**TOWN OF BURKE**

**TOWN BOARD MINUTES**

Wednesday, March 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. Supervisor Berg called the meeting to order at 6:01 p.m. The Pledge of Allegiance was recited. Attendance: Supervisors Jeff Stieren, Steve Berg, and Lisa Rubrich. Absent: Chairman Viney and Supervisor Truitt. Staff in attendance: Administrator/Clerk/Treasurer PJ Lentz, Deputy Clerk/Treasurer Elissa Friedl, Public Works Lead Ron Kurt, Town Engineer Anne Anderson and Town Attorney Chris Hughes. Others in attendance: Brian and Aimee Hennings, Carson Bongard, Max Rolfe, Matthew Hunter, and Ché Stedman.

**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 regarding the attachment proposal of industrial parcels located within a protected area of the Town of Burke to the Village of DeForest; and to discuss public funds and contract negotiations regarding public safety.

**Motion** by Sup. Stieren to enter closed session at 6:02 p.m., seconded by Sup. Rubrich and carried by unanimous roll call vote. Present in closed session: Supervisors Jeff Stieren, Steve Berg, and Lisa Rubrich, Engineer Anne Anderson, Attorney Chris Hughes, Administrator/Clerk/Treasurer PJ Lentz, Deputy Clerk/Treasurer Elissa Friedl and Public Works Lead Ron Kurt. **Motion** to return to open session at 6:39 p.m. by Sup. Berg, seconded by Sup. Stieren and carried by unanimous voice vote.

Action from closed session - None

**PUBLIC INPUT** – None

**CONSENT AGENDA**

* Minutes of February 15, 2023
* Bills and Payroll

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

**NEW BUSINESS**

**Award Reiner Road Reconstruction Bid**

Engineer Anne Anderson reported two bids were received from Wolf Paving for $1,091,900.87 and Payne & Dolan for $1,226,194.90. She reported that Wolf Paving is the apparent low bidder and the bid appears to meet the specifications in the advertisement for bids. **Motion** by Sup. Stieren to award the contract for Reiner Road reconstruction to Wolf Paving in the amount of $1,091,900.87. Motion seconded by Sup. Rubrich. Motion carried.

**Resolution 03152023A Land Division Request from Ron and Barbara Hennings, owners of 6260 Sommer Valley Circle to divide parcel 0810-044-9660-5**

**Motion** by Sup. Rubrich to adopt Resolution 03152023A approving a land division request from Ron and Barbara Hennings, owners of 6260 Sommer Valley Circle to divide parcel 0810-044-9660-5 to create a 1.746-acre parcel and retain the 3.334-acre parcel. Motion seconded by Sup. Stieren. Motion carried.

**Ordinance 03152023 Amend Comprehensive Plan Future Land Use (FLU) Map from Commercial Resale to Industrial/Business for parcels 0810-084-9680-3 and 0810-084-9688-5**

**Motion** by Sup. Stieren to adopt Ordinance 03152023 to amend the Comprehensive Plan Future Land Use Map from Commercial Resale to Industrial/Business to accommodate a rezone request submitted by Kevin Lindus, owner of 4281 Acker Road parcels 0810-084-9680-3 and 0810-084-9688-5, and Matthew Hunter, lease holder and owner of Madison Auto Recycling. Motion seconded by Sup. Rubrich. Motion carried.

**Resolution 03152023B Conditional Approval of Rezone Request for parcels 0810-084-9680-3 and 0810-084-9688-5 from Heavy Commercial to Manufacturing and Industrial**

**Motion** by Sup. Stieren to adopt Resolution 03152023B approving the rezoning request submitted by Kevin Lindus, owner of 4281 Acker Road parcels 0810-084-9680-3 and 0810-084-9688-5, and Matthew Hunter, lease holder and owner of Madison Auto Recycling to change zoning from Heavy Commercial to Manufacturing and Industrial to accommodate a Type 1 Salvage Yard with the condition that all necessary Dane County approvals are obtained by June 30, 2023 or the rezoning is null and void. Motion seconded by Sup. Rubrich. Motion carried.

**Resolution 03152023C Recommending Approval of Conditional Use Permit to operate a Type 1 Salvage Yard at 4281 Acker Road, parcels 0810-084-9680-3 and 0810-084-9688-5**

CUP Standard 1: The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare. **Motion** by Sup. Stieren that standard is met, seconded by Sup. Rubrich. Motion carried.

CUP Standard 2: The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use. **Motion** by Sup. Stieren that standard is met, seconded by Sup. Rubrich. Motion carried.

CUP Standard 3: The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. **Motion** by Sup. Stieren that standard is met, seconded by Sup. Rubrich. Motion carried.

CUP Standard 4: Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made. **Motion** by Sup. Rubrich that standard is met, seconded by Sup. Stieren. Motion carried.

CUP Standard 5: Adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. **Motion** by Sup. Stieren that standard is met, seconded by Sup. Rubrich. Motion carried.

CUP Standard 6: The conditional use shall conform to all applicable regulations of the district in which it is located. **Motion** by Sup. Stieren that standard is met, seconded by Sup. Rubrich. Motion carried.

CUP Standard 7: That the conditional use is consistent with the adopted town and county comprehensive plans. **Motion** by Sup. Rubrich that standard is met, seconded by Sup. Stieren. Motion carried.

CUP Standard 8: If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s.10.220(1). **Motion** by Sup. Berg that standard is met because it does not apply, seconded by Sup. Rubrich. Motion carried.

**Motion** by Sup. Stieren to adopt Resolution 03152023C to recommend approval of a conditional use permit application submitted by Matthew Hunter, lease holder at 4281 Acker Road, parcels 0810-084-9680-3 and 0810-084-9688-5, and owner of Madison Auto Recycling to operate a Type 1 Salvage Yard with the addition of a condition that applicant must obtain storm water runoff permits required for both the auto repair and auto salvage operations. Motion seconded by Sup. Rubrich. Motion carried.

**Motion** by Sup. Berg to reorder agenda to item 6J at this time, seconded by Sup. Rubrich. Motion carried.

**Public Safety Discussion**

Ché Stedman, Assistant Chief – Medical Affairs, of the City of Madison Fire Department was present to answer questions regarding mutual aid agreements. Stedman and the Town Board had a brief discussion and Stedman provided MABAS cards to Administrator Lentz that show the chain of responding departments in various situations.

**Request from Jeff Acker for Town to mow Charlotte’s Walk**

Jeff Acker provided a request and petition with signatures of a majority of homeowners in Charlotte’s Walk requesting the Town begin mowing the public spaces in the subdivision. Administrator Lentz said a quote from the company that mows other parks and green spaces is $200 per trip. Ron Kurt suggested there may be a way to avoid the additional $200 charge if we have the contractor adjust some of the other areas being mowed near Town Hall or one of the cemeteries. **Motion** by Sup. Stieren to approve request to mow public areas in Charlotte’s Walk as requested by Jeff Acker provided there is no need to amend the budget. Motion seconded by Sup. Rubrich. Motion carried.

**Parks Committee request for $2,000 to install benches and signs**

**Motion** by Sup. Rubrich, seconded by Sup. Stieren to approve spending up to $2,000 to install the benches and signs recently purchased. Motion carried.

**Property Maintenance Inspections**

Administrator Lentz said there are a number of properties in the Town that are in disrepair. If the Town Board wishes to have the Building Inspector inspect the buildings and issue notices to make repairs, the cost is $53 per hour. **Motion** by Sup. Stieren to table this issue to the next meeting, seconded by Sup. Berg. Motion carried.

**Social Media and Domain for Town of Burke**

**Motion** by Sup. Berg to table this issue to the next meeting, seconded by Sup. Stieren. Motion carried.

**REPORTS**

**Plan Commission:** Sup. Berg reported the Plan Commission will meet April 5 for a public hearing and to work on the comprehensive plan.

**Parks Advisory Committee:** Sup. Rubrich reported the Parks Commission is getting estimates to wrap the shelter, to install donated shingles at various shelters and for asphalt or gravel walkways in parks.

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

**ETZ Committee:** Sup. Berg reported ETZ will meet April 11 to review the Metro Drive storage application.

**NECC:** No update.

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

**NEXT MEETING DATE –** Tuesday, April 18 at 6 p.m.

**ADJOURNMENT**

**Motion** by Sup. Stieren to adjourn at 8:32 p.m.

Approved: 4.18.2023

PJ Lentz, Administrator Clerk Treasurer