

TOWN OF BURKE MEETING MINUTES
Wednesday, August 21, 2019
6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Nimmow.
Excused: Supervisor Stieren and Supervisor Truitt. Also Teri Saxon, Deputy Clerk/Treasurer.
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 p.m. by Chairman Viney.
- c) The Pledge of Allegiance was recited.
- d) Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. David Bendin introduced himself and stated that he works nights and travels home along CV and Hoepker. He expressed concern when he is traveling in the pitch black of night how difficult it is to see and feels it is a hazard. He requested the Board to consider additional lighting on the road. Viney noted the Town is rural and appreciates his comments and concern.

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 July 17, 2019 Board meeting.
- b) Approval of bills (payroll related disbursements #4957-4990 and bills #30127-30178) and July Cash on Hand report.
- c) Operator's licenses – Kyra Kalinowski.

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

3) NEW BUSINESS

- a) An application to amend liquor license for The Shed, 6335 Portage Road, submitted by Bill Gray to revise the premise to include a fenced in outdoor area. Bill Gray introduced himself and presented the Board with copies of a proposed fenced in area. He requested amending the liquor license to allow consumption of alcohol in the fenced in area prior to going through the expense of installing the fence.

Motion: Berg/Nimmow to approve the amendment to the liquor license to be issued after the fence is installed and the Town building inspector has determined that it complies with the Town's ordinances for outdoor consumption of alcohol. Motion carried.

- b) A blanket rezone petition submitted by Dane County Zoning to correct the zoning assigned in the comprehensive revision of the zoning code (parcels 0810-033-9380-0, 0810-033-9335-0, 0810-093-8650-0 and 0810-152-9170-7).

Motion: Berg/Nimmow to approve corrected zoning for parcels 0810-033-9380-0, 0810-033-9335-0, 0810-093-8650-0 and 0810-152-9170-7. Motion carried.

- c) Resolution 08212019A Transferring Excess 2018 Budget Funds.

Motion: Berg/Nimmow to adopt Resolution 08212019A. Motion carried.

4) OLD/UNFINISHED BUSINESS

- a) Update on 2019 Chip Seal project. An update on the 2019 Chip Seal project was noted in Memorandum to Board.

- 5) Hearing regarding Town Board reconsideration of denial of the application of Kelly M. Erdman for an Operator's License. Saxon read into record the Facts/Records of the case. Erdman presented the Board with a letter from her attorney stating at Erdman's most recent court date all charges were dismissed except the disorderly conduct. She stated she would really like to keep her job and apologized for making a huge mistake. She further stated she did not realize she had not written her pending charges on the application. Nimmow inquired as to how far into the court proceedings she was when she filled out the application. Erdman stated she completed the application after her first court date and apologized for not stating it on the application. She left it off not knowing what would happen at the court date. She stated further that after her first court date she was unable to be in a bar or publicly intoxicated. She added that was overly exaggerated and a huge misunderstanding. She wanted the Board to know she has been in counseling and filled out a new application noting the pending charge. She indicated her most recent court date was last Friday.

- 6) CLOSED SESSION. THE TOWN BOARD WILL CONVENE INTO CLOSED SESSION PURSUANT TO WIS. STAT. SEC. 19.85 (1)(a) Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body to deliberate the reconsideration of the Town Board's denial of an operator's license for Kelly M. Erdman.

Motion: Berg/Nimmow to convene in closed session. Motion carried. Viney – aye, Berg – aye, and Nimmow – aye.

- 7) 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: Berg/Nimmow to reconvene in open session. Motion carried.

- 8) Action regarding reconsideration of the Town Board's denial of the application of Kelly M. Erdman for an Operator's License.

Motion: Nimmow/Berg to adopt Exhibit A Resolution 08212019B granting an Operator's License to Kelly M. Erdman. Motion carried.

9) COMMITTEE REPORTS (AS APPLICABLE)

- a) Plan Commission. No meeting.
- b) ETZ Committee. No meeting
- c) Parks Commission. No report.
- d) NECC. No report.

10) NEXT MEETING DATE. Regular meeting: Board of Review: Thursday, August 22, 6 p.m.
Regular meeting: Wednesday, September 18, 6 p.m.

11) ADJOURNMENT. Motion: Nimmow to adjourn. Meeting adjourned at 6:28 p.m.

Teri Saxon
Deputy/Clerk Treasurer
Town of Burke
September 12, 2019