

**TOWN OF BURKE MEETING MINUTES**  
**Wednesday, May 20, 2020**  
**6:00 p.m.**

Board members in attendance: Supervisor Berg (Acting Chair), Supervisor Stieren and Supervisor Truitt. Excused: Chairman Viney and Supervisor Nimmow. Also in attendance: Brenda Ayers, Administrator, Clerk/Treasurer and Chris Hughes, Town Attorney. 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 Acting Chair Berg.
- c) The Pledge of Allegiance was recited.
- d) Public Hearing regarding the connection of Manufacturers Drive located in the City of Madison to Anderson Road located in the Town of Burke. No one was present to speak for or against the connection.

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 April 21, 2020 Board meeting.
- b) Approval of bills (payroll related disbursements #5233-5262 and bills #30523-30562) and April 2020 Cash on Hand report.
- c) Operator's licenses- none.

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

3) NEW BUSINESS

- a) Revised Intergovernmental Agreement (IGA) between the Town of Burke and City of Madison for maintenance of Anderson Road. Hughes noted that the Board packet included a clean and a redline copy of the agreement reflecting the changes from the previous meeting. He noted the substantive changes were to sections 3 & 4 which were revised to require the City and Town to discuss the special assessment methodology prior to proceeding with any assessments and to ensure that the City properties are assessed in the same manner as properties in the Town. Hughes further explained that the IGA relates to the next agenda item. The resolution adopting the Highway Order is conditioned on the plans and specs for the storm sewer related to the connection are acceptable to the Town Engineer and any unpaid permit application fees are paid. The developer has agreed to pay the costs relating to the increased size of the storm sewer pipes. Motion Stieren/Truitt to approve the revised IGA as presented. Motion carried.
- b) Resolution 05202020A adopting the Highway Order for the connection of Manufacturers Drive and Anderson Road. Motion: Truitt/Stieren to adopt Resolution 05202020A as presented. Motion carried.

- c) Consideration of a two-foot variance to the front yard fence height requirement submitted by Zach McCollum, 6269 Fox Run. McCollum explained that his side yard is considered a front yard because it is a corner lot. He would like to build a 6 foot fence in the back yard that would transition to four foot in the front to keep his dogs under control. Berg noted that the proposed fence is not near the road. McCollum noted that it is not near any neighbors either. Stieren noted that the lot is an unusual shape. Motion: Truitt/Stieren to approve the two-foot variance. Motion carried. McCollum noted that the actual variance is three-foot. Motion: Truitt/Berg to rescind the motion approving the two-foot variance. Motion carried. Motion: Stieren/Truitt to approve a three-foot variance to the fence height. Motion carried.
  - d) Rescission of motion made at the April 21, 2020 Board meeting allowing a one-foot variance to the fence height requested by EDF Renewables on behalf of MG&E for the solar array project at the airport. Ayers explained that after the April meeting MG&E contacted her and indicated that after further review an eight-foot fence would be preferable. Ayers felt the cleanest way to handle this is to rescind the motion from April approving the one-foot variance and to consider the two-foot variance as a separate agenda item. Motion Truitt/Stieren to rescind the motion made on April 21, 2020 granting the one-foot variance to the fence height. Motion carried.
  - e) Consideration of a request for a two-foot variance to the fence height requested by MG&E for the solar array project at the airport. Per Town Ordinances the maximum front yard height for a commercial property is 6 feet. Motion: Truitt/Stieren to grant a two-foot variance. Motion carried.
  - f) Award bid for the Acker Road project. Motion: Stieren/Truitt to award the bid to Integrity Grading and Excavating in the amount of \$341,070.20. Motion carried.
  - g) Resolution 05202020B waiving interest on property tax installments due on or after April 1, 2020. Motion Truitt/Stieren to adopt Resolution 05202020B as presented. Motion carried.
- 4) OLD/UNFINISHED BUSINESS
- a) Ordinance 05202020 Repealing and Recreating Section 7-1-2 and 7-1-8 (a) of the Animal Control Ordinance to require the use of leashes when dogs are off owners' premises. Ayers explained that the entire ordinance needs a rewrite and this amendment is a band aid to the existing ordinance to require leashes until the full rewrite it complete. Truitt asked if Ayers had inquired with the Sheriff's Department as to who could enforce the ordinance- only deputies working the Burke contract- or all. Deputy Severson was present at the meeting and said that any deputy could enforce the ordinance. Motion: Truitt/Stieren to approve Ordinance 05202020 as presented. Motion carried.
- 5) COMMITTEE REPORTS (AS APPLICABLE)
- a) Plan Commission- meeting and joint public hearing on June 3.
  - b) ETZ Committee- no report.
  - c) Parks Commission- no report.
  - d) NECC- no report.

- 6) Public Input: Public's opportunity to speak to the Town Board about any subject that **is not a specific agenda item.** None.
- 7) NEXT MEETING DATE(S): Joint Town Board and Plan Commission meeting- Wednesday, June 3, 5:30 p.m. Regular Meeting- Wednesday, June 17, 6 p.m.
- 8) ADJOURNMENT. Motion: Stieren to adjourn. Meeting adjourned at 6:21 p.m.

Brenda Ayers  
Administrator/Clerk/Treasurer  
Town of Burke  
June 8, 2020