**TOWN OF BURKE**

**TOWN BOARD MINUTES**

Wednesday, February 15, 2023, 6:00 p.m.

5365 Reiner Rd., Madison WI 53718

**ADMINISTRATIVE**

It was determined a quorum was present and the meeting was properly posted. Chairman Viney called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited. Attendance: Chairman Viney and Supervisors Jeff Stieren, Steve Berg, Chris Truitt and Lisa Rubrich. Staff in attendance: Administrator/Clerk/Treasurer PJ Lentz, Deputy Clerk/Treasurer Elissa Friedl, and Town Attorney Chris Hughes (until 7:50 pm.)

**PUBLIC INPUT** - None

**CLOSED SESSION**

Closed session: (a) pursuant to WI Statute 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session specifically with regard to the attachment proposal of industrial parcels located within a protected area of the Town of Burke to the Village of DeForest; and (b) pursuant to WI Statute 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility specifically for the purpose of discussing wages, salaries, benefits and vacation in light of other municipalities and competition for employees.

**Motion** by Chairman Viney to enter closed session at 6:01 p.m., seconded by Sup. Berg and carried by unanimous roll call vote. Present in closed session: Chairman Kevin Viney, Supervisors Jeff Stieren, Steve Berg, Chris Truitt and Lisa Rubrich, Attorney Chris Hughes, Administrator/Clerk/Treasurer PJ Lentz, and Deputy Clerk/Treasurer Elissa Friedl. Motion to return to open session at 7:12 p.m. by Chairman Viney, seconded by Sup. Truitt and carried by unanimous voice vote.

**Action from closed session**

**Motion** by Sup. Berg to approve outside employment position for Elissa Friedl, seconded by Sup. Stieren.Motion carried.

**NEW BUSINESS**

**Conditional Use and Site Plan consideration for 0810-054-0235-0 (Metro Drive between Hwy 51 & North American Lane) by Welton Enterprises Inc. for a climate-controlled storage facility in the DeForest/Burke ETZ and inside the boundary agreement protected area.**

Applicants Kurt and Susan Welton were in attendance with Brandi Cooper, DeForest Zoning Administrator. Mr. Welton described the proposal to build a three-story, climate-controlled storage building with units ranging from 5’x10’ to 30’x30’ to be managed by CubeSmart. The footprint of the building is 43,000 square feet with total building space of approximately 129,000 square feet.  **Motion** by Sup. Berg to recommend the ETZ Committee approve the conditional use and site plan applications for a climate-controlled storage facility on Metro Drive inside the boundary agreement protected area with modifications as presented in the resolution (amended to the correct square footage) and subject to: final review of the DeForest Zoning Administrator; meeting engineering requirements; and applicant obtaining a driveway permit from Town of Burke. Motion seconded by Sup. Stieren. Motion carried.

**Ordinance 02152023A to amend Title 3, Chapter 2 Fire Prevention and Safety Codes**

**Motion** to adopt Ordinance 02152023A to amend Title 3, Chapter 2 Fire Prevention and Safety Codes by Sup. Truitt, seconded by Sup. Rubrich. Motion carried.

**Ordinance 02152023B to repeal and recreate Title 9, Chapter 1 State Statutes Adopted**

**Motion** to adopt Ordinance 02152023B to repeal and recreate Title 9, Chapter 1 State Statutes Adopted by Sup. Truitt, seconded by Sup. Rubrich. Motion carried.

**Ordinance 02152023C to amend Title 9, Chapter 1 Offenses and Nuisances**

**Motion** to adopt Ordinance 02152023C to amend Title 9, Chapter 1 Offenses and Nuisances by Sup. Truitt, seconded by Sup. Stieren. Motion carried.

**Resolution 02152023A to levy special assessments for town improvements on Reiner Road**

**Motion** to adopt Resolution 02152023A to levy special assessments for town improvements to Reiner Road by Sup. Stieren, seconded by Sup. Berg. Motion carried.

**Dane County Zoning Ordinance Amendment #57 – Cell Tower Application and Setback Requirements**

Sup. Truitt expressed concern that the amendment limits a property owner’s ability to allow a tower on their property. **Motion** by Sup. Truitt to inform Dane County that they need to remove Article 4, Section 10.103(9)(c)6, seconded by Sup. Rubrich. Motion carried 4-1 (No-Berg).

**Employee Handbook update regarding Public Works Department overtime**

Administrator Lentz presented a proposed update to the Employee Handbook changing the overtime calculation from hours worked to include holiday, vacation, and comp time.  **Motion** by Sup. Stieren, seconded by Sup. Berg to approve the change as presented. Motion carried.

**CONSENT AGENDA**

* Minutes of January 18, 2023
* Bills and Payroll

**Motion** to approve consent agenda items by Sup. Rubrich, seconded by Sup. Berg.Motion carried.

**REPORTS**

**Plan Commission:** Sup. Berg reported the Plan Commission is continuing its work on the Comp Plan and there are public hearings at the next meeting on March 1.

**Parks Advisory Committee:** Sup. Rubrich reported the Parks Commission is exploring the possibility of having a high school class re-roof various park shelters with the donated shingles and is obtaining estimates for Hagen Hill park shelter improvements. She said a number of residents have communicated the need for walking paths in Town parks to the Committee. There will be a request at an upcoming meeting to spend up to $2,000 of reserve funds for costs associated with installing the new park benches and signs.

**ARPA Committee:** A meeting is scheduled for March 21 at 5:30.

**ETZ Committee:** Sup. Berg reported ETZ met in February and will meet again in March to review the Metro Drive climate-controlled storage application.

**NECC:** Minutes of the last meeting were in the Town Board packet and Sup. Truitt reported NECC is working towards providing member municipalities with a listing of citations going through the Court.

**Administrator and Public Works reports:** Written reports were in the Town Board packet.

**NEXT MEETING DATE -** March 15, 2023 at 6 p.m.

**ADJOURNMENT**

**Motion** by Sup. Stieren to adjourn at 8:24 p.m.

Approved: 3.15.2023

PJ Lentz, Administrator Clerk Treasurer