

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
AUGUST 17, 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, Highway Superintendent Jeff Smith and Deputy Jennifer Grafton.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on August 3, 2015 as printed. **MOTION CARRIED 4-0-1** (Fonger abstained).
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23863-23914 as presented. **MOTION CARRIED 5-0.**
  - 2. The Treasurer asked that August per diem reports be submitted by September 4<sup>th</sup>.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Reconsider decision on rezone of 1.57 acres from R-2 to A-2(1) for 4672 Vilas Road, parcel 0711-061-9110-9 owned by Kent J. Staudt: The Clerk reported that at the last meeting, the height limit stated for accessory buildings on R-2 zoned property was mistaken, and the correct limit of 12 feet will not allow Mr. Staudt to put up a building tall enough to store his farm machinery. Discussion was that the 35 foot maximum height limit under A-2 zoning would be more than adequate, although siting the building on the corner lot may pose a challenge. Romayn Rote, 2964 Gaston Road, raised several questions as to the activities taking place on the property, including campers that appeared to be lived in and tenants in the house. Staudt stated that he had been allowing acquaintances to store their campers there and use them occasionally while they are working in the Madison area, but has already put a stop to this now that he understands it is not allowed, and he does have room mates to who share the expenses of living in the large house. Hampton said that the Dane County Zoning Inspector has been there at least twice and has found no evidence of sewage from the campers being released onto the ground or into the septic system. Hampton asked Staudt to remove any inoperable vehicles and work on remedying the general disrepair of the property. **MOTION** by Fonger/Williams to approve a rezone of 1.57 acres from R-2 to A-2(1). **MOTION CARRIED 5-0.** It was noted that email correspondence from Dane County Zoning Inspector Roger Lane indicated he thought the ZLR Committee would be OK with this change that goes against the Town's Comprehensive Plan for the property as long as the Town Board was in support of it.
- B. Attorney Connie Anderson:
  - 1. Recommendations regarding Adaptive Management-Draft Intergovernmental Agreement: See attachment for Anderson's written recommendations, which centered on three issues:
    - a) Does the Town want to use adaptive management practices to comply with the MS4 stormwater permit requirements regarding phosphorus and total suspended solids, and does this cooperative approach make sense for the Town? Consensus was that this would be the most fiscally responsible approach, although the draft does not yet

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say anything about how costs will be allocated. Anderson said she was told that the costs had intentionally been left out of this draft to focus attention on the agreement itself.

- b) Membership of the governing committee as drafted does not make sense to Anderson, she suggests using the new MMSD statutory language as a model.
- c) The Town's stormwater data is 10 years old, is it still accurate, or should a new study be conducted? The levels in the data will most likely be a factor in the calculation of Town's cost under the agreement. The question is whether development in the MS4 area over the past 10 years has worked to reduce the TDML.

**MOTION** by Hampton/DuPlayee directing Atty. Anderson to send the concerns identified tonight to David Taylor of MMSD, for interpretation into the future draft.

2. Implications on the Town from 2015-17 State Budget legislation: 2015 Act 55 included 114 non-fiscal policy items. Atty. Anderson highlighted those that may have the greatest implications on the Town, including:
  - Recycling Grant funding is cut for SFY2015, but restored for SFY2016.
  - Shared revenue was not changed.
  - Levy limits are still based on net new construction, but a 5% / 5 year carryover is now allowed.
  - Municipalities may not impose time of sale requirements on properties.
  - Tax increases allowed by referendum must be tracked on tax bills.
  - Levy Limit adjustments for service transfers were vetoed, which means they are not prohibited but also not addressed in the statutes, although there is DOR policy on this matter.
  - Dane County could convert any levy for garbage collection to fees without negatively impacting their levy, which could mean higher tipping fees.
  - Tax settlement payments for special assessments and charges from counties to municipalities are now permissive rather than mandatory.
  - Significant changes were made to transfer authority from CARPC to the DNR.
  - Towns contiguous to a third class city and meeting certain requirements now have a new method to incorporate.
  - General Transportation Aids are increased.
  - No changes to the Local Roads or Town Road Improvement programs.
  - Prevailing wage is repealed for local public works projects effective January 1, 2017.
  - Existing culverts are exempt from the DNR permitting process when they need replacing.
  - Requirements for and state funding of bicycle and pedestrian trails for new highway construction was repealed.
  - The Interoperability Council is required to submit a report on WISCOM. Anders said this is important to DaneCom as WISCOM has been much more successful and could offer infrastructure to improve DaneCom's interoperability.

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- C. Review July Police Activities: Deputy Grafton reported that there were 204 calls for service in July, 109 of which were traffic related. Data on citations is not available, but she said it is getting more difficult to catch speeders as word gets out that the Deputies are present on Town Roads.
- D. Discuss/Consider equipment needs for 2011 Crown Vic squad car: A list of equipment provided by Deputy French was reviewed and deemed to be necessary. **MOTION** by DuPlayee/Anders to ask the DCSO to acquire the items on the list and bill us for them, cost not to exceed \$6,000. **MOTION CARRIED 5-0.**  
**MOTION** by DuPlayee/Williams to approve Dane County ISS to wire the building camera system to the Police Station computer system for a cost not to exceed \$500.00.
- E. Discuss/Consider additional storage for 2011 Crown Vic squad car: Two portable shelters were considered, but discussion was that these tarp based shelters do not hold up well to the weather. A hard shelled shelter will be researched for the next meeting.
- F. Discuss/Consider recommendations to departments regarding the 2016 Town Budgets: **MOTION** by DuPlayee/Fonger to direct department heads to strive for a 0% increase for 2016. **MOTION CARRIED 5-0.**
- G. Consider approval of attendees for the Wisconsin Towns Association convention in October: Hampton and DuPlayee expressed interest in attending the Monday session. **MOTION** by Hampton/Fonger to allow for two attendees, with no overnight stay. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the Draft 2016-2020 Transportation Improvement Program for the Madison Metropolitan Area and Dane County has been received and is available in the Town Office.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: An August meeting was held but not much was accomplished since there was no Village representation due to Lemay's resignation from the board.
- B. Town Parks Committee: A group of residents requested a new play structure at the Cedar Knolls park, and indicated their willingness to donate labor for installation and possible fund raising efforts. They were given until October 1<sup>st</sup> to come back with which one they prefer.
- C. Smith suggested creating an ordinance disallowing concrete in the portion of private driveways that meets town roads after several complications were encountered in the recent overlaying of American Way.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:05 P.M.

Kim Banigan, Clerk

Approved 9/08/2015