

Town of Burke Board Meeting Minutes
Wednesday, June 21, 2017
6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, and Supervisor Nimmow. Also in attendance Teri Saxon, Deputy Clerk/Treasurer. See attached list for other interested parties in attendance.

1) ADMINISTRATIVE

- a) It was determined that a quorum was present and the meeting was properly posted.
- b) The meeting was called to order at 6:00 PM by Chairman Viney.
- c) The Pledge of Allegiance was recited.
- d) Public Hearing on Liquor License applications. Todd and Tim Kluever introduced themselves and indicated they were present for the renewal of the liquor license for Seminary Springs. Todd Kluever stated that he is the agent for Seminary Springs.
- e) Public Hearing regarding a two lot Certified Survey Map (CSM) dividing the lot into two equal parcels with the intent for both lots to be used as future single family home sites (one lot to be sold to a family friend and the other going to the owner's son) submitted by Williamson Surveying on behalf Eleanor Moran. Property located off Portage Road (parcel number 0810-033-9300-3). Melissa Bjerke with the Stark Company introduced herself as representing Eleanor Moran and is present to answer any questions. The property is an 11 acre triangle.
- f) Public Hearing regarding a two lot Certified Survey Map (CSM) separating the two houses on the existing lot and a request to rezone lot 1 from A-1 to RH-4 and lot 2 from A-1 to R-1 submitted by Peter Kurt on behalf of the Lucy Kurt-Manhart Estate. Property located at 5899 CTH CV (parcel number 0810-084-8501-1). Peter Kurt introduced himself. His understanding is that it is the City of Madison's extraterritorial right to rezone from A-1 to RH-4.
- g) Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. No comments.

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 May 17, 2017 Board meeting
- b) Approval of bills (payroll related disbursements #4163-4196 and bills #28865-#28923) and April Cash on Hand report

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

3) NEW BUSINESS

- a) Resolution 06212017A Approving the CSM submitted by William Surveying on behalf of Eleanor Moran.

Motion: Berg/Nimmow to approve Resolution 06212017A approving CSM submitted by William Surveying on behalf of Eleanor Moran. Motion carried.

- b) Resolution 06212017B Approving the CSM and Rezone Petition submitted by Peter Kurt on behalf of the Lucy Kurt-Manhart estate. Berg indicated the planning commission felt it was

unnecessary to rezone. Kurt indicated the surveyor questioned why to rezone from A-1 to RH-4 and the City of Madison response was it is their extraterritorial right and they request the rezone. Kurt stated that he has been trying to sell the 30 acre parcel and has been unsuccessful with the two houses and other buildings as one parcel. He would like to split the parcel and sell both parcels. One parcel with the one house and the other parcel with the other house, buildings and agricultural land. He does not understand why the city wants it to be rezoned to RH-4 and understands the difference between A-1 and RH-4 to be the height of the buildings.

Motion: Berg/Nimmow move that the Town adopt Resolution 06212017B approving the Certified Survey Map (CSM) submitted by Peter Kurt on behalf of the Lucy Kurt-Manhart Estate and a rezone of Lot 2 from A-1 to R-1 and reject rezone of Lot 1 from A-1 to RH-4. Motion carried.

- c) Approval of Liquor, Cigarette and Operator License (new and renewal) applications. Viney stated that background checks have been performed on all new and renewal operator license applicants. The Town attorney advised denial of new operator license applicant Caleb Marshall for failing to complete the application truthfully. Saxon stated Deputy Nelson with Dane County Sheriff's Department indicated there were no issues with any of the establishments relating to the sale or consumption of alcohol.

Motion: Berg/Nimmow to approve the Class "B" Fermented Malt Beverage and Intoxicating License for Nora's Tavern, Inc. excluding the outdoor area and to authorize the Deputy Clerk to issue a new license without cost to the applicant if the outside area is completed during the 2017-2018 license period and the Town building inspector determines it meets the Town ordinance requirements. Motion carried.

Motion: Nimmow/Berg to deny the operator license for Caleb Marshall for failing to complete application truthfully. Motion carried.

Motion: Nimmow/Berg to approve all remaining licenses as presented in the Town of Burke 2017-2018 Renewal License Applications document prepared by the Deputy Clerk. Motion carried.

- d) A request from Heidi Levy for a variance to the fence setback (12.5 foot variance) and front yard height (1 foot variance) for the property located at 4581 and 4583 Dennis Dr. Viney thanked Levy for beautifying the area. Levy noted that she would like to add solar powered light caps to the fencing. Berg expressed concern with the fence being close to the road and damage resulting from snow removal. Levy assured the Board that she will repair any damage to the fencing. She does not anticipate any damage because this is vinyl fencing and is maintenance free. Berg also expressed concern in allowing a variance on work that has already begun. Levy stated that the contractor assumed this parcel was located in Madison since it had a Madison mailing address. She stated this was her fault and came to the Town right away for the appropriate permits. Levy read a letter from the resident at 4581 Dennis Drive in favor of the fence and any improvements done by Levy. She also referenced a letter from the homeowner's association approving of her decorative fence. Berg conveyed his appreciation for all she is doing in favor of improvement in the area.

Motion: Nimmow/Berg to approve variance to the fence setback (12.5 foot variance) and front yard height (1 foot variance) for the property located at 4581 and 4583 Dennis Drive. Motion carried.

- e) Open and award 2017 Chip Sealing Project bids. One bid was received from Scott Construction in the amount of \$54,144.60.

Motion: Nimmow/Berg to allow the Administrator/Clerk/Treasurer to award the bid to Scott Construction after she reviews the bid packet for accuracy. Motion carried.

4) OLD/UNFINISHED BUSINESS
NONE

5) COMMITTEE REPORTS (AS APPLICABLE)

- a) Plan Commission. Berg noted that they did not meet in June and is rescheduled for July.
- b) ETZ Committee. No meeting.
- c) Parks Commission. No one present to report.
- d) NECC. No one present to report.

6) NEXT MEETING DATE. Wednesday, July 19, 2017.

7) ADJOURNMENT. Motion: Nimmow to adjourn. Meeting adjourned at 7:10 PM.

Teri Saxon
Deputy Clerk/Treasurer