

**VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES**  
**&**  
**TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS**  
**Thursday, January 4, 2007**

**Minutes**

1. *Call to Order of Village Board of Trustees:* President Dahl called the Village meeting to order at 7 p.m. There were eight citizens in attendance.
2. *Call to Order of the Town Board of Supervisors:* Town Chair Kris Hampton called the Town meeting to order at 7:01 p.m.
3. *Village Roll Call & meeting properly posted.* In attendance were Jack Henrich, Kevin Hoey, Randy Margenau, Diane Wiedenbeck, and Ken Dahl. Absent were Rachel Beck who was excused and Larry Schoenemann, who was excused until he arrived at 7:30 p.m.
4. *Town Roll Call & meeting properly posted.* In attendance were Karen Kessenich and Kris Hampton. Absent were Mike Klinger, Dave Morrow and Steve Anders. Steve Anders arrived at 7:10 p.m.
5. *Pledge of Allegiance.*
6. *Public Appearances - Public's opportunity to speak to Board Members about any item that is not an agenda item.*

Police Chief John Gould asked both municipalities to contact the Office of Justice Assistance to ask that the grant of \$5400 be given to Landmark in the next funding cycle. Chief Gould and both communities would like to see increased security at the Landmark Agronomy anhydrous ammonia tank storage area because the ammonia is a product used in meth-amphetamine production and should be better protected from theft and terrorism.

Carl Pulvermacher, of 2525 Main Street, Town of Cottage Grove, representing the Cottage Grove Soccer Program, asked to be included when the Town and Village make decisions about recreation program fields and facilities.

*Steve Anders arrived at 7:10.*

Pulvermacher stated that because of the topography, soccer play will not work at Fireman's Park. He asked to use the fields in the Town and was responded to positively by the Town Board. Parking has been a problem at the fields in the Village, which the Town believes won't be problematic at Town fields.

Pulvermacher stated that the Soccer Booster club would donate money for the soccer fields they hope could be included in the new Middle School plans. He also suggested that the club may be able to acquire five additional fields at the Middle School so a soccer complex could be added. He emphasized that there are 400 children in the soccer program.

Margenau stated that the decision of field build and use will be the School Board's, not the Village or Town's.

The association is merging the soccer program with Monona but the 4<sup>th</sup> grade on down will still be playing in Cottage Grove. To have fields in Cottage Grove for the high school soccer program would be beneficial.

*Larry Schoenemann arrived at 7:30 p.m.*

Mike Vavrus of 504 School Road who is also involved with the soccer program, echoed Pulvermacher's concerns and emphasized the immediate need that the soccer program has for fields. He would like a plan mapping out which fields can be used by the soccer association, as he stated that he doesn't feel that the town and village are making field use available to the soccer clubs.

Hoey said that with Jacob Tissue's leadership, these issues can be addressed and that the soccer association is most welcome to attend the recreation and parks meetings. Margenau stated that Recreations' goal is to increase the total number of fields, all fields for all sports. Impact fees collected from homeowners and/or developers cannot be used for building Fireman's Park or fields on school properties, and the funding must be from a different source.

7. *Discussion on Emergency Medical Services for the Village and Town.* **Motion** by Hoey to table the EMS discussion, seconded by Hampton. **Motion** carried with a unanimous voice vote of 9-0-0.

8. *Discussion on the possible use of Town parks for the Joint Recreation Programs.*

Anders talked about the parks in the Township, among which there are good practice fields, and also stated that they were underutilized. He invited Pulvermacher and Vavrus to use the parks, which also have ample parking. Kessenich was asked to bring park facility information to the next Joint Recreation meeting.

Ideas were offered by the Boards:

- Develop a website that would accommodate the parks schedule.
- Develop the appropriate use after an inventory of all the Town and Village parks; do a site visit of them all to see which fits what program.
- On the third Thursday of the month the Joint Recreation Committee meets at Village Hall. This month it is on Jan. 18<sup>th</sup>. The community and Vavrus and Pulvermacher are invited to attend.
- Develop Fireman's Park for rugby and soccer fields instead of these programs using the park by the landfill.

9. *Discussion on the Town/Village boundary agreement.*

There is a boundary agreement meeting at Vandewalle on Jan. 31 between the Town and Village. The meeting will focus on some of the technical aspects of TDRs and where development is possible in the Town and the Village. They are trying to mesh all three agreements: one is between the City and the Town; one is between the Town and the Village, and one is between the City, Town and Village. After this initial meeting, the Town and Village will move ahead with their boundary agreement irrespective of the what continues with the agreement with Madison.

The meeting with Madison for the three way agreement is scheduled for February 14th with Mike Slavney at Vandewalle's office. There will be a Village informational meeting towards the end of April presenting to the public the progress made thus far on the boundary agreement.

10. *Discussion on development process for the Monona Grove Middle School and Roads.*

MSA is working on a traffic area assessment from Damascus to Buss Road. There will not be an impact on those parcels currently developed. If the parcels on Damascus are developed (or when developed) the accrued bill for the improvement to the roadways will be assessed. The question of what impact development will have on CTH BB is what is being answered with the MSA study. They have to use standard national principals to evaluate this. Vehicle trips are the basis for this kind of study.

The reason for this study is also that the Village is borrowing money to do the road improvements with the understanding that someday the Village can recoup the money via each development receiving an assessment for the impact to traffic on BB.

Dahl stated that they are trying to fit the stop and go lights in on BB and Damascus and may

need more property in order to fit them properly. Hampton asked to be informed as decisions are made. Coyle continues to be responsible for improvements on BB, just as they are now.

11. *Approve the Minutes of December 7, 2006 regular meeting.* **Motion** by Wiedenbeck to approve the minutes of December 7, 2006 with corrections, seconded by Hampton. **Motion** carried with a unanimous voice vote of 9-0-0.

12. *Discuss and consider the creation of a Police Commission (Tabled from the 12-7-2006 Joint meeting.) by adoption of the joint Resolution.*

**Motion** by Margenau to approve the creation of a Police Commission, seconded by Anders. State statute says that once a municipality's population reaches 5000, they must form a Police Commission. Hampton stated that the Town discussed not appointing the Police Commission during the hiring of the next officer. It was agreed that the Police Commission will be formed in August, 2007.

The Police Disciplinary Commission has never met in the fifteen or sixteen years they have been in existence. The Disciplinary Commission would disappear once the Police Commission is instituted. Annual review of police will also be done by the Police Commission. Citizens on the Commission will serve staggered terms. The LEC continues to oversee the budget. The Commission will consist of two members from the Town and two members from the Village, none of them being elected officials.

**Motion** carried with a unanimous voice vote of 9-0-0.

13. *Update on Joint Boundary Agreement with City of Madison, Town of Cottage Grove and Village of Cottage Grove.*

Jim and Doug Bradt of 4321 Vilas Road asked the Boards when landowners are going to be involved in the discussion of the buffer zone between the three municipalities. Dahl answered that a public meeting or listening session will occur when there is something agreed upon that could be presented. Citizens' comment will be taken back to meetings of the three entities for consideration. It is anticipated that how parcels are zoned today will be what they will stay zoned for now and possibly for the next 20 years.

Loren Kylo of 4341 Vilas Road wondered what will happen to his land. He was assured that via the agreement with Madison, for the next 20 years at least, his land will not be annexed by Madison.

The zoning will not change because no annexation will be done in the agreed upon boundaries. ETZ decisions will take the zoning decisions away from the County. The comprehensive plans are fluid and may change in the future. A long discussion ensued about boundaries between Madison and the Town and whose ETJ their lands fall into.

Jim and Doug Bradt stated that they want to be able to choose what to do with their land (golf course). They are not contiguous to Madison, so Madison cannot annex them.

14. *Items for next agenda:*

1. Discussion on Emergency Medical Services for the Village and Town;
2. Discussion on the possible use of Town parks for the Joint Recreation Programs;
3. Discussion on the Town/Village boundary agreement;
4. Update on Joint Boundary Agreement with City of Madison, Town of Cottage Grove and Village of Cottage Grove.

15. *Motion to move into Closed Session by Town Supervisors.* 9:25

At 9:25 p.m., **motion** by Hampton to move into Closed Session, seconded by Kessenich. **Motion** carried with a unanimous roll call vote of 3-0-0.

16. *Motion to move into Closed Session by Village Trustees.* **Motion** by Wiedenbeck to move into Closed Session, seconded by Schoenemann. **Motion** carried with a unanimous roll call vote of 6-0-0.

President Dahl called for a short recess.

17. **Closed Session:**

**The Village of Cottage Grove Board of Trustees and the Town of Cottage Grove Board of Supervisors will enter into Closed Session pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session; land sales/purchase; lease agreements; intergovernmental agreements; development matters: Emergency Medical Services & Ambulance.**

18. *Town motion to return to Open Session:* **Motion** by Hampton to rise from Closed Session at 10:17 p.m., seconded by Kessenich. **Motion** carried with a unanimous roll call vote of 3-0-0.
19. *Village motion to return to Open Session:* **Motion** by Wiedenbeck to rise from Closed Session, seconded by Hoey. **Motion** carried with a unanimous roll call vote of 6-0-0.
20. *Adjournment of Town Meeting:* **Motion** to adjourn the Town Meeting by Hampton, seconded by Anders. **Motion** carried with a unanimous voice vote of 3-0-0.
21. *Adjournment of Village Meeting:* **Motion** to adjourn the Village Meeting by Wiedenbeck, seconded by Hoey. **Motion** carried with a unanimous voice vote of 6-0-0.

The meetings were adjourned at 10:19 p.m. and 10:20 p.m., respectively.

Respectfully submitted,  
Susan M. Harper  
Village Clerk/Treasurer

Approved: 2/01/2007

These minutes represent the general subject matter discussed in this meeting but **do not** reflect a verbatim documentation of the subjects and conversations that took place.

**TOWN OF COTTAGE GROVE RESOLUTION 2007-01**

**JOINT RESOLUTION  
OF THE VILLAGE OF COTTAGE GROVE  
AND THE  
TOWN OF COTTAGE GROVE AUTHORIZING THE CREATION OF  
A POLICE COMMISSION**

WHEREAS, the VILLAGE OF COTTAGE GROVE (hereafter VILLAGE) and the TOWN OF COTTAGE GROVE (hereafter TOWN) have jointly created the COTTAGE GROVE POLICE DEPARTMENT (hereafter CGPD); and

WHEREAS, the creation and continuation of the CGPD pursuant to the authority provided to the VILLAGE and TOWN pursuant to the WISCONSIN STATUTES, was reaffirmed in the COTTAGE GROVE JOINT LAW ENFORCEMENT AGREEMENT (hereafter AGREEMENT); and

WHEREAS, the AGREEMENT provides for the creation and organization of a JOINT LAW ENFORCEMENT COMMITTEE (hereafter LEC) which oversees the general operations and management of the CGPD; and

WHEREAS, after study and review which includes contacting the other four JOINT POLICE DEPARTMENTS and JOINT COMMISSIONS existing in the State of Wisconsin, the LEC is recommending the creation of a POLICE COMMISSION subject to the following:

NOW THEREFORE, IT IS RESOLVED BY THE VILLAGE and the TOWN as follows:

- A POLICE COMMISSION be created pursuant to Wisconsin Statutes 62.13.
- The POLICE COMMISSION shall consist of four citizens, two from the VILLAGE and two from the TOWN, three of whom shall constitute a quorum.
- One appointee from the VILLAGE and the TOWN shall be appointed for a two year term.
- One appointee from the VILLAGE and the TOWN shall be appointed for a three year term.
- Members terms shall be staggered so that not more than two such appointments are made annually.
- Members shall continue to serve until their successors are appointed and confirmed.
- The Chairperson of the POLICE COMMISSION shall be from the opposite municipality as the Chairperson of the LEC. The term shall be for one year.
- The appointees shall not be elected officials of the municipalities.
- POLICE COMMISSION would meet at least twice a year with at least one meeting being conducted in August/September time frame for budget purposes. The POLICE COMMISSION may also meet on an “as needed” basis and at the request of the Chairperson, the Police Chief, the Village President or the Town Chairman.

- COMMISSION Chairperson should report back to the Joint Board Meeting of the Town of Cottage Grove Board of Supervisors and the Village of Cottage Grove Board of Trustees at their regular meeting immediately following the committee meeting.
- The POLICE COMMISSION shall be granted powers to hire, discharge and discipline employees as provided in Wisconsin Statutes 62.13(5) and Wisconsin Statutes 62.13 (6m), and shall be responsible for policy and procedures pertaining to promotions and discipline.
- Compensation for POLICE COMMISSION members shall be determined by their respective municipality.
- The organization and duties of the LEC shall remain the same except that the following sections shall be deleted from the AGREEMENT:

2.2.5

2.2.5.1

2.2.5.2

2.2.6

All of Section 3.

Resolution adopted this 4th day of January , 2007.

(SIGNED COPY AVAILABLE IN THE TOWN OFFICE)

VILLAGE OF COTTAGE GROVE

TOWN OF COTTAGE GROVE

\_\_\_\_\_  
Village President Ken Dahl

\_\_\_\_\_  
Town Chairman Kris Hampton

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
FEBRUARY 1, 2007

1. Town Roll Call and Meeting Properly Posted: Present were Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders and Karen Kessenich, as well as Clerk Kim Banigan. Supervisor Mike Klinger arrived at 7:02 P.M. A quorum was present and the meeting was properly posted.
2. Village Roll Call and Meeting Properly Posted: Present were President Ken Dahl, Trustees Jack Henrich, Larry Schoenemann, Randy Margenau, Rachel Beck, and Diane Wiedenbeck. Kevin Hoey arrived at 8:12 P.M. A quorum was present and the meeting was properly posted.
3. Chairman Hampton called the Town Board meeting to order at 7:00 P.M.
4. President Dahl called the Village Board meeting to order at 7:00 P.M.
5. Flag Pledge
6. Approval of Meeting Minutes(s)
  - a. **MOTION** by Wiedenbeck/Schoenemann to approve the minutes of the January 4, 2007 minutes with the following correction:

(6) At the top of page 2, final sentence: Impact fees collected from homeowners and/or developers cannot be used for building Fireman's Park or fields on school properties, and the funding must be from a different source.
7. Public Concerns: None.
8. Discuss possible use of Town parks for the Joint Recreation Program: Margenau reported that Recreation Director Jacob Tissue is evaluating Town parks for their potential for soccer and baseball, and suggested that those parks with baseball backstops may be made suitable for T-ball by the addition of screened benches. Margenau hopes to develop an online park reservation system to assist residents in determining park amenities and availability. He also reported that Town resident participation in fall and winter recreation programs is back up to around 30% of total participants.
9. Discuss Emergency Medical Services for the Village and Town: This item was postponed until the anticipated arrival of Kevin Hoey.
10. Discuss Town/Village Boundary Agreement: Town and Village representatives have met, and the Village Plan Commission will discuss using Town TDRs when land is annexed for residential development. Dahl noted that TDR use in the Village would be based on acreage when annexed, not housing units. He stated the intent to bring in consultants with experience working with TDRs, since precedents to this approach do not exist in Wisconsin.

Kessenich asked for clarification regarding the agreements in negotiation, Hampton and Anders explained that there are actually three separate boundary agreements in progress: 1)

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between the Town and Village of Cottage Grove, which would deal primarily with areas in the Town under Village Extraterritorial Jurisdiction 2) between City of Madison and Town of Cottage Grove, which would deal primarily with areas in the Town under City Extraterritorial Jurisdiction, and 3) a 3-way agreement between the City, the Town and the Village, which would envelope all three agreements, and would be the one that is submitted to the State.

Kessenich asked about what goes on in the meantime, in the absence of a Town/Village Boundary Agreement, suggesting that there be something in writing to hold off on any annexations until an agreement is reached. Margenau stated that relations between the Town and Village are currently in good standing, and the most recent annexation petition did not make it through the Village Plan Commission.

Jim and Doug Bradt, owners of the Door Creek Golf Course, stated for the record that they are opposed to their property being included in the proposed community separation area as is being negotiated with the City of Madison, as it would limit the economic potential of their property. They want to what the compensation to affected landowners will be. Jim Bradt asked about a fund from the Village to pay for conservation easements in the Town of Sun Prairie, wondering if something similar could be established to compensate Town of Cottage Grove residents in the community separation area. Dahl explained that it is revenue sharing from the business park, and does not work for residential property.

Jim Bradt asked about the state of the Town's TDR program, and whether the sending and receiving areas will stay the same. Hampton stated changes may occur at some point to match wherever the City and Village want to see development vs. preservation.

Thomas Krizan, who purchased 40 acres on County Road BB in the 1960's as an investment, stated that if his land is included in the separation zone, it will be worth nothing to him, and he feels he should be compensated somehow.

Wiedenbeck asked how many acres are in this category, Jim Bradt stated 2400 acres, then asked why the Town is entering into this agreement that will limit landowners' options for 20 years, rather than letting the market determine when development should occur, and Doug Bradt asked how the Town would benefit from the agreement. Hampton and Anders explained that the City and Village could agree without the Town involved, but by being involved, the Town hopes to negotiate areas that will be exempt from Extraterritorial Jurisdiction, so landowners hoping to develop in those areas would only have the one municipality to deal with. The Town also hopes to negotiate the use of Town TDRs for development that is allowed under the agreement, thus compensating Town landowners who are not in the areas of planned development.

Loren Kylo owns a parcel that he thought was designated for future development on both the Town and Village plans, but now looks like it will fall into the separation area. While he likes the idea of only dealing with one governmental entity, he would like the opportunity to argue against his property being in the separation zone. Anders and Dahl explained that there is still a lot of work to be done on the agreement, that the process of determining exactly

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which parcels will be in the separation zone has not even begun, and that once the plan is “fleshed out”, there will be opportunities for public input at public hearings.

11. Update on Joint Boundary Agreement with City of Madison, Town of Cottage Grove, and Village of Cottage Grove: discussed under 10. above.
12. Discuss how to maintain fence between agricultural property owned by Bowers and Horstmeyer in the Town and Quarry Ridge development in the Village. Joseph Bowers and Janice Horstmeyer were in attendance. Bowers was seeking assurance that the fence and berm will remain as the lots are developed, stating their advantages to both parties, as a barrier to deter children and pets from straying onto agricultural land, and to stop trash blowing from the west from reaching the Quarry Ridge development. Dahl stated that the Village fence ordinance requires a fence between the residences and any actively farmed land. The ordinance was changed in 2005 or 2006, and the current version may not be posted on the Village’s web page yet. Dahl will consult with the Village engineer to determine whether the berm is for stormwater control, which would mean it must remain.

(Skip to Agenda item 16 until Hoey arrives)

16. Update on Flynn Hall Agreement: Hampton asked if the Village Board has reviewed the Second Addendum to the Flynn Hall agreement, stating that all other parties have signed the agreement. Dahl acknowledged that he has received a list of uses of Flynn Hall, but the Village Board has not discussed it yet.
17. Items for next agenda and meeting date: Next meeting will be March 1<sup>st</sup> at the Village hall, agenda items to include:
  - a. Use of Town parks for Joint Recreation Program
  - b. EMS
  - c. Discussion of Town/Village Boundary Agreement
  - d. Discussion of Town/Village/City Boundary Agreement
  - e. Update on Fence between Bowers and Horstmeyer property and Quarry Ridge
  - f. Update on Flynn Hall Agreement

Kevin Hoey Arrived  
(Return to item 9.)

9. Discuss Emergency Medical Services for Village and Town: Hoey reported that no new director has been announced yet, and that interim director Kim Jack has withdrawn her name from the list of candidates. Hoey expects a call from Wheeled Coach tomorrow regarding the ambulance that was ordered and canceled for Cottage Grove EMS, and plans to turn the discussion over to Village Attorney Boushea. The ambulance purchase agreement contains no language regarding a cancellation fee. The computers purchased for Cottage Grove EMS are at the Village Hall, and the bill was given to Village Administrator Manley for payment. The computers will be held until the outcome of Deer-Grove is known.

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(Return to item 13.)

13. CONSIDER/ADOPT MOTIONS TO MOVE TO CLOSED SESSION PURSUANT TO WISCONSIN STATUTE 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: EMS.

**MOTION** by Anders/Klinger for the Town Board to move into closed session. **Roll call vote: Morrow, Anders, Hampton, Kessenich, Klinger – all ayes.**

**MOTION** by Dahl/Schoenemann for the Village Board to move into closed session. **Roll call vote: Henrich, Hoey, Schoenemann, Beck, Wiedenbeck, Dahl - all ayes.**

The boards moved into closed session at 8:17 P.M.

14. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION:

**MOTION** by Anders/Morrow for the Town Board to reconvene to open session. **Roll call vote: Morrow, Anders, Hampton, Kessenich, Klinger – all ayes.**

**MOTION** by Schoenemann/Hoey for the Village Board to reconvene to open session. **Roll call vote: Henrich, Hoey, Schoenemann, Beck, Wiedenbeck, Dahl - all ayes.**

The boards reconvened to open session at 9:22 P.M.

15. Action, if any as a result of the closed session: No action taken.

16. & 17. discussed above.

18. Adjournment of Town Meeting: **MOTION** by Morrow/Kessenich to adjourn the Town Board meeting. **MOTION CARRIED 5-0.**

19. Adjournment of Village Meeting: **MOTION** by Wiedenbeck/Schoenemann to adjourn the Village Board meeting. **MOTION CARRIED 7-0.**

The meeting ended at 9:23 P.M.

Kim Banigan  
Town Clerk

Approved 4/05/2007

**JOINT MEETING OF THE  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
And The  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
Thursday, March 1, 2007**

1. *Call to Order*
  - a.) *Village Board of Trustees*: President Dahl called the Village Board to order at 7:00 p.m.
  - b.) *Town Board of Supervisors*: Chairman Hampton called the Town Board to order at 7:00 p.m.There were 23 citizens in attendance.
2. *Roll Call & meeting properly posted.*
  - a.) *Village Board of Trustees*: The roll was called with Trustees Rachel Beck, Jack Henrich, Kevin Hoey, Randy Margenau, Larry Schoenemann, Diane Wiedenbeck and President Ken Dahl in attendance. The meeting had been properly posted.
  - b.) *Town Board of Supervisors*: The roll was called with Supervisors Karen Kessenich, Steve Anders, Dave Morrow and Chairman Kris Hampton in attendance. Supervisor Mike Klinger was absent. The meeting had been properly posted.
3. *Pledge of Allegiance.*
4. **Public Appearances** - *Public's opportunity to speak to Board Members about any item that is not an agenda item.* Mr. Joe Bowers appeared before the Board to speak about the fence between his agricultural property and the Quarry Ridge Estate Development. His concerns are not addressed in the Village's fence ordinance, nor are they covered in the covenants for the Quarry Ridge development. President Dahl stated that he sent the question to the Village Engineer at MSA and hasn't heard back from them yet. This issue has also been placed on the Plan Commission agenda and will be revisited by the Joint Boards at their next meeting, April 5.
5. *Discuss and consider the possibility of enacting the Village Environment, Natural Area and Tree Board Committee's recommendation for proactive removal of ash trees in the Village and Town [on public property].* Village Trustee Wiedenbeck shared the information the Village Tree Board has been discussing about the emerald ash borer and the proactive possibility of culling the ash trees from Village public lands. She expressed her desire to include the Town if they would like to partner with the Village in exploring options for how to deal with this new pest. The next Environment, Natural Area and Tree Board Committee meeting is Wed. March 7<sup>th</sup> at 6:30 p.m., to which Wiedenbeck invited the Town. Supervisor Morrow asked for more data from the DNR before making any pre-emptive decisions. The mountain ash is not affected by the borer, but the white and green ash trees are. The culling of the ash trees would occur over a five year period. There may not be a cure coming and the borer will arrive in Wisconsin; the question of when it will arrive remains unanswered. This proposal by the ENAT Committee will not be considered for funding until the 2008 budget year, so there is time to consider alternatives.
6. *Discuss and consider the joint Resolution extending the Extraterritorial Zoning between the Village and Town of Cottage Grove.* The area this agreement pertains to is west of CTH N. This agreement would take the zoning out of the County's hands and put it under local control. The agreement will not change the current zoning of the land. If the ETZ works, it will mesh the Town and Village master plans for the areas on the west side. Jim Bradt asked why the ETZ was only on the west side. The Boards stated that if the ETZ works, it could be used on the south and east sides too.
  - a.) *Resolution motion by Town*: **Motion** by Hampton to approve the joint Resolution extending the Extraterritorial Zoning between the Village and Town of Cottage Grove with the condition of changing the month {stated twice} in the body of the resolution from March to April, seconded by Anders. **Motion** carried with a unanimous voice vote of 4-0-0.
  - b.) *Resolution motion by Village*: **Motion** by Wiedenbeck to approve the joint Resolution extending the Extraterritorial Zoning between the Village and Town of Cottage Grove with the condition of changing the month {stated twice} in the body of the resolution from March to April, seconded by Schoenemann. **Motion** carried with a unanimous voice vote of 7-0-0.
7. *Discuss and consider the update on the improvements for the railroad crossing on Vilas Road.* The new signals will be replaced at no cost to the Town or Village. The Village Administrator asked the railroad safety inspector if having traffic arms at the crossing would increase the safety at Vilas Road because it is not an at-

grade crossing. The inspector said that it would increase the safety. The Railroad Commission will cover half of the costs for these traffic arms, which leaves \$5500 for each municipality to pay. The consensus of the Town Supervisors was that no arms are needed at the Vilas Road crossing.

**Motion** to table this discussion by Schoenemann until more information is available, seconded by Morrow.

**Motion** carried with a unanimous voice vote of 11-0-0.

8. *Discuss and consider the possibility of rejoining the cable TV:* At one time the Town and Village had a joint cable committee. With the new middle school being built, the school district has asked for one cable channel dedicated to school issues and with the other used for government, with some cross over between the two. The Township has fallen away from filming their meetings due to infrastructure costs. The Town has channel 4 while the Village has channel 12. Anders expressed his willingness to work with the Village if agreed upon by the Town because he would be interested in having a cooperative group. He also thinks it would be a good investment to join forces when the time comes to renegotiate with Charter. Anders will be included at the Village's next Public Relations meeting where the cable network is discussed, and will be on the agenda. Anders recommended that the audience call Charter and call the Department of Agriculture, Trade and Consumer Protection if they are having trouble with their cable.
9. *Update on the Town/Village Intergovernmental Agreement.* Once this agenda item was read, it was meshed with agenda item #10. Those who wanted to speak to this item were all heard under agenda #10.

A lengthy discussion ensued between Town Supervisor Kessenich, Town Chairman Hampton and Village President Dahl about whether or not the meetings between the Town, Village and the City of Madison violated the open meetings law.

*10. Update on the Joint Boundary Agreement with City of Madison, Town of Cottage Grove, and Village of Cottage Grove.*

A number of Town residents appeared before the Board to voice their opposition to the ETZ and open space proposals as they understand them from the meetings they have attended in their neighborhoods.

Tim Connery of 3234 CTH N is against a three way boundary agreement that does not include public input.

Gail Hefty of 3798 CTH N is against it but chose not to speak.

Jay Sitts of 3798 CTH N is against it but chose not to speak.

Judith Klongland of 3108 Gaston Road is against it but chose not to speak.

Maureen Casey of 2525 Peiper Road is against it but chose not to speak.

Thomas Krizan of 4547 Stein Avenue, Madison, WI is against it but chose not to speak.

Don Klongland of 3108 Gaston Road spoke against the open space agreement. He stated that the green space proposal will take away the possibility of developing his land which he has counted on to finance his retirement. He also stated that he never received any letter telling him that this change was under consideration. He feels it is unfair that he can't sell his land for the same amount as the person across the road who will be able to develop their land. He would like to have input while the process is in motion, not at the end once the municipalities have come to an agreement.

President Dahl stated that Madison hasn't said anything specific and no agreement has been made. The only product out of the meetings is the map that has been made available to the public. He told the audience that there will be public input when there is something to present, but that it is premature to share anything now because there is nothing to share. Dahl stated that nothing will change via the agreement because the property owners will have the same rights in the future as they do now.

Supervisor Anders stated that one of the reasons to work on the tri-municipal agreement is to keep the splits in the Town lands because once Madison annexes Town land, the splits will be gone. He also wants to negotiate the taxes realized from land annexed by Madison similar to the agreement the Town has with the Village.

Loren Kylo of 4341 Vilas Road said that he has plans, as does everyone else for the future, where he would develop some of his acreage and build another house on it for his own use. To have those plans abruptly changed without the opportunity to come and talk about it doesn't seem right to him.

9:04 Town Supervisor DAVE MORROW was excused from the Joint meeting.

Trustee Margenau said that the tri-municipal agreement comes from the perspective of: "Are we going to be the stewards of what we agree are the Town and Village of Cottage Grove?" He hopes that all residents will step forward to talk about the future of all the plans affecting the municipalities.

A Village Trustee stated that the comprehensive plans are created in order to do long term municipal planning. There is no guarantee that what is planned for today is going to even happen now or in the future.

Mr. Klongland said that if they are notified when their neighbor builds a garage, they should be informed about the meetings that affect their land via the inter-municipal agreements. A Trustee stated that all of the information is posted and available on the Village and Town websites.

Jay Huston of 3845 Warren Street stated that the ETZ committee has been working on an agreement and that there are some areas of disagreement between the Town and Village's master plans. Most of the ETJ in the Town is within Madison's ETJ.

President Dahl said that the Village and Town discussions have been about wanting the ambiance of the farmland and open spaces but if the Town doesn't want that, then these boards have the wrong perception and residents should come forward to state their desires.

Jim Bradt of 4321 Vilas Road gave a petition to the Boards outlining his and his brother's [Doug Bradt of N6793 Sunset Road, Lake Mills, W] opposition to the green space plan. Doug Bradt shared an evaluation of their golf course that says the land will lose over 90% of its value if it is designated as permanent green space. Jim Bradt questioned the open meeting law being violated via the meetings between the Town, Village and City of Madison. Jim Bradt read a letter into the record detailing his objections to the potential green space, and the process used by both governing bodies. A copy of his letter is included attached to these minutes.

Debra Tomesh of 3990 Vilas Hope Road would like to hear things first hand and asked that the meetings between the Village, Town and Madison be recorded.

The final point made by the land owners is that they don't want their land termed green space for 20 years. They want market forces to determine the use of their land without any planning or controls by the Village, Town or Madison. The Trustees and Supervisors stated that Madison has the most control because their ETJ extends further into the Town than does the Villages. The Town Supervisors stated that the Town has the least control of what happens to Town lands and the agreement will help in having some self-determination.

President Dahl called for a five minute recess at 10:05 p.m..

The Joint meeting reconvened at 10:16 p.m.

11. *Discuss the use of Town parks for Joint Recreation Program:* Recreation Director Jacob Tisue inventoried the Town Parks. Cottage Grove soccer is going to use Bass Park. As the plans stand now for the Middle School fields, there is one football field, one baseball diamond and two soccer fields. The Village would like to resurface Northlawn Park. Discussions continue in the Joint Recreation Committee as to how to use the \$8000 paid by the Town for recreational purposes. The T-Ball program hopes to use Meadowgrove and Ravenwood Parks. There will be a split between five year olds and those younger so the younger ones will have an introduction to t-ball with a less structured approach. The Recreation Committee would like to take some fields out of use and rest them and rotate the parks. The Village website has a virtual tour of the parks, which would be a good idea for the Town fields also. The hope is to have an on-line scheduling process, so those wishing to rent the parks for functions, will know what athletic event is being held where and when.

12. *Items for next agenda.*

- a. Flynn Hall Agreement
- b. Railroad signals at Vilas Road
- c. Joint cable with the School District
- d. Update on Bowers fence
3. Joint recreation report, which will be on all future agendas.

The Joint Boards decided to keep their meeting date on April 5<sup>th</sup>, although Town Chairman Hampton will be out of the country. He stated that he will complete the agenda before he leaves.

13. *The Village of Cottage Grove Board of Trustees and the Town of Cottage Grove Board of Supervisors will enter into **CLOSED SESSION** pursuant to Wisconsin State Statute §19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session; intergovernmental agreements; development matters; Emergency Medical Services.*

- a. *Motion to move into Closed Session by Village Trustees. **Motion** by Dahl to enter Closed Session, seconded by Wiedenbeck. **Motion** carried with a unanimous roll call vote of 7-0-0.*
- b. *Motion to move into Closed Session by Town Supervisors. Motion by Hampton to enter Closed Session, seconded by Anders. Motion carried with a unanimous roll call vote of 3-0-0.*

Both Boards entered closed session at 10:30 p.m.

15. *Reconvene into Open Session: **Motion** for the Town to reconvene into Open Session by Hampton, seconded by Kessenich. **Motion** carried with a roll call vote of 3-0-0*

***Motion** for the Village to reconvene into Open Session by Margenau, seconded by Schoenemann. **Motion** carried with a unanimous roll call vote of 7-0-0.*

Open Session reconvened at 10:41 p.m.

16. *Adjournment.*

- a. *Town Board: **Motion** to adjourn the Town meeting by Hampton, seconded by Anders. **Motion** carried with a unanimous voice vote of 3-0-0.*
- b. *Village Board: **Motion** by Hoey to adjourn the Village meeting, seconded by Margenau. **Motion** carried with a unanimous voice vote of 7-0-0.*

President Dahl adjourned the Joint meetings of the Cottage Grove Town of Supervisors and the Village of Cottage Grove Board of Trustees at 10:43 p.m.

Respectfully submitted,  
Susan M. Harper  
Village Clerk/Treasurer

Approved: 4/05/2007

These minutes represent the general subject matter discussed in this meeting but **do not** reflect a verbatim documentation of the subjects and conversations that took place.

**Resolution 2007-02**  
**A JOINT VILLAGE OF COTTAGE GROVE AND TOWN OF COTTAGE GROVE**  
**RESOLUTION EXTENDING THE EXTRATERRITORIAL ZONING**  
**JURISDICTION PROCESS.**

**WHEREAS**, the Village of Cottage Grove and the Town of Cottage Grove by adoption of Resolutions 2005-03 and 2005-01 in April of 2005 respectively agreed to create extraterritorial zoning within the Town of Cottage Grove, and

**WHEREAS**, the Village and Town of Cottage Grove appointed members to the Joint Extraterritorial Zoning Committee to develop an extraterritorial zoning ordinance, and

**WHEREAS**, the Joint Committee is very close to completing the task of creating the ordinance but will require additional time to finish the review and creation of the extraterritorial zoning ordinance.

**NOW THEREFORE BE IT RESOLVED**, that the Village of Cottage Grove Village Board and the Town of Cottage Grove Town Supervisors do agree that the creation of the ordinance is important to both municipalities, and

**BE IT FURTHER RESOLVED**, that the Village of Cottage Grove Board and the Town of Cottage Grove Supervisors agree to extend the time limit on creation of the ordinance for an additional year (April of 2008) to ensure that the ordinance can be completed, reviewed, agreed upon and adopted prior to that time limit.

Adopted this 1<sup>st</sup> day of March, 2007.

*(Signed Copy Available in the Clerk's Office)*

**TOWN OF COTTAGE GROVE**

**VILLAGE OF COTTAGE GROVE**

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Kris Hampton,  
Town Chair

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Ken Dahl,  
Village President

ATTEST:

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Kim Banigan, Clerk

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
APRIL 5, 2007

1. Town Roll Call and Meeting Properly Posted: Present were Supervisors Steve Anders, Dave Morrow and Karen Kessenich as well as Clerk Kim Banigan. Chairman Kris Hampton and Supervisor Mike Klinger were absent. A quorum was present and it was determined that the meeting was properly posted.
2. Village Roll Call and Meeting Properly Posted: Present were President Ken Dahl, Trustees Jack Henrich, Larry Schoenemann, Randy Margenau, Rachel Beck, Diane Wiedenbeck and Kevin Hoey. A quorum was present and it was determined that the meeting was properly posted.
3. Town Supervisor Anders called the Town Board meeting to order at 7:00 P.M.
4. Village President Dahl called the Village Board meeting to order at 7:00 P.M.
5. Election of Chair for Town Meeting: The Town Board elected Steve Anders to Chair this meeting at their meeting on April 2, 2007.

6. Flag Pledge.

7. Approval of Meeting Minutes(s)

- A. **MOTION** by Hoey/Morrow to approve the minutes of both the February 1, 2007 and the March 1, 2007 minutes, with the following correction:

In the February 1, 2007 minutes, the second sentence in the fifth paragraph under item 10. should read "Hampton *stated* changes..."

**MOTION CARRIED 10-0-0.**

8. Public Concerns: None.

9. Update of fencing requirement between agricultural property owned by Bowers and Horstmeyer in the Town and Quarry Ridge development in the Village.

- A. Will the Village address with their own ordinance or developer's agreements, or do we rely on Wis. Stats. §90.01-§90.16 to force individual landowners to pay for the fence?

Dahl reported that the Village Plan Commission discussed the fence with Village attorneys and engineers, and found that there are no provisions in either the Quarry Ridge developer's agreement or in the current Village fence ordinance that grant the Village authority over a fence between the properties. Dahl further stated that the existing fence is on the Village side of the property line, and will need to be removed since it has barbed wire, which is prohibited by the Village fence ordinance.

When a question of how the fence originally came to be was asked, Janice Horstmeyer, 4618 County Road N, stated that the fence was required when Paulson's quarry became active. Horstmeyers had trusted that the fence was installed on the lot line, but recent surveys indicate otherwise. Horstmeyer stated that if the fence had been put in the right

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
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place at that time, it would not be an issue today. She also suggested that this is the first step of many that will need to be addressed concerning Village development bordering agricultural lands in the Town.

Margenau asked what the County ordinances say about fences once a quarry is reclaimed. Anders asked if the quarry has been completely reclaimed, Dahl said that while stockpiles still exist, there is no active quarry operation going on. Anders stated that the Town will need to research the reclamation requirements for the Paulson quarry.

Jeff Bowers, 4600 County Road N, stated that there is in fact a farming operation in progress on the agricultural side of the lot line, specifically the baling of hay. He stated that Wis. Stats. §90.01-§90.16 require a fence when lands of one of the owners is used for farming. He advised the boards that he thinks Quarry Ridge Developer Bill Paulson is under the impression that the fence is legal, and has made a verbal commitment to keep the fence in place. Bowers stated it is unacceptable to say that it is too late to do anything about the fence now – something was originally overlooked, and a resolution is needed.

Margenau suggested an agreement between the four entities to move the fence to the actual boundary. Bowers stated that he had obtained a quote for moving the fence, and was told that the cost of the labor required would be greater than the worth of the materials. A new fence would be in the ball park of \$2500 for a 500 foot fence. Dahl pointed out that since barbed wire is not allowed in the Village, the fence would have to be entirely on the Town side of the boundary, but Bowers stated it would not need to have barbed wire.

Margenau asked the Town to find out if the quarry permit required the fence to be on the boundary, which would indicate whether it was installed in the wrong place to begin with.

Wiedenbeck asked about the date on the fence ordinance, which was determined to be in February of 2003. Quarry Ridge development started before 2003. She also asked when the survey had found the error, to which Dahl replied maybe a year ago.

Anders recalled a similar fencing issue between a Town subdivision and adjacent agricultural land. The Town will research the outcome of that issue, consult with Town attorneys, as well as research the quarry fencing requirements for the next meeting.

10. Discuss Improvements for the railroad crossing on Vilas Road: Tom Clauder appeared representing the Office of the Commissioner of Railroads. He described the crossing at Vilas Road as being dangerous, and stated that 12-inch lights will be installed at no cost to either the Town or Village of Cottage Grove. Used gates are available at a total cost of \$22,000, half of which the State will pay, which leaves \$11,000 to be split by the Town and Village of Cottage Grove. He offered that the \$11,000 could be paid over a two year period. New gates would cost \$155,000. Margenau asked if the gates could be lighted, and Clauder agreed to add the lights. After discussion about the probability of higher auto and train traffic at the crossing in the future, Dahl made a **MOTION** seconded by Schoenemann to approve \$5,500 from each of the Town and Village for a total of \$11,000 to be paid over two years for lighted gates at the

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Vilas Road railroad crossing. The **MOTION CARRIED** with a **Town Board vote of 3-0-0** and a **Village Board vote of 7-0-0**.

11. Discuss Second Addendum to Flynn Hall Agreement – The Town, Lions Club, and Historical Society have already signed – Is the Village going to sign? Dahl stated that the Joint Recreation Committee will discuss program usage of Flynn Hall in two weeks, and the Public Works Committee will discuss on May 1<sup>st</sup>. Dahl also may want to know the Town's plans for a parking lot.
12. Discuss/Consider Joint Cable TV with the Monona Grove School District: Anders explained that the Town does not currently use cable channel 4, which is available as part of the cable franchise agreement. With the building of the new Monona Grove Middle School in Cottage Grove, the school district has expressed interest in direct channel access to allow live broadcast of school events. Anders asked the boards to think about whether they would support a re-combination of Town and Village programming on the Village's channel 12, allowing the school district the use of channel 4. Wiedenbeck asked if the school would pay for channel 4, and Anders said no, they would not pay for the channel, but would supply their own equipment. Anders suggested that if there is support for this scenario, it could be organized this year and included in 2008 budgets.
13. Discuss/Consider Town's financial responsibility for the Facility Study – February 2, 2006 it was agreed that 20% of \$15,000 - \$18,000 would be the Town's portion. Banigan explained that there had been some confusion about the total cost of the study which was recently cleared up when Village staff realized that bills from the same vendor relating to the library had been inadvertently included in the total for the facility study. The total bill for the facility study is \$18,406, which included the contract price of \$17,750 and \$656 in reimbursable expenses. The Village will include a bill for 20% of \$18,406 in their March billing to the Town. Anders stated that the Town had not realized there would be incidental charges above the contract price.
14. Joint Recreation Program: Margenau reported that the Joint Recreation Committee had discussed utilizing Meadow Grove and Ravenwood parks for T-ball this summer, but would need to add player benches and safety fences at a cost of about \$2,200. Some of the cost would come from the Town's portion of the Recreation Department budget, but there would be some additional contribution expected from the Town due to the permanent nature of the improvements.

The Recreation Department is trying to get to the point of increased availability of soccer fields in the long term, but are currently turning a couple of Village fields into baseball diamonds. Ravenwood, American Heritage and Bass parks in the Town are being used by the Cottage Grove Soccer Club, and there is a potential for additional soccer fields at the new middle school site. Recreation Director Jacob Tissue has baseball and soccer schedules, and will work to avoid conflicts. A web site to include virtual park tours and scheduling information is planned.

Town participation in basketball programs this winter were back up to 30%, compared to 16%

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when the fees were higher for Town residents. The Recreation Department received a \$500 grant from the U.S. Tennis Association to grow Tennis.

15. Discuss and set meeting date for Town/Village Boundary Agreement: Dahl stated that he does not have Mike Slavney's schedule, so a meeting date cannot be set.
16. Update on Joint Boundary Agreement with City of Madison, Town of Cottage Grove, and Village of Cottage Grove: Anders reported that there has been no further discussion with Madison since the last Joint Town/Village board meeting. The next date scheduled is May 9<sup>th</sup>.

There were 30-40 residents present for this discussion. The following registered against the Joint Boundary Agreement, but chose not to speak: Judith Klongland, Thomas Krizan.

Jim and Doug Bradt registered against the agreement. Jim Bradt read the same statement he has read previously, asking how residents in the area that will be designated open space will be compensated for the lost potential of their land for development, and stating that it is only fair for the entire community to pay for the green space. He also presented more signatures for the petition that was submitted at the March 1, 2007 meeting. J. Bradt then questioned the ethics of Kessenich voting on such an agreement due to her ownership of property in the affected area, of Klinger voting due to his employer's ownership of property in the affected area, and of Hampton's voting due to living across U.S. Highway 12 & 18 from potential commercial development that could arise out of the agreement.

There was discussion over the origin of the draft map. Anders explained that it was Madison who asked for the large amount of green space, and Mike Slavney's office who actually put it on paper so as to have something more visual to discuss.

Don Klongland registered against the agreement, and also asked who will pay the landowners in the green space for their lost development potential? People love green space, but nobody wants to pay for it. Why not leave it up to the market to determine which areas will be developed. He added that not everybody wants to develop, but nobody wants the right taken away from them. Art Voit, Jr. and Loren Kylo also felt landowners should be allowed to decide whether to develop, do not like to have that decision taken away.

Tim Olson asked what the Town's intentions are, and Anders stated that they are looking at the whole picture, but focusing on getting areas that the Town will be able to develop both commercially and residentially, possibly using the Transfer of Development Rights program to compensate landowners in areas that cannot be developed. Anders acknowledged that his patience are running thin as progress is slow and Madison is very quiet at the table.

Reed Widen asked if it would make sense to incorporate the Town into the Village to protect the border from Madison, stating that otherwise Madison will advance as soon as the agreement expires. Kessenich stated that she would like to see time and energy put into exploring the options and ramifications of consolidating the Town and Village. Hoey also stated his support for exploring a consolidation of the Village and Town, and suggested a survey of residents. Dahl stated that the Village is willing to look at different options. Wiedenbeck said she

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originally had thought of green space as something that everyone wanted, but admittedly had not considered the effect on individual landowners. She cautioned that landowners on the east side of the Township may see the idea of consolidation differently, and needed representation in the discussion as well. Maureen Casey asked why Town residents would object to a consolidation, and Anders explained that taxes, services and privileges were different between the Town and Village.

17. Items for next agenda and meeting date: Next meeting will be May 3, 2007 at the Village Hall, agenda items to include:
  - A. Update on Emerald Ash Borer – Mike LaBissoniere, WI DNR Urban Forestry Program
  - B. Update on Fence between Bowers and Horstmeyer property and Quarry Ridge
  - C. Discussion of Joint Cable TV
  - D. Joint Recreation Program Report
  - E. Emergency Government Report
  - F. Exploration of Town/Village Consolidation
  - G. Discussion of Town/Village Boundary Agreement
  - H. Discussion of Town/Village/City Boundary Agreement
18. Adjournment of Town Meeting: **MOTION** by Kessenich/Morrow to adjourn the Town Board meeting. **MOTION CARRIED 3-0-0.**
19. Adjournment of Village Meeting: **MOTION** by Hoey/Wiedenbeck to adjourn the Village Board meeting. **MOTION CARRIED 7-0-0.**

The meeting ended at 9:48 P.M.

Kim Banigan  
Town Clerk

Approved 5/03/2007

**JOINT MEETING OF THE  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
And The  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
Thursday, May 3, 2007**

**1. Call to Order**

- a.) *Village Board of Trustees*: President Dahl called the Village Board to order at 7:00 p.m.
- b.) *Town Board of Supervisors*: Chairman Hampton called the Town Board to order at 7:00 p.m.

There were 24 citizens in attendance.

**2. Roll Call & meeting properly posted.**

- a.) *Village Board of Trustee*: The roll was called with Trustees Diane Wiedenbeck, Larry Schoenemann, Harvey Potter, Jack Henrich, Randy Margenau and President Ken Dahl in attendance. Trustee Dave Wallace was absent. The meeting had been properly posted.
- b.) *Town Board of Supervisors*: The roll was called with Supervisors Dave Morrow, Steve Anders, and Chairman Kris Hampton in attendance. Supervisor Mike Klinger was absent. Supervisor Karen Kessenich arrived at 7:01p.m. The meeting had been properly posted.

**3. Pledge of Allegiance.**

**4. Public Appearances - Public's opportunity to speak to Board Members about any item that is not an agenda item.** Jan Horstmeyer, 4618 County Hwy N, wanted a definition of what constitutes a Village Ordinance. Dahl explained that the village passes ordinances for the purpose of keeping order in the village. Ms. Horstmeyer specifically was talking about the fence on the Paulson Property and recommended the village spend more time on the issue for safety concerns.

Mr. Joe Bowers, 143 E. Reynolds Street, spoke to Board Members also concerning the fence between his property and the Quarry Ridge Estate Development. He had questions as to why this item, tabled from the April 5, 2007 meeting, was not an agenda item. Dahl explained that no new information was forwarded to his staff for inclusion in the May agenda packets. His concerns are not addressed in the Village's fence ordinance, nor are they covered in the covenants for the Quarry Ridge development. Chairman Hampton then presented President Dahl with new information he had obtained and stated that he was unaware that he should have forwarded this to Village staff and was going to hand it out at the meeting. Dahl explained that it is customary to have any information pertaining to an agenda item forwarded to the appropriate Clerk so members of both boards have time to review information prior to the meeting. The information was given to Village staff and the fence issue will be presented as an agenda item at the June 7, 2007 joint board meeting.

**5. Report by Michael LaBissoniere, Wisconsin Dept. of Natural Resources – Urban Forestry Program on Emerald Ash Borer.** Mr. LaBissoniere gave a very informative video presentation. The pest is originally from China brought to the United States in ash tree packing materials. To date, this insect has destroyed over 15 million trees. Though this insect has not yet invaded Wisconsin, the DNR is taking precautionary measures to insure they will be ready if/when this occurs.

**6. Discuss and consider joint recreation facility – Flynn Hall.** This item was discussed at the April 2, 2007 Public Works Committee meeting. Dahl asked Trustee Margenau if the Recreation Committee would have any use for Flynn Hall. Margenau stated at this time, they do not have a need.

**7. Discuss and consider Emergency Government Committee.** John Richards, 208 Vintage Lane, a citizen of the Committee, stated that in past meetings the committee has resource reviews and certain physical plans in the office. If an incident were to occur, Dane County Emergency Management would be able to respond in five to six minutes. It is important to have the resources we need if something were to happen. There are funds through the state and federal government for reimbursement with the correct documentation. A few of the areas that were of concern were:

- ⊗ Phone and fax equipment
- ⊗ The need for current and updated maps
- ⊗ Setting up a phone tree
- ⊗ Use of Cottage Gove Cable Channel 12
- ⊗ Establish relationships with local churches and businesses
- ⊗ The Committee has conducted table top exercises

This item was discussion only and no action was taken.

**8. Discuss and consider the Town's rejoining the Village in a Cable TV venture.** Supervisor Anders has been in attendance to the Villages' Public Relations Committee meetings. Anders stated that Town's Cable Channel 4, which presently is not in use, could be given to the new Cottage Grove Middle School. Programming could be live or in a more timely manner. This channel could also show taped town board meetings. The school is trying to determine the cost of this venture. Discussion turned to the Town and Village rejoining for a "Joint Cable Service". The town could deliver a DVD to be played on Cable Channel 12. **Motion** by Hampton to form an Ad Hoc Joint Cable Committee to look at budget implications for the 2008 budget year and this is to be finalized no later than September 15, 2007 for the use of Cable Channel 4 and 12, seconded by Schoenemann. Motion carried with a unanimous roll call vote of 10-0-0.

**9. Update on Vilas Road Railroad Crossing from the Office of the Railroad Commissioner.** The LED lights have moved here from Middleton and the arms will be out of storage and installed this summer. This item was discussion only and no action was taken.

**10. Discussion only consolidation of the Village & Town of Cottage Grove:** Both board members have a lot of information to read over. For the consolidation to pass this would take a referendum and resolution by both Town and Village for the majority of voters. Consolidation is defined as two areas combined to one political area. Supervisor Anders spoke to clarify that the village **will not** come to annex town residents unless town residents request this. Another clarification Anders made was that the Village will not annex individuals in any subdivision to make "islands" of annexed land. To annex any subdivision, it would take 51% of the subdivision residents who voted in the last gubernatorial race to express interest. If consolidation were to happen, none of the basic services (Police, Fire and EMS) would change. What change may occur for Town Residents is they would change from well and septic systems and be hooked up the Village's water and sewer utility. Audience participation was abundant and both boards received a lot of feedback. Board members then had an informal question and answering session. This was discussion only and no action was taken.

**11. Approval of minutes of April 5, 2007 meeting.** **Motion** by Kessenich to approve the minutes as presented, seconded by Henrich. Motion passes 8-0-2 with Hampton and Potter abstaining.

**12. Items for next agenda.**

- a. Paulson Fence
- b. Consolidation – Scheduling and possibly inviting a representative from Verona
- c. Flynn Hall – Extending Contract
- d. Crossing Signals

**13. Adjournment**

- a. *Town Board:* **Motion** to adjourn the Town meeting by Anders, seconded by Morrow. **Motion** carried with a unanimous voice vote of 4-0-0.
- b. *Village Board:* **Motion** by Wiedenbeck to adjourn the Village meeting, seconded by Potter. **Motion** carried with a unanimous voice vote of 6-0-0.

President Dahl adjourned the Joint meetings of the Cottage Grove Town of Supervisors and the Village of Cottage Grove Board of Trustees at 8:59 p.m.

Respectfully submitted, Connie K. Bushee - Deputy Treasurer

**Approved:** 6-04-2007

These minutes represent the general subject matter discussed in this meeting but **do not** reflect a verbatim documentation of the subjects and conversations that took place.

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
JUNE 7, 2007

1. Town Roll Call and Meeting Properly Posted: Present were Town Chairman Kris Hampton, Supervisors Steve Anders, Karen Kessenich and Mike Klinger, as well as Clerk Kim Banigan and Attorney Greg Murray. Chairman Kris Hampton and Supervisor Dave Morrow were absent. A quorum was present and it was determined that the meeting was properly posted.
2. Village Roll Call and Meeting Properly Posted: Present were President Ken Dahl, Trustees Jack Henrich, Harvey Potter, Randy Margenau, Diane Wiedenbeck. Larry Schoenemann and Dave Wallace were absent. A quorum was present and it was determined that the meeting was properly posted.
3. Hampton called the Town Board meeting to order at 7:50 P.M.
4. Dahl called the Village Board meeting to order at 7:50 P.M.
5. Flag Pledge.
6. Approval of Meeting Minutes(s): **MOTION** by Wiedenbeck/Margenau to approve the minutes of the May 3, 2007 meeting, with correction of the spelling of the name Horstmeyer in item 4. **MOTION CARRIED 8-0-1** (Klinger abstained).
7. Public Concerns: None.
8. Sara Kwiktek, Dane County Land and Water Resources Department/Parks – Information concerning grants for park space: Margenau prefaced Kwiktek’s presentation by explaining that that he and Kevin Hoey met several months ago with Laura Guyer from Dane County to investigate the possibility of obtaining grant assistance to purchase the Bradt property known as “The Farm” for park space, and were informed that it would qualify, but only by a sliver. Kwiktek presented a handout describing highlights of the Dane County Conservation Fund Grant Program and a map of Dane County’s parks and open space plan. She encouraged the boards to pursue a grant, stating that features and location of the Bradt property would make it suitable for passive nature based uses such as hiking trails, dog exercising, education, and possibly frisbee golf. She stressed that partnerships, such as between the Village and Town, are looked upon favorably by grant reviewers.
9. Update of fencing requirement between agricultural property owned by Bowers and Horstmeyer in the Town and Quarry Ridge development in the Village. Joe Bowers and Janice and Victor Horstmeyer were in attendance.

Town Attorney Greg Murray handed out a UW Extension Fact Sheet about Fences in Agricultural Areas, and explained Chapter 90 of the Wisconsin Statutes regarding fencing whenever two properties abut, with at least one used for farming or grazing. Both parties can agree to have no fence. If one party wants a fence, however, there must be a fence, and the owners split the cost 50:50. If the property owners cannot agree on the fence, they may invoke “Fence Viewers”, which in this case would consist of a couple of members of both the Town and Village Boards since the property line straddles the municipal boundary. Fence viewers

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determine the placement and composition of the fence, using a standard of reasonableness and focusing on aspects in dispute, then issue an order for a fence to be built. It is not the duty of the fence viewers to determine property boundary lines. Landowners split the cost of building the fence 50:50, along with administrative costs for meeting and publication costs of the fence viewers. If one of the landowners does not pay his share, the municipality reimburses the other landowner, and collects the amount by special assessment. In this case, if the fence were built on the Village side of the boundary, it would need to conform to the Village fencing ordinance.

Joe Bowers stated that he still feels that there are extenuating circumstances that are not being addressed relating to the Village's developer's agreement with Paulson. Janice Horstmeyer stated that if the Quarry fence had been located on the property line, as they thought it was, this situation would not exist. Dahl stated that it is not possible to go back and reopen the developer's agreement, and if the landowners cannot come to an agreement, they must invoke the fence viewers.

Hampton stated that the Town hopes the Village will require provisions for fencing around the developed area in future developer's agreements when the development is adjacent to agricultural land in the Town.

Bowers stated that he is not willing to pay for the new fence, so will call the Police Department to enforce no trespassing on his property should problems arise. It was pointed out to him that under Chapter 90 of Wisconsin Statutes, owners of neighboring parcels could invoke fence viewers to force him to pay for a fence.

10. Discuss/Consider Second Addendum to Flynn Hall Agreement: Dahl stated that the Village Public Works Committee prefers to wait until the agreement is near termination to do the extension. The recreation department has no plans to use Flynn Hall. The Village had planned on using TIF money to contribute to the cost of the parking lot at Flynn Hall, but TIF money cannot be used if the lot is to be private.
11. Update on Vilas Road Railroad Crossing Signals: Dahl thinks the signals and gates will be installed before school starts.
12. Update on Ad Hoc Joint Cable Committee: Anders received a phone call from Charter Communications indicating they are working with the school to determine cabling requirements beyond those planned by the school, and will get back to him by the end of the month. The Village Cable Coordinator visited the Town Hall to see what equipment will be needed to convert from VHS to DVD recording.
13. Joint Recreation Program Report: Margenau reported the May meeting had been canceled. Benches and fences for baseball at Meadow Grove Park are in the works. There was discussion regarding leveling off Cedar Knolls park for soccer – the Village has fill material available. The Soccer Club has not responded as to whether they would use the park, and it needs to be ready for use by Pee Wee Football in the fall.

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
JUNE 7, 2007

14. Discuss and set meeting date for Town/Village Boundary Agreement: The next meeting will follow the Village Plan Commission meeting on June 13<sup>th</sup>.
15. Items for next agenda and meeting date: The next joint meeting of the Town and Village Boards will be July 12, 2007 at the Village Hall, agenda items to include:
  - A. Update on Vilas Road Railroad Crossing Signals
  - B. Ad Hoc Joint Cable Committee Report
  - C. Joint Recreation Program Report
  - D. Update on Town/Village Boundary Agreement
16. Adjournment of Town Meeting: **MOTION** by Klinger/Anders to adjourn the Town Board meeting. **MOTION CARRIED 4-0.**
17. Adjournment of Village Meeting: **MOTION** by Wiedenbeck/Henrich to adjourn the Village Board meeting. **MOTION CARRIED 5-0.**

The meeting ended at 9:19 P.M.

Kim Banigan  
Town Clerk

Approved 8/2/2007

MINUTES OF JOINT MEETING  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF DEERFIELD BOARD OF TRUSTEES  
TOWN OF DEERFIELD BOARD OF SUPERVISORS  
JUNE 7, 2007

- I. It was determined that a quorum was present for all four municipalities, and notice of the meeting had been properly posted in all four municipalities.
- II. Roll Call and Call to Order:
  - A. Town of Cottage Grove Chairman Kris Hampton called the Cottage Grove Town Board Meeting to order at 7:09 P.M. Roll call attendance: Steve Anders, Mike Klinger, and Kris Hampton were present. Karen Kessenich arrived at 7:15 P.M. Dave Morrow was absent.
  - B. Village of Cottage Grove President Ken Dahl called the Cottage Grove Village Board meeting to order. Roll call attendance: Jack Henrich, Harvey Potter, Diane Wiedenbeck, and Ken Dahl were present. Randy Margenau arrived at 7:25 P.M. Larry Schoenemann and Dave Wallace were absent.
  - C. Town of Deerfield Chairman Bob Riege called the Deerfield Town Board meeting to order. Roll call attendance: Art Mikkelson, Mike Schlbohm, Andreas Hanson, Patrick Annen and Bob Riege were present.
  - D. Village of Deerfield President John Mathews called the Deerfield Village Board to order. Roll call attendance: Paul Haag, Dalton Schreiber, Diane Wilkinson, Greg Frutiger and John Mathews were present. Mary Chadwick-Kiefer and Greg Searle were absent.
- III. Review and Action – Amendment #1 of the Deer Grove EMS Agreement Between the Village of Deerfield, Village of Cottage Grove, Town of Deerfield and Town of Cottage Grove: Hampton stated that the Town of Cottage Grove has a problem with the 5 year straight line depreciation described in section 6.02 (A).

Discussion: The commission had talked about depreciating anything with an anticipated useful life greater than 2 years using the straight-line method over the anticipated useful life of the item, to be determined by the commission (tie votes to be broken by the Medical Director). As an example, items such as ambulances could be depreciated over a longer period than 5 years, and items such as defibrillators could be depreciated over a period shorter than 5 years. Furniture, desks, chairs, filing cabinets would be lumped together during the year purchased and depreciated over 5 years using the straight-line method. Items with an anticipated useful life under 2 years would be considered consumables and not be depreciated. Donated items would be given no value.

Mikkelson and Schreiber asked wasn't the purpose of the 5-year depreciation to discourage parties from withdrawing from the agreement? Dahl stated that the penalty for withdrawal should not be so detrimental as to discourage other municipalities from joining the district.

Schlbohm felt that ambulances and boxes should be depreciated at the same rate, even though the box would be expected to last longer, because of the cost to transfer the box to a new chassis.

Anders felt that "hard equipment" inside the ambulance, for example backboards, as well as

MINUTES OF JOINT MEETING  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF DEERFIELD BOARD OF TRUSTEES  
TOWN OF DEERFIELD BOARD OF SUPERVISORS  
JUNE 7, 2007

the new radio system, should be depreciated over a period longer than 5 years.

**MOTION** by Dahl/Wiedenbeck to approve Amendment No. 1 of the Deer-Grove EMS Agreement Between Villages of Cottage Grove and Deerfield and the Towns of Cottage Grove and Deerfield, with the following changes:

6.02(A) line 9 on the second page “5 year” should be taken out.

6.02(B) last line “a 5 year basis” should be removed and replaced with “an anticipated useful life, as determined by the EMS Commission”. Add this sentence “Any item with an anticipated useful life of less than 2 years will be considered an operating expense.”

Roll Call Vote:

Village of Cottage Grove: Henrich – aye, Wiedenbeck – aye, Potter – aye, Margenau – aye, Dahl – aye. **MOTION CARRIED 5-0.**

Town of Deerfield: Mikkelson – nay, Schlobohm – aye, Annen – aye, Andreas – aye, Riege – aye. **MOTION CARRIED 5-0.**

Town of Cottage Grove: Anders – nay, Klinger – nay, Kessenich – aye, Hampton – aye. **MOTION FAILED 2-2.**

Village of Deerfield: Haag – aye, Schreiber – aye, Wilkinson – aye, Frutiger – aye, Mathews – aye. **MOTION CARRIED 5-0.**

- IV. Acceptance of Satisfaction of Conditions Have been Met to Withdraw, Withdrawal Letters – Deer Grove EMS: Village of Deerfield Administrator Dean Otte stated that withdrawal issues have been resolved by the commission, and all that remains is for the Town and Village of Cottage Grove to submit payment for their portion of Terry Turner’s wages. Dahl stated that payment from the Village of Cottage Grove is Pending. Hampton stated that payment from the Town of Cottage Grove would not be until at least after the next Town Board meeting.

**MOTION** by Frutiger/Schreiber for acceptance of satisfaction of conditions being met to withdraw the withdrawal letter. **MOTION CARRIED UNANIMOUSLY WITH THE DEERFIELD VILLAGE BOARD.**

**MOTION** by Andreas/Annen for acceptance of satisfaction of conditions being met to withdraw the withdrawal letter. **MOTION CARRIED UNANIMOUSLY WITH THE DEERFIELD TOWN BOARD.**

- V. **MOTION** by Margenau/Mikkelson to adjourn. **MOTION CARRIED UNANIMOUSLY.** The meeting was adjourned at 7:45 P.M.

Submitted by Kim Banigan, Cottage Grove Town Clerk  
Approved by Town and Village of Cottage Grove on 8/2/2007  
Approved by Village of Deerfield per Dean Otte

**JOINT MEETING OF THE  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
And The  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
Thursday, July 12, 2007**

1. *Call to Order*
  - a) *Village Board of Trustees*: President Dahl called the Village Board to order at 7:00 p.m. There were 6 citizens in attendance.
2. *Roll Call & meeting properly posted.*
  - a) *Village Board of Trustee*: The roll was called with Trustees Diane Wiedenbeck, Harvey Potter, Dave Wallace, Jack Henrich, Randy Margenau and President Ken Dahl in attendance. The meeting had been properly posted.
  - b) *Town Board of Supervisors*: The roll was called with Town Chair Kris Hampton was in attendance. Supervisors Dave Morrow, Steve Anders, Mike Klinger and Karen Kessenich were absent.  
Also present: Deputy Treasurer Bushee and Police Chief John Gould
3. *Pledge of Allegiance.*
4. **Public Appearances** - *Public's opportunity to speak to Board Members about any item that is not an agenda item.* **None.**
5. **The Village Board of Trustees will take action on** granting permission to the Cottage Grove Chamber of Commerce to host Culpepper and Meriwether Circus and to allow animals at Fireman's Park on August 13, 2007, tabled from July 2, 2007 Board meeting. **No action will be taken by the Town Board of Supervisors.** Representing the Cottage Grove Chamber of Commerce was Michelle Leeder and Dr. Don Blair. Tonight was the last night that the Chamber of Commerce could give Culpepper and Meriwether Circus an answer as to whether they would be able to host the event. Ms. Leeder had told Board Members that the references she received were all positive about the park being clean and no damages. The Circus has its own private security and a local farmer will be removing the animal waste. Chamber volunteers will help with the parking. Chief Gould had some concerns about security before, during and after the 2 shows. Ms. Leeder assured the Chief that the circus does handle security very seriously. For the size of Cottage Grove the estimated attendance would be 200 – 300 people per show. **Motion** by Margenau to allow the circus at Fireman's Park, animals in the park and parking of vehicles off the road, seconded by Wallace. Motion carried on a unanimous voice vote 6-0-0.
6. Discuss and consider joint recreation. **Motion** by Dahl to table this item until the next meeting, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 6-0-0.
7. Discuss and consider the joint cable committee. **Motion** by Dahl to table this item until the next meeting, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 6-0-0
8. Update on Vilas Road Railroad Crossing from the Office of the Railroad Commissioner. **Motion** by Dahl to table this item until the next meeting, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 6-0-0
9. Update on Town & Village Inter-municipal Agreement. **Motion** by Dahl to table this item until the next meeting, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 6-0-0
10. Discuss and consider potential dog park at Natvig Landfill site. **Motion** by Dahl to table this item until the next meeting, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 6-0-0
11. Approval the minutes of:
  - a) Joint meeting with the Town & Village of Deerfield.
  - b) Regular meeting.**Motion** by Dahl to table this item until the next meeting, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 6-0-0
12. Items for next agenda. **None**
13. Adjournment.
  - a) *Village Board*: **Motion** by Dahl to adjourn the Village meeting, seconded by Margenau. **Motion** carried with a unanimous voice vote of 6-0-0.  
President Dahl adjourned the Joint meetings of the Cottage Grove Town of Supervisors and the Village of Cottage Grove Board of Trustees at 7:13 p.m.

Respectfully submitted, Connie K. Bushee - Deputy Treasurer

**Approved:** 8/2/2007

These minutes represent the general subject matter discussed in this meeting but **do not** reflect a verbatim documentation of the subjects and conversations that took place.

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
AUGUST 2, 2007

1. Roll Call and Meeting Properly Posted:
  - A. Notice of the meeting was properly posted in the Town. Present were Town Chairman Kris Hampton, and Supervisors Dave Morrow and Karen Kessenich, along with Town Clerk Kim Banigan. Steve Anders and Mike Klinger were absent.
  - B. Notice of the meeting was properly posted in the Village. Present were Village President Ken Dahl, and Trustees Jack Henrich, Harvey Potter, Dave Wallace, Diane Wiedenbeck and Larry Schoenemann. Randy Margenau was absent and excused.
  - C. A sign-up list of residents in attendance is available in the Town Clerk's office.
2. Call to order:
  - A. Hampton called the Town Board meeting to order at 7:02 P.M.
  - B. Dahl called the Village Board meeting to order at 7:02 P.M.
3. Flag Pledge
4. Approval of Meeting Minutes(s):
  - A. **MOTION** by Wiedenbeck/Kessenich to approve the minutes of the June 7, 2007 Joint Town/Village Boards meeting, correcting the last sentence of item 10. to read "*The Village had planned on using TIF money to contribute to the cost of the parking lot at Flynn Hall, but TIF money cannot be used if the lot is to be private.* **MOTION CARRIED 7-0-2** (Schoenemann and Morrow abstained).
  - B. **MOTION** by Henrich/Dahl to approve the minutes of the June 7, 2007 Joint Meeting of the Town and Village Boards of Cottage Grove and Deerfield as printed. **MOTION CARRIED 7-0-2.** (Schoenemann and Morrow abstained.)
  - C. **MOTION** by Wiedenbeck/Potter to approve the minutes of the July 12, 2007 Joint Town/Village Boards meeting, with the following corrections:
    - i) Delete items 1. b.) and 13. a).
    - ii) Item 5, third sentence: change weather to *whether*.
    - iii) Item 5, seventh sentence: change show to *shows*.
    - iv) Change votes in items 6, 7, 8, 9, 10, 11, and 13 to 6-0-0.**MOTION CARRIED 6-0-3.** (Hampton, Morrow and Kessenich abstained).
5. Public Concerns: None.
6. Discuss and consider Land Trust for Land Purchase – The Farm Golf Course: Henrich had an email from Margenau suggesting formation of an Ad Hoc Committee consisting of two board members from each municipality, one resident from each municipality, along with the landowners of The Farm Golf Course. It was agreed that appointments will be made before the next meeting of the Joint Town/Village Boards.
7. Update on Vilas Road Railroad Crossing Signals from the office of the Railroad Commissioner: Village Board members did not know the planned date of installation for the signals. Hampton advised that August 20<sup>th</sup> thru 22<sup>nd</sup> should be avoided since Vilas Hope Road will be closed for railroad crossing repairs on those days, and it would not be good to have Vilas Road closed at the same time.

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
AUGUST 2, 2007

8. Update on Town and Village Inter-Municipal Agreement: Dahl stated that the Town and Village seem to agree pretty well on planned land use for areas in the Town that are south of the Village. More discussion is needed on the north-west portion of the Town. The Village planner will work with the Village engineer to add topography information to the maps to assist with determining where to draw the lines for future sewer service.

Kessenich asked if discussion had included the use of TDR's by the village. Dahl stated that TDR's are not yet well understood by Village representatives, and the Village planner is looking for other opinions as to whether Town TDR's can work in the Village.

9. Discuss and Consider potential dog park at Natvig Landfill Site: Schoenemann reported that the Joint Landfill Monitoring Committee held an information gathering session at their meeting earlier in the week, and a number of area residents had expressed their concern, with the majority being opposed to a dog park at the site. Parking, size of the park, and policing were the major concerns.

Wallace asked whether the landfill was sufficiently recovered to serve as a dog park, and Hampton and Dahl explained the landfill has been closed for 20 years, readings of gas and water testing are minute. The DNR requires monitoring indefinitely. Any use must be low impact, and cannot disturb the cap or take away any dirt.

The following residents spoke in opposition to the dog park:

- A. Brian Storms, 3652 Graham Paige Road: The proposed parking lot would be directly across the street from his property. He urged the boards to look at other areas in Cottage Grove, not just focus on this particular site. He felt there should be a larger buffer area between a dog park and a residential area, and that parking would be inadequate and dangerous for children in the neighborhood.
- B. Mike McKenna, 3650 Graham Paige Road: He thinks the site is too small for a dog park, and current fencing is inadequate, being overgrown and in disrepair in some spots. He pointed out that new fencing would require footings, which would disturb the landfill cap. Some neighbors have said they will move if the dog park goes through.
- C. Jodi Marino, 3654 Graham Paige: She is concerned about the increased traffic and the danger it poses to children in the neighborhood.
- D. Peter Yundt, 3666 Graham Paige: There are already unidentified cars parking on Natvig Road for unknown reasons, he does not want any more. He asked why the Village is involved in the potential dog park on Town land. Hampton explained that the Town and Village have an agreement to share responsibility for monitoring the former landfill site since both contributed garbage. The idea for a dog park came out of the joint committee.
- E. Karen Lex, 3658 Graham Paige: Her property is just 40 feet from the proposed parking area, which alarms her – she does not want a parking lot in her back yard. She read from an article in this week's Herald-Independent stating that in 1983 the Town Board did not consider the landfill site a good spot for a park due to the proximity to the county highway. A columnist for the Herald-Independent is in favor of the dog park, but her column went on to talk about how dangerous pit bulls can be if they get loose.

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
AUGUST 2, 2007

- F. Boyd and Judith Womack, 3670 Graham Paige: Covenants prevent property owners from putting a fence up to protect their property from loose dogs. Mrs. Womack felt a dog park would lower their property value, which means lost revenue for the Town which would not be made up with dog park fees.
- G. Ellen Buechler, 3662 Graham Paige: Concerned about liability and who will clean up. She is concerned about cars backing out into the curve of Natvig Road, and wondered if parking on the Highway N side was an option. Hampton stated that the Town would have to meet County requirements for access, including possibly the cost of acceleration and turn lanes.
- H. Susan Herber, 3673 Graham Paige Road: She does not think this is an appropriate location for a dog park. No dog parks in the area have residents so close, and there is no water for the dogs.

Dahl stated that much more research is needed on the subject, and a dog park is far from a reality. It may be that costs will be so high that neither municipality will want to undertake it, and it will be shelved.

- 10. Discuss and Consider Joint Cable Committee: Due to Anders' absence, the item was tabled until the next meeting.
- 11. Update on Joint Recreation Program: No report on the most recent committee meeting was available since Margenau was absent and Kessenich missed the meeting. Discussion on fill for soccer use of Cedar Knolls park: Dahl stated that the Village may need to move their stockpile of fill material depending on the outcome of a pending land sale. Hampton suggested it could be stored north of the Town garage if the Jt. Recreation Committee decides they definitely want it for Cedar Knolls. The committee should decide if/how much fill will be needed ASAP.
- 12. Items for next agenda and meeting date: The next joint meeting of the Town and Village Boards will be September 6, 2007 at the Village Hall, agenda items to include:
  - A. Update on Ad Hoc Land Trust Committee Appointments
  - B. Update on Vilas Road Railroad Crossing Signals
  - C. Ad Hoc Joint Cable Committee Report
  - D. Joint Recreation Program Report
- 13. Adjournment:
  - A. Town Board of Supervisors: **MOTION** by Kessenich/Morrow to adjourn. **MOTION CARRIED 3-0.**
  - B. Village Board of Trustees: **MOTION** by Schoenemann/Wiedenbeck to adjourn. **MOTION CARRIED 6-0.**

The meeting ended at 7:53 P.M.

Kim Banigan  
Town Clerk

Approved 10-4-2007

**JOINT MEETING OF THE  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
and the  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
Thursday, October 4, 2007**

1. **Call to Order** – Deputy Treasurer Bushee called the meeting to order.
  - a.) **Village Board of Trustees** – Present: Trustees Henrich, Margenau, Potter, Schoenemann and Wiedenbeck.  
Absent and excused: President Dahl and Trustee Wallace.
  - b.) **Town Board of Supervisors** – Present: Supervisors Anders and Kessenich and Chairperson Hampton.  
Absent and excused: Supervisors Klinger and Morrow

**Also present:** Police Chief John Gould
2. **Roll Call & meeting properly posted.**
  - a.) **Village Board of Trustees**
  - b.) **Town Board of Supervisors**
3. **Elect Chair Pro-Tem.** **Motion** by Margenau to elect Henrich Chair Pro-Tem, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 5-0-0.
4. **Pledge of Allegiance.**
5. **Public Appearances** - *Public's opportunity to speak to Board Members about any item that is not an agenda item.* Supervisor Anders, 4274 Vilas Rd., spoke to the boards with a concern from one of his constituents, Ellery Jensen, on a possible land split that is an agenda item on the Village's October 10, 2007 Plan Commission meeting. Chairperson Hampton spoke to the boards about using the Fire/EMS meeting room. If someone would like to use the room, contact Trustee Schoenemann. Supervisor Kessenich spoke about how excited she was a site had been chosen for the library.
6. **Discuss and consider the computers purchased by Town and Village for Cottage Grove EMS for possible other uses.** Hampton spoke about how the Town of Cottage Grove is looking at purchasing a laptop and desktop computer. They would like to use 2 from the supply of EMS. They would then use one of the older models at the EMS Building for the phone system. The computers were purchased with the Town and Village each paying 50% of the cost. **Motion** by Margenau to approve a decision to provide a laptop and desktop computer from current inventory of equipment from the EOC Building to the Town of Cottage Grove, seconded by Schoenemann. Motion carried on a unanimous voice vote 8-0-0.
7. **Update on Vilas Road Railroad Crossing from the Office of the Railroad Commissioner.** Hampton will call and arrange for a representative to be present at the November 1, 2007 meeting.
8. **Update on Ad Hoc Joint Cable Committee.** Supervisor Anders said at the last meeting of the Village's Public Relations Committee there was discussion of the Town letting the School District use local channel 4 for its use. The Village would add the Town's Board and

Plan Commission meeting to its rotation of taped meetings on channel 12. This will hopefully start in early 2008.

9. **Update on Joint Recreation Programs.** Margenau reported that at the October 18, 2007 meeting the recreation committee will be working on their 2008 budget. Hampton stated, at this time, the Town will be contributing the same amount of dollars for 2008 they had in 2007 budget. Participation by Town residents is up to 30%. A portion of the money was spent to improve Town's parks.
10. **Discuss and consider possible changes to the current Law Enforcement Agreement.** The following changes will be made to the agreement.
  - a.) **Change the dates to 2007 – 2010**
  - b.) **Remove all references to Police Disciplinary Committee and replace with Police Commission**
  - c.) **2008 increase total number of officers to 12**
  - d.) **Insurance to be carried by the Village**
  - e.) **2.2.51 remove "shall be" and change "no greater than" to "will be."**
  - f.) **2.2.51 add "The LEC will be in charge of the hiring, discipline and terminations of non-sworn employees."**
  - g.) **3.1.4 change the initials "PDC" to Police Commission**

**Village Motion** by Henrich to approve the amended Law Enforcement Agreement, seconded by Wiedenbeck. Motion carried on a unanimous voice vote 5-0-0. **Town Motion** by Anders to approve the amended Law Enforcement Agreement, seconded by Kessenich. Motion carried on a unanimous voice vote 3-0-0.

11. **Approve the minutes of August 2, 2007 meeting.** **Motion** by Wiedenbeck to approve the minutes with correction, seconded by Hampton. Motion carried on a unanimous voice vote 6-0-2, with Margenau and Schoenemann abstaining.

12. **Items for next agenda.**

- a.) Vilas Road Railroad Crossing
- b.) Supervisor Ander's discussion under Public Appearances; land split
- c.) Ad Hoc Cable Committee update
- d.) Ad Hoc Land Conservancy update
- e.) Natvig Landfill update

13) **Adjournment.**

- a. Village Board: **Motion** by Henrich to adjourn the Village meeting, seconded by Schoenemann. **Motion** carried with a unanimous voice vote of 5-0-0
- b. Town Board: **Motion** by Anders to adjourn the Town meeting, seconded by Kessenich. **Motion** carried with a unanimous voice vote of 3-0-0.  
Trustee Henrich adjourned the Joint meetings of the Cottage Grove Town of Supervisors and the Village of Cottage Grove Board of Trustees at 7:51 p.m.

Respectfully submitted, Connie K. Bushee - Deputy Treasurer

**Approved:** 11-01-2007

These minutes represent the general subject matter discussed in this meeting but **do not** reflect a verbatim documentation of the subjects and conversations that took place.

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
NOVEMBER 1, 2007

1. Roll Call and Meeting Properly Posted:
  - A. Notice of the meeting was properly posted in the Town. Present were Town Chairman Kris Hampton, and Supervisors Karen Kessenich and Mike Klinger, along with Town Clerk Kim Banigan. Supervisors Steve Anders and Dave Morrow were absent.
  - B. Notice of the meeting was properly posted in the Village. Present were Village President Ken Dahl, and Trustees Larry Schoenemann, Diane Wiedenbeck, Randy Margenau and Harvey Potter. Trustees Dave Wallace and Jack Henrich were absent.
  - C. Also present were Police Chief John Gould and Fire Chief Bruce Boxrucker. A sign-up list of others in attendance is available in the Town Clerk's office.
2. Call to order:
  - A. Hampton called the Town Board meeting to order at 7:03 P.M.
  - B. Dahl called the Village Board meeting to order at 7:03 P.M.
3. Flag Pledge
4. Approval of Meeting Minutes(s):
  - A. **MOTION** by Wiedenbeck/Schoenemann to approve the minutes of the October 4, 2007 Joint Town/Village Boards meeting, correcting the spelling of *Ellery* under item 5. Public Appearances. **MOTION CARRIED 6-0-2** (Klinger and Dahl abstained).
5. Public Concerns: None.
6. Tom Clauder, Office of the commissioner of Railroads: Update on Vilas Road & Vilas Hope Road Railroad Crossing Signals: Clauder explained plans to install used lights with the addition of gates at Vilas Road have been changed due to excessive cost. Instead, a new set of lights and gates will be installed in 2008 at the previously agreed upon price of \$11,000 to be split equally between the Town and Village. The used lights originally intended for Vilas Road will be installed at the Vilas Hope Road crossing in 2008. The Town will need to include \$2000 in the 2009 Town budget to cover the installation costs. A written notice from the Office of the Commissioner of Railroads, Dated October 18, 2007, supported Clauder's report.

Dahl stated that the Village and Dane County are planning a construction project involving the crossing on County Road N (Main Street) in 2009, and asked Clauder if any plans are in the works for replacing those signals. Clauder advised the Village to petition the Office of the Commissioner of Railroads for assistance.
7. Discuss development of green space at new Monona Grove Middle School: Carl Pulvermacher presented a map showing a suggested plan for a soccer stadium and practice fields in the green space of the new middle school. He feels this is the best use of the green space because the Monona Grove School District does not have a regulation soccer field, and the High School football field is taking a beating due to all of the sports being played on it. He also feels this is a golden opportunity to bring a varsity sport to Cottage Grove. He does not expect that the Cottage Grove Soccer Club would have much use of the middle school fields, but said the community would benefit by allowing young soccer players to watch high school soccer being

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
NOVEMBER 1, 2007

played in their own community, and there would be financial benefits from fans visiting Cottage Grove as well. He urged board members to support his plan at the November 14, 2007 School Board meeting.

Margenau disagreed with Pulvermacher's view that Cottage Grove needs a varsity sport, expressing concern over causing division between Cottage Grove and Monona. He stated that there seems to be misinformation circulating regarding the involvement of the Village in development of the middle school green space, and explained projects either recently completed or in the works to increase the number of soccer fields available in the Village and the Town.

8. Update on Ad Hoc Land Conservancy Committee: Margenau reported that all committee members have been appointed, and the regular meetings will be on the third Wednesday of each month. Due to Thanksgiving, however, the November meeting will be on the second Wednesday.
9. Update on Joint Cable Committee: Dahl reported that the committee is working on factoring out how much of Brian Winge's time will be required to broadcast Town meetings, as well as what time to broadcast the meetings.
10. Update on Joint Recreation Program: Margenau asked if the Town Board feels the proposed funding formula has merit. Kessenich stated that the funding formula makes sense, but Town funds are very short. Margenau also asked what to say to Town residents who ask him about the Town's involvement in the Fireman's Park project. The Village is looking into holding a referendum, and it was agreed that if the Town also holds one, it should be on the same date. Margenau will forward a preliminary draft of the project for the Town Board's review.
11. Discuss/Action on Jt Budget related items for 2008: Hampton explained that he had sent a letter to the Fire and Police Chiefs asking for a 4% reduction in their 2008 budget requests. Two written responses were received from Fire Chief Boxrucker, however both resulted unacceptable loss of fire protection. Hampton stated he was not willing to take that chance, and suggested leaving the Fire Department budget as originally proposed. The Police Chief and Law Enforcement Committee responded with a reduction of \$44,430 in the operating budget and \$1500 in Police Commission expenses. \$19,052 is the Town's portion, and \$26,878 is the Village's portion.
12. Discussion on Russell Farm Issue: Dahl stated that the Village Plan Commission had approved the land division with the following conditions: 1) Right of way dedication of 50 feet from the centerline of both Uphoff and Laudon Roads for the entire frontages of the parent parcel. 2) A deed restriction on 105 acres of property – the entire remnant parent parcel plus the approximately 40 acres on the east side of N just north of USH 12 – saying “no further land division without annexation” – with proof of recording at Dane County. A written version of the requirements were given to the Town Clerk. Tom Russell and realtor Ellery Jensen indicated that they are aware of and in acceptance of the restrictions.

JOINT MEETING  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
NOVEMBER 1, 2007

13. Items for next agenda and meeting date: The next joint meeting of the Town and Village Boards will be December 6, 2007 at the Village Hall, agenda items to include:
  - A. Update on Ad Hoc Land Trust Committee
  - B. Joint Cable Committee Report
  - C. Joint Recreation Committee Report
  
14. Adjournment: **MOTION** by Kessenich/Margenau to adjourn. **MOTION CARRIED UNANIMOUSLY.** The meeting ended at 8:35 P.M.

Kim Banigan  
Town Clerk

Approved 12-06-2007

**JOINT MEETING OF THE  
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES  
&  
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS  
Thursday, December 6, 2007**

1. **Call to Order** – Deputy Treasurer Bushee called the meeting to order.
  - a.) **Village Board of Trustees** – Present: Trustees Henrich, Margenau, Potter, Schoenemann, Wallace, Wiedenbeck and President Dahl
  - b.) **Town Board of Supervisors** – Present: Supervisors Anders and Kessenich and Chairperson Hampton.  
Absent and excused: Supervisors Klinger and Morrow
2. **Roll Call & meeting properly posted.**
  - a.) **Village Board of Trustees**
  - b.) **Town Board of Supervisors**

There were four citizens in attendance.

3. **Flag Pledge**

4. **Public Appearances** - *Public's opportunity to speak to Board Members about any item that is not an agenda item.* **None.**

5. **Discuss and consider possible joint referendums for Library and Parks Facilities.**

Wiedenbeck reported to the joint boards she will be asking the Village Board of Trustees' approval for a referendum question for the Spring Election on April 1, 2008. At this time, she does not have the figures to present to the Town Supervisors. Margenau stated the Parks Committee would like to make a presentation to the Town Board in January, 2008. To meet the 45 day deadline to add a referendum question to the Spring Election ballot, the question would have to be approved at the Village and Town Board meetings of February 4, 2008. **This was discussion only and no action was taken.**

6. **Discuss and consider pass thru assessments for portions of the Town of Cottage Grove or Special Assessments by Village for improvements on County Hwy BB & Damascus Trail.** To pay for the new traffic light at the intersection of County Highway BB and Damascus Trail, a portion of the improvements include Town of Cottage Grove property that the Village of Cottage Grove cannot collect special assessment on. The properties include areas of Meadow Grove and Ravenwood subdivisions. **This was discussion only and no action was taken.**

7. **Update on Ad Hoc Land Conservancy Committee.**

- a.) **Discuss and consider recommending options and scope for a land appraisal to Village Board Members and Town Board Supervisors in accordance with Dane County Land Conservancy for the property known as "The Farm".** Margenau reported there has been 2 meetings of the Ad Hoc Land Conservancy Committee. At

the second meeting the committee members had a walking tour of the property and discussed different options. Sara Kwitek, Dane County Department of Land and Water Resources, was in attendance to both of the Committee's meetings. She reported at the second meeting the committee would need an appraisal on the property. Ms. Kwitek sent out requests to five different land appraisers with only one company returning a quote for \$4,800 with the work completed within 45 days of acceptance. There are programs through Dane County and Wisconsin Department of Natural Resources to help with the purchase of the land. **Motion** by Margenau to approve the appraisal cost of \$4,800 coordinating this with Dane County pending the approval Town Board Supervisors approval at their December 17, 2007 Town Board meeting with the cost being split 50/50 between the Town and Village, seconded by Schoenemann. **Motion** carried on a unanimous voice vote 10-0-0.

8. **Update on Joint Cable Committee.** No report.

9. **Update on Joint Recreation Programs.** No report.

10. **Approve the minutes of November 1, 2007 meeting.** **Motion** by Hampton to approve the minutes with noted corrections, seconded by Schoenemann. Motion carried on a unanimous voice vote 7-0-3, with Anders, Wallace and Henrich abstaining.

11. **Items for next agenda.**

- a.) Ad Hoc Cable Committee update
- b.) Ad Hoc Land Conservancy update
- c.) Possible joint referendums for Library and Parks Facilities

12. **Adjournment.**

- a. Village Board: **Motion** by Wiedenbeck, to adjourn the Village meeting, seconded by Wallace. **Motion** carried with a unanimous voice vote of 7-0-0
- b. Town Board: **Motion** by Hampton to adjourn the Town meeting, seconded by Anders. **Motion** carried with a unanimous voice vote of 3-0-0.  
Trustee Dahl adjourned the Joint meetings of the Cottage Grove Town of Supervisors and the Village of Cottage Grove Board of Trustees at 7:52 p.m.

Respectfully submitted, Connie K. Bushee - Deputy Treasurer

**Approved:** 01-03-2008

These minutes represent the general subject matter discussed in this meeting but **do not** reflect a verbatim documentation of the subjects and conversations that took place.