

Town of Burke Board Meeting Minutes – April 6, 2011
6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Hess, Supervisor Munson and Supervisor Searls. Also in attendance: Brenda Ayers, Clerk/Treasurer; Ron Kurt, Public Works; Kim Peterson, Deputy Clerk/Treasurer and Anne Anderson, Town Engineer. See attached list for other interested parties in attendance.

1. ADMINISTRATIVE

- a. It was determined that a quorum was present and that the meeting was properly posted.
- b. The meeting was called to order at 6:00 p.m. by Viney.
- c. The Pledge of Allegiance was recited.
- d. Public Hearing regarding a CSM submitted by Larry Ter Maat for the purpose of dividing a 5.01 acre parcel into two separate lots (2.5 and 2.51 acres) property located at 6200 Sommer Valley Circle (parcel number 0810-044-9850-5). No one spoke for or against the petition.
- e. Public Hearing regarding a rezone request (from A-1 and A-B to C-2) by JAD Land Development LLC, property located at 3370 Burke Road (parcel numbers 0810-243-4001-0, 0810-2434004-0, 0810-234-4007-0, 0810-243-4010-0, 0810-243-4013-0, 0810-243-4016-0, 0810-243-40190-0, 0810-243-4022-0, 0810-243-4025-0, 0810-243-40280-0 and 0810-243-4031-0). Mike Lawton, attorney for the petitioner, stated that the rezone is consistent with Town Plan for this area and that City of Madison staff Madison is supportive of the plan. Lawton further explained that the Plan Commission reviewed the list of proposed uses submitted by the developer and recommended removal of some of the proposed uses from the list. Lawton submitted a list of two uses that he would like added to the list of permitted uses recommended by the Plan Commission to accommodate an existing business on lot 11. The requested modification was to allow retail and wholesale of motor vehicle parts and accessories and assembly of motor vehicles on lot 11 only. Kurt expressed his concerns about damages to the road due to car haulers on the road. Elke Brendel, Preservation Place, expressed her concerns about the aesthetics and noise of potential businesses in the rezone area. She asked that the Town Board limit the uses to those that don't create a lot of noise. She also suggested that a berm is built on the backside of the property to provide screening from noise and view. Mike Vraniak, Reiner Road, expressed a concern about the proposed plat and potential flooding issues. The list of allowable uses recommended by the Plan Commission was read.
- f. Approval of March 2, 2011 Board meeting minutes. Motion: Hess/Munson to approve the minutes as presented. Motion carried.
- g. Public Works report. Kurt reported that chipping starts the week of April 11. The unused salt has been returned to Sun Prairie. A tree in the right-of-way on Burke Road that posed a danger of falling was removed by Competitive Tree Service on April 4. The Public Works staff is working on replacing broken signs and picking up stuff in ditches. Kurt reported that Jerry Hahn from Sun Prairie was hired to clean the hall and park. Premier Lawn Service is transferring its mowing contract to CJ's Lawn Service. The Board recommended that the Town Attorney draft a standard assignment and assumption agreement for execution by Premier and CJ's.
- h. Clerk/Treasurer report. Ayers reported that there were 1,150 voters at the election on April 5 which was a 53% turn out. Ayers will attend a FEMA

meeting regarding disaster assistance for the February 2011 blizzard. Ayers introduced Kim Peterson, Deputy Clerk/Treasurer to the Board.

- i. Finance Report. The Cash on Hand report through February 28 was included in the Board packet and the Profit and Loss Budget vs. Actual report as of March 31, 2011, was provided at the meeting.
- j. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 24331-24390 and payroll related disbursements number 1570-1605.
- k. Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. Chuck Isaacson, Burke Road, told the Board that he has asked the Post Office for permission to relocate his mailbox because he currently has to cross the road to retrieve his mail. The Post Office denied his request. He is concerned about the speed of the traffic on the road and the danger of crossing the road in a wheelchair. The Board agreed to ask the Deputy to monitor the speed of traffic on Burke Road.

2. NEW BUSINESS

- a. Recommendation from the Plan Commission regarding a CSM submitted by Larry Ter Maat for the purpose of dividing a 5.01 acre parcel into two separate lots (2.5 and 2.51 acres) property located at 6200 Sommer Valley Circle (parcel number 0810-044-9850-5). Hess reported that the Plan Commission recommended approval with the contingencies in the letter dated February 22, 2011, from Daniel Everson of Dane County Zoning and the receipt of a soil compatibility report from a soils expert. The soil report was provided to the Town. Motion: Hess/Searls to approve the CSM with the contingencies recommended by Daniel Everson of Dane County Zoning. Motion carried.
- b. Recommendation from the Plan Commission regarding a rezone request (from A-1 and A-B to C-2) by JAD Land Development LLC, property located at 3370 Burke Road (parcel numbers 0810-243-4001-0, 0810-2434004-0, 0810-234-4007-0, 0810-243-4010-0, 0810-243-4013-0, 0810-243-4016-0, 0810-243-40190-0, 0810-243-4022-0, 0810-243-4025-0, 0810-243-40280-0 and 0810-243-4031-0). Motion: Hess/Searls to refer the item back to the Plan Commission for further review of the additional permitted uses and the concerns raised at the Public Hearing. Motion carried.
- c. A request from Sanderson Properties Partnership to have the trash pick up charges removed from the tax bill. Mr. Olp explained that they are paying \$2,000 on their tax bill for a service they do not use because they contract with Waste Management directly for on-site dumpsters. Olp said he has never seen his tenants put trash at curb. Kurt asked what happens if the dumpster is overflowing. Olp said that he picks up the excess and takes it to the Dane County Landfill. Motion: Searls/ Munson to waive the trash pick up charges. Motion withdrawn.
Motion: Hess/Sears reduce the trash pick up charge for 4912 Packers Ave to four residential equivalent units per year retroactive to January 31, 2011. Motion carried.
- d. Biennial Group Stormwater Discharge Report. Motion: Hess/Berg to approve the report as presented. Motion carried.
- e. Operator's licenses. Motion: Searls/Berg to approve Operator's Licenses for Dalton Sands, Taylor Groom and Cody Statz. Motion carried.

3. OLD/UNFINISHED BUSINESS

- a. 2011 Road Projects. Anderson explained that the project includes mill and overlay on Portage road and Reiner (north of Nelson), Harvest Hill/Fox Run intersection pavement replacement and shouldering/sealing from the 2009 project. Anderson noted that instead of cutting out and replacing the cracked spots in the 2009 road project area, Crackfilling Service will spot seal the cracked areas. Kurt noted that spot sealing will cost around \$2,000 versus the estimated \$7,000 to remove and replace the cracked areas. The Board asked that the schedule be modified to coordinate the bid award with a Board meeting and start the project sooner. Motion: Hess/Searls to approve the professional services acknowledgement for the 2011 Roads Project with Mead and Hunt in the amount of \$50,200. Motion carried.
- b. Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions. Anderson told the Board that she will provide options for improving the private culvert crossing at Templeton Terrace and Charlotte's Way at a future meeting.
- c. Status of Town Hall Cleaning staff. See Public Works report.
- d. GLS Utility contract for locating and marking underground facilities. Motion: Hess/Berg to approve the contract with a change to the term to end on January 31, 2012. Motion carried.
- e. Possible Town TIF. Viney reported that he was contacted by Don Tierney regarding the Town's participation in a cooperative with the Village. Ayers reported that she spoke with Greg Frahm with the Village of DeForest and told him that he was welcome to attend a Board meeting to further discuss the TIF.
- f. Savannah Brooks easement request. Ayers reported that the Village is proceeding with the attachment and asked the Board if they had any concerns. Berg asked if the Town was compromising its position on moving the Token Creek Park entrance if the attachment occurs. Ayers will consult the Town Attorney.

4. COMMITTEE REPORTS (AS APPLICABLE)

- a. Plan Commission/ETZ Committee- Hess reported that the ETZ Committee and a joint meeting with Vienna and DeForest to adopt amendments to the zoning code.
- b. Parks Commission- no report.
- c. EMS Committee- no report.
- d. Fire Commission-no report.
- e. NECC- meeting April 25.
- f. JRTC- no report.

5. ADJOURNMENT

Motion: Hess/Berg to adjourn. Motion carried. Meeting adjourned at 8:19 p.m.

Brenda Ayers
Clerk/Treasurer
Town of Burke
4/27/2011