

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
OCTOBER 3, 2016

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, and Mike DuPlayee were all present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Attorney Connie Anderson and Deputy Brian Biwer. Renee Lauber from the Dane County Towns Association arrived at 7:25 P.M.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
1. **MOTION** by DuPlayee/Anders to approve the minutes of the September 6, 2016 minutes as printed, including Attachment A. **MOTION CARRIED 4-0.**
  2. **MOTION** by Fonger/DuPlayee to approve the minutes of the September 19<sup>th</sup> and September 21<sup>st</sup> Town Board minutes as printed. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #30727-30764 from Monona State Bank. **MOTION CARRIED 4-0.**
  2. **MOTION** by Anders/Fonger to approve payment of September per diems as presented, and payment of \$1,175.00 to Viken Inspection Agency, LLC for September building permits. **MOTION CARRIED 4-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

A. Plan Commission recommendations

1. Discuss and Consider rezones associated with recent changes to the Future Land Use Map:
  - a) Rezone from A-1 (EX); TDR-S to A-3 (remove TDR-S) for the following parcels
    - 0711-173-9500-2 and 0711-174-9250-4 owned by Bruno Keller.
    - 0711-212-9500-4 owned by MAC-Farm LLC.

**MOTION** by Hampton/DuPlayee to accept the plan commission's recommendations to approve the rezone of parcels 0711-173-9500-2 and 0711-174-9250-4 owned by Bruno Keller and 0711-212-9500-4 owned by MAC-Farm LLC from A-1 (EX); TDR-S to A-3, removing TDR-S. **MOTION CARRIED 4-0.**
  - b) Rezone from A-3 to A-1 (EX); TDR-S(?) for parcels 0711-204-9500-4 and 0711-204-8000-1 owned by Joel and Marie Hammond.

Hampton stated that the Hammonds no longer want these parcels to be in the Ag Preservation area, and intend to petition to have them designated as Neighborhood Development with the 2017 review of the Comprehensive Plan. **MOTION** by Hampton/Anders to take no action on the rezone of parcels 0711-204-9500-4 and 0711-204-8000-1 owned by Joel and Marie Hammond. **MOTION CARRIED 4-0.**
2. Brent Jolma, Applicant, Haag Living Trust, landowner: Seeking rezone of 6 acres at 1640: US Hwy 12 & 18 from parcels 0711-361-8001-0 and 0711-361-8500-6 from A-2

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to A-2 (4) to separate existing residence from farm Land: Mr. & Mrs. Jolma stated they intend to use the property as a hobby farm with sheep and goats. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 6 acres from parcels 0711-361-8001-0 and 0711-361-8500-6 from A-2 to A-2 (4) to separate existing residence from farm land. **MOTION CARRIED 4-0.**

3. Discuss and Consider Design Review under TCG Ord. Sec. 12.08 for proposed storage unit development by Real Estate Management Solutions, LLC parcel 0711-332-9700-0 on Fieldview Lane: Robert Roth, Project Engineer with Roth Professional Solutions, Tim Moy and David Caflich were present to answer questions. Caflich provided samples of the colors for the steel siding and roof. Soffits will be black. The Plan Commission had asked that building D have copulas to break up the long, flat roof. Moy said that would not be possible since the roof slants toward the back of the building, but offered that a break in the roofline could be achieved by having three taller doors in the center of the building. **MOTION** by DuPlayee/Anders to approve the design as presented and recommended by the Plan Commission, allowing for three raised doors rather than copulas to break up the roof line on building D. **MOTION CARRIED 4-0.**
- B. Discuss/Consider conditional zoning for storage unit development by Real Estate Management Solutions, LLC parcel 0711-332-9700-0 on Fieldview Lane, as approved by the the Dane County Board of Supervisors to include ancillary retail sales of supplies: Caflich stated that the supplies for sale would include boxes, tape, and moving supplies. **MOTION** by Fonger/Anders to add ancillary retail sales of supplies to the conditions of the zoning for parcel 0711-332-9700-0. **MOTION CARRIED 4-0.**
- C. Discuss/Consider whether to file notice of intent to opt out of Dane County Zoning: Ms. Lauber said that 10 of the 33 towns in Dane County have provided notice of opting out so far. The Towns seeing the most development were the first ones to opt out. They want to be in charge of interpreting their own land use plans. (The county would still have plat review). Their number one reason seems to be dissatisfaction with the County ZLR committee. Other reasons include incredible expense and unforeseen obstacles for land owners. She said eliminating the County from zoning would save time and potentially cost for constituents. Even though the current plan is to contract with General Engineering for the same fees, there are thoughts that fees could be reduced in the future. The steps to opt out including adopting an official map, readopting the comprehensive plan, adopting an ordinance, and a vote at the annual meeting.

Anders said he recommends filing the notice to opt out. He is concerned over some of the aspects of the proposed Chapter 10 rewrite, and specifically mentioned stricter limits on "Agri-tainment" operations, changes to regulation of noise, and sending appeals directly to circuit court. Lauber said it is the relationship, not the code, that is broken, and specifically the relationship with the elected officials. The Clerk said she works closely with County Zoning staff and relies on them to provide records, maps and historical information.

The Clerk had provided the draft zoning ordinance to board members via email prior to the meeting. Hampton asked if all of the 10 (or more) towns would have to approve amendments to the ordinance, Lauber replied that they would.

Attorney Anderson stated that there are a lot of unknowns, and advised that the Town Board must use the time wisely between now and April. She said that Windsor has effectively done

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the same thing by going from a Town to a Village, and is finding there were a lot of other services provided by Dane County along with the zoning that they are now needing to recreate for themselves.

There may be another chance to opt out in three years, however there are concerns that the law may be changed by then.

**MOTION** by DuPlayee/Fonger to put a resolution to opt out of county zoning on the October 17<sup>th</sup> agenda for action. **MOTION CARRIED 3-1** (Hampton opposed).

- D. Discuss/Consider milling and overlaying both lanes of Gaston Road from the water main construction area to Buss Road: Smith said the cost for a minimal mill and 2" overlay would cost roughly \$50,000. He is uncomfortable with doing this so late in the year due to concerns that even with the milling and tack coat, the overlay may not adhere. **MOTION** by Fonger/DuPlayee to NOT do a mill and overlay of both lanes of Gaston Road from the water main construction area to Buss Road. **MOTION CARRIED 4-0.**
- E. Discuss/Consider replacing culverts on Gaston Road: Smith reported that as the project progresses, other things are coming up that should be done. R.G. Huston Company Inc. has provided a quote of \$26,173.50 to replace two box culverts west of Brown Thrush Trl. Doing this will save \$21,600 in project cost related to running the utility pipe under the culverts, so the Village has agreed to pay the \$21,600.00 toward the culverts leaving the Town's cost at \$4573.50. **MOTION** by Fonger/DuPlayee to spend up to \$5,000 to replace two concrete culverts west of Brown Thrush Trail. **MOTION CARRIED 4-0.**

Smith also brought up another culvert at the far east end of the project that is at a considerable angle and a homeowner has set up an obstacle to keep the water from running to his garage. Smith said it would cost \$400-\$500 to direct it toward the yard rather than toward the garage. **MOTION** by Hampton/Anders to reconsider the motion above. **MOTION CARRIED 4-0.** **MOTION** by Fonger/DuPlayee to amend the motion above to include the two concrete culverts west of Brown Thrush Trail and redirecting the one at the east end of the project, total cost not to exceed \$6,000. **MOTION CARRIED 4-0.**

- F. Discuss/Consider adopting Budget Resolution 2016-01 amending the Town's 2016 budget: The Treasurer said that this resolution covers all of the amendments so far this year. Another will be needed later in the year for the Gaston Road project. **MOTION** by Hampton/DuPlayee to adopt Budget Resolution 2016-01 as presented. **MOTION CARRIED 4-0.**
- G. Discuss/Consider replacing video system in 2011 Crown Vic squad car: Anders reported that the computer portion of the video system is not working properly, and data is corrupted due to a faulty cooling fan. A service company in Green Bay has estimated a cost of up to \$550 to repair it, with a \$139 minimum diagnostics charge. A more pressing issue is that the radio in the car is not fully compatible with Dane Com, and the cost to replace that could be in the \$3,000 range. Discussion was maybe it is time to consider replacing the Crown Vic with a second leased squad from the County, if a second squad is needed at all. **MOTION** by Hampton/DuPlayee to NOT replace or repair the video system in the 2011 Crown Vic squad car. **MOTION CARRIED 4-0.** Captain Teuscher will be invited to the next meeting to discuss a second leased squad car.
- H. Discuss/Consider approval of the Agreement with Strand Associates for 2017 Services for the former Natvig Road Landfill: The contract contains the same language as the current

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contract, with the exception of dates, and the testing cost is the same as it has been for the last two years. One well does need to be replaced, Tina Sebold is working on getting firm costs for that but estimated around \$3,000. **MOTION** by Anders/DuPlayee to approve the Agreement with Strand Associates for 2017 Services for the former Natvig Road Landfill. **MOTION CARRIED 4-0.**

- I. Discuss/Consider approval of additional election inspectors for the 2016-17 term: **MOTION** by Hampton/DuPlayee to approve three new election inspectors for the 2016-17 term. **MOTION CARRIED 4-0.**

III. CLERK'S REPORT: The Clerk reported that her research into employee health insurance has shown that going with the state plan would be cost prohibitive since all employees would be required to take the standard plan due to the fact that the Town does not already offer health insurance. She is finding it difficult to find coverage for such a small group, but has at least one agent willing to see what he can find. The Clerk wanted a nod from the board that it is still willing to consider offering health insurance before she continues the efforts. Consensus was to continue pursuing it.

IV. HIGHWAY SUPERINTENDENT'S REPORT:

- A. Painting of the exterior of the Town Hall is underway, although the painters were given the wrong color and will need to do it again.
- B. Andrew Perry started work today.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton:
  1. Board members should register their support for the Turnout for Transportation effort online.
  2. He received:
    - a) Notice from the City of Madison regarding planning meetings for the Yahara Hills neighborhood to be held on October 27<sup>th</sup> and November 9<sup>th</sup>.
    - b) A newsletter from MSA regarding the Gaston Road watermain project.
    - c) 2017 costs for the Contract with the DCSO for police services.

VI. COMMITTEE REPORTS:

- A. Joint Town/Village Landfill Monitoring Committee: They approved the bills and 2017 monitoring contract, discussed replacement of a monitoring well.
- B. Joint Town/Village Fire Department Committee: They approved 2017 budgets for the fire department and emergency services building, and approved a \$1,200 reduction to the contract price to the Town of Pleasant Springs.

VII. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 8:58 P.M.

Kim Banigan, Clerk  
Approved 10-17-2016

**TOWN OF COTTAGE GROVE**

4058 County Road N  
Cottage Grove, WI 53527

**BUDGET RESOLUTION 2016-01**

A resolution allocating unassigned funds and amending the 2016 budget of the Town of Cottage Grove, Wisconsin, adopted by a two-thirds majority vote of the entire membership of the TOWN BOARD.

BE IT RESOLVED by the TOWN BOARD of the Town of Cottage Grove that the following adjustments be made to the 2016 Town budget:

Revenue		Expense			Explanation	
42010	Sale of Highway Equipment	3,310.00			Move Increased Equipment Proceeds To Note Proceeds	
42320	Promissory Note Proceeds	(3,310.00)				
42260	Viney Development Fund	9,269.36	50170	Other Board Expense	457.51	Viney's Subdivision Expense Reimbursed By Resident
			50180	Town Planner	1,718.75	
			50250	Town Legal Expense	4,392.00	
			51770	Contractor Expense	2,701.10	
43000	Hydrite Chemicals Fund	817.29	50930	Hydrite Chemical Settlement Exp	817.29	Hydrite Fund Balance Applied To 2016 Well Testing
43020	Sick Leave Funds	71,352.94	51730	Patrolman Wages	66,282.34	Sick Leave Payout Due To Retirement Of R.S. & N.S.
			51740	Patrolman FICA	5,070.60	
43060	Unassigned General Fund	8,649.85	50250	Town Legal Expense	7,168.50	2015 Funds Applied To Gaston Road Project
			51770	Contractor Expense	1,481.35	
Total Change In Revenue		90,089.44	Total Change In Expense		90,089.44	
			Net Change		0.00	

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 4 for and 0 against and 0 abstentions on this 3rd day of Oct, 2016.

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Kris Hampton, Town Chair

ATTEST:

  
Kim Banigan, Town Clerk