

**Minutes
August 11, 2016
Town Board Meeting**

Meeting called to order by Chairman Rice at 6:55 p.m.

Roll call: Present were Tyson Fettes, Joan Boehm, Jeff Lang, and Ralph Rice. Ric Isaacson was absent.

Verify posting of meeting: Posting verified by Clerk.

Citizen Comments: There were none.

Approval of minutes for Town Board Meeting from July 14, 2016: Fettes made a motion to approve minutes from July 14, 2016; Lang seconded. Motion carried.

Reports from Town Chairman; Town Supervisors; Department Managers; and Chamber of Commerce:

Boehm remarked that the Bohners Lake Fire Station appeared to be complete at election time.

Lang added that although the Bohners Lake Fire Station is operational, there is still a “punchlist” to be completed. He went on to report the Fox River Committee is opposed to the Waterford drawdown. The Waterford Water Management District would not implement the drawdown until next year.

Sgt. Mattke presented the Town of Burlington July 2016 Activity Report from the sheriff's office. He also indicated there were two thefts and 4 vandalisms in the town. He stressed the need to lock cars and not keep valuables in them. Although the 2017 contract will be presented at the September 8, 2016 meeting he indicated the new contract is for \$739,334.57. This is up in part due to increased mileage and the fact that the deputy sheriffs settled their contract.

Hwy. Supervisor Larson reported that the paving projects for this year are complete and under budget by \$9,000.00. The shouldering has been completed. The culvert on Womack has been installed. There is a beaver problem on Fish Hatchery.

Chamber of Commerce did not have a representative present.

Bills as of August 2, 2016: Lang made a motion to approve \$191,090.17 in prepaid and unpaid invoices; Fettes seconded. Motion carried.

Approval of July 2016 Financials: Lang made a motion to approve July 2016 Financials; Boehm seconded. Motion carried.

Approval of P&Z Recommendations: The P&Z recommended approval of (1) **Rezone** for Owner: JL & DD Holdings, LLC, 125 Monica Ct., Burlington, WI 53105; Petitioner: Dale DeGroot, 125 Monica Ct., Burlington, WI 53105; parcel #002-02-19-18-003-001 7231 McHenry Street; (2) **Conditional Use** for Owner: JL & DD Holdings, LLC, 125 Monica Ct., Burlington, WI 53105; Petitioner: Dale DeGroot, 125 Monica Ct., Burlington, WI 53105; parcel #002-02-19-18-003-001 7231 McHenry Street; and (3) **Land Division** for Owners: Mark & Dawn Petges, 1620 Crossway Road, Burlington, WI 53105; parcel #002-03-19-24-018-030 including completion of the recommendations of Engineer Lynch, (in his attached memo dated August 3, 2016).

Boehm made a motion to approve P&Z recommendations; Lang seconded. Motion carried.

Old Business:

- a. **Approval to amend and recreate Title No. 16 – Land Division:** This was tabled.

Approval of Avtar Singh as agent for Hunny Tree Mini-Mart, (new owners Sukhav Enterprises, LLC) 7850 McHenry Street, Burlington, WI 53105: Fettes made a motion to approve Avtar Singh as agent for Hunny Tree Mini-Mart, (new owners Sukhav Enterprises, LLC) 7850 McHenry Street, Burlington, WI 53105; Lang seconded. Motion carried.

Approval of Class A Beer and Liquor License for Hunny Tree Mini-Mart, (new owners Sukhav Enterprises, LLC) 7850 McHenry Street, Burlington, WI 53105:

Approval of Soda Water License for Hunny Tree Mini-Mart, (new owners Sukhav Enterprises, LLC) 7850 McHenry Street, Burlington, WI 53105:

Approval of Cigarette License for Hunny Tree Mini-Mart, (new owners Sukhav Enterprises, LLC) 7850 McHenry Street, Burlington, WI 53105:

Boehm made a motion to approve Class A Beer and Liquor License; Soda Water License, and Cigarette License for Hunny Tree Mini-Mart, (new owners Sukhav Enterprises, LLC) 7850 McHenry Street, Burlington, WI 53105 contingent upon conditions in letter dated July 25, 2016; Lang seconded. Motion carried.

Approval of Budget Resolution No. 2016-4 for bucket truck purchase add \$27574.50 to budget account #572401 Highway Vehicle Purchase; and transfer \$27,574.50 from LGIP designated highway equipment fund into general checking: Land made a motion to approve Budget Resolution No. 2016-4; Fettes seconded. Motion carried.

Water skiing hours on Browns Lake: The Browns Lake Advisory Committee had voted in favor of changing the “no-wake” rules on Browns Lake on Tuesdays from Memorial Day to Labor Day to allow water skiing at sunrise. This is contrary to Town of Burlington Ordinance 11.12.050(B) which states that, “No person shall operate any motorboat upon the waters of Browns Lake in the town between sunset and ten a.m. on any day of the week at more than slow-no-wake speed.”

Eric Weis, 2815 Knollcrest Drive, is in favor of allowing water skiing at sunrise on Browns Lake. He cited the DNR state rule that allows water skiing from sunrise to sunset and felt a trial basis would be fair. Chief Sevick indicated that the town is allowed to have an ordinance that is more restrictive than the DNR state rule, just not less restrictive. Weis further suggested that if the town did not allow sunrise skiing this may lead to action being taken with the DNR and may open all the towns water related rules/ordinances to scrutiny.

Joe Busch, 2830 Knollcrest Drive, and Patrick Lynch, 30715 Cedar Drive, were also in favor of the Browns Lake Advisory Committee recommendation. They felt accommodations should be made for people who cannot take advantage of the regular hours. They should be able to enjoy skiing with their families. This is not an unreasonable request in their opinion.

Kim Deriaz, 3011 S. Browns Lake Drive, presented a petition to the town board with 114 signatures of people against changing the “no wake” ordinance. The majority of people present at the Town Board meeting were opposed to the change. The following is a list of some of the points made in opposition:

- (1) Balancing the needs of all people who utilize the lake, i.e. fisherman, sail boaters, kayakers, swimmers, paddle boarders, and water skiers. Lake is a resource for multiple users.

- (2) Increase cost to town to patrol lake before 10 a.m. on Tuesdays.
- (3) Other lakes in the area have same 10:00 a.m. to sunrise hours for motorboats or even more restrictive. Allowing sunrise start may attract people from these other restricted lakes.
- (4) Allowing Tuesday would be confusing. People may see and think it is all the time.
- (5) Sunrise varies from as early as 5:14 a.m. 10:00 a.m. to sunset should be enough time for motorboats. Quiet time is also needed.

Lang made a motion to table; Fettes seconded. Motion carried.

Approval of Temporary Class B Beer and Wine License for the Burlington Rotary event held at 29929 Plank Road, Burlington, WI 53105 on August 13, 2016: Lang made a motion to approve a Temporary Class B Beer and Wine License for the Burlington Rotary event held at 29929 Plank Road, Burlington, WI 53105 on August 13, 2016; Fettes seconded. Motion carried.

Approval of Pay Application #5 for Bohners Lake Fire Station project: Boehm made a motion to approve Pay Application #5 for Bohners Lake Fire Station project; Fettes seconded. Motion carried.

Adjourn: Lang made a motion to adjourn at 8:00 p.m.; Boehm seconded. Motion carried.

Approved this ____ day of September, 2016
Submitted by Adelheid Streif, Clerk