

Town of Burke Board Meeting Minutes – August 17, 2011
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; Kim Peterson, Deputy Clerk/Treasurer and Anne Anderson, Town Engineer. 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 Viney.
- c. The Pledge of Allegiance was recited.
- d. Approval of July 20, 2011, Board meeting minutes. Motion: Hess/Munson to approve as revised. Motion carried. The second sentence in item 2c was revised to: Kurt reported that there are nine lots left to be built on.
- e. Public Works report. Kurt reported that staff completed the third round of brush chipping. The work on Reiner and Portage Roads is complete. Kurt noted the communication between Frank Brothers and Mead and Hunt was excellent. Kurt reported that because there were too many large chunks, the asphalt removed from the roads will not be used for shouldering as planned. He also reported that since the pavement marking company was in town, he had them redo the railroad crossing signs on Nelson and Burke Roads. There is an issue with one of the air conditioning units in the community room. Staff continues to shoulder side roads.
- f. Clerk/Treasurer report. Ayers noted that the Schlobohm settlement was received by the attorney's office.
- g. Finance Report. The Cash on Hand report as of July 31, 2011, was included in the Board packet.
- h. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 24578-24631 and payroll related disbursements number 1716-1745.
- i. Public Concerns: Deputy Veto report that there were 139 calls in June. 77 citations were issued 34 of which were through NECC. In July there were 151 calls for service. 102 citations were issued of which 49 were through NECC. Veto also reported that there were 30-40 criminal damage to property reports.

2. NEW BUSINESS

- a. Operator's licenses. Motion: Searls/Munson to approve an operators license for Krystal Jackson and to deny the issuance of licenses to Corrin Lackey and Darius White due items in their background check that did not exhibit the ability to responsibly sell/serve alcohol. Motion carried.
- b. Right of way privilege 5268 Felland Road. Kurt reported that he observed that someone had dug in the right-of-way on this property without a permit. The property owner explained that he contracted with Earthscapes to remove their retaining wall because it was collapsing. Kurt explained that he has since put a stake in the yard to note the right-of-way and informed the property owner that any work within the 33 foot setback requires a permit. The property owner said that he has decided not to

replace the wall and he will taper his lawn on both sides of the drive similar to the neighbor's yard. The Board advised the property owner to take erosion control measures to prevent the soil from washing away. Kurt also advised the property owner that his culvert needs to be cleaned out.

- c. Recommendation from the Plan Commission regarding a final plat submittal from Welton Properties, LLC for a replat of lots 1-15 of East Metro Business Park (EMBP), Lots 1 & 2 of CSM 2096 and the unplatted lands between the CSM and the Plat of EMBP and a rezone request from M-2; General Industrial to B-2; General Business and from B-2; General Business to M-2; General Industrial to follow lot lines, located off North American Lane and East Metro Drive. Michelle Burse of Burse Surveying, representing Welton properties, reported that the plat has been revised since the approval of the preliminary plat eliminating the lot line between lots two and three. She also reported that the Environmental Assessment has been revised as recommended by the Plan Commission. Hess reported that the Plan Commission recommended approval of the final plat and rezone as presented contingent upon the execution and recording of the stormwater agreement and the revision of the Environmental Assessment checklist. Motion: Hess/Munson to approve the Final Plat and rezone of East Metro Business Park as presented contingent upon the recording of the Stormwater Easement and Maintenance Agreement. Motion carried. Motion: Hess/Munson to require the revision of the Stormwater Easement and Maintenance Agreement to also grant the Town of Burke municipal enforcement authority. Motion carried.
- d. Request for a holding tank at 4320 Hoepker Road, Best Bud's landscaping. Hess inquired about the design and capacity of the tank. Travis Davenport of Best Bud's responded that the 2,000 gallon tank will be installed by Septic Specialists. Hess advised Davenport to provide the Town with a copy of the proposal from Septic Specialists and the servicing contract with Strander's. Motion: Hess/Berg to approve the holding tank contingent upon receipt of the executed Holding Tank Agreement between the applicant and the Town and copies of the proposal and servicing contract. Motion carried.
- e. A request for an easement from AT&T on Town property at the corner of Anderson Rd and Hwy 51 for the purpose of burying fiber optic cable. No action was taken because the applicant was not present.
- f. Resolution 08172011 to Adopt Ward Plan and to Combine Municipal Wards for Voting Purposes. Motion Searls/Hess to approve the resolution as presented. Motion carried.

3. OLD/UNFINISHED BUSINESS

- a. 2011 Roads Project update and approval of pay request no. 1. Motion: Hess/Munson to approve pay request number 1 from Frank Brothers in the amount of \$153,255.67 as recommended by the Town Engineer. Motion carried. Anderson reported that there was a reduction in costs from the estimates on Reiner Road because it was determined that a two foot shoulder was more appropriate than the three foot shoulder proposed in the plan.
- b. Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions including discussion of temporary construction and perpetual drainage easements. Anderson reported that she is working with Ayers and Hughes to provide the exhibits for the agreements.

4. COMMITTEE REPORTS (AS APPLICABLE)

- a. Plan Commission/ETZ Committee- Hess reported that the Plan Commission met this month regarding the East Metro Business Park (EMBP) plat and rezone and a discussion with Jim Taff for a CSM. ETZ will meet in September regarding the EMBP rezone.
- b. Parks Commission- Munson reported that the post cards have been mailed for the picnic on August 27. Munson and Ayers met with Jeff and Mike from Proscapes regarding improvements to the Charlottes Walk Park.
- c. Fire Commission- Ayers will attend the meeting at 7 a.m. on August 18.
- d. NECC- next meeting is October 31st.
- e. JRTC- no report.

5. ADJOURNMENT

Motion: Hess/Munson to adjourn. Motion carried. Meeting adjourned at 6:47 p.m.

Brenda Ayers, Clerk/Treasurer
Town of Burke
9/14/2011