

Town of Burke Meeting Minutes
Wednesday, January 16, 2019
6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Nimmow, Supervisor Stieren and Supervisor Truitt. Also in attendance Brenda Ayers, Administrator/Clerk/Treasurer and Town Attorney, Chris Hughes. See attached list for other interested parties in attendance.

ALL AGENDA ITEMS ARE SUBJECT TO POSSIBLE ACTION

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 6:02 p.m. by Chairman Viney.
- c) The Pledge of Allegiance was recited.
- d) Public Concerns: 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 December 19, 2018 Board meeting
- b) Approval of bills (payroll related disbursements #4747-4774 and bills #29793-29838)
- c) Operator's Licenses

Motion: Truitt/Nimmow to approve the consent agenda. Motion carried.

3) NEW BUSINESS

- a) A payment request in the amount of \$15,400 submitted by Dennis Suchomel, 6019 Hagen Hill Circle, for maintenance of park property from 1991 to 2017. The payment request was included in the Board packet. Viney noted that "back in the day" the residents in the subdivision mowed the parks as a kind gesture and were not reimbursed. Nimmow stated that Suchomel should have known his property lines and he made the choice to mow park property- it was not requested by the Town. Motion: Truitt/Stieren to deny the payment request. Motion carried.
- b) Stony Ridge Park property lines and existing encroachments. The Town hired Birrenkott Surveying to determine the Stony Ridge Park (aka Hagen Hill Park) lot lines. The property extends beyond the tree line. It was noted that there are areas where property owners in Burke and City of Sun Prairie are encroaching on park property. The encroachments include a garden, portion of a driveway and tree house, etc. Attorney Hughes stated there were two different approaches for resolving the matter 1) send a letter to the property owners requesting that the encroachment is removed by a certain date or the Town will remove it and assess the cost back to the property owner or if the Town isn't interested in maintaining the land beyond the tree line, the Town could convey the property to the adjacent property owners. Viney expressed concern that conveying land dedicated as park property might be a violation of the boundary

agreement. Hughes acknowledged that he checked state statutes but did not check the agreement. He further stated that he thought the agreement refers to being good stewards. Viney expressed concerns of setting a precedent of giving additional land to people who are encroaching. Stieren inquired about the cost of the survey and how much it would cost to survey all Town parks. Viney responded that the survey cost \$1,500. Truitt indicated that he preferred dealing with the encroachments vs. conveying the property. Hughes indicated that the Town could assess property owners within in the Town if they have to remove the encroachments but would need to work with the City of Sun Prairie for assessments against their properties. It was determined that a letter from the Town requesting removal of the encroachments would be drafted for approval at the next Board meeting. Ayers and Hughes will also provide talking points to the Board members in case they receive any inquiries.

- c) Pay request #2 submitted by RG Huston for the Burke and Seminary Springs Roads project. Motion: Stieren/Berg to approve pay request 2 in the amount of \$101,288.06. Motion carried.

4) OLD/UNFINISHED BUSINESS

None

5) COMMITTEE REPORTS (AS APPLICABLE)

- a) Plan Commission- meeting February 6.
- b) ETZ Committee- meeting March 11.
- c) Parks Commission- nothing to report.
- d) NECC- nothing to report.

- 6) NEXT MEETING DATE. Wednesday, February 20, 2019, 6 p.m. Ayers also noted that there is a Joint Town Board and Plan Commission Public Hearing scheduled for 5:30 p.m. on Wednesday, February 6.

- 7) ADJOURNMENT. Motion: Truitt/Stieren to adjourn. Meeting adjourned at 6:46 p.m.

Brenda Ayers
Administrator/Clerk/Treasurer
Town of Burke
February 13, 2019