

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MAY 4, 2015

PUBLIC HEARING REGARDING AMENDING TCG ORD. SECTION 08.09 REGULATIONS
APPLICBLE TO AGRICULTURAL COMMERCIAL VEHICLES AND IMPLEMENTS OF
HUSBANDRY

- I. Notice of the public hearing was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Jeff Smith.
- II. Hampton called the public hearing to order at 7:00 P.M. and explained that the purpose of the proposed amendment is to change the agent authorized to issue the IOH/ACV permits. There were no public questions or comments.
- III. **MOTION** by Anders/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting and attendance were as described above for the public hearing.
 - B. Hampton called the meeting to order at 7:01 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the April 20, 2015 Town Board minutes as printed. **MOTION CARRIED 5-0.**
 - D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23571-23609 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION by Anders/DuPlayee** to approve April per diems as presented, and \$99,104.72 to Tom Viken for April building permits. **MOTION CARRIED 5-0.**
 3. The Treasurer provided the first quarter financial statement, including a comparison to 2014, but noted that because prior year invoices were entered based on meeting date rather than invoice dates, the comparison is not true.
 - E. Public Concerns: Kristi Williams said her neighborhood is planning a picnic in the local park on May 25th, and she plans to submit a formal request for the board to consider on May 18th. However, she would like to send out announcements sooner than that, so she wondered if any board members could think of any reason they would not approve the request. No objections were expressed.
 - F. Road Right of Way Permits: None.
- II. BUSINESS:
 - A. Stormwater Permit Update: Discuss/Consider winter road salt application plan: Stormwater Consultant Chuck Nahn explained that the stormwater permit report due next year will have three new requirements:
 1. A plan for winter road salt application: application rates of 100 to 300 pounds per lane mile are acceptable. If rates are well over this amount, the Town would need to look at alternative measures. Smith did not think it would be a problem to stay under the limit because the Town typically only applies salt to hills and intersections, unless there is an ice storm. Meeting the new requirement should just be a matter of accounting for the

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salt used and area covered on a per storm basis. Nahn suggested calibrating the salt spreaders to make this easier.

2. An updated map of the area covered by the stormwater permit: Nahn said that the urban stormwater area did not increase with the 2010 census. The map must identify the Total Maximum Daily Load (TMDL) watershed boundaries and MS4 boundaries associated with each watershed, along with an explanation of why excluded areas should not be included.
3. Municipal Garage Inspection: Nahn suggested that it appears there is no exposure with the Town Garage since everything is stored inside, so the Town could apply for No Exposure Certification.

MOTION by Hampton/DuPlayee directing Nahn to update the stormwater permit area map and Smith to keep of salt usage beginning with the 2015-16 winter, and complete the No Exposure Certification. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of a Parade, Procession or Race permit for Steve Wehrley of with the MadCity Velo Club for a Bicycle Time Trial to include Schadel and N. Star Roads on August 15, 2015: Mr. Wehrley was in attendance and asked that the permit fee and deposit be waived do to the minimal impact on the Town. The trial will run on the south side of Schadel Road, which is technically in the Town of Pleasant Springs, so the only Town of Cottage Grove road being used is North Star. Wehrley was made aware that North Star is scheduled to be seal coated sometime this summer. Wehrley said that they have a vendor lined up to notify all affected residents 10 days prior to the event, and asked if that would be acceptable in lieu of the usual notification procedure. **MOTION** by DuPlayee/Williams to approve the Parade, Procession or Race permit for Steve Wehrley of with the MadCity Velo Club for a Bicycle Time Trial on August 15, 2015, waiving the fee and deposit, and accepting the club's plans for notification of affected residents. **MOTION CARRIED 5-0.**
- C. Discuss/Consider ordinance enforcement action to take for 2842 Gaston Road: Property owners Ray Tenebruso and Mary Newton were present, and indicated they plan to comply with the County Zoning Inspector's requirement to address remove unlicensed and/or inoperable vehicles and junk within 30 days of the notice dated April 22, 2015, and they have a dumpster coming on Friday. They also agreed to get rid of the two boats in the yard. Hampton said that Town Ordinance section 11.09 requires that the exteriors of buildings and structures be maintained in accordance with the standards of the neighbor hood, and that lawns not be allowed to become overgrown or obstruct pedestrians' or vehicles' views. The following violations were discussed:
 1. Smith had determined that vegetation is blocking the site line at the corner of Busston and Mullhall Streets. Tenebruso and Newton agreed to trim the vegetation back, and have recently purchased a new lawn mower to keep the lawn trimmed better than it has been.
 2. The outbuilding needs siding. Tenebruso agreed, stating that he values the building and its contents, and would like to see it sided as well, but it is a matter of cost.
 3. The house needs painting. Tenebruso does not want to paint the house, stating that the siding is a high quality of cedar, but agreed that there are some areas that could be painted. He also agreed to remove an annex that is covered with a tarp.

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No board action was taken, but Tenebruso and Newton agreed to submit a time line to address the items discussed, which the board will consider accepting at their May 19th meeting.

- D. Discuss/Consider amending TCG Ord. section 08.09 Establishing a Permit Requirement for Agricultural Commercial Vehicles and Implements of Husbandry: **MOTION** by Williams/DuPlayee to adopt the amendment to the ordinance as tracked and discussed at the public hearing. **MOTION CARRIED 5-0.** Donald and Marilyn Viney and Richard Swalheim were present and asked several questions about the ordinance and what they need to do to be in compliance with it.
- E. Discuss/Consider approval of 2015-16 committee and other appointments: **MOTION** by Williams/DuPlayee to approve the 2015-16 committee and other appointments as recommended by the Town Chair. **MOTION CARRIED 5-0.**
- F. Discuss/Consider adoption of a resolution committing funds for sick leave liability: **MOTION** by Anders/DuPlayee to adopt Resolution 2015-03 committing \$8,063.42 for sick leave liability. **MOTION CARRIED 5-0.**
- G. Discuss/Consider reducing the speed limit to 45 m.p.h. for the entire length of Buss Road: **MOTION** by Fonger/Anders to reduce the speed limit to 45 m.p.h. for the entire length of Buss Road. **MOTION CARRIED 5-0.**
- H. Discuss/Consider quotes for 2015 HVAC for Town-owned buildings. Three quotes were received to service the Town Hall, Town Garage, Flynn Hall, and the garage at 4091 County Road N. Price below is the quote to service all four locations:
- High-Tech Heating and A/C, Inc.: \$990.00.
 - McCutchin Heating & A/C: \$1,200.
 - Wohlers Heating & A/C: \$900.
- Discussion was that while Wohlers quoted the lowest price, there were service issues the last time they did the maintenance, and service by High Tech was good in 2014. **MOTION** by Anders/Williams to accept the quote from High Tech Heating and A/C, Inc. to perform 2015 HVAC maintenance on the four locations for \$990. **MOTION CARRIED 5-0.**
- I. Discuss/Consider whether to go out to bid for 2015 audit services: **MOTION** by Williams/Anders to go out for bid for a three year period. **MOTION CARRIED 5-0.** A RFP will be considered at the next meeting.
- J. Annual review of Clerk's vacation accrual rate: The Clerk's anniversary date is May 1st, and during the period between May 1st 2014 and May 1st 2015, the Clerk worked an average of 25.46 hours per week. **MOTION** by Hampton/DuPlayee to set the Clerk's vacation accrual rate based on 25.46 hours/week for the period of May 1, 2015 through May 1, 2016. **MOTION CARRIED 5-0.**
- K. Set opening date for road construction bids: Bids will be opened at 9:00 A.M. on Thursday, May 28th, and awarded at the June 1st Town Board meeting.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

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- A. Hampton has contacted Gary Pechmann regarding re-attaching the memorial plaque to a monument recently discovered by the Historical Society, and thoughts are to place it in front of the Town Hall.
- B. Anders provided copies of a press release from the Dane County Towns Association regarding Dane Com, and asked for board members' support on May 20th when he is hoping to be elected as the District 2 representative to the DCTA.

V. COMMITTEE REPORTS:

- A. Plan Commission: The Commission denied an application by Wade Cattell/Rocky Rights LLC for a CUP to expand mining operations at their pit on US Hwy 12 & 18. A letter from Cattell's attorney requested that the matter be postponed from being considered by the Town Board at tonight's meeting to give them time to address concerns expressed by neighbors to the Plan Commission. The letter suggested that the Town Board and Plan Commission make a site visit, but consensus was that there was no reason to go look at this time. The Clerk did confirm that the County has looked into many inquiries from the neighbors concerning the use of the concrete batch plant as well as the non-conforming mineral extraction site and found no violations. There was consensus that no site visit is needed at this time.

- VI. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:27 P.M.

Kim Banigan, Clerk
Approved 05-18-2015