

TOWN OF COTTAGE GROVE
ANNUAL TOWN MEETING
APRIL 14, 2009

A video presentation of *Dane Waters A REFLECTION OF US ALL* preceded the meeting.

- I. The meeting was called to order by Town Chair Kris Hampton at 7:00 P.M. Town Clerk Kim Banigan recorded the minutes, and Attorney Connie Anderson provided legal counsel. A list of other attendees is available in the Town Clerk's Office.
- II. Flag Pledge
- III. The minutes of last year's Annual Town Meeting were available in printed form. There was no reading of the minutes at the meeting. **MOTION** by Virgil Schroeder/Michael Kindschi to approve the minutes as printed. **MOTION CARRIED 19-0.** (Voters at tonight's meeting were asked to stand and count off as they sat down.)
- IV. Additions to agenda by Electors:
 - Karen Kessenich asked for a discussion about the designation of the Town's official newspaper.
 - Truman Nienstedt asked for a discussion about the current law enforcement situation.
- V. Presentation of the 2008 Annual Town Report: The 2008 Statement of Revenues and Expenditures was printed on the back of the agenda. **MOTION** by Silvin Kurt/Deborah Simonson to approve as printed. **MOTION CARRIED 19-0.**
- VI. Resolution giving the Town Board authority to borrow money in an emergency: Hampton read the resolution. Anderson answered a question about what is considered an emergency, stating that it would have to be an unforeseeable, unplanned event, such as a natural disaster or fire. **MOTION** by Truman Nienstedt/Steve Querin-Schultz to approve the resolution as read. **MOTION CARRIED 21-0.**
- VII. Resolution designating public depositories: Hampton read the resolution. **MOTION** by Truman Nienstedt/Jeff Smith to approve the resolution as read. **MOTION CARRIED 23-0.**
- VIII. Status report of The Farm Conservancy, followed by discussion of the four options for the remaining 40-43 acres previously identified to have benefits for the Town:
 - Securing grants to purchase the 40-43 acres, to remain as parkland.
 - Seeking a private foundation to purchase the 40-43 acres, to remain as open space.
 - Town and Village jointly purchasing the 40-43 acres.
 - No municipal purchase of the 40-43 acres, but securing an agreement with the Village to allow the 40-43 acres to be developed in the Town.

Hampton reported that the Village made an offer, which as been accepted, for the 59 acres of The Farm Conservancy that qualifies for Dane County and WDNR conservation grants. The Town is not part of this offer and has withdrawn its co-application for the grants. The question remains as to what will become of the remaining 40-43 acres. The bullets above represent options that the Town Board has identified as beneficial to the Town. There were questions and discussion about cost to purchase the remaining 40-43 acres, whether grants might be available, what uses would be allowed if grants were involved, and whether private foundations might be interested. Eleven people voted in favor of the following ranking:

1. Securing grants to purchase the 40-43 acres, to remain as parkland.
2. Seeking a private foundation to purchase the 40-43 acres, to remain as open space.

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3. Town and Village jointly purchasing the 40-43 acres.
4. No municipal purchase of the 40-43 acres, but securing an agreement with the Village to allow the 40-43 acres to be developed in the Town.

Twelve people voted in favor of only the following options and order:

1. No municipal purchase of the 40-43 acres, but securing an agreement with the Village to allow the 40-43 acres to be developed in the Town.
 2. Seeking a private foundation to purchase the 40-43 acres, to remain as open space.
- IX. Presentation of concept plan for a possible Agri-Business Park at US Highway 12 & 18 and County Road N – Gary Peterson, Sustainable Services, Inc., followed by a question for electors: Should the Town finance the development of an agri-business park at US Highway 12 & 18 and County Road N?: Peterson began by giving an overview of commercial planning beginning in 2002 with the adoption of the Town’s Comprehensive Plan. All commercial areas planned were within the Extraterritorial Jurisdiction (ETJ) of the City of Madison, but at that time the City was not exercising its ETJ authority, and made no comment on the Town’s plans for commercial development within its ETJ. Since that time, however, the City has begun exercising ETJ authority, and has indicated it will not allow land divisions for development within its ETJ. For this reason, the Agri-Business Park is proposed to be developed under a condominium plan.

Peterson displayed maps showing property boundaries and elevations of the entire 160 acres, and a concept plan for the first 40 acres to follow sustainable standards already adopted by the Town Board. Sustainable features would be designed to reduce energy and waste products, control stormwater, and preserve some of the natural areas. A combination of agricultural related businesses and organic farming plats was shown on the plan.

Hampton said that the Plan Commission suggested formation of a Community Development Authority (CDA) as a means to eliminate taxpayer exposure to this project. Anderson explained that a CDA is a legal entity created by the Town Board that has the ability to borrow and/or bond, keeping the financing of the project entirely off the backs of taxpayers. The CDA would purchase the land and make all of the improvements using loan or bond proceeds, and would probably continue to own and manage the development indefinitely. Even if the project were to fail, no liability would fall on taxpayers. The Town would benefit from the additional property tax base.

There was discussion about whether such a project is feasible, and why a CDA rather than a private developer. Anderson said that a CDA would allow the Town to have more control over the development, and it may be difficult to find a developer willing or able to sustain such a long-term project.

The Town would need to provide funds to form the CDA and for the CDA to do a feasibility study. It was suggested that an option on the land be purchased to prevent any surprises in the land cost after all of the background work has been done. **MOTION** by Steve Querin-Schultz/Truman Nienstedt to set a limit of \$25,000 to create a CDA, perform a feasibility study, and purchase an option on the land. **MOTION CARRIED 12-8.**

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Karen Kessenich questioned where the \$25,000 was to come from, and cautioned against dipping into the Town's undesignated funds.

- X. Set date for next year's Annual Town Meeting: **MOTION** by Virgil Schroeder/Silvin Kurt to hold next year's Annual Town Meeting on Tuesday, April 13, 2010 at 7:00 P.M. at the Town Hall. **MOTION CARRIED 24-0.**

XI. Other Business

- A. Discussion about the designation of the Town's official newspaper: Currently the Town's official newspaper is the Wisconsin State Journal. Karen Kessenich asked whether there is any interest in publishing official notices in the Herald Independent instead. Kris Hampton recalled that the argument against using the Herald Independent in the past was that it is only published weekly, making it difficult to publish adequate notice at times. The Clerk noted that the Herald Independent serves primarily the Monona Grove School District, and may not be of much interest to Town residents in other school districts. There was no further discussion.
- B. Discussion about the current law enforcement situation: Kris Hampton reported that Douglas Kenny is the acting Police Chief, and the Police Commission is scheduled to hear testimony regarding charges against Chief John Gould on May 12th. There were questions about whether public testimony would be allowed, and concern over possible animosity within the department after this is settled. Police Commission Meetings typically include an agenda item for public comment early in the meeting where concerns could be brought up.

There was discussion about an agenda item on a recent Law Enforcement Committee meeting to look into possibly contracting with the Dane County Sheriff's Department for policing services. Hampton said that this has been looked at from time to time to be sure the Town and Village are getting the best value for the money spent.

- XII. Presentation of video: All About Wisconsin Roundabouts, a Wisconsin DOT Webcast Event.
- XIII. Adjournment: **MOTION** by Truman Nienstedt/Sharon Fredenberg to adjourn. **MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.** The meeting was adjourned at 9:05 P.M.

Kim Banigan
Clerk

Approved 4/13/2010