

Town of Burke Board Meeting Minutes – January 20, 2010
6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Hess, Supervisor Munson and Supervisor Searls. Also in attendance: Lonnie Konsella, Public Works Director; Brenda Ayers, Clerk/Treasurer and JoAnn Hart, Town Attorney. See attached list for other interested parties in attendance.

1) ADMINISTRATIVE

- a) It was determined that a quorum of Supervisors was present and that the meeting was properly posted.
- b) The meeting was called to order at 6:00 p.m.
- c) The Pledge of Allegiance was recited.
- d) A Public Hearing to consider an amendment to Section 10-2-35(a) of the Land and Subdivision Code. No one spoke for or against the proposed amendment.
- e) Public Hearing to consider the request of Welton Properties LLC to replat E Metro Business Park located off N American Lane and E Metro Dr in the Town. Dan Ramsey, Welton Enterprises and Michelle Burse, Burse surveying were present to answer questions. Berg questioned the lines between Lot 1 and Outlot 2. Burse explained that the lines were drawn in that manner to maximize the land that did not need to be dedicated for stormwater.
- f) Approval of January 6, 2010 Board meeting minutes. Motion: Hess/Berg to approve the minutes. Motion carried.
- g) Clerk/Treasurer report. Ayers reported that she meet with Attorney Hughes; Tom Pinion, Town Engineer; Brad Murphy, City of Madison and Mike Waidelich, City of Madison, regarding the Boundary Agreement on January 14, 2010. At that meeting Murphy pointed out that the Town has not adopted a sign ordinance in accordance with the agreement. Ayers also reported that the Town will receive \$2,584.45 from the Wisconsin Disaster Fund for the damages that occurred in the August 2007 flood.
- h) Finance Report. The Cash on Hand report as of December 31, 2009, was included in the Board packet.
- i) Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 23485-23525 and payroll related disbursements number 1096- 1113.
- j) Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. Dan Ramsey stated that the BP Truck Stop off highway 51 is a blighted area and he would like to find means to garner assistance to put it into a productive use. Ramsey suggested that the Town continue discussions regarding a cooperative TIF with the Village of DeForest.

2) NEW BUSINESS

- a) Recommendation from Plan Commission to amend Section 10-2-35(a) of the Land and Subdivision Code. Hess explained that under the current version of the code, which is based on an older edition of the Statutes, existing plats must be vacated through Circuit Court prior to filing of the replat. Under the proposed amendment, existing plats will need to be vacated only if the proposed replat alters previous public dedications. Motion Hess/Berg to approve Ordinance 01202010 as presented. Motion carried.
- b) Recommendation from the Plan Commission to consider the request of Welton Properties LLC to replat E Metro Business Park and a rezone request from M2 and B2 to B2 and M2 to follow Lot lines, located off N American Lane and E Metro Dr in the Town. Hess explained that the Plan Commission recommended approval conditioned upon the items outlined in Resolution 0120201A. Motion: Berg/Munson adopt resolution 01202010A as presented. Motion carried.

- c) Operator's licenses. None.
Motion: Viney/Hess to take the agenda out of order and move to items 5 and 6. Motion carried.
- d) Fence ordinance. No action was taken.
- e) Request from Harry Field to discontinue trash pickup service and cost at 3573 Nelson Rd
Motion: Hess/Berg to deny the request. Motion carried.
- f) Follow up to letter from Jim Taff. Motion: Hess/Munson to authorize Viney to sign the letter as presented. Motion carried.
- g) Resolution to oppose DOR County assessment proposal. Motion: Berg/Hess to approve resolution 01202010B as presented. Motion carried.

3) OLD/UNFINISHED BUSINESS

- a) Follow up on City of Madison sewer easement request. Hess reported that he has been in contact with Jerry Lund and Mike Dailey with the City of Madison regarding the easement request. Hess reported that it is unlikely that the project will be completed in 2010. Hess informed Lund that the Town will not execute the easement documents until a definite construction schedule is identified.
- b) Proceeds from sale of salt shed property. Ayers reported that the payoff of the State Trust Fund Loans is scheduled for February 5, 2010. The balance of the proceeds (\$46,932.93) will remain in the general fund.
- c) EMS Services. Berg, Legler and Ayers were instructed to follow up with Sun Prairie EMS.
- d) Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions (CDBG-EAP Grant). No update.
- e) Flooring & Paint – Town Hall. No action was taken.
- f) Committee & Commission appointments. No action was taken.
- g) Policies and procedures for Order for Removal of encroachments of Town Right of Way and mailbox standards. No action was taken.
- h) Update on Dane County interoperable radio system. Budget each year for radio upgrade by 2013.

4) COMMITTEE REPORTS (AS APPLICABLE)

- a) Public Works: Hess reported that Konsella told him the pavement is collapsing above the culverts under Portage, Thorson and Burke Roads. There are also several bumps and sink holes on Irving Drive. Hess asked Konsella to email the information to the Board. Berg reported that the recently resurfaced roads in Foxmoor Hills where Swansee ties into Foxmoor and near Arrowhead are cracking.
- b) Plan Commission/ETZ Committee: Hess reported that the Plan Commission meets January 27th and the ETZ meeting in January was canceled.
- c) Park Commission: Munson reported that the Easter Egg Hunt will be March 27th and Arbor Day is scheduled for April 24th.
- d) EMS Committee: No report.
- e) Fire Commission: A meeting is scheduled for January 21st, 7:00 p.m. to discuss the interoperable radios.
- f) NECC: Searls reported the next meeting will be January 25, 2010.
- g) JRTC: Ayers reported some concerns about JRTC management and the number of hotel representatives on the Commission.

- 5) **CLOSED SESSION: The Town Board will convene into closed session pursuant to Wis. statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of exempt employees over whom the governmental body has jurisdiction or exercises responsibility. Motion: Searls/Berg to convene into closed session. Roll call: Searls-aye, Hess-aye, Viney-aye, Berg-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 into open session. Motion carried. No action was taken.
- 7) **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 a potential EMS contract. Motion: Hess/Searls to convene into closed session. Roll call: Searls-aye, Hess-aye, Viney-aye, Berg-aye, Munson-aye. Motion carried.
- 8) **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 into open session. Motion carried. No action was taken.
- 9) **ADJOURNMENT**
Motion: Hess/Munson to adjourn. Motion carried. Meeting adjourned at 9:02 p.m.

Brenda Ayers
Clerk/Treasurer
Town of Burke
02/02/2010