

**TOWN OF BURKE BOARD MEETING, May 21, 2014**  
**Which Began At 6:00 p.m.**

Board Members in attendance: Chairman Viney; Supervisor Berg; Supervisor Searls; Supervisor Hess; Supervisor Nimmow. Also in attendance: Brenda Ayers, Clerk; Kim Peterson, Deputy Clerk/Treasurer; Ron Kurt, Public Works Lead; Chris Hughes, Town Attorney. See attached list for other interested parties.

**ALL AGENDA ITEMS ARE SUBJECT TO POSSIBLE ACTION**

**1) ADMINISTRATIVE**

- a) Determination that a quorum is 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) Public Hearing regarding an application from Madison Travel Plaza, 6162 US Highway 51, DeForest for a Class "A" Fermented Beverage and Intoxicating Liquor License. Lakhbir Singh owner of the above address indicated that there was going to be some remodeling and clean up at the site. He also applied for a Liquor License so that he would be able to sustain his business along with the surrounding competition. Investments are already being put into the site he would at least like to be able to sell beer. Darin Edington spoke in support of giving the business an equal shot against the competition.
- e) Public Hearing regarding a request submitted by Wilde Honda to revise the Deed Restriction of the Wood Ger plat to allow the outside storage of new and very late model motor vehicles on lots 2 and 3 of the Wood Ger Development located at corner of Burke and Reiner Roads (generally located across from the Town Hall). Ayers read emails from Elka Brendl, Howard Homberg and Randy Wautlet (see attached correspondence at the end of minutes). George Hildago from Wilde Honda spoke addressing the board informing them that he has an offer to purchase to develop two lots in the Wood Ger Plat. He indicated it would be a 1.3 million dollar investment for outside storage of new vehicles for his dealership Wilde Honda. His plans are to put an asphalt parking lot with electronic main gate, fencing, security cameras, retention basin, minimal lighting and green space. There would be no advertising, signage, sales, trailers dropping off cars, collision vehicles, or flood lighting because he would not want to attract attention. Only employees would have access to the lot for the purpose of picking up and dropping off vehicles for possible purchase. He also thought it would be good for the tax payers in the Town of Burke. Chris Franz spoke stating he had concerns regarding lighting and is opposed. Spokesperson Bruce (not on list) Burke Conservancy Estates said his neighborhood was very concerned it would impact property values and wanted those protected. Nel Lemmenes is opposed saying she moved to the country for peace and quiet. She was concerned with more traffic being generated and also with property values being decreased. Darren Edington spoke opposed, due to lighting issues, property values and increased traffic. Mike Vraniak is opposed and concerned with lighting, oil and gas run off as well as traffic. He indicated Mr. Wood agreed to the conditions and now wants to make changes and wonders what changes he will want next. Sandy Spradan (employee at Wilde Honda) spoke saying George Hildago is a man of his word and when he says it will be a high class facility, it will be. He runs a good business. Tom Hanley spoke saying George Hildago is an honorable man and he has had no problems with him. He keeps the lot they are currently using neat and clean. He also believes it will be a tax relief for the Sun Prairie School District. Hanley also stated it is a good opportunity for C2 development and the Town should not make it hard for businesses. Al Fredenberg (not on list) spoke saying Reiner Road has

industrial business as well as residential. The Wood family has been a model of what a good neighbor is. Their family has owned the property for over 100 years and have seen housing developments come in across from his own home in turn creating more traffic. If the Town would lift these restrictions it would put people to work and help the local economy. Reiner Road is an industrial district and he is in favor of it. Nick Cox (employee of Wilde Honda) spoke saying George is a class act would happily let you tour his dealership and that he does things right. Chad Wood spoke saying the traffic increase is unfounded because they drive farther now using more of the roads. It would be reduced not increased. David Wiganowsky spoke saying the Town could do what it needed, to insure that Mr. Wood understands and follows the rules with consequences if he didn't. Jerry Wood spoke saying a petition was circulated in favor of lifting the restrictions, although they did not go to every door in the township. Mr. Hildago said he has gone to Dane County Planning and they were also in favor and their concern was the lighting. Mr. Hildago insured everyone that he would take all necessary steps to make sure that lighting would not be a factor and would do whatever the Town stipulated. Janet Berger from Madison spoke saying she has the utmost respect for Mr. Hildago and that the lights required in a person's kitchen would be brighter than what he is proposing.

- f) Public Hearing regarding Windswept Preliminary Plat submitted by Deborah Duckart for the purpose of separating the existing buildings and open lands thereby making the sale of the properties easier. Property located at 3311, 3313 and 3315 Nelson Road (parcel numbers 0810-243-8000-4 and 0810-243-8030-8). Dan Birrenkott spoke saying nothing has changed. Public hearing closed by Chairman Viney at 6:49 p.m.
  - g) Approval of minutes from the April 15, 2014 Board meeting. Nimmow noted an error on the header of the minutes. Lori Munson's name to be deleted and his added. Motion: Hess/Berg to approve minutes with corrections noted. Motion carried.
  - h) Public Works report. Kurt reported the Spring Cleanup was a big success and that both dumpsters were filled. He also met with Lew Kollmansberger from Mead & Hunt to go over road projects for 2014. The second round of chipping to begin June 9<sup>th</sup>. He will also be getting estimates for some large trees to be trimmed at the Burke Cemetery. Parks are being mowed and will soon be sprayed for weeds.
  - i) Clerk/Treasurer report. No updates.
  - j) Finance Report. Cash on Hand in packets.
  - k) Approval of Bills. Board members reviewed the bills and signed the Town Approval cover sheet for check numbers 26692-26754 and payroll related disbursements numbered 3031-3061.
  - l) Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. No comments.
- 2) NEW BUSINESS
- a) Resolution 05212014A regarding a request submitted by Wild Honda to Revise the Deed Restriction of the Wood Ger Plat. Berg asked if the lighting would reflect back up off from the vehicles. Mr. Hildago indicated it would somewhat. Hess asked if the dealership has had any issues with vandalism at the Hanley lot. Hildago replied that there were some wheels removed on some vehicles once, however there is no fencing at that lot. Hess also asked if they have looked into the paved lot in the City of Madison near the movie theatre. Hildago said it was looked at however it was not zoned to be a commercial parking lot and he did not want to go through the rezone. Hess stated that a lot of time and effort was put

into the Wood Ger Plat. The Plan Commission has had many meetings. There have been five public meetings on the matter. The City of Madison and Dane County Zoning have also had input. Mr. Hildago said he spoke with zoning and they saw no issues. Hess noted that it may be one person's opinion at the zoning department. It is an "opinion" from Dane County. Hughes reported that the Board was provided with a resolution template with blanks to approve or deny, reasons for approval or denial and possible conditions of approval. Motion: Hess/Berg to adopt resolution 05212014A to deny removal of the deed restriction to honor the restrictions that were originally put in place based on public input which was reiterated here at tonight's public hearing. Motion carried.

- b) Action on an application from Madison Travel Plaza, 6162 US Highway 51, DeForest for a Class "A" Fermented Beverage and Intoxicating Liquor License. Motion: Searls/Berg to approve Class "A" Fermented Beverage and Intoxicating Liquor License to Madison Travel Plaza. Motion carried.
- c) Resolution 05212014B Conditionally Approving Windswept Preliminary Plat. Motion: Hess/Berg to approve Resolution 05122014B to approve Windswept Preliminary Plat. Motion carried.
- d) Resolution 05210214C Removing the Conditions of Approval of a Certified Survey Map (CSM) submitted by Thomas Lehman conditionally approved by the Town on October 16, 2013. Motion: Hess/Nimmow to approve Resolution 05210214C removing the Conditions of Approval of a Certified Survey Map (CSM) submitted by Thomas Lehman conditionally approved by the Town of October 16, 2013. Motion carried.
- e) Resolution Designating Public Depository and Authorizing Withdrawal of County, Village, Town or School District Moneys and related paperwork drafted by Bank of Sun Prairie to remove Lori Munson and add Pat Nimmow as an authorized signer on Town bank accounts. Motion: Hess/Berg to approve removal of Munson and the addition of Nimmow to all bank documentation. Motion carried. Board members signed the paperwork at the meeting.
- f) Scope of Services from Mead & Hunt for road assessment related to posting of weight limits, etc. Hess reported they have had two meetings. Hughes stated a lot of money is involved for the evaluation and said it would benefit the Town to have Ron and Brenda meet with Lew Kollmansberger, Town Engineer to make sure Kurt has sufficient information to work with in the event the Town puts on seasonal weight limits next spring and that they assist if impact fees will be imposed. Hughes suggested tabling the matter until further information from the meeting is reviewed. Motion: Hess/Searls to table Scope of Services from Mead & Hunt to give Town staff time to review and determine if it is sufficient. Motion carried.
- g) Review Board member Commission/Committee assignments. Searls asked to be put back on Court commission. Nimmow indicated he would like to gather more information on the duties involved with the committees. Viney indicated that there would be no other appointment changes at this time.
- h) Operator's licenses. None

### 3) OLD/UNFINISHED BUSINESS

- a) Update on options for regulating heavy truck traffic. Hess reported that they have had two meetings with staff, Kollmansberger and Peter Lynch from Mead & Hunt. They met on May 7th with pit owners in the Town, which proved to be productive. There were some good ideas proposed. Hess also indicated that Lynch is working with the State Patrol for future Inspection Training to take place in the Town. Kurt added that the heavy trucks can use Wolf Paving's scale.

- b) Update on Land Division/Sub Division code revision. Hess reported that a model from the Town of Middleton has been provided and they will be looking at some of the items at the Plan Commission meeting on May 28<sup>th</sup> where they will make recommendations and draft some language. Hughes added he has his intern looking at the changes recently made in chapter 236 affecting land division codes.
- c) Update on Town road improvements required by the City of Madison for the UWHC at The American Center Project including Development Agreement UW waiting for city of Madison. No update.
- d) Update on the US 51 (Stoughton Road) Corridor Study. No update.
- e) Update on Charlotte's Walk Pond 2 un-named tributary (BB1) study. No update.

4) COMMITTEE REPORTS (AS APPLICABLE)

- a) Plan Commission. Hess reported upcoming meeting May 28<sup>th</sup>.
- b) ETZ Committee. Berg reported the June 10<sup>th</sup> meeting for Kwik Trip has been moved to July 8<sup>th</sup>.
- c) Events Committee. No update.
- d) Parks Commission. Berg reported that they have toured all of the parks in the Town. They will be drafting a 5 year Park Plan in the future. Kurt has been provided with a list of immediate concerns.
- e) NECC. Ayers reported that at the January 27<sup>th</sup> meeting a motion was passed regarding court cost increases. Hess reported after discussion at the April meeting regarding the outstanding warrants they will not be sent to collections.
- f) DATC Ayers reported they are working on some giveaways and with Facebook to do a pink elephant campaign.

5) NEXT MEETING DATE set for June 18, 2014 at 6:00 p.m.

6) ADJOURNMENT Motion: Searls/Hess to adjourn. Motion carried. Meeting adjourned at 7:38 p.m.

By: Kim Peterson, Deputy Clerk/Treasurer  
Town of Burke  
6/13/2014