

Town of Burke Board Meeting Minutes  
**Wednesday, November 16, 2016**  
**At 6:00 p.m.**

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Nimmow, Supervisor Stieren and Supervisor Truitt. Also in attendance Brenda Ayers, Administrator, Clerk/Treasurer; Teri Saxon, Deputy Clerk/Treasurer; and Ron Kurt, Public Works. See attached list for other interested parties in attendance.

1) ADMINISTRATIVE

- a) Determination that a quorum was present and that the meeting was properly posted.
- b) Call to Order 5:57 p.m. by Chairman Viney.
- c) Pledge of Allegiance was recited.
- d) Public Hearing regarding a petition submitted by JSD Professional Services on behalf of Vetesnik Enterprises LLC to rezone from A-2 to C-2 for the purpose of allowing the display of commercial goods for sale on lot 1 of CSM 12830 located on Daentl Road (parcel 0810-054-9685-0). No comments.
- e) Public Hearing regarding a preliminary two lot Certified Survey Map (CSM) submitted by Stroud, Willink & Howard on behalf of Lavern and Constance Nelson Revocable Living Trust for the purpose of dividing the existing lot into two parcels in accordance with the existing tax parcels. Property located at 4348 Hoepker Rd (tax parcels 0810-084-9290-5 and 0810-084-9160-2). Doug Scriver, introduced himself and indicated that he represents the trust and they are proposing to divide the one parcel into two. He stated that there will be no zoning change. Upon the completion of the CSM, Mr. Nelson has an offer to buy the north parcel and he will continue to live in the house on the other parcel. Charlie Meinholz introduced himself and indicated that he lives across the road from the property. He indicated that this was required to be one parcel of 35 acres. Ayers stated that she is unaware of any requirement to keep 35 acres as one parcel and that there is no agricultural exclusive land in the Town of Burke. Attorney indicated that the buyer is planning to use the parcel as a gravel parking lot.
- f) Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. Mrs. Meinholz spoke and wanted to recognize Ayers and her staff on how efficient and helpful they are. Viney and Ayers thanked her.

2) Consent agenda (*all items listed under the consent agenda will be approved in one motion without discussion unless any Board member requests that the item be removed for individual discussion and possible action. Any item so removed shall be considered after the approval of the remainder of the consent agenda*)

- a) Approval of minutes from the October 19, 2016 Board meeting
- b) Approval of bills (payroll related disbursements #3957-#3985 and bills #28432-#28471) and October Cash on Hand report
- c) Operator's License applications – DeAnna Braaksma.

Motion: Truitt/Nimmow to approve consent agenda as presented. Motion carried.

### 3) NEW BUSINESS

- a) Resolution 11162016D Conditionally Approving the Rezone Petition Submitted by JSD Professional Services on behalf of Vetesnik Enterprises, LLC. Berg stated that this came before the planning commission and it is their recommendation for the Board to approve the rezone. Berg indicated this is not an environmentally protected area. Token creek flows through the property and stated that nothing can be done to the creek. The resolution contains a stipulation that this cannot be paved. Viney expressed that the intent is to display storage buildings on the lot and it is not zoned for that and that is why they have applied for a rezone. Ayers indicated that the deed restricts from building anything permanent.

Motion: Stieren/Berg to approve Resolution 11162016D. Motion carried.

- b) Resolution 11162016E Approving the Two Lot CSM Submitted by Stroud, Willink & Howard on behalf of Lavern and Constance Nelson. Berg stated that it is the planning commission's recommendation for the Board to approve the resolution. Ayers indicated that the property is zoned C-2.

Motion: Nimmow/Berg to approve Resolution 11162916E. Motion carried.

- c) Adoption of the 2017 Budget. Viney stated that final updates are in italics. Ayers added that the Town's mil rate has gone down for the 2016 tax year. Viney recognized Ayers on her watchful eye and good job in putting the 2017 Budget together.

Motion: Stieren/Nimmow to adopt the 2017 Budget. Motion carried.

- d) Professional services acknowledgment submitted by Mead & Hunt for the 2017 roads project-Haase/Anderson. Ayers stated that she and Kurt have met with Mead & Hunt to discuss road projects for 2017. Haase/Anderson has the original 90's storm sewer pipe and over time the influx of water and gravel hitting the seals it has begun to break up and the road has begun to collapse around the pipe. The engineers removed man holes to look at the erosion and determined it was intense in some areas. Their recommendation would be to replace instead of patch. This is a large stretch of road that is travelled by commercial and heavy trucks. An acknowledgement would give authorization to begin bid process for construction.

Motion: Truitt/Stieren to accept Mead & Hunt acknowledgement. Motion carried.

- e) Facility use policy. Ayers indicated that a policy will be written for the use of the facility by organizations, local businesses, and clubs. A security deposit will be required by all who use the facility and prohibit the use of alcohol. Use of the community room will be for meetings, education and training.

Motion: Berg/Nimmow to adopt the facility use policy effective January 1, 2017. Truitt nay. Motion carried.

4) OLD/UNFINISHED BUSINESS

- a) Follow up on drainage issues on the property located at 3750 Hoepker Rd owned by Welcum, & Phoua Lee. Ayers indicated that in conversations with Town engineer she feels it may not be a town's problem and further stated that the Town has not made any changes to the natural drainage pattern in the area. There is a swale in the yard that flows into the ditch. Redirecting the flow of the water to the vacant lot/woods is property which is also owned by the Lees. Further, if it is not a town problem it would be using public funds for private property. Viney indicated that we have had a lot of rain this year. Ayers sympathizes with the Lees but there may not be anything that the Town can do at this time. The Town engineer recommends spending up to \$3,000 to further investigate not to include surveying.

5) COMMITTEE REPORTS (AS APPLICABLE)

- a) Plan Commission. No meeting.
- b) ETZ Committee. No meeting.
- c) Parks Commission. Stieren reported that the survey is complete. There will not be new play equipment for the Rattman Heights park. It was a nice way to gather information from the residents in the neighborhood.
- d) NECC. No meeting.

6) NEXT MEETING DATE – Wednesday, December 21, 2016

- 7) ADJOURNMENT. Motion: Nimmow/Stieren to adjourn. Motion carried. Meeting was adjourned at 6:42 p.m.

Teri Saxon  
Deputy Clerk/Treasurer  
Town of Burke  
12/16/2016