would suit her purposes. She was concerned of the noise level in any area she would use as well as being able to walk or bike to her business with green space being very desirable.

She described her mother's family (Meinhardts) as being the sixth generation from Burlington. Her family had donated the building for the Burlington Historical Society, the Abraham Lincoln Statue and the log cabin in Wehmhoff Square. She said her family has deep roots in Burlington and is concerned with maintaining the integrity of the building.

The ordinance is scheduled for the May 15, 2012 Common Council meeting.

13. **ORDINANCE 1948(2) "AN ORDINANCE TO CONSIDER AMENDING THE OFFICIAL ZONING MAP BY REZONING 649-657 WEST STATE STREET FROM B-1, NEIGHBORHOOD BUSINESS DISTRICT TO RM-2/PUD, MULTIPLE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY"**

The mayor introduced Ordinance 1948(2) to the council for discussion. There was no discussion on this ordinance.

This ordinance is scheduled for the May 15, 2012 Common Council meeting.

14. **ORDINANCE 1949(3) "AN ORDINANCE TO CONSIDER AMENDING THE RACINE COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR 216 WEST JEFFERSON STREET FROM MEDIUM-DENSITY RESIDENTIAL TO COMMERCIAL ZONING"**

The mayor introduced Ordinance 1949(3) to the council for discussion. There was no discussion on this ordinance.

This ordinance is scheduled for the May 15, 2012 Common Council meeting.

15. **ORDINANCE 1950(4) "AN ORDINANCE TO CONSIDER AMENDING THE RACINE COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR 649-657 WEST STATE STREET FROM COMMERCIAL TO HIGH-DENSITY RESIDENTIAL ZONING"**

The mayor introduced Ordinance 1950(4) to the council for discussion. There was no discussion on this ordinance.

This ordinance is scheduled for the May 15, 2012 Common Council meeting.

16. **ORDINANCE 1951(5) "AN ORDINANCE TO CONSIDER DISSOLVING THE BOARD OF PUBLIC WORKS"**

The mayor introduced Ordinance 1951(5) to the council for discussion.

Hintz commented that as an employee of Wanasek Corporation, he attends many bid openings and the City of Burlington is the only community that has a Board of Public Works.

Vos said that the Board of Public Works is merely advisory to the council and was not a decision making board.

Simenson was in favor of keeping the Board of Public Works as it provided open government to the citizens.

Vos suggested creating an ad hoc member from council to be part of the bid opening process.

Lahner reminded council that the State of Wisconsin requires an open bid process. He said the only purpose for Board of Public Works is to approve minutes from the prior meeting and refer the bids to staff and engineering for recommendation.

Wilson was in favor of disbanding the board because of the difficulty in trying to get the four board members to agree on a date and time. In addition, the contractor's do not like the morning bid time due to numbers that come in at the last moment that are critical to the bid.

Atty. Bjelajac suggested the disbanding of the Board of Public Works but including Simenson or some other alderman as a member.

The mayor suggested that he be responsible for appointment of an alderman as part of observing the bid process with the mayor as an alternate.

This ordinance will move forward to the May 15, 2012 Common Council meeting.

17. MOTION 12-740 "A MOTION TO CONSIDER APPROVING A CERTIFICATE OF APPROPRIATENESS APPLICATION IN THE HPC OVERLAY DISTRICT FOR 133 EAST CHESTNUT STREET"

The mayor introduced Motion 12-740 to the council for discussion. There was no discussion.

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

18. MOTION 12-741 "A MOTION TO CONSIDER APPROVING A CERTIFICATE OF APPROPRIATENESS APPLICATION IN THE HPC OVERLAY DISTRICT FOR 492 NORTH PINE STREET"

The mayor introduced Motion 12-741 to the council for discussion. There was no discussion.

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

19. MOTION 12-742 "A MOTION TO CONSIDER APPROVING A CERTIFICATE OF APPROPRIATENESS AND SIGN PERMIT APPLICATION IN THE HPC OVERLAY DISTRICT FOR 615 NORTH PINE STREET"

The mayor introduced Motion 12-742 to the council for consideration. There was no discussion.

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

20. ADJOURNMENT

A motion was made by Johnson with a second by Vos to adjourn the meeting. With all in favor, the meeting adjourned at 8:00 p.m.

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