

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JULY 20, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting 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, 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. Deputy Brian Biwer arrived toward the end of the meeting.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the Town Board meeting held on July 6, 2015 as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #23779-23822 as presented. **MOTION CARRIED 5-0.** Check #23822 was an add on by Hampton to pay for the new Flynn Hall door.
  - 2. The Treasurer requested that July per diem reports be submitted by July 31<sup>st</sup>, and reported that Monona State Bank has quoted the highest interest rates for two CDs that are due for renewal.
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve a permit for Alliant Energy to jack and bore underground at 2204 Nora Road for underground electric service. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider progress of property clean-up at 2842 Gaston Road: Hampton reported that he had viewed the property and taken photos on July 13<sup>th</sup>. The photos were passed around while Hampton stated that the downed tree, brush and bales have been removed, the lawn is mowed, and both street corners on the lot have been cleared to allow adequate site lines for motorists. Hampton could not see through the vegetation to confirm that the tarp has been removed from the house, but an email from the owners to the Clerk stated that it has been. The only remaining issue is the siding of the outbuilding, which according to the owner's schedule is to be complete by August 24<sup>th</sup>. No action was taken and progress will again be reviewed at the first Town Board meeting in September.
- B. Discuss/Consider approval of the Friends of the Cottage Grove Library holding a book sale in the Town Hall basement on July 30, 31 and August 1: Gary Ferron, Treasurer for the Friends of the Library, stated that the decision has been made for the group to go inactive at the end of the year. In light of this, they will be selling and/or donating all of the books they have collected, and rather than having to move them all, are hoping to sell the majority of them from the Town Hall basement where they are stored. Smith said the sale itself does not pose any problems, but the Town Hall parking lot is scheduled to be repaved on those days. **MOTION** by DuPlayee/Williams to approve the book sale out of the Town Hall basement, with parking at the Emergency Services Building if necessary. **MOTION CARRIED 5-0.** The Clerk noted that parking should be limited to the north end of the parking lot to leave room for fire responders to park.
- C. Discuss/Consider request from Cynda Solberg to waive the rental fee for the Town Hall for an Aspect Foundation foreign exchange program host family gathering on August 12<sup>th</sup>: Cynda

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Solberg and Dave Carlson provided information about Aspect Foundation and explained that the families receive no reimbursement for hosting the international students, although as coordinators Solberg and Carlson receive \$50 for organizing the event. The use of the Town Hall on August 12<sup>th</sup> would be by five families (15-20 people) for an hour or less. Williams had questions about the cost of the program to the students and where the money was used, stating that other foreign exchange programs she is familiar with do not compensate coordinators at all. **MOTION** by DuPlayee/Anders to waive the fee for the use of the Town Hall for a host family orientation on August 12. **MOTION CARRIED 5-0.**

- D. Discuss/Consider removal of cottonwood trees in the North portion of American Heritage Park: Tim Karls, 4555 Conestoga Trail, and Scott Boran, 4567 Conestoga Trail, stated that the cotton shed by the trees is creating a greater nuisance every year, clogging up air conditioners, lawn mowers, and swimming pool filters. Discussion was that it is only the female trees that shed cotton, and the cotton shedding has ended for this year. **MOTION** by Williams/DuPlayee to table and contact the Dane County Forester to see if the female trees can be identified. **MOTION CARRIED 5-0.**
- E. Review June Police activities: The Clerk had not received the June stats, and the on duty deputy was not yet present, however the Clerk did have an email from Deputy Grafton regarding confusion over the speed limit on a portion of Gaston Road. Consensus was to put up a 35 mph sign on the westbound side of Gaston just west of Gaston Circle. (Also see H. below.)
- F. Discuss/Consider issuing a RFP for 2016 insurance for the Town: The Clerk reported that the last time the Town went out for bid for insurance was in 2010, for 2011 insurance. A Rural Mutual agent had contacted her wondering if the Town is taking quotes for 2016 insurance. **MOTION** by Williams/Fonger to offer Rural Mutual an opportunity to submit a quote to be compared to the renewal premium from the current carrier. **MOTION CARRIED 5-0.** The RFP used back in 2010 will be adequate with some updating.
- G. Discuss/Consider adoption of a resolution to send to the WTA for the next legislative session regarding effects of ETJ and levy limits on Smartgrowth Planning: Atty. Connie Anderson had drafted the resolution at Hampton's request, and provided an email memo to accompany it. **MOTION** by Anders/Fonger to adopt Resolution 2015-04 Requesting WTA and DCTA Action on Legislative Initiatives to Protect Viability of Towns as presented. **MOTION CARRIED 5-0.** The Clerk was directed to send it to the Wisconsin Towns Association, and Anders will present it to the Dane County Towns Association Executive Board.
- H. Deputy Brian Biwer arrived, and did have the June call statistics, however a software upgrade had interfered with the ability to provide information on citations. There were 239 calls for service in June, of which 122 were traffic related. Biwer also reported that:
1. A component of the video system at the police station was taken by the Village police department when they moved out, and Deputy French is attempting to find out what it will cost to replace. Biwer was advised that this would be the year to take care of it since there is money in the budget for such unexpected expenses with the new startup of the Town's police department.
  2. The fire extinguishers at the police station are due for their checkups. Smith will schedule it along with the ones at the Town Hall.

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3. Deputies Biwer and French have been flexing their hours once a week or so to be present on Vilas Hope road during the morning commute.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton received:

1. Notice from the WDOT regarding an extension of Meier Road between Femrite Drive and Millpond Road.
2. Notice from Hydrite Chemical of revisions to their Feasibility Plan of Operation.

V. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Calls are up by 100 over last year, and run fees are already at 80% of budget. Progress is being made on a new union contract.

VI. Adjournment: **MOTION** by Fonger/DuPlayee to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:13 P.M.

Kim Banigan, Clerk  
Approved 08-03-2015

**COTTAGE GROVE TOWN BOARD**  
**BOARD RESOLUTION NO. 2015- 04**

**RESOLUTION REGARDING**  
**REQUESTING WTA AND DCTA ACTION ON LEGISLATIVE**  
**INITIATIVES TO PROTECT VIABILITY OF TOWNS**

**WHEREAS**, the Town of Cottage Grove has actively engaged in comprehensive land use planning for many years, and has pursued options such as Transfer of Development Rights programs in an attempt to preserve the rural nature of the Town while directing residential and other development to appropriate areas within the Town; and

**WHEREAS**, in an effort to achieve various community-wide land use goals, the Town conducts multiple public meetings to solicit input from its residents, seeks advice from its legal and planning consultants regarding the options available, evaluates community needs and adopts comprehensive land use plans as required by law; and,

**WHEREAS**, prior to approval, the Town's comprehensive plan is distributed to adjacent cities, villages and towns, who then have an opportunity to comment on the planning initiatives set forth in the Town's proposed comprehensive plan; and,

**WHEREAS**, after spending many many hours and thousands of tax dollars on this comprehensive planning process, the Town often finds that its comprehensive plan is defeated because the Town does not have the statutory tools necessary to actually implement the Town's State-mandated comprehensive plans while cities and villages have statutory tools to easily defeat the Town's comprehensive planning effort; and

**WHEREAS**, based on numerous examples where the Town's land use goals have been frustrated by limitations imposed by State law, the Town Board wishes to set forth certain conclusions and recommendations related to State-mandated comprehensive planning and the limitations imposed on towns and local control by the State, all as set forth herein.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Town Board of the Town of Cottage Grove as follows:

1. The Town Board does not wish to be subjected to levy limits set by the State. The Town already knows how to operate efficiently and without long-term debt, and does not need advice from the State as to how the Town should spend its residents' tax dollars. Levy limits impose artificial standards and create incentives for budget levels that do not necessarily reflect Town residents' wishes or public infrastructure requirements.
2. The Town Board is particularly frustrated by levy limits set by the State because of numerous unfunded State mandates imposed on the Town, including but not limited to State-mandated comprehensive planning.
3. The Town Board does not wish to engage in State-mandated comprehensive planning unless the State is also willing to allow towns to have greater local control over its

land use decisions. The Town Board does not wish to expend its taxpayers' dollars on detailed plans that cannot be implemented.

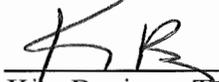
4. The Town Board finds that the extraterritorial jurisdiction (ETJ) authority that cities and villages have over towns is particularly unfair to towns and requests legislation that rebalances the burdens and benefits associated with ETJ authority.
  - a. The ETJ authority that cities and villages have over town lands has long defeated rural land use priorities such as protection of farmland and agricultural preservation areas.
  - b. Cities and villages are given the opportunity to review adjacent towns' comprehensive plans prior to adoption. The State statutes need to create an incentive for cities and villages to pay particular attention to plans set forth in the ETJ. If a city or village fails to comment or object to plans described in a town's comprehensive plan that fall within that municipality's ETJ, there needs to be a consequence.
5. As a member of the Wisconsin Towns Association (WTA) and Dane County Towns Association (DCTA), the Town Board requests that WTA and DCTA evaluate legislative options to enhance town rights as set forth in this Board Resolution. Action is needed if towns are to remain a viable local governance structure in the State.

This Resolution was duly adopted by the Town Board of the Town of Cottage Grove at a duly noticed meeting held on July 20, 2015, by a vote of 5 in favor, 0 opposed, and 0 abstained.

**TOWN OF COTTAGE GROVE**

  
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Kris Hampton, Town Chairperson

*Attested by:*

  
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Kim Banigan, Town Clerk