

Town of Burke Board Meeting Minutes – July 7, 2010
6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Hess, Supervisor Munson and Supervisor Searls. Also in attendance: Brenda Ayers, Clerk/Treasurer; Ron Kurt, Public Works; Chris Hughes, Town Attorney; Jon Evenson, Town Attorney and Brad Miller, Strand & Associates. See attached list for other interested parties in attendance.

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 Chairman Viney.
- c. The Pledge of Allegiance was recited.
- d. Approval of June 16, 2010, Board meeting minutes. Motion: Hess/Munson to approve the minutes as presented. Motion carried.
- e. Public Works report. Kurt reported that the trees had been removed on Seminary Springs Road. The Simplicity tractor has a small oil leak. Kurt plans on scheduling the 2,000 hour maintenance for the loader tractor for which money was included in the 2010 budget. Staff is continuing to mow the ditches. Kurt reported that he was approached by a town resident who is interested in serving as a temporary snowplow driver.
- f. Clerk/Treasurer report. Ayers reported on a meeting she and Attorney Hughes attended with the City of Madison and Dane County regarding signs and other issues in the boundary agreement. She also reported that County Supervisor Wiganowsky contacted the office regarding the increase in traffic on Felland Road due to the closure of Reiner. A letter from Hess was sent to the City of Madison requesting temporary stop lights at the intersection of Felland and Highway "T" (Commercial Avenue) and the County was contacted to conduct traffic counts on Felland Road. Ayers received the revised easement information for the Felland Road sanitary, which is scheduled for 2011.
- g. Finance Report. Ford provided the Cash on Hand report as of June 30.
- h. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 23842-23873 and payroll related disbursements number 1276-1302.
- i. Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. Deputy Veto reported that there were 130 calls for service in the Town of Burke in June. Seventy citations were issued through the Northeast Community Court and sixty-five citations were issued through Dane County Circuit Court. Deputy Veto also reported that he did not receive any negative feedback from the 4th of July festivities at the VFW.

Jack McCoy, Truck Country, 4195 Anderson Rd, asked the Board to consider abandoning right-of-way between his property and Peterbilt. He would like to expand his parking lot when he resurfaces it in the future. Hughes explained the process and suggested that Ayers research Mr. McCoy's request. Mr. McCoy was advised to provide his contact information to Ayers.

Brad Miller, Strand Associates, reported that he and Andy Luehmann met with Kurt and Ayers to discuss the Town's engineering needs. He also provided an agreement for engineering services and a task order for the Town's review.

Pete and Sarah Menihan, 3509 Kittleson Court, spoke to the Board regarding their concerns about water drainage on their property. Kurt suggested that the landscaping should be completed on the property prior to determining if there are any issues with the culvert and drainage area.

Dan Lothe, 3562 Highway 19, presented a letter regarding flooding in Charlottes Walk subdivision and pictures from Kraig and Jennifer Kalka to the Board. Josh Salzer also presented pictures of flooding in Charlottes Walk.

2. NEW BUSINESS

- a. Request from VFW Post 8483 for special permit for Madison Celtic Festival on September 18, 2010. Michael Doran and Michael Dillon were present to represent the Celtic Festival. Doran explained that they will have a fenced in area as they have in the past and will arrange for security with the sheriff's department. Motion: Searls/Berg to approve the permit contingent upon the sheriff's department approval of the security plan. Motion carried.
- b. Operator Licenses. Motion: Hess/Munson to approve operator's licenses for Randall Wright and Randall Boccock. Motion carried.
- c. Discussion of creating an Ordinance to uniformly spell "Rattmann" Road. Family after. Ayers explained that the County contacted her regarding the inconsistency of the spelling. On the Rattmann Heights plat, the road is spelled with "nn" at the end. On the Sunburst plat, it is spelled with "n" at the end. The cities of Madison and Sun Prairie also spell it with "n" at the end. An Ordinance to change the spelling to "Rattman" within the Town was presented to the Board for consideration. Hess noted that the name of the family that the road was named after was "Rattmann." The Board suggested that the road name should be consistent with the family name and recommended that Ayers contact the cities regarding changing the spelling.
- d. Temporary snow plow drivers. Kurt is gathering names of potential candidates. Motion: Searls/Hess to take the agenda out of order and move to item 3a. Motion carried. Note: the minutes are in agenda order, not meeting order.
- e. Town Chair status. Viney noted that he is back and the break was beneficial. He will be attending training out of town for his job and might not be able to be back for the Town Board meeting on the 21st.

3. OLD/UNFINISHED BUSINESS

- a. Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions. The new Town engineer will investigate the cause of the storm water drainage issues.
- b. Status of culvert at 3726 Bull Run Drive. Mr. Ott sent a letter to attorney Hughes in response to his letter dated June 15, 2010. In Mr. Ott's letter, he stated that water never flowed to the culvert so he filled it to avoid ruining his mower blades. Motion: Hess/Munson to authorize attorney Hughes to send a letter to Mr. Ott restating the Town's position that he restore the ditch.
- c. Committee & Commission appointments. No action was taken. Motion: Hess/Munson to take the agenda out of order and proceed to items 4 & 5. Motion carried.
- d. Possible repair of Charlotte's Way. No action was taken.
- e. Follow up on 2009 Roads project. Ayers reported that Pinion had not received the report from Payne and Dolan yet.
- f. Status of Intergovernmental Agreement for EMS Services. Motion: Hess/Berg to approve the agreement with the Towns of Blooming Grove and Madison as presented. Motion carried.
- 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. The Bostads sent a letter to the Town Board asking that the Town waive any fees related to the attachment. Motion: Hess/Munson to waive the fees as requested. Motion carried.

- 4. CLOSED SESSION. THE TOWN BOARD WILL CONVENE INTO CLOSED SESSION PURSUANT TO WIS. STAT. SEC. 19.85(1)(g)** Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved related to restoration of the right of way at 6054 Hagen Hill Circle and **PURSUANT TO WIS. STAT. SEC. 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 negotiate an agreement for engineering services. Motion: Hess/Munson to convene in closed session. Roll call: Berg-aye, Viney-aye, Hess-aye, Munson-aye and Searls-aye. Motion carried.
- 5. OPEN SESSION. THE TOWN BOARD WILL RECONVENE INTO OPEN SESSION PURSUANT TO WIS. STATUTES 19.85(2) FOR DISCUSSION AND POSSIBLE ACTION REGARDING MATTERS DISCUSSED IN CLOSED SESSION.** Motion: Hess/Munson to reconvene in open session. Motion carried.

Motion: Searls/Munson to authorize attorney Jon Evenson to proceed with the 6054 Hagen Hill Circle right-of-way restoration as discussed in closed session. Motion carried.

Hess reported his concerns about the proposed Strand engineer agreement. Hess stated that the items outlined in the Town's RFQ are not included in the agreement and therefore require separate task orders. Miller offered to have someone from his office contact Hess to discuss changes to the agreement. Hess recommended that Ayers contact Mead and Hunt to find out if they require an agreement and to obtain information regarding their insurance coverage.

6. COMMITTEE REPORTS (AS APPLICABLE)

- a. Plan Commission/ETZ Committee- next ETZ meeting is July 13. The Plan Commission is meeting July 14.
- b. Parks Commission- Munson reported that she will meet with Kurt and Ayers regarding the Charlottes Walk park funds.
- c. EMS Committee- next meeting is July 20th.
- d. Fire Commission- met July 1st.
- e. NECC- plan to cancel July meeting due to lack of agenda items.
- f. JRTC- next meeting is July 19.

7. ADJOURNMENT

Motion: Searls/Berg to adjourn. Motion carried. Meeting adjourned at 8:38 p.m.

Brenda Ayers
Clerk/Treasurer
Town of Burke
7/27/2010