

Town of Burke Board Meeting Minutes – October 21, 2015
6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Nimmow and Supervisor Truitt. Excused: Supervisor Stieren Also in attendance: Brenda Ayers, Administrator/Clerk/Treasurer; Ron Kurt, Public Works Lead and Lew Kollmansberger, 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. Public hearing regarding a two lot Certified Survey Map submitted by Mark & Nathan Orvick for the purpose of adjusting the lot line of current lot 2 CSM 8129 to increase the lot size for a future home site, property located off Portage Road, Madison Parcel numbers 0810-033-9131-8 and 0810-033-9152-3. Nathan Orvick reported that he appeared at the Plan Commission meeting on September 9. Lot 2 is currently .5 acres and they wish to increase it to 1.5 acres to provide a buffer from the road.
- e. Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. None.

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 September 16 Board meeting.
- b. Approval of bills and Cash on Hand report. Payroll related disbursements #3560-#3593 and bills #27759-#27809.
- c. Resolution to affirm the intent to offer dental insurance to employees in 2016.
- d. Sale of the 2001 one-ton and authorization for the chair to sign the title.
- e. Operator licenses. No applications were submitted for approval.

Motion: Berg/Nimmow to approve the consent agenda as presented. Motion carried.

3) NEW BUSINESS

- a. Resolution 10212015 Conditionally Approving a Certified Survey Map submitted by Mark and Nathan Orvick. Viney inquired about the size of the lots. Nathan Orvick said one lot would be 9 acres and the other would be 1.5 acres. The intent is to have both houses an equal distance off the road. Motion: Berg/Nimmow to adopt Resolution 10212015 as presented. Motion carried.
- b. Drainage concerns at 5347 Regal Road. Kollmansberger reported that Mead & Hunt surveyed the driveway and ditch. They recommend pitching the ditch 80 feet to get the water to drain into the ditch that turns into the cul-de-sac. He also recommends cutting out 4-5 feet of black top in the drive and replacing it with concrete to get close to a 1% pitch from north to south. Kollmansberger acknowledged that water could still pool in winter when snow is piled. Terri Jacobson, property owner, stated that she was told the discussion at the August 19 Board meeting included redoing 8 feet of the driveway at her expense. Kollmansberger explained that he reviewed the plan and is not recommending replacing the 8 feet. Jacobson reported that she had Payne and Dolan and Wolf look at the driveway and both said there is a problem with the road pitch. She also noted that after the 2009 road project former town staff told her an error was made on work done at the end of her driveway and it was then repaired. After the repairs the water seemed to pool even more. Jacobson questioned replacing the asphalt with concrete. Kollmansberger responded that you can control the pitch better with concrete. Kollmansberger also noted that "dirt grows" and ditches fill in over time. He is also recommending a swale that

dips 2-4 inches and is 8 feet wide and 80 feet long. Kurt noted grass won't grow this time of year so it is crucial not to park in the ditch line this winter and until after the seed takes in the spring. Nimmow inquired about seeking reimbursement from the company that did the road work initially. Staff noted that the warranty period has long expired. Motion: Nimmow/Berg to approve the driveway and ditch work at 5347 Regal per the recommendation of Mead and Hunt at a cost not to exceed \$4,300 to be paid by the Town. Motion carried.

- c. Maintenance of Holly Hill Drive- Dave Taylor, 3248 Holly Hill Dr. Dave Taylor reported that the road is in poor shape. He received a letter from the Town asking him to pay for 50% of any maintenance. He doesn't mind paying a portion- but not 50%- to have the road fixed properly. Taylor presented Viney with a quote from Rice Grading which he said was for recycled asphalt and compaction. Kurt explained that he also planned to place recycled asphalt on the road in lieu of gravel because it holds up better and does not wash away. Viney noted that the quote from Rice is for grading a crown in the road, compaction and 10 loads of gravel- not recycled asphalt- in the amount of \$3,000. Taylor said the quote is for recycled material and he can have the misprint on the quote corrected. Kurt reported that as a municipality the Town can get a better price on the recycled asphalt but the town doesn't have a grader or compactor. Berg asked if Holly Hill has been a Town road ever since Taylor lived there. Taylor said when he purchased the property he was told it was a town road and it would always be a town road. Berg noted that it looks like a regular drive. Taylor responded that it looks that way due to lack of maintenance. Berg noted it is a Town road that serves one property and is only used by Taylor and guests. Berg asked Kurt if his source for the material would have the equipment to create the crown in the road and compact the materials. Kurt said Madison Crushing has the equipment but he would have to check to see if they could fit it in their schedule soon. Ayers noted that whether Rice Grading or a contractor chosen by the Town performs the work it will be done to Town specifications and supervised by Town staff. Berg suggested that Kurt check with Madison Crushing to see if they can do it in the next day or two and if they can't he should have Rice Grading do the work. Nimmow stated that Taylor mentioned he will pay for a portion of the work and asked what he was willing to pay. Taylor said he will pay one-third but he wants it done right. Truitt stated he does not feel the Town is in position to discuss cost sharing since they weren't presented with an accurate estimate. Taylor asked if he could pay for it on his taxes. Ayers said he could pay when the work is complete or as a special charge on his tax bill. Taylor said he prefers to have the special charge on his tax bill. Motion: Berg/Nimmow to grade the gravel drive (Holly Hill Drive) to form a crown, place recycled asphalt material and compact it to Town specifications at a cost not to exceed \$3,000 with Taylor paying one-third. Motion carried. Truitt-nay. A discussion of plowing this winter followed. Taylor did not think the large trucks should plow this winter to protect the recycled asphalt. Kurt noted that staff might not get to it as soon as they do now if they have to use the one-ton. Taylor said he has the equipment to plow it but is hesitant to do so because he might be expected to in future. Kurt and Taylor will work out the plowing details.
- d. City of Madison road right-of-way in Town limits with the development of 4103-4119 Portage Road (Boehm property attached to Madison in 2014). Ayers reported that she and Kurt received inquiries regarding permit requirements for excavating the road in the Town limits. In discussions with Glen Yoerger with the City of Madison she discovered that that City of Madison obtained a Permanent Limited Easement (PLE) from owners of property in the Town of Burke (Betty's Real Estate) on a 26 foot strip of land for ditch line (right-of-way) of the extension of DiLoreto Avenue to accommodate the development of apartment buildings at 4103-4119 Portage Road. The PLE results in having City right-of-way in the Town of Burke which is unprecedented. Ayers spoke with attorney Hughes and engineer Anne Anderson and they determined it might be best if the City were to transfer the PLE to the Town so the right-of-way is "owned" by the Town. Anderson communicated this with the City of Madison staff and they were not willing to do so because of the work involved. Since it is unclear if the City is able to have right-of-way in the Town and the effects of it are also unclear, Hughes suggested that Ayers

ask the Board if they want staff to pursue this further with the City. Motion: Nimmow/Truitt not to pursue any action at this time. Motion carried.

- e. MSA landfill monitoring agreement. Motion: Nimmow/Berg to approve the agreement with MSA for landfill monitoring in 2016-2018. Motion carried.
- f. AECOM scope of services. Motion: Berg/Nimmow to approve the scope of services for 2016 stormwater services. Motion carried.
- g. Agreement with Schönheit Gardens for yard waste disposal 2016-2018. Board members expressed concern regarding the following statement in the agreement "If usage dramatically increases, rate re-negotiation will apply." Motion: Truitt/Nimmow to request that Schönheit clean up the language in the agreement to quantify "dramatic increase". Motion carried.

4) OLD/UNFINISHED BUSINESS

- a. 2016 Budget. Ayers reported that the draft included in the Board packet included the changes made at the October 7 meeting. Truitt inquired if the parks budget should be increased since we have an active parks commission. Ayers responded that she put the full amount requested by the Parks Commission in this budget. Ayers expressed her concern about the Deputy Clerk/Treasurer wages in the budget. She noted that the budget is tight on salary based on current wages and with this position open she feels there should be more flexibility on starting wage based on experience. She asked the Board for input and also stated that she would make an offer based on experience, not necessarily the full budget amount. Motion: Nimmow/Berg to increase budget line 51402- Wages Deputy Clerk to \$39,000. Motion carried.

5) COMMITTEE REPORTS (AS APPLICABLE)

- a. Plan Commission- Berg reported the Plan Commission met on October 14 and approved a site plan submitted by Waylon Kannenberg and Eric Grover for four self-storage units on lot 7 of the Wood Ger plat.
- b. ETZ Committee- no meeting, no staff approved items. Next meeting is scheduled for November 30 at 6 p.m. in DeForest.
- c. Parks Commission- Kurt reported that the slab in Huntington Meadows was poured the week of October 12.
- d. NECC- Nimmow reported that the commission met and adjourned on October 12.

6) NEXT MEETING DATE November 18, 2015

- 7) ADJOURNMENT. Motion: Nimmow/Berg to adjourn. Motion carried. Meeting adjourned at 7:41 p.m.

Brenda Ayers
Administrator/Clerk/Treasurer
Town of Burke
11/04/2015