

Town of Burke Board Meeting Minutes – June 16, 2010
6:00 p.m.

Board members in attendance: Supervisor Berg, Supervisor Hess, Supervisor Munson and Supervisor Searls. Excused: Chairman Viney. Also in attendance: Brenda Ayers, Clerk/Treasurer; Lois Ford, Deputy Clerk/Treasurer and Ron Kurt, Public Works; Chris Hughes, Town Attorney and Tom Pinion, Town Engineer. See attached list for other interested parties in attendance.

ALL AGENDA ITEMS ARE SUBJECT TO POSSIBLE ACTION

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 Hess.
- c. The Pledge of Allegiance was recited.
- d. Public Hearing on Liquor License renewals. Ken Koon Post Commander of the VFW explained that they added the pavilion, outside grill, volleyball and horseshoe areas to their application this year. Koon said they intend to continue to apply for permits for outside events. Hess expressed his concern that the change in the license would allow the VFW to hold outside events without a special permit. Searls suggested revising the application to include the building, volleyball and horseshoe areas only. There were no comments on the other license applications.
- e. Approval of June 2, 2010 Board meeting minutes. Motion: Hess/Munson to approve the minutes as presented. Motion carried.
- f. Public Works report. Kurt reported that staff is finishing the second round of chipping. The trees on Seminary Springs Road will be removed June 29. Premier Lawn Service sprayed the trails and park system for weeds. Staff is also working on shouldering. Kurt also reported that there is a small leak in simplicity lawn mower. Kurt suggested that the Town start looking into hiring relief plow drivers.
- g. Clerk/Treasurer report. No update other than agenda items.
- h. Finance Report. Ford provided the Cash on Hand report as of May 31, in the Board packet. Ford distributed the Profit and Loss report at the meeting. Ford provided a written and verbal update on the liquor and operator license applications.
- i. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 23811-23841 and payroll related disbursements number 1258-1275.
- j. Public Concerns: None.

2. NEW BUSINESS

- a. Discussion with Don Tierney regarding Savannah Brooks Development. Don Tierney provided a handout and spoke. Hughes explained that Tierney is proposing to pay \$10,000 up front and to reduce the amount paid when the TIF is consummated from \$50,000 to \$40,000.
- b. **CLOSED SESSION: The Town Board will convene into closed session pursuant to Wis. Statute 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 require a closed session, to discuss an amendment to the agreement amending the agreement fixing municipal boundary between the Village of DeForest and the Town of Burke. Motion: Hess/Munson to convene in closed session. Roll call: Searls- aye, Berg- aye, Hess- aye, Munson- aye. Motion carried.
- c. **OPEN SESSION:** the Town Board will reconvene into open session pursuant to WI Statutes 19.85 (2) for discussion and possible action regarding matters discussed in Closed Session and to proceed with other items on the agenda. Motion: Searls/Hess to reconvene in open session. Motion carried. Berg asked Tierney what type of business the

- developer is proposing. Tierney replied that it is a health care facility. Motion: Searls/Munson to revise the amendment to accept \$10,000 up front and \$40,000 when the TIF is consummated. Motion carried.
- d. Renewal of Liquor, Cigarette and Operator's licenses. Motion: Searls/Berg to approve licenses and to hold the licenses with incomplete applications until the missing information is received. Motion carried.
 - e. Recommendation from Plan Commission to consider a request from Merlin Stegmann for a rezone of his property from RE-2 to RM-4 for the purpose of restoring the zoning to allow multifamily residential as it was prior to the creation of the DeForest-Burke ETZ area. The property is located at the corner of Daentl and Danielle Roads, DeForest (parcel number 0810-054-4322-2). In 2003, Mr. Stegmann petitioned the Town and the County to have this lot zoned R-4, which would allow a multi-family dwelling. Mr. Stegmann has been marketing this lot as such. However, after further investigation he found that when it was put in the ETZ district the zoning on the lot was changed to RE-2, which does not allow for multi-family dwellings. Mr. Stegmann has been in contact with DeForest officials and they have agreed to change the zoning to RM-4, which is similar to the County R-4 zoning. The Plan Commission recommended approval at their meeting on June 9, 2010. Motion: Hess/Berg to approve the rezone as submitted. Motion carried.
 - f. Approval of the CMAR report and related resolution. Ayers reported that the Town received a "D" grade on the collection systems portion of the CMAR because the Town does not have an Operations and Maintenance plan for the utility districts. She and Kurt will work on completing a plan prior to next years report. Motion: Searls/Munson to approve the CMAR and related resolution as presented. Motion carried.
 - g. Request for reimbursement for sign damage. Motion: Searls/Berg to approve the request from Kate Grace as submitted. Motion carried.
 - h. Town Chair status. Hess reported that he has been in contact with Viney. Viney is attending training in Milwaukee but plans to be at the July 7 Board meeting.

3. OLD/UNFINISHED BUSINESS

- a. Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions (CDBG-EAP Grant). Ayers reminded the Board that there is approximately \$34,000 remaining in the fund established to research the flooding issues.
- b. Update on metal stakes in right-of-way, unauthorized work in right-of-way and filling in of culvert. Ayers reported that all metal stakes have been removed or replaced with fiberglass stakes. Hughes sent a letter to the property owner who filled in his culvert. Since Mr. Schlobohm has not restored the right-of-way, Hughes advised the Board to put the matter on the July 7 agenda for action.
- c. Committee & Commission appointments. No action was taken.
- d. Possible repair of Charlotte's Way. Pinion reported that the borings are scheduled for the week of June 21.
- e. Follow up on 2009 Roads project. Pinion reported that Payne & Dolan has taken soil samples and is investigating the topsoil restoration and seeding. It is anticipated that Payne and Dolan will have a report on June 25.
- f. Status of Intergovernmental Agreement for EMS Services. Fleming is reviewing the latest draft.
- g. Detachment of a portion of the Bostad property previously annexed to the City of Sun Prairie (Weybridge Development) and attachment to Town of Burke. Ayers reported that she met with the Bostads who have concerns about reimbursing the Town for the legal fees relating to the reattachment. Hughes indicated that the review of the documents should not cost more than \$300.

4. COMMITTEE REPORTS (AS APPLICABLE)

- a. Plan Commission/ETZ Committee- Hess reported that the Plan Commission meets on June 23 and the agenda includes a preliminary consultation with Mr. Taff.
- b. Parks Commission- Munson reported that she and Kurt met with Lynn Baldwin at Burke Conservancy Estates Park. Munson is concerned about how to access the park to deliver wood chips.
- c. EMS Committee- Berg reported that the next meeting is July 20.
- d. Fire Commission- Munson reported that the next meeting is July 1.
- e. NECC- Searls reported that the next meeting is July 26.
- f. JRTC- Ayers reported that the next meeting is June 21.

5. **CLOSED SESSION: The Town Board will convene into closed session pursuant to Wis. Statute 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 require a closed session, to discuss contracting with an Engineering firm . Motion: Berg/Munson to convene in closed session. Roll call: Searls- aye, Berg-aye, Hess-aye, Munson-aye. Motion carried.

6. **OPEN SESSION:** the Town Board will reconvene into open session pursuant to WI Statutes 19.85 (2) for discussion and possible action regarding matters discussed in Closed Session and to proceed with other items on the agenda. Motion: Hess/Searls to reconvene in open session. Motion carried. Motion: Hess/Berg to authorize the clerk to contact Strand and Associates to obtain a price schedule and notify them that they have been chosen as the Town's engineer of record; and to authorize the clerk to send letters to the other engineer candidates notifying them of the Town's decision. Motion carried

7. **ADJOURNMENT**

Motion: Munson /Berg to adjourn. Motion carried. Meeting adjourned at 8:16 p.m.

Brenda Ayers
Clerk/Treasurer
Town of Burke
6/30/2010