

TOWN OF BURKE
Wednesday, November 20, 2019
Immediately following the Special Town meeting which begins at 6:00 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Nimmow, Supervisor Stieren, and Supervisor Truitt. Also Brenda Ayers, Administrator/Clerk/Treasurer, Teri Saxon, Deputy Clerk/Treasurer, Ron Kurt, Public Works Lead, and Mark Sauer, Town Engineer. 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 6:03 p.m. by Chairman Viney.
- c) The Pledge of Allegiance was recited.

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 October 16, 2019 Board meeting
- b) Approval of bills (payroll related disbursements #5049-5082 and bills #30254-30288) and October Cash on Hand report
- c) Operator's licenses – Kendra A. Bruno and Kristina R. Leigh.

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

3) NEW BUSINESS

- a) Resolution 11202019C Conditionally approving the CSM and rezone from Ham-M and SFR-08 to HC (Heavy Commercial) submitted by Tom Schultz for mini storage units on lots 138, 141 and 143 of the Burke Assessor's plat #1 located at 6332 Portage Road and adjacent lands (parcel numbers 810-031-2321-4, 810-031-2108-3 and 0810-031-2353-6).

Ayers noted that additional restrictions were added to the Resolution beyond what was recommended by the Plan Commission to include no outdoor storage would be allowable until construction of the buildings was completed. She further noted that allowable outdoor storage would be restricted to 10 to 25 feet. Austin Schultz, who appeared on behalf of the applicant, requested the 25 foot limit be extended to 30 feet. Berg stated he felt the extension from 25 to 30 feet would be agreeable for outdoor storage.

Motion: Truitt/Stieren to adopt Resolution 11202019C amending allowable outdoor storage to be from 10 to 30 feet. Motion carried.

- b) Request from Peter Sachs to:
 - i) Consider revising the Town's Comprehensive Plan changing the future use of his parcel from Natural Area to another use compatible with his rezone request.

- ii) Grant an extension to the deadline for Dane County and City Madison approval of the CSM (per Resolution 09182019B current deadline is 90 days from September 18, 2019)
- iii) Complete the Town attorney review of and execution of the Developer's Agreement.

Mark Sauer, Town Engineer referenced the guide for development and made his recommendations to the Board in consideration of revising the Town's Comprehensive Plan. Sauer noted that Wisconsin Statutes requires Comprehensive Plans to be re-written every 10 years with a recommended review for an amendment every 5 years. He further noted the cost for an amendment could be \$10,000. He further stated the plan is a guide. Ayers noted summing up Town Engineer's recommendations if the Board chooses to go forward now to review the plan and then again in five years. Berg stated with the great expense of the Comprehensive Plan revising it is not in our best interest. Truitt felt revising the Comprehensive Plan at this time would not be an option. Nimmow inquired as to the possibility of extending the CSM deadline to 180 days. Sauer indicated that granting an extension would be advisable.

Motion: Truitt/Nimmow to deny revising the Comprehensive Plan and to grant an extension to the deadline of obtaining Dane County and City of Madison approval of the CSM from 90 days from September 18, 2019 to 180 days from September 18, 2019. Motion carried.

- c) Contract with Barnes Inc. for chipping services 2020-2022.

Truitt inquired if the contract for chipping would be for one week opposed to two weeks. Ayers indicated the contract would be for one week of chipping services. She further indicated that if chipping were kept in-house she would recommend one week as well. She stated that she spoke with other municipalities who have contracts with Barnes and they are very satisfied and are very customer service orientated. Berg expressed his concern of only one pile of brush per household. Ayers indicated we also have regulations concerning the size of the brush piles. Berg thanked Ayers for the contract negotiations. Ayers noted she would handle all issues that may come up since she had negotiated the contract.

Motion: Berg/Stieren to approve the contract with Barnes Inc. for chipping services 2020-2022. Motion carried.

- d) Adoption of the 2020 Budget.

Motion: Stieren/Truitt to adopt the 2020 Budget as presented. Motion carried.

- e) Authorization for Ayers to submit applications for the new Multimodal Local Supplement Program (MLS) for Reiner, Hoepker and Rattman Roads and discussion of cost sharing other than 90% State/10% Town.

Ayers stated that as the name implies the grant is for various means of transportation i.e., bikes, ships etc. It is a new program this year and there are no guarantees it will continue. Projects that will score the best boost economic development. Town Staff has had conversations with the City of Madison regarding concerns about traffic backed up on Reiner Road almost to Burke Road. The Reiner Road application would include signalization or a roundabout at Nelson Road, road reconstruction to both the north and south town lines as well as bike lanes to meet up with Sun Prairie's. The cost estimate for Reiner is about three million. Since the grant is a reimbursement the Town would need to take out a loan to cover the costs prior to the 2.7 million reimbursement. Hoepker Road would be another project that would have an economic impact. Hoepker has already been on our radar for road improvements the cost would be \$441,000 some of which would be assessed back to property owners. Staff also discussed submitting an application for Rattman Road but we do not have cost estimates at this time. Ayers is seeking permission for Rattman even though she does not yet for a cost estimate but would like to apply with the possibility that the Board could deny the grant if they choose not to pursue it. Ayers reiterated that at this point she is just asking permission to submit the grants for the three roads but is not committing the Town to accepting the grant or completing the projects. She further stated that if the Town would need to apply for a loan the current State Trust Fund interest rate is 3.6 percent.

Motion: Stieren/Nimmow authorizing Ayers to submit applications for the new Multimodal Local Supplement Program. Motion carried.

- f) Dane County Zoning Ordinance Amendment OA-20-2019.

Motion: Truitt/Stieren to approve Dane County Zoning Ordinance Amendment OA-20-2019. Motion carried.

- g) Petition for intermediate attachment (including full width of the right-of-way) to the City of Sun Prairie submitted by the Sun Prairie Area School District for 3559 State Highway 19 and adjacent parcels (parcel numbers 0810-021-9200-8, 0810-024-8500-4, 0810-024-9000-7).

Viney inquired if the school district already owns the property. Ayers indicated that the school district already owns the property.

Motion: Truitt/Berg to allow petition for intermediate attachment including the full width of the right-of-way. Motion carried.

4) OLD/UNFINISHED BUSINESS

- a) None

5) COMMITTEE REPORTS (AS APPLICABLE)

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

d) NECC. Truitt noted they met and adopted the budget.

- 6) Public Input: Public's opportunity to speak to the Town Board about any subject that **is not a specific agenda item.**

Heather Shannon introduced herself and stated she was inquiring about information she received regarding splitting her property and heard you can only split 5 acres one time. Ayers indicated the Cooperative Plan is on the website but does not recall the section. Ayers requested Shannon call the next day and she could refer her to the appropriate section of the Cooperative Plan.

Ayers stated that within the last month Waste Management was unable to collect trash from Homberg Lane. She further stated this is a private drive and not maintained by the Town. One incident was a truck fire and two other times were due to weather and the safety of the garbage trucks accessing Homberg Lane. The residents of Homberg Lane contacted the office requesting the garbage and recycling be recovered. Waste Management cannot afford to keep sending a truck to recover the garbage and/or recycling. Ayers indicated that on November 12 she sent a letter to residents on Homberg notifying them beginning November 21 garbage and recycling would be collected at Highway T. This was unacceptable to the residents of Homberg Lane and when asked for a solution they did not have any. Ayers requested input from the Board for the best solution in this matter. Truitt stated since this is a private drive the carts should be brought to the curb of Highway T. Nimmow inquired why this year. Ayers indicated our storms this year have been on Thursdays. She further indicated that Waste Management suggested a second cart to be used in the event they are unable to get down there and then would collect all the next week. Viney inquired if there is a written policy regarding private drives. Ayers stated there is not a written policy. She further stated since this was unacceptable to the residents of Homberg Lane, Waste Management would continue to collect down Homberg Lane when conditions are safe to do so.

- 7) NEXT MEETING DATE. Wednesday, December 18, 6:00 p.m.

- 8) ADJOURNMENT. Motion: Nimmow to adjourn. Meeting adjourned at 7:19 p.m.

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