

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JANUARY 7, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, Highway Superintendent Dan Dresen, and Attorney Susan Allen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on December 17, 2018 with a correction to the makers of the motion in item D. 1. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #32730-32764 from Monona Bank as presented. **MOTION CARRIED 5-0.**
  2. **MOTION** by Anders/Williams to approve payment December per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Alliant Energy to move poles on North Star Road. **MOTION CARRIED 5-0.**

II. BUSINESS:

A. Plan Commission Recommendations:

1. Discuss/Consider approval of rezone of 36.23 acres from parcels 0711-183-9000-5 and 0711-183-9500-0 owned by Windsor Quarry LLC from A-1(EX) to A-3 for compliance with amendments to the Town's Comprehensive Plan and Dane County's Farmland Preservation Plan: Atty. Mike Lawton was present to represent Windsor Quarry LLC. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to the rezone for compliance. **MOTION CARRIED 5-0.**
2. Discuss/Consider design review of Capitol Underground commercial buildings and related site improvements on 12.004 acres on North Star Road: Brent Conwell was present representing Capitol Underground. He had provided a lighting plan, drawings of the proposed cold storage building with two and three cupulae, and a diagram and specifications for the entrance gate.
  - They are undecided about installing an alarm system or how the lights will be activated, possibly on a timer or gate activated.
  - They are staying with a 60' gate.
  - They are not planning to have a knox box at the gate, but rather they will provide the access code to emergency services, along with a visor remote.

**MOTION** by Fonger/Williams to accept the Plan Commission's Recommendation to approve the the plans for grounds and for the 148' x 81' cold storage building including:

- Three cupulae on the cold storage building.
- Lighting as per the plan provided.
- Driveway to be 60' wide with gate as per plan provided.

**MOTION CARRIED 5-0.**

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B. Discuss/Consider revisions to TCG Ordinance Chapters 1,12-25:

- Chapter 1 revisions are not part of the current recodification process, minor revisions are for compliance with the Town's adoption of the Wisconsin Municipal and Related Records Schedule. The changes were acceptable to the Board.
- Chapter 12:
  - The Clerk had made revisions to section 12.04 regarding placement and size of address numbers based on the discussion at the last meeting, and to section 12.06(2)(g) to change the maximum opening for fences around swimming pools to 4 inches as recommended by the building inspector. These changes were accepted by the Board.
  - Attorney Allen had proposed a complete replacement of section 12.07 regarding mobile and manufactured homes. The Town's current but very old mobile home ordinance allows for temporary parking of mobile homes outside of mobile home parks if approved by the Board. The proposed replacement ordinance has no such provision. The Clerk had checked with the Dane County Zoning Administrator to be sure the new ordinance would be compatible with county ordinances, and learned that it would be, however the term mobile home now refers only to transportable homes prior to 1976, which are prohibited by county zoning. The term manufactured home refers to transportable homes constructed since 1976 to HUD standards, and are considered single family residences under county zoning. Discussion was that while some manufactured homes do serve as single family residences in the Town, the Board does not want to see any new ones outside of a mobile home park, except on a temporary basis under a permit approved by the Town Board, for example while a house that is uninhabitable due to fire or storm damage is being rebuilt. Atty. Allen will revise the proposed ordinance to include this provision.
- Chapter 13: Municipal Utilities contains only an obsolete cable tv ordinance, and can be repealed.
- Chapter 14: The board accepted the minor revisions as drafted.
- Chapter 15: The Clerk proposed expanding the radius for notification of neighbors about changes of land use to 300 feet to match what Dane County does. She also said she had plans to work with the Town Engineer to make the ordinance easier to follow and use. There was general agreement with that plan.
- Chapter 16: The DNR recently contacted the Clerk to schedule a recycling compliance review, and offered suggestions for some revisions to Chapter 16 regarding recycling. These were included in the draft ordinance that the Board reviewed and accepted.
- Chapters 17 and 18: Atty. Allen's proposed complete replacements for these ordinances regulating non-metallic mining and blasting were much more involved as far as requirements of the applicants as well as process and procedure than the current ordinances are. She said the current ordinances are missing critical procedural requirements and obligations, and had provided references to two towns in northern Wisconsin who have adopted similar ordinances. Only one had responded to the Clerk's request for information, the Town of Stanley in Barron County reported that they developed the ordinance in response to many frac sand mining operations starting up all around them. Dennis Richardson and Dale Huston of RG Huston Company were present, and Mr. Richardson said the requirements of the proposed ordinance would be a huge

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burden on the applicants, that much of the required information has no scientific basis, and frankly would ask for proprietary information that they would not want to share for fear of losing leases to competitors who could take advantage of work they had done on mining sites. He warned that adopting such ordinances could set the Town up for law suits from higher up. Consensus was to direct Atty. Allen to modify the current Chapters 17 and 18 to add in the procedural requirements and obligations she felt the current ordinances are lacking.

- Chapter 19 Public Assembly has no content and can be repealed.
- Chapter 20 Regulation of Animals: The board accepted the minor revisions as drafted.
- Chapter 21 General Relief: Atty. Allen says this can be repealed.
- Chapter 22 Administrative Policies and Procedures: The board accepted the revisions as drafted, and noted two references that need to be corrected. Section 22.05 reserved for prohibition of sexual harassment can be removed. Atty. Allen advised this would be more appropriately addressed in the Personnel Handbook, and she was directed to provide language for that.
- Chapter 23 has no substance and can be repealed
- Chapter 24 has no substance and can be repealed
- Chapter 25 Construction and effect of ordinances: The board accepted the revisions as drafted.

The discussion will continue at a future meeting when more revisions are ready for review.

- C. Discuss/Consider start date for North Star Road reconstruction project: Atty. Allen is still working with the attorney for Coon/Swalheim to finalize the right-of-way dedication document. **MOTION** by Anders/Fonger to let the contractor know that work may begin as soon as signatures are obtained on the document. **MOTION CARRIED 5-0.**
- D. The Town Board may enter into closed session pursuant to Section 19.85(1)(e), Wis. Stats. – deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. This closed session is to discuss potential boundary agreements: **MOTION** by Williams/DuPlayee to enter into closed session for the reasons stated above. **MOTION CARRIED 5-0** by roll call vote. Board members, the Clerk and Atty. Susan Allen remained for the closed session, all others left and the closed session began at 8:30 P.M.

The Town Board will reconvene in open session to take any action from the closed session and address the remaining agenda items: **MOTION** by Anders/Williams to reconvene to open session. **MOTION CARRIED 5-0** by roll call vote. The closed session ended at 8:40 P.M. and there was no action taken as a result of it. No others rejoined the meeting after the closed session.

- E. Discuss/Consider approval of Contract for Provision of Fire Protection and Rescue Services By and Between the Cottage Grove Volunteer Fire Department, Inc., the Cottage Grove Fire District, and the Town of Pleasant Springs for 2019-2023: The Clerk provided copies of an email from this afternoon from Village Atty. Boushea noting that he and Atty. Allen had agreed to add the phrase “to the full extent of the law...” to the third subparagraph of section

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10. **MOTION** by Hampton/DuPlayee to approve the contract as drafted and with the addition to section 10 as stated above. **MOTION CARRIED 5-0.**
- F. Discuss/consider timeline for bridge replacement design phase: **MOTION** by Fonger/Williams to begin the design process now. **MOTION CARRIED 5-0.**
- G. Discuss/Consider agenda items for joint meeting with the Cottage Grove Village Board on January 31, 2019: The Clerk was directed to ask the Village President to include the following topics on the agenda:
- Update on Shady Grove subdivision, including transportation plan
  - Update by MG School Superintendent Dan Olson on their request for additional land to connect the new school to Glacial Drumlin
  - Update on Widen development, including driveway access to Vilas Road
  - Update on bike path.
- H. Discuss/Consider attendees for 2019 WTA District Meetings: No one was interested in attending.
- III. CLERK'S OFFICE UPDATE: There will be no need for a February Primary. She has contacted ES&S to begin the process to purchase an ExpressVote.
- IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen had left the meeting already.
- V. BOARD REPORTS AND COMMUNICATIONS: Anders described the events of his last shift after 40 years with Deer-Grove EMS, including a group breakfast, escort home at the end of his shift last sign-off.
- VI. COMMITTEE REPORTS: None.
- VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:00 P.M.

Kim Banigan, Clerk  
Approved 01-21-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JANUARY 21, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, Highway Superintendent Dan Dresen, and Deputy Jennifer Grafton.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
  - 1. **MOTION** by Williams/DuPlayee to approve the minutes of the open session minutes from the Town Board meeting held on January 7, 2019 with a word usage correction in item II B. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Anders/Williams to approve the closed session minutes from January 7, 2019 as printed, and to keep them closed until the matter is resolved. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #32764-32799 from Monona Bank as presented, with check #32785 voided. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Anders/DuPlayee to approve payment of \$2,798.43 to General Engineering company for December building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: Jeff Trentadue, 2850 Alydar Way, offered his assistance in locating developers interested in developing in the Town.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Wisconsin Power & Light Co. to drill and trench on Meadowlark Street to replace gas service at 2751 Bluebird Ln. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Review December police activities: Deputy Grafton said there have been no significant incidents to report. The printed report showed 154 calls for service and 64 citations issued in December. Discussion led to direction to the Clerk to ask Dane County Crime Analyst Michael Walnoha to attend the Annual Town Meeting in April and present a comparison of calls for service and citations by year over the time the policing contract with the Sheriff's Office has been in effect.
- B. Discuss/Consider color for new squad car: An email from Lt. Bayler provided notice that the Sheriff's Office is not moving forward with brown squads for their fleet, and wondered if the Town still wants the new squad for 2019 to be brown. The Sheriff's Office squads will continue to be silver for now, probably going to black in the future. Deputy Grafton did not have a strong preference, although she did say that black gives better cover for tactical operations. **MOTION** by Fonger/Williams to go with silver for the 2019 squad. **MOTION CARRIED 5-0.**
- C. Discuss/Consider whether to pursue changing speed limit on all unposted Town roads to 45 mph: Deputy Grafton said she had originally suggested this for consistency, since the most common complaint she hears from motorists is that Town speed limits are inconsistent. She was not adamant about posting all unposted roads, but suggested that Ridge Road north of County BB, and the Jargo Roads are among the most confusing. Ridge Road south of County

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BB is posted for 45 mph, but the section north of County BB is not posted. She said she does not feel safe traveling at 55 mph there due to the hills and curves. The intersection of Nora with West and South Jargo roads is also confusing with Nora Road posted at 45 mph but no posted limit on the Jargos.

David Knocke, 4433 Ridge Road, said he has a direct view of Ridge Road from his home and feels motorists are traveling too fast considering the road condition, hills, curves, blind spots, walkers, bicyclists, buses and farm machinery. He noted that there is a long history of resident concerns over the speed limit on Ridge road, including a speed study and two petitions to reduce the limit.

Mark Olejniczak, 1796 Strawberry Road, agreed with Mr. Knocke, and asked what the board's objection is to responding to the resident petitions and speed study by reducing the speed limit.

**MOTION** by Hampton/Anders to conduct another speed study in the Spring to include Ridge Road north of County BB and the Jargo Roads, and to ask Dane County Crime Analyst Michael Walnoha to provide statistics on citations and accidents on those roads. **MOTION CARRIED 5-0.**

- D. Discuss/Consider request for sign prohibiting the use of jake brakes or engine brakes on North Star Road: Jonathon Enriquez, 3380 North Star Road, said he had made the request due to the noise nuisance from the jake brakes. He also asked if the speed limit on North Star could be reduced to 45 mph. **MOTION** by Williams/DuPlayee to post signs in both directions to prohibit jake brakes on North Star Road north of US Hwy 12 & 18. **MOTION CARRIED 5-0.** The speed limit on North Star will be on the agenda for the next meeting.
- E. Discuss/Consider approval of Parade or Race permits for:
1. Katie Seely, applicant for Ragnar Events, LLC – Relay race on May 18, 2019 of up to 450 runners between 7:30 A.M. - 4:30 PM, route to include County Highway BB, Vilas Road, Clark Street, Glacial Drumlin Trail crossings: The Clerk reported that the fee/deposit has not yet been received, and that she has shared the application with emergency services, the Village of Cottage Grove and the Dane County highway department. Deer-Grove EMS has indicated they are working with the race organizers to provide coverage. **MOTION** by Hampton/DuPlayee to approve the permit and letter to notify neighbors, conditioned on receipt of payment, EMS coverage as determined by DGEMS, and all other necessary permits. **MOTION CARRIED 5-0.**
  2. Ryan Hastings, applicant for American Parkinson Disease Assoc. – Wisconsin Chapter - Half Marathon on April 6, 2019 to include Glacial Drumlin trail crossings. The Clerk reported that the fee/deposit has not yet been received, and that she has shared the application with emergency services and the Village of Cottage Grove. Deer-Grove EMS has indicated they are working with the race organizers to provide coverage. **MOTION** by Williams/DuPlayee to approve the permit and letter to notify neighbors, conditioned on receipt of payment, EMS coverage as determined by DGEMS, and all other necessary permits. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval for the American Parkinson Disease Assoc. to rent Flynn Hall at the Town resident rate for marathon registration on April 5, 2019, and to utilize the Town Hall parking lot for marathon parking on April 6, 2019: **MOTION** by Anders/Williams to

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approve the use of Flynn Hall at Town resident rate, and the use of the Town Hall parking lot for marathon parking at no charge. **MOTION CARRIED 5-0.**

- G. Discuss/Consider approval of revising Special Permit #99001 for House Trailer at 2157 Hwy 12 & 18 to allow the house trailer to serve as an office for the property owner: Brett Skaar said he wants to maintain the option for a hired hand to reside in the house trailer until his son is old enough to utilize it in a couple of years, so in the meantime he would like to use it as an office. **MOTION** by Anders/DuPlayee to approve the use of the house trailer as an office, but it must be occupied by a farm hand no later than July 1, 2021. **MOTION CARRIED 4-1** (Fonger opposed).
- H. Discuss/Consider approval of ExpressVote sales order and maintenance agreements: The agreement provides for the purchase of the ExpressVote at a cost of \$3,445.00 including a trade in allowance of \$200.00 for the automark machine, and ongoing hardware and software maintenance agreements after the one year warranty is up at a cost of \$130/year for the first two year term. **MOTION** by Hampton/DuPlayee to approve the sales order and maintenance order agreements. **MOTION CARRIED 5-0.**
- I. Discuss/Consider appointment of a Consultant Selection Committee for the purpose of selecting an engineering consultant to provide design services for Local Bridge Program projects to rebuild Door Creek Bridge P130939 and Koshkonong Creek Bridge P130151: the Board reviewed a powerpoint presentation that Mark Westerveld of the WisDOT had presented to Hampton, Dresen and the Clerk on January 14<sup>th</sup> to outline the required process to select an engineering firm to design the bridges. Dave Walker of Strand and Associates was in the audience and introduced himself and his company's experience with the Local Bridge program. **MOTION** by Fonger/DuPlayee to appoint Anders, Williams and Fonger to the Bridge Consultant Selection Committee. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: The Clerk has been researching options for the Town to accept credit and debit cards, and will have more information at a future meeting.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Snow removal has been going well.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton reported the League of Municipalities has offered an opportunity for the Town to join their Local Stormwater group at a cost of \$200. There was no interest from board members. Hampton also reported that applications are due on February 28<sup>th</sup> for a Dane County Environmental Council Capital Equipment and Community Partners grants. Consensus was that the Town has no relevant needs.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that Eric Lang was sworn in as the new Chief and the transition seems to be going smoothly. Hampton reported that DGEMS said goodbye to Steve Anders after 40 years of service, and John Russell is taking over Melissa Ratcliff's position representing the Village of Cottage Grove on the DGEMS Commission.

VII. Adjournment: **MOTION** by Anders/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:47 P.M.

Kim Banigan, Clerk  
Approved 02-04-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
FEBRUARY 4, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the Town Board meeting held on January 21, 2019 as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Williams to approve payment of bills corresponding to checks #32800-32823 from Monona Bank as presented, with check #32729 voided. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Anders/DuPlayee to approve January per diem payments as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve two permits for Charter Spectrum/Michels Corporation to directional bore to install 2” ducts to a depth of 30” at: 1) East Gaston Road and 2) Gaston Road at Gaston Circle. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider adoption of Resolution 2019-01 to Adopt the Comprehensively Revised Dane County Zoning Ordinance, Chapter 10, Dane County Code of Ordinances: **MOTION** by DuPlayee/Williams to adopt Resolution 2019-01 to Adopt the Comprehensively Revised Dane County Zoning Ordinance, Chapter 10, Dane County Code of Ordinances as presented. **MOTION CARRIED 5-0**
- B. Discuss/Consider reducing the speed limit on North Star Road to 45 mph: **MOTION** by DuPlayee/Williams to post the portion of North Star Road north of US Hwy 12 & 18 for a 45 mph speed limit. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of Merchant Agreement with GovPayNet to allow the Town to accept credit and debit cards: **MOTION** by Williams/DuPlayee to approve the Merchant Agreement with GovPayNet to allow the Town to accept credit and debit cards. **MOTION CARRIED 5-0.**
- D. Discuss/Consider adoption of Budget Resolution 2018-02 to amend the Town's 2018 budget: After the Treasurer reported that all major expense categories were within budgeted amounts, the board decided not to take any action on amending the 2018 budget.
- E. Discuss/Consider appointment of representative to attend the Cottage Grove Chamber of Commerce meetings: **MOTION** by Hampton/Fonger to appoint DuPlayee as the usual representative to the Chamber, with the Clerk as an alternate representative. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of Treasurer Debra Abel becoming a Notary Public: **MOTION** by Williams/Fonger to approve Treasurer Debra Abel becoming a Notary Public, including



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the \$20 application fee, \$20 bond fee, \$60 fee for \$10,000 of Errors and Omission coverage, and purchase of a notary stamp. **MOTION CARRIED 5-0.**

- G. Consider acceptance of Kristi Williams' resignation from Bridge Consultant Selection Committee, and consider appointment of her replacement: Williams explained that at the first meeting of the committee, she got the impression that she was the least qualified for negotiations with the selected engineering firm, and felt that Hampton would be better suited. Jeff Trentadue, 2850 Alydar Way, was present and offered his service on the committee. He described his work experience including negotiations with contractors and municipalities. **MOTION** by DuPlayee/Fonger to accept Williams' resignation from the Bridge Consultant Selection Committee, and appoint Jeff Trentadue in her place. **MOTION CARRIED 4-0-1** (Williams abstained).
- H. Discuss/Consider possible dates for rescheduled joint meeting with the Village of Cottage Grove Board of Trustees: Possible dates were determined as February 11, 19, 25, 26, 28 or March 5.

III. CLERK'S OFFICE UPDATE: The Clerk reported on the happenings at the recent Chamber meeting she attended.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- 2018 bridge inspections showed issues with bridges already scheduled for replacement, and some minor issues, mainly with signage.
- The wing broke off of the 2005 International plow truck during the recent cold weather.
- John Deere will warranty the cracked rear casing on the loader.

V. BOARD REPORTS AND COMMUNICATIONS: None.

VI. COMMITTEE REPORTS:

- A. Joint Town/Village Landfill Monitoring Committee: business as usual
- B. Joint Town/Village Fire Department Committee: The Chief reported there are 32 fire fighters, 2 probationary fire fighters, and 5 officers. Year end call stats were comparable to the last three years. Five senior fire fighters are enrolled in Fire Officer 1 classes, and one is enrolled in Fire Officer 2 class. An overheating of the station air compressor led to moisture issues that required a rebuild of the switch assembly and replacement of ejector valves in the trucks. Dale Huston has been consulted for placement of a shipping container for training purposes. Radiant heat was not working in the bays.
- C. Bridge Consultant Selection Committee: At their first meeting, the committee identified twelve local engineering firms for solicitation letters asking for their interest and qualifications, with one month to respond.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:00 P.M.

Kim Banigan, Clerk  
Approved 02-18-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
FEBRUARY 18, 2019

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 in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Deputy Jennifer Grafton.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Anders to approve the minutes from the Town Board meeting held on February 4, 2019 as printed. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
  1. **MOTION** by Hampton/DuPlayee to approve payment of bills corresponding to checks #32824-32972 from Monona Bank as presented, with check #32832 voided. **MOTION CARRIED 4-0.** Checks approved included refunds of tax over payments, and there was mention that Attorney Allen has been consulted about a possible ordinance setting a minimum amount under which over payments would not need to be refunded.
  2. **MOTION** by Anders/Fonger to approve payment of \$2,230.00 to General Engineering for January building permits. **MOTION CARRIED 4-0.**
  3. The Treasurer reported that the auditors were here on February 8<sup>th</sup> for their field work on the 2018 audit of the Town's financial and there were no problems reported.
  4. February per diem reports are due to the Treasurer by March 1<sup>st</sup>.
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve a permit for Frontier Communications to plow and bore on Coffeytown and Nora Roads between Vilas and Uphoff Roads to install new fiber. **MOTION CARRIED 4-0.**

II. BUSINESS:

- A. Review January Police activities: There were 239 calls for service and 85 citations issued in January. Deputy Grafton noted that the 91 check area calls for service look excessive compared to usual. While property checks are up this time of year, there is also a new requirement to report each property check as a call.
- B. Discuss/Consider Winter Road Care Responsibilities on West Skaar Road: The parties of the Snow Maintenance Agreement were not able to attend. **MOTION** by Hampton/DuPlayee to table until March 4<sup>th</sup>. **MOTION CARRIED 4-0.**
- C. Discuss/Consider revisions based to TCG Ordinance Chapters 12-25: The Board reviewed the following revisions by Atty. Susan Allen based on Board comments at the January 7<sup>th</sup> meeting:
  - Section 12.07 Regulation of Manufactured and Mobile Homes: the Board was satisfied with the revisions as drafted.
  - Chapter 17 Non-metallic Mining: the Board was satisfied with the revisions as drafted.
  - Chapter 18 Explosives and Other Dangerous Materials: **MOTION** by DuPlayee/Anders to reword language about the public hearing and Town Board approval of blasting permits to be more like the Non-metallic Mining ordinance. **MOTION CARRIED 4-0.**

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- D. Discuss/Consider attendees for DCTA Forum on Rural Preservation on February 28, 2019:  
**MOTION** by Hampton/DuPlayee to allow up to two board members to attend the forum.  
**MOTION CARRIED 4-0.**

- III. CLERK'S OFFICE UPDATE: The Clerk reported that the ExpressVote terminal has arrived and will be put to use for both early and election day voting for the April 2<sup>nd</sup> election. She and the Treasurer have a online training session scheduled with GovPayNet tomorrow morning to learn how to accept credit and debit cards. The Clerk has an onboarding meeting scheduled for tomorrow afternoon with Town Web Design to get started on the new web site.
- IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Hampton reported that Hwy Superintendent Dan Dresen had minor surgery today and is doing well. Fonger had heard reports of mailboxes damaged by snow removal and wondered how the Town responds to those. Hampton said if the mailbox is hit by the plow, the Town will repair/replace. If flying snow is the cause of the damage, the Town does not take responsibility.
- V. BOARD REPORTS AND COMMUNICATIONS: None.
- VI. COMMITTEE REPORTS:
  - A. Emergency Government Committee: February meeting was canceled due to weather.
  - B. Bridge Consultant Selection Committee: At their second meeting, the committee formulated a plan for ranking and rating the engineering firms that respond to their solicitation letter. Representatives of three of the firms were at the meeting to express their interest. The next meeting will be on March 13<sup>th</sup>.
- VII. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 7:37 P.M.

Kim Banigan, Clerk  
Approved 3-04-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
MARCH 4, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Fonger to approve the minutes from the Town Board meeting held on February 18, 2019 as printed. **MOTION CARRIED 4-0-1** (Williams abstained).
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #32973-33005 from Monona Bank as presented. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Anders/Williams to approve payment of February per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Alliant Energy to plow and drill parallel to the right-of-way on Gaston Road to install fiber optic cable. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Plan Commission Recommendations:
  - 1. Discuss/Consider request from Larry Skaar, applicant and landowner, to rezone 14.5 acres from parcel #0711-342-8725-0 on North Star Road from FP-1 to RR-8 to create one residential lot: **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to deny the application to rezone to residential due to adjacent commercial and non-metallic mining operations. **MOTION CARRIED 5-0.**
- B. Discuss/Consider Winter Road Care Responsibilities on West Skaar Road: the parties of the Snow Maintenance Agreement were not able to attend. **MOTION** by DuPlayee/Williams to table until March 18<sup>th</sup>. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of a Parade or Race permit for Paula Severson, applicant, and Wes Maertz, race director for Hot2Trot Cottage Grove Run on June 15, 2019 to include Clark Street and it's intersection with Vilas road, and crossings of the Glacial Drumlin trail at Uphoff, Ridge and North Jargo Roads: Ms. Severson described changes to the route compared to last year that she said will require fewer volunteers and provide better shade and safer conditions for runners. **MOTION** by Williams/Fonger to approve a Parade or Race Permit for the Hot2Trot half marathon on June 15, 2019, and waive the fee and deposit due to the benefits the event provides to the fire department. **MOTION CARRIED 5-0.**
- D. Discuss/Consider response for Annexation Review Questionnaire for 41.026 acres owned by the Monona Grove School District on Buss Road (Petition #14196): The Clerk had filled in the factual data and suggested comments to indicate the Town would prefer the annexation to include all of Buss road, not just the east half. Discussion was that clarification was needed to state that the western right-of-way line should stay where it is, if the Village wants additional right-of-way, it should be taken on the east side of the road to align with the right-of-way of the parcel to the south that has already been annexed to the Village. **MOTION** by

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
MARCH 4, 2019

Hampton/Williams to approve the response as drafted by the Clerk with the above-stated clarification to the right-of-way. **MOTION CARRIED 5-0.**

- E. Discuss/Consider revisions to TCG Ordinance Chapters 17 and 18: The Clerk had drafted changes in response to board comments at the last meeting regarding public hearing and board review requirements in both of these chapters. The Clerk said her changes had been reviewed by Atty. Allen. Consensus was to accept the changes as drafted. These revisions will be adopted as part of the re-codification at a later date.
- F. Discuss policy and procedure for refund of real estate tax overpayments: Atty. Allen had provided language allowing the Town to not have to refund property tax overpayments that fall below a threshold amount. She had suggested \$1.00 or \$2.00 would be appropriate amounts. Hampton suggested language was needed to state when the overpayments will be refunded. **MOTION** by DuPlayee/Anders to set the threshold at \$2.00, and add “after the Town Treasurer's February tax settlement with the Dane County Treasurer” to the end of item (3). **MOTION CARRIED 5-0.**
- G. Set date for public hearing for proposed revisions to TCG Ordinance sections 01.07 and 22.09: There was general agreement to hold a public hearing for these two sections prior to the March 18<sup>th</sup> Board meeting, with an item for adoption on the Town Board agenda to follow.
- H. Discuss/Consider adoption of a Resolution of Inclusion under the Wisconsin Department of Employee Trust Funds Income Continuation Insurance Plan: The Clerk had prepared a comparison of current disability premiums and benefits under the Human policy to those under the Income Continuation Insurance Plan (ICI) that showed the Town could cover more employees with better options at a lower premium with ICI. **MOTION** by Fonger/Williams to adopt Resolution 2019-02 for Inclusion under the Wisconsin Department of Employee Trust Funds Income Continuation Insurance Plan. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE:

- The Clerk shared correspondence from Sean Murray of TDS explaining the issues their installers have had in the Village of Cottage Grove due to residents being unhappy about work in easements in their front yards. Consensus of the board was that a TDS representative does not need to come to a Town Board meeting to discuss this.
- Eight individuals representing TDS have been issued Peddler's permits after background checks performed by Deputy French.
- The new web site should be up later this month.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen has received delivery of all of the salt that was ordered for the season, and crews have been using a mix of sand and salt to stretch the supply.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton received a report from Matt Jensen of Bunbury Realtors showing the number, average price and average days on market for homes sold in the Town in 2017 and 2018.
- B. Hampton intends to recommend to the Plan Commission that the future land use category of lands on the east side of North Star Road be changed to commercial with the next revision of the future land use map.

VI. COMMITTEE REPORTS:

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
MARCH 4, 2019

- A. Deer Grove EMS Commission: They are waiting for the State to complete their guidelines for working with dementia patients.
- B. Joint Town/Village Board Meeting: There was a contentious discussion about the Emergency Government Committee, and it appears that the Village may pull out of the Flynn Hall agreement.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:58 P.M.

Kim Banigan, Clerk  
Approved 03-18-2019

Cottage Grove Town Board Resolution 2019-02

Wisconsin Department of Employee Trust Funds

A RESOLUTION FOR INCLUSION UNDER THE INCOME CONTINUATION INSURANCE PLAN

RESOLVED, by the Town Board of the (Governing Body)

Municipality of Town of Cottage Grove (Employer Legal Name)

that pursuant to the provisions of Section 40.61 of the Wisconsin Statutes,

Town Board hereby determines to offer the Income Continuation Insurance Plan (Governing Body)

to eligible personnel through the program of the State of Wisconsin Group Insurance Board, and agrees to abide by the terms of the plan as set forth in the contract between the Group Insurance Board and the Administrator.

The resolution shall be effective on the later of the 1st of the month on or after 90 days following its receipt at the Department of Employee Trust Funds, or

July 1, 2019; and (specify a later effective date, 1st of month only)

The proper officers are herewith authorized and directed to take all actions and make salary deductions for premiums and submit payments required by the State of Wisconsin Group Insurance Board to provide such Income Continuation Insurance.

CERTIFICATION

I hereby certify that the foregoing resolution is a true, correct and complete copy of the resolution duly and regularly passed by the above governing body on the 4th day of March, 2019 and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 4th day of March, 2019.

Kim Banigan Clerk (Kim Banigan) Title

Town of Cottage Grove

4058 County Road N, Cottage Grove, WI 53527

Mailing Address

clerk@towncg.net

Email Address

Number of eligible employees 7

69-036- 0181000 ETF Employer Identification Number

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
MARCH 18, 2019

PUBLIC HEARING – ORDINANCE AMENDMENTS 01.07 AND 22.09

- I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, Highway Superintendent Dan Dresen and Deputy Jennifer Grafton.
- II. Hampton called the public hearing to order at 7:00 P.M.
- III. The Clerk noted an addition to section 22.09 since the board last reviewed it to clarify that property tax overpayment refunds are mailed to the parties as shown on the tax bill.
- IV. There were no questions or comments from the public.
- V. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:02 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
  - A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Attendance was the same as listed above for the public hearing.
  - B. Hampton called the meeting to order at 7:02 P.M.
  - C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the Town Board meeting held on March 4, 2019 as printed. **MOTION CARRIED 5-0.**
  - D. Finance Report and Approval of Bills:
    1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #39006-33035 from Monona Bank as presented, including voided check #32900 which was replaced by #39008. **MOTION CARRIED 5-0.**
    2. **MOTION** by Anders/DuPlayee to approve payment of \$1,190.04 to General Engineering Company for February building permits. **MOTION CARRIED 5-0.**
  - E. Public Concerns: Gordon Bischel, 2838 Busston Road, came in representation of Orville Freudenberg, 2542 Nora Road to express concerns about painting fumes from the garage owned by RG Huston at 2560 Nora Road. He said the fumes are strong enough to smell inside the Freudenberg home, and he suspects they may be also causing damage to a row of pine trees between the properties. He provided photos showing paint stains on the vents on the side of the garage, and showing how the trees have deteriorated over time. Hampton offered to talk to Hustons about it and follow up to get the Building Inspector involved if necessary.
  - F. Road Right of Way Permits: **MOTION** by Anders/Williams to approve two permits for Wisconsin Power & Light Company to install new gas service at 1) 4707 Buss Road and 2) 2550 Bass Road, contingent on the lifting of seasonal weight limits. **MOTION CARRIED 5-0.**
- II. BUSINESS:
  - A. Review February Police Activities: There were 295 calls for service and 69 citations issued in February. Deputy Grafton reported that there was nothing significant to report. Lots of people are on vacation so property checks are up, and weather related crashes were also up.
  - B. Discuss/Consider Winter Road Care Responsibilities on West Skaar Road: the parties were not available to attend the meeting. **MOTION** by DuPlayee/Williams to remove this from the



TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
MARCH 18, 2019

agenda until the parties provide notice that they are able to attend. **MOTION CARRIED 5-0.**

- C. Discuss/Consider response for Annexation Review Questionnaire for 228.62 acres owned by Homburg Equipment Inc. and Ellery and Margaret Jensen on Gaston and Buss Roads (Petition #14199): The Clerk had completed the factual portions of the questionnaire. Additional comments were that the Town wonders how this will help in keeping separation between the City of Madison and Village of Cottage Grove. **MOTION** by Anders/Fonger to approve the answers provided by the Clerk and add the comment above. **MOTION CARRIED 4-1** (DuPlayee opposed).
  - D. Discuss/Consider adoption of TCG Ordinance 2019-01 amending sec. 01.07 Destruction of Public Records and creating sec. 22.09 Refund of Real Estate Tax Overpayments: **MOTION** by DuPlayee/Williams to adopt TCG Ordinance 2019-01 as presented at the public hearing earlier tonight. **MOTION CARRIED 5-0.**
  - E. Discuss/Consider adoption of a Resolution to set amount for bond to cover potential road damage by the holder of a conditional use or variance permit under TCG Ord. section 09.07 Weight Limits for Vehicles on Town Roads: **MOTION** by Hampton/Williams to adopt the Resolution 2019-03 setting the amount for bond to cover potential road damage by the holder of a conditional use or variance permit under TCG Ord. section 09.07 Weight Limits for Vehicles on Town Roads at \$1 million per road mile. **MOTION CARRIED 5-0.**
  - F. Discuss/Consider approval for Clerk to pursue creation of a Town Facebook page: The Clerk said that the power of Facebook to reach Town residents was demonstrated recently when only 20 people completed the parks survey after it was included in the tax mailing letter, but since Parks Committee members shared it on their personal Facebook pages just a week ago, the number has jumped to over 60. **MOTION** by Williams/Anders to approve the Clerk moving forward with a one-way facebook page. **MOTION CARRIED 5-0.**
  - G. Discuss/Consider agenda items for the Annual Town Meeting: **MOTION** by Anders/Fonger to include introduction of new Fire and EMS Chiefs, and discussion of Town roads as ATV routes on the Annual meeting agenda. **MOTION CARRIED 5-0.**
  - H. Review draft of Annual Town Report and Newsletter: Consensus was that the draft of the annual report shared with the board looked ok.
  - I. Discuss/Consider attendees for Capitol Day on April 23, 2019: No board members plan to attend.
- III. CLERK'S OFFICE UPDATE: She had a reveal by Town Web design of the new web site, will need to go through their training before it is made live.
- IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported the crew has been busy filling pot holes. Seasonal weight limits were put into effect on March 15<sup>th</sup>. They will be conducting a sign inventory soon, and he is preparing his recommendations for 2019 road maintenance.
- V. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton reported that:
    - 1. He met with Atty. Mike Lawton and Bill Paulson about the proposed development of the Windsor Quarry property on Vilas Hope Road. They have talked to the City of Madison about the proposed 16 lot subdivision, Madison wants it to have a North-South road.

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
MARCH 18, 2019

2. A resident has inquired about allowing a walk across cover in lieu of a fence around a swimming pool. Hampton has asked for Atty. Allen's recommendation, and this will be a topic for the next meeting.

VI. COMMITTEE REPORTS:

- A. Bridge Consultant Selection Committee: Three finalist engineering firms were selected at the March 13<sup>th</sup> meeting, and invited for interviews on April 10th.
- B. Joint Town/Village Board Meeting: There was a contentious discussion about the Emergency Government Committee, and it appears that the Village may pull out of the Flynn Hall agreement.

VII. Adjournment: **MOTION** by Williams/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:50 P.M.

Kim Banigan, Clerk  
Approved 04-01-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
APRIL 1, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
  - 1. **MOTION** by Williams/DuPlayee to approve the minutes from the Town Board meeting held on March 18, 2019 as printed. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by DuPlayee/Anders to approve the minutes of the joint meeting of the Town and Village Board on February 25, 2019 as printed. **MOTION CARRIED 3-0-2** (Hampton and Williams abstained).

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33036-33057 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/DuPlayee to approve payment of March per diems as presented. **MOTION CARRIED 5-0.**

III. Public Concerns: None.

IV. Road Right of Way Permits: **MOTION** by Anders/Williams to approve 2 permits for Wisconsin Power & Light Co. to install new gas service at 1) 4243 Vilas Road and 2) 2734 Bluebird Ln. **MOTION CARRIED 5-0.**

V. BUSINESS:

A. Plan Commission Recommendations:

- 1. Dennis Richardson, applicant, Dale & Dwight Huston, Landowners to rezone 2.5 acres from FP-35 to RR-2 for new residence on parcel 0711-153-9001-0 on Uphoff Road: Dennis Richardson explained that the request considered by the the Plan Commission was for a 2.5 acre lot in order to allow for an exposed basement based on the lay of the land, but in response to the Plan Commission's recommendation for lot size not to exceed 2.0 acres, he presented a new preliminary certified map with a 2.0 acre lot (net of right-of-way). The lot was moved to the east compared to the original request, which Dale Huston noted will require moving of the existing driveway into the area of the new lot.  
  
Betty Devine, 2342 Uphoff Road, wanted to know why RR-2 zoning is being considered for the new lot when all of the surrounding residential lots are zoned SFR-1. She said that years ago when the Devines asked to rezone to put up a taller outbuilding, they were denied because it would block the view of other properties. She suggested that RR-1 or SFR-2 would keep the maximum height of accessory buildings at 16 feet rather than the 35 foot maximum allowed by RR-2. Richardson said that SFR zoning would not be acceptable because it does not allow for any animal units. Review of the RR-1 district showed that it is only for lots between 1 and 2 acres. **MOTION** by Anders/Williams to accept the Plan Commission's recommendation to approve the rezone of a new lot not to exceed 2 acres in size from FP-35 to RR-2, with Uphoff Road Right-of-way dedicated to the Town and replacement of any displaced survey markers on the adjacent property to the west. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
APRIL 1, 2019

- B. Revisions to TCG Ord. Chapter 15 – Land Use and Planning Code: The Board reviewed the tracked changes as prepared by the Clerk, Town Engineer and Town Attorney, and recommended by the Plan Commission. (This item was postponed and actually discussed later in the meeting, item III. K.) Consensus was to accept the changes to Chapter 15, and move forward with a public hearing for re-codification of Chapters 12 – 25 as soon as posting or publication requirements can be met.
- C. Discuss/Consider request to place a Little Library at the Nondahl Park: Heather Seldal-Gilbertson made her request and provided a photo of the park with the proposed location for the Little Library marked. **MOTION** by Williams/DuPlayee to approve placement of a Little Library at the Nondahl Park, working with Dresen on the location to allow at least 6.5 feet of clearance for mowing around it. **MOTION CARRIED 5-0.**
- D. Discuss/Consider request to put bee houses on welcome signs: Laura Wick, representing Boy Scout Troop 145, displayed an example of the bee houses built by the scouts to house Mason Bees over the winter. She explained that Mason Bees are pollinators, rarely sting and have a very short life span. The proposed bee houses would give them a place to lay their eggs and for the larvae to hibernate over the winter. The troop would maintain the houses. Dave Muehl, 1682 County Road BB and owner of the property where one of the welcome signs is placed, suggested painting the houses to match the sign, or placing them on a separate post if the orange color is kept. Lee Bulman, owner of the land where another welcome sign is placed, was also present and had no objections to the addition of a bee house. The Clerk said that Otto and Vicki Kraus had emailed their acceptance of a bee house on the sign on their property as well. The fourth welcome sign is on Supervisor Fonger's property, and he did not object to the addition of a bee house either. **MOTION** by Anders/DuPlayee to approve Mason bee houses on the four welcome signs, with the color changed to match the signs or else the signs placed on separate posts. **MOTION CARRIED 5-0.**
- E. Discuss revising TCG Ord. section 12.06 Fencing of Swimming Pools to allow a walk on cover in lieu of a fence: Heather Conrad, 2574 Bass Road, had made the request and provided literature about walk on covers. She said that half of the nation allows them in lieu of a fence, and she feels they are safer than a fence because they are locked by a key or passcode. Board members raised concerns about possible negligence in closing the cover, and questioned whether homeowner's insurance would accept the walk on covers in lieu of a fence. Correspondence from Atty. Susan Allen advised against changing the ordinance. **MOTION** by Anders/DuPlayee to NOT revise TCG Ord. section 12.06 to allow a walk on cover in lieu of a fence around a swimming pool. **MOTION CARRIED 5-0.**
- F. Discuss revising TCG Ord. section 12.04 Location of Address Numbers to incorporate DCCO 76.07: **MOTION** by Williams/DuPlayee to accept the revisions as drafted. **MOTION CARRIED 5-0.**
- G. Discuss/Consider offer from Wisconsin Bank and Trust for donation of property at 3333 Fieldview Lane: **MOTION** by Williams/DuPlayee to direct Atty. Susan Allen to reach out to the bank to gather additional information on this and advise the board before any official action is taken on accepting the offer. **MOTION CARRIED 5-0.**
- H. Discuss/Consider adoption of a Resolution re-appointing the Treasurer for a three-year term: **MOTION** by Williams/DuPlayee to adopt Resolution 2019-04 Re-appointing Debra Abel for a three-year term as Town Treasurer. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
APRIL 1, 2019

- I. Discuss/Consider progress inspections for North Star Road reconstruction project: **MOTION** by Anders/DuPlayee to allow the Highway Superintendent to use his discretion as to conducting inspections himself or calling in the Town Engineer. **MOTION CARRIED 5-0.**
- J. Set date for annual road inspection: Road inspection will begin at 12:30 P.M. on Friday, May 3<sup>rd</sup>.
- K. Discuss borrowing needs: In addition to funds needed for the reconstruction of North Star Road, the board discussed the following:
  - Possibly replacing the plow truck scheduled for replacement in 2020 a year earlier. Consensus was to wait until the scheduled time for replacement.
  - Dresen would like to replace the 2012 F-350 in 2020 or sooner. Consensus was to hold off on this too.
  - The 1997 Brush Truck is due for replacement. Discussion was to see if the Village would allow Town of Pleasant Springs contract proceeds to be used toward this since it has been used on interstate emergency calls. This would make it a joint vehicle vs. Town owned.Board consensus was to direct the Treasurer to beginning looking at options for financing the North Star Road improvements over 10 years.

(Hampton excused Treasurer Deb Abel at 8:24 P.M)

- L. Discuss/Consider optional on-line Wisconsin Towns Association video subscription: **MOTION** by Hampton/Williams to opt out of the video subscription. **MOTION CARRIED 5-0.**

VI. CLERK'S OFFICE UPDATE:

- A. She has been training poll workers on the new ExpressVote, and residents voting absentee ballots in the clerk's office have been using it willingly.
- B. The go-live date for the new web site is April 10<sup>th</sup>.
- C. Town Engineer Tom TeBeest is reviewing a preliminary plat for David Riesop's addition to American Heritage for compliance with minimum requirements to move forward with the approval process at the April Plan Commission meeting.

VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen asked if there was interest in replacing stone around the Town Hall, and offered to bring samples to the next meeting.

VIII. BOARD REPORTS AND COMMUNICATIONS: Anders has been assisting Deer-Grove EMS with modifying the ambulances to accommodate new oxygen tanks.

IX. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The new Chief seems to be working out well so far, he has been updating policies and procedures.
- B. Joint Town/Village Landfill Monitoring Committee: Bills were approved, business as usual.
- C. Joint Town/Village Fire Department Committee: The fire fighters have withdrawn their request for shipping containers for training. Moisture trap repairs have been completed. They are looking at replacing entrance lights with LEDs.

X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:50 P.M.

Kim Banigan, Clerk    Approved 4-15-2019

TOWN OF COTTAGE GROVE

TOWN BOARD RESOLUTION 2019-04

RESOLUTION RE-APPOINTING THE TOWN TREASURER FOR A THREE YEAR TERM

WHEREAS, at the Annual Town Meeting held on April 11, 2006, the electors of the Town of Cottage Grove adopted Town Meeting Resolution 2006-05, and pursuant to Wis. Stat. § 60.10(1)(b)(2m) voted to change the office of Town Treasurer from an elected office to an appointed office, and

WHEREAS, the term of office for the appointed Town Treasurer Debra Abel expires on April 30, 2019,

NOW, THEREFORE, the Cottage Grove Town Board hereby resolves that Debra Abel is re-appointed to the office of Town Treasurer for the term of office of three years to commence on May 1, 2019 and expire on April 30, 2021.

Adopted this 1st day of April, 2019 by a vote of 5 in favor, 0 against and 0 abstaining.

[Signature of Kris Hampton]
Kris Hampton, Town Chair

ATTEST:
[Signature of Kim Banigan]
Kim Banigan, Town Clerk

AFFIDAVIT OF POSTING OF TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN )
) ss.
COUNTY OF DANE )

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

On 4/12/19, 2019 the above resolution was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

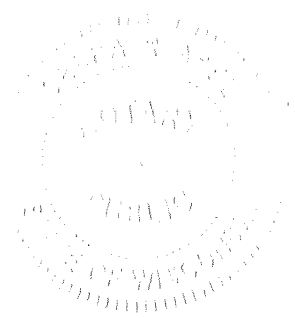
[Signature of Kim Banigan]
Kim Banigan, Town Clerk

Subscribed and sworn to before me this 12th day of April, 2019.

[Signature of Debra Abel]
(Signature of person authorized to administer oaths)

My commission expires March 7, 2023, or is permanent o

Notary Public, or
Official title, if not a notary)



TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
APRIL 15, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, Highway Superintendent Dan Dresen and Deputy Jennifer Grafton.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the Town Board meeting held on April 1, 2019 as printed. **MOTION CARRIED 5-0.**

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33058-33104 from Monona Bank, with checks #33058-33069 voided due to low toner. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/DuPlayee to approve payment \$2,864.04 to General Engineering Company for March building permits. **MOTION CARRIED 5-0.**
- C. The Treasurer asked that April per diem reports be submitted by May 3<sup>rd</sup>, and confirmed that the Board wants proposals for a 10 year loan in the amount of \$612,000 for North Star Road improvements for the May 20<sup>th</sup> meeting.

III. Public Concerns: Jeff Trentadue, 2850 Alydar Way, said that since it was repaved, Alydar Way has become a race track. Based on chalk marks he put down, he estimates cars are traveling well beyond the posted speed limit. He requested more enforcement and speed bumps. Deputy Grafton said when the deputies are out there, they don't catch any speeders. Dresen will get information on styles and prices of speed bumps for the next meeting.

IV. Road Right of Way Permits: **MOTION** by Anders/Williams to approve 4 permits: two for Wisconsin Power & Light Co. /Intercon Construction to replace electric cable on Damascus Trl and Alydar way, one for Wisconsin Power & Light Co./Intercon Construction to replace a gas main at Coffeytown and Peiper, and one for Alliant Energy/Michels Corp. to prepare poles for fiber optic installation by TDS. **MOTION CARRIED 5-0.**

V. BUSINESS:

- A. Review March Police Activities: There were 340 calls for service and 98 citations issued in March. Deputy Grafton said there was nothing significant, a lot of checking areas and vacation checks.
- B. Presentation by Nate Day: Overview of funding abilities of Short Elliot Hendrickson Inc.: Mr. Day introduced himself and described his experience and qualifications. He had looked at the Town's comprehensive plan and offered to help identify projects and find funding that the Town would qualify for. He said grant opportunities exist for upgrading public buildings and transportation infrastructure, community redevelopment, etc. A capital improvement plan including projects to benefit the community would be the first step, followed by identification of funding opportunities for projects from the plan. He provided a handout of Wisconsin 2019 Municipal funding deadlines that showed dozens of grant opportunities. He would charge a small fee to prepare the application. There was discussion about the North Star Road improvements, which he suggested may qualify for Transportation Economic Assistance (TEA) through DOT if it brings new jobs to the community. Board members suggested he talk to the Clerk to get more information about the businesses going in on North Star Road and put together a proposal.

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
APRIL 15, 2019

- C. Discuss/Consider approval of operator's license for Lee A. Anderson: The Board asked Mr. Anderson several questions related to a 1976 conviction, his employment, and why he is interested in an Operator's license. **MOTION** by Hampton/Fonger to approve an Operator's license for the remainder of the 2018-19 license term for Lee A. Anderson. **MOTION CARRIED 5-0.**
  - D. Discuss/Consider approval of 2019-20 Committee Appointments: **MOTION** by Williams/Fonger to approve the appointments as recommended by the Town Chair. **MOTION CARRIED 5-0.**
  - E. Discuss/Consider adoption of Resolution 2019-05 Existing Employer Update Resolution for Wisconsin Public Employers' Group Health Insurance Program: **MOTION** by Fonger/Williams to adopt Resolution 2019-05 as presented. **MOTION CARRIED 5-0.**
  - F. Consider approval of quote to strip and wax Town Hall floors: **MOTION** by Fonger/DuPlayee to approve the quote from Coverall to strip and refinish the Town Hall floors at a cost not to exceed \$550.00. **MOTION CARRIED 5-0.**
  - G. Reconsider annual road inspection date/time: Williams has a conflict with the originally scheduled date. **MOTION** by Hampton/Williams to reschedule the annual road inspection for 12:30 P.M. on Wednesday, May 1<sup>st</sup>. **MOTION CARRIED 5-0.**
- VI. CLERK'S OFFICE UPDATE: She is finishing up her post-election duties for the Spring election. The Town had a turnout of approximately 40%
- VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported that parks have been aerated and rolled using a roller loaned at no cost by the Hustons. Snow plow equipment has been put away and they have been using a rented lift to take down dead trees.
- VIII. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton met with Badgerland Disposal who is looking for a 20 acre site to relocate to.
  - B. Hampton reported that there was a complaint about the American flag at Sr. Airman Dan Johnson Memorial Park not being lowered for half-staff orders. The family of the Eagle Scout who put the flag there was contacted, and said they would take care of it, which they did by putting up an Air Force flag instead. Consensus was that was probably not appropriate, and the Clerk was directed to invite parties involved to the next meeting.
- IX. COMMITTEE REPORTS:
- A. Emergency Government Committee: No Report.
  - B. Bridge Consultant Selection Committee: The committee interviewed three firms and confirmed their selection at a meeting earlier tonight. The WDOT must approve the selection before it can be made public. Anders learned that the project has been pushed back, with plans due in August of 2021, bids to be let in December of 2021, and construction taking place in 2022.
- X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:13 P.M.

Kim Banigan, Clerk  
Approved 05-06-2019



# Resolution 2019-05

Wisconsin Department of Employee Trust Funds

## EXISTING EMPLOYER UPDATE RESOLUTION WISCONSIN PUBLIC EMPLOYERS' GROUP HEALTH INSURANCE PROGRAM

RESOLVED, by the Town Board of the Town of Cottage Grove  
(Governing Body) (Employer Legal Name)

that pursuant to the provisions of Wis. Stat. § 40.51 (7) hereby determines to continue in the Wisconsin Public Employers (WPE) Group Health Insurance program that is offered to eligible personnel through the program of the State of Wisconsin Group Insurance Board (Board), and agrees to abide by the terms of the program as set forth in the *Local Employer Health Insurance Standards, Guidelines and Administration Manual* (ET-1144).

We will continue to participate in the program option in which we are currently enrolled. If we wish to elect a new program option for 2020 we will file a separate resolution to do so.

All participants in the WPE Group Health Insurance program need to be enrolled in a program option. Individual employees cannot choose between program options.

**The resolution must be received by the Department of Employee Trust Funds as soon as possible, but no later than October 1, in order to continue participation without lapse.** If more time is needed, contact ETF.

The proper officers are herewith authorized and directed to take all actions and make salary deductions for premiums and submit payments required by the Board to provide such Group Health Insurance.

### Certification

I hereby certify that the foregoing resolution is a true, correct and complete copy of the resolution duly and regularly passed by the above governing body on the 15th day of April, year 2019 and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 15th day of April, year 2019.

I understand that Wis. Stat. § 943.395 provides criminal penalties for knowingly making false or fraudulent statements, and hereby certify that, to the best of my knowledge and belief, the above information is true and correct.

39-6005842  
Federal tax identification number (FEIN/TIN)

69-036-0181000  
ETF employer identification number

Number of eligible employees 7

Dane  
Employer county

clerk@towncg.net  
Employer benefit contact email address

  
Authorized employer representative signature

Kim Banigan  
Authorized employer representative printed name

Clerk  
Authorized representative title

4058 County Road N  
Cottage Grove, WI 53527  
Mailing address

Submit completed form to ETF at [ETFSMBESSNewEmployer@etf.wi.gov](mailto:ETFSMBESSNewEmployer@etf.wi.gov)  
or fax to 608-267-4549.

AFFIDAVIT OF POSTING OF  
TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF DANE        )

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

On April 18, 2019 the following were duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**TOWN BOARD RESOLUTION 2019-05  
EXISTING EMPLOYER UPDATE RESOLUTION  
WISCONSIN PUBLIC EMPLOYERS' GROUP HEALTH  
INSURANCE**

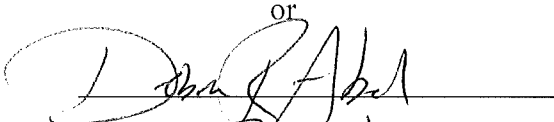


Kim Banigan, Town Clerk

Subscribed to and sworn before me  
this 18<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
Signature of Town Chair person

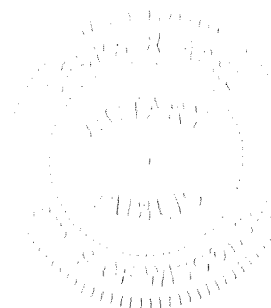
or



Debra R. Abel (print name)

Notary Public, State of Wisconsin

My Commission expires: March 7 2023



TOWN OF COTTAGE GROVE  
SPECIAL TOWN BOARD MEETING  
MAY 1, 2019

- I. Notice of the meeting was properly posted at the Town Hall, and on the Town's internet site. Chairman Kris Hampton, Supervisors Mike Fonger and Kristi Williams were present, along with Clerk Kim Banigan and Highway Superintendent Dan Dresen. Mike DuPlayee arrived at 12:36 P.M.
- II. Hampton called the meeting to order at 12:30 P.M.
- III. Discuss/Consider approval of reconstruction of an additional 750 feet of North Star Road due to discovery of insufficient base (rather than pulverizing and overlaying as original plans indicated): Correspondence from Town Engineer Tom TeBeest offered two options:

OPTION 1

Excavate a total of 30' width x 700 lineal feet x depth of 2 feet  
Add fabric  
2 feet of 3" Breaker Run  
Estimated Additional Cost \$75,000

OPTION 2

Excavate a total of 30' width x 700 lineal feet x depth of 1 foot and RAISE the road 1 foot through this area (this will save on excavation costs, however some work to blend back driveways will be necessary)  
Add fabric  
2 feet of 3" Breaker Run  
Estimated Additional Cost \$65,000

**MOTION** by Williams/Fonger to select Option 1, with the additional \$75,000 funded by the use of Unassigned Funds. **MOTION CARRIED 3-0.**

(DuPlayee Arrived)

- IV. Conduct Annual Road and Park Inspection: Dresen drove Board Members on a tour of Town roads and Parks.
- V. **MOTION** by Fonger/DuPlayee to adjourn at 2:22 P.M. **MOTION CARRIED 4-0.**

Submitted by Kim Banigan and Kris Hampton  
Approved 5-6-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
MAY 6, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
  - 1. **MOTION** by Williams/DuPlayee to approve the minutes from the Town Board meeting held on April 15, 2019 with the year of construction for the bridges in item IX. B. corrected to 2022. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Williams/Fonger to approve the minutes of the Special Town Board meeting held on May 1, 2019 as printed. **MOTION CARRIED 3-0-2** (Anders and DuPlayee abstained).

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #33105-33129 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/DuPlayee to approve April per diem payments as presented. **MOTION CARRIED 5-0.**
- C. The Treasurer stated that the 2018 audit was the last year of the Town's contract with Johnson Block and Company, and asked if the board wanted to go out for bid. Consensus was to bid it, with responses back in time for the July 15<sup>th</sup> meeting.

III. Public Concerns: Laura Grob, 3761 Sky High Rd., expressed concerns over the mud in the 3500 block of Vilas road, and also reported that her husband had a near collision with a pay loader that was on the road at night with no lights. Dresen was familiar with the location, which includes an old driveway that should have been abandoned and a new approved driveway location that cannot be used until permit is issued. He will follow up.

IV. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve two permits for Wisconsin Power & Light/Intercon Construction to install gas service: 1) 2226 Appaloosa and 2) 4513 Baxter Road. **MOTION CARRIED 5-0.**

V. BUSINESS:

- A. Discuss/Consider approval of a Parade or Race Permit for applicant Lucas Molloy representing Race Day Events – The Ride to include Deerfield, S. Jargo, Nora, Coffeytown, Vilas and Gaston Roads in a non-competitive bicycle ride to benefit cancer research on September 22, 2019: The Clerk reported that the applicant was unable to attend, but that she had confirmed that contact has been made with Deer-Grove EMS to provide emergency medical services. An email in board packets included comments from Deputy French regarding contracting with the DCSO for traffic control at County and State Highway intersections. **MOTION** by Williams/DuPlayee to approve the Parade or Race Permit for the non-competitive bicycle ride to benefit cancer research on September 22, 2019, with Police, Fire and DGEMS notified. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of reservation of Sr. Airman Dan Johnson Memorial Park for a neighborhood block party on Sunday, June 2 (rain date Sunday, June 9): Angela Schmit, 4546 American Way, made the request, noting that they would like to change it to June 9<sup>th</sup>,

with a rain date of June 16<sup>th</sup>, and they would appreciate it if the Town would pick up trash the next day. **MOTION** by Williams, DuPlayee to approve the use of the park for a neighborhood party, and waive the park reservation fee, but require participants to take trash home with them. **MOTION CARRIED 5-0.** When the Clerk asked Ms. Schmit to complete the standard Hold Harmless agreement, she did not feel comfortable taking that responsibility for the whole neighborhood. **MOTION** by Fonger/Williams to waive the requirement of a signed agreement, but noting that use of the park is at the users' own risk. **MOTION CARRIED 5-0.**

- C. Discuss/Consider flag at Sr. Airman Dan Johnson Memorial Park: Ed Gaudet, 4546 Sundance Ct., admitted he had not been considering other people's feelings about the flag being lowered for half-mast orders, but went on to say that there are so many orders it is difficult to keep up, and changing the flag position requires him to climb on a rock. Laura Grob said she and her husband Mike had made the decision to put an Air Force flag there instead, since it would not require lowering and raising. Fonger said the Air Force fights for the American Flag, and Gaudet agreed that Sr. Airman Johnson always carried an American flag when he was in the Service. Dresen told Gaudet about an email notification service for half-mast orders, and board consensus was that the cord should be lowered to allow for easier position changes. Gaudet suggested if further complaints are received, the complainant be asked to join the list of people responsible for lowering it.
- D. Discuss/reconfirm conditional approval of rezone of 21.1 acres from parcel 0711-101-8501-0 from A-3 to R-1/TDR-R for 16 residential lots (Phase 1 Kennedy Hills subdivision) to now approve rezone from AT-35 to SFR-08/TDR-R based on updated zoning code: **MOTION** by Hampton/Anders to approve the of rezone of 21.1 acres from parcel 0711-101-8501-0 from AT-35 to SFR-08/TDR-R, conditional on the developer obtaining the required RDUs and the Town's approval of the final plat. **MOTION CARRIED 5-0.**
- E. Discuss/Consider quotes for loan to fund North Star Road reconstruction project: The Treasurer had obtained the following quotes for the \$612,000 loan needed over a 10 year period:
1. McFarland State Bank - 3.294% interest.
  2. Monona Bank – 3.97% Interest.
  3. Bank of Sun Prairie – 4.414% interest.
- Interest under the State Trust Fund loan program is at 4.25%
- The Treasurer suggested that since the Town does not currently have any accounts at McFarland State Bank, she could close out the money market accounts at the Bank of Sun Prairie since they are not earning as much interest there as they would at the McFarland State Bank. **MOTION** by DuPlayee/Williams to accept the loan quote from McFarland State Bank, and close out the Bank of Sun Prairie money market accounts, moving the funds to the McFarland State Bank. **MOTION CARRIED 5-0.**
- F. Discuss/Consider strategy for bridge design contract negotiations: **MOTION** by Anders/DuPlayee to hold a special board closed session on June 19<sup>th</sup> at 7:00 P.M. to include the Town Board, Highway Superintendent and Ayres Associates. Anders should check with Mark Westerveld from the WDOT to be sure we are on the correct path. **MOTION CARRIED 5-0.**
- G. Discuss legal counsel for drafting of developers agreements: **MOTION** by Anders/DuPlayee to ask former Town Attorney Connie Anderson to work on the Kennedy Hills developer's

agreement and Matthew Dregne of Stafford Rosenbaum to work on the Hoppman Acres developer's agreement (assuming the concept is approved). **MOTION CARRIED 5-0.**

- H. Discuss/Consider options for speed bumps: Dresen provided specifications for speed bumps, with a grand total of \$667.40 per speed bump, including signage but not time to install and remove them every spring and fall. **MOTION** by Anders/Williams to approve the purchase of two speed bumps as specified, cost not to exceed \$667.40 each, for installation during the spring, summer, and fall on Damascus Trail. Dresen should work with the deputies for position. **MOTION CARRIED 5-0.**
- I. Discuss/Consider attendees for Dane County Towns Association annual meeting on May 15<sup>th</sup>: **MOTION** by Hampton/DuPlayee to approve up to four attendees. (Anders, Hampton, Williams and DuPlayee all expressed interest.) **MOTION CARRIED 5-0.**
- J. Discuss/Consider attendees for Colonial Club Annual Meeting on May 23<sup>rd</sup>: **MOTION** by Hampton/Williams to approve up to three attendees (Hampton, Williams and DuPlayee all expressed interest.) **MOTION CARRIED 5-0.**
- K. Discuss/Consider sending Preliminary Notice of Complaint under TCG Ord. sec. 11.10(1) to:
  - 1. For violation of TCG Ord. sec. 11.01(2) Regulation of Junk Prohibited:
    - a) Owner of 4672 Vilas Road: Preliminary Notice of Complaint was sent in April of 2018 without any response. **MOTION** by Anders/Williams to send Notice of Violation by certified mail, with the nature of the violation identified as wood debris in the yard, and compliance or response due by May 31, 2019. **MOTION CARRIED 5-0.**
    - b) Owner of 2712 Nightingale Lane: **MOTION** by Hampton/Fonger to send Preliminary Notice of Complaint, with nature of violation identified as stuffed animals and scattered holiday decorations in the yard, and compliance or response due by June 3, 2019. **MOTION CARRIED 4-0-1** (DuPlayee abstained).
  - 2. For Violation of TCG Ord. sec. 11.09(6) Maintenance and Appearance of Exterior of Buildings and Structures:
    - a) Owner of 1737 South Jargo Road: Notice of an inspection by the Building Inspector was sent in October of 2017, however it never took place due to the change in inspector on January 1, 2018. **MOTION** by Hampton/Anders to direct the Building Inspector to contact the owner for an inspection. Any related expenses should be paid out of Town Board expenses. **MOTION CARRIED 5-0.**
    - b) Owner of 3671 W Jargo Road: The owner contacted Hampton with plans to have the house painted. Consensus was to allow the owner until June 30<sup>th</sup> to present a plan, and discuss again at the July 1, 2019 Town Board meeting.

VI. CLERK'S OFFICE UPDATE: The new web site is up and running.

VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: One of the public works employees has been off for two weeks due to a work related ankle injury, but is expected back tomorrow. The crew was able to repair a leak in the roof of the bay at the ESOB.

VIII. BOARD REPORTS AND COMMUNICATIONS: No reports.

IX. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Board members are invited to the May 16<sup>th</sup> commission meeting for a presentation of the district's 2018 financial statements.

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
MAY 6, 2019

X. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:40 P.M.

Kim Banigan, Clerk  
Approved 05-20-2019

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
MAY 20, 2019

PUBLIC HEARING FOR ORDINANCE CODIFYING CHAPTERS 12-25 OF THE TOWN CODE OF ORDINANCES

- I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site since May 3, 2019. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
- II. Hampton called the Public Hearing to order at 7:00 P.M. and asked if there were any public comments or questions – there were none.
- III. **MOTION** by DuPlayee/Anders to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

TOWN BOARD MEETING

- 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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
  - B. Hampton called the meeting to order at 7:01 P.M.
  - C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the Town Board meeting held on May 6, 2019 as printed. **MOTION CARRIED 5-0.**
- II. Finance Report and Approval of Bills:
  - A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33130-33156 from Monona Bank as presented. **MOTION CARRIED 5-0.**
  - B. **MOTION** by Anders/DuPlayee to approve payment of \$3,597.14 to General Engineering Company for April building permits. **MOTION CARRIED 5-0.**
  - C. The Treasurer asked that May per diem reports be submitted by May 31<sup>st</sup>, and said that she will not be working during the day on Mondays for the summer while her kids are out of school.
- III. Public Concerns: Nicholas Gagner, owner of 2706 Nightingale Lane, inquired on the status of the preliminary notice of violation of the junk accumulation ordinance for 2712 Nightingale. He was told the owner has until June 3<sup>rd</sup> to either correct the violation or bring a plan to do so to the Town Board. Mr. Gagner said the junk accumulation is affecting the value of his property and making it difficult to sell. He urged the board to make the cleanup happen in a timely fashion.
- IV. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve three permits: One for Alliant Energy to replace four poles on Nora Road, and two for Charter Communications/Michels Construction to directional bore on Meadowlark Street to repair existing cable and install HDPE duct between easements. **MOTION CARRIED 5-0.**
- V. BUSINESS:
  - A. Review April Police Activities: The monthly report showed 263 calls for service and 100 citations issued in April. The Clerk read an email from Deputy Grafton, who had flexed her hours today in order to have her squad repaired. The email mentioned a facebook post about license plates that had almost 700 shares and over 105,000 views, and reported that the Ragnar run went off well.



TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
MAY 20, 2019

- B. Discuss/Consider approval of neighborhood party at Capitol View Park on May 27th, and waiver of park reservation fee: **MOTION** by Fonger/DuPlayee to approve a permit for use of the park for a neighborhood party on May 27<sup>th</sup>, with the reservation fee waived. **MOTION CARRIED 4-0-1** (Williams abstained).
  - C. Discuss/Consider adoption of Ordinance 2019-02 to Codify Chapters 12 through 25 of the Cottage Grove Code of Ordinances: The Clerk referred to her memo in board packets about recommendations from Town Engineer Tom TeBeest regarding the road cross-section figures in Chapter 15, and a recommendation from the Clerk for language to replace a reference to a non-existent list of recycling resources in Chapter 16. **MOTION** by DuPlayee/Williams to approve adoption of Ordinance 2019-02, including the revisions to chapters 15 and 16 as described in the Clerk's memo. **MOTION CARRIED 5-0.**
  - D. Discuss/Consider adoption of a Resolution for Borrowing to fund the North Star Road reconstruction project: **MOTION** by DuPlayee/Anders to adopt Resolution 2019-06 Authorizing Borrowing of \$612,200 for the North Star Road reconstruction project, at an interest rate of 3.294% over 10 years. **MOTION CARRIED 5-0.**
  - E. Discuss/Consider approval of repaving the Town's portion of Burve Road in cooperation with the Town of Deerfield: Dresen reported that the Town of Deerfield is paving their portion, and want to know if the Town of Cottage Grove would like to pay to have our portion paved at the same time. Dresen made a high-end estimate of \$21,600 for a 2" overlay of 1565 linear feet at a width of 17 feet. **MOTION** by Williams/DuPlayee to approve repaving of the Town's portion of Burve Road, cost not to exceed \$22,000 to come out of unassigned funds. **MOTION CARRIED 5-0.**
  - F. Discuss/Consider dissolving the Bridge Consultant Selection Committee: **MOTION** by DuPlayee/Anders to dissolve the Bridge Consultant Selection Committee now that their purpose is complete. **MOTION CARRIED 5-0.**
  - G. Discuss/Consider attendees for Housing Gap Educational Forum on May 30<sup>th</sup>: There was no interest in attending.
- VI. CLERK'S OFFICE UPDATE: The Clerk participated in a recent tabletop election exercise put on by the Elections Commission and Dane County Clerk's office that she described as excellent. She also plans to participate in a hands-on demonstration of the Badger Books (electronic poll books) offered by the City of DeForest on May 31<sup>st</sup>.
- VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: The grading is complete on the North Star Road reconstruction project, with paving scheduled for the week following Memorial Day. So far Scott Construction, Farhner Asphalt and Wolf paving have picked up RFQs for 2019 road maintenance projects. Speed bumps are ordered. The two newest public works employees are training on shouldering and doing well.
- VIII. BOARD REPORTS AND COMMUNICATIONS: Hampton attended a WDOT meeting about access on US Hwy 12 & 18 for Copart. The WDOT is ready to sign a permit for \$250,000 worth of work on acceleration/deceleration lanes, but wonders if that money could be better spent by continuing Luds Lane south. This would require lands to be acquired from the County landfill, however.
- IX. COMMITTEE REPORTS:
- A. Deer-Grove EMS Commission: Election of Officers resulted in Troy Allen being the new Chair, and Greg Frutiger being the new Secretary. Johnson & Block Company offered to come to a board meeting to present the district's 2018 financial statements, which were

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
MAY 20, 2019

similar to previous years with no issues. There is a demonstration of the Lucas Device scheduled.

- X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:47 P.M.

Kim Banigan, Clerk

Approved 06-03-2019

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
JUNE 3, 2019

PUBLIC HEARING FOR 2019-20 Alcohol Beverage License and Non-Metallic Mining Permit renewals

- I. Notice of the Alcohol Licensing public hearing was published in the legal section of the Wisconsin State Journal on May 29, 30 and 31<sup>st</sup>. Notice of both public hearings was posted at the Town Hall and on the Town's internet on May 31<sup>st</sup>. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
- II. Hampton called the Public Hearings to order at 7:00 P.M. and asked if there were any public comments or questions regarding any of the applicants. There were none.
- III. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

TOWN BOARD MEETING

- 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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, and Highway Superintendent Dan Dresen.
  - B. Hampton called the meeting to order at 7:01 P.M.
  - C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the Town Board meeting held on May 20, 2019 with a correction to the vote on item V. B., and to the time of adjournment. **MOTION CARRIED 5-0.**
- II. Finance Report and Approval of Bills:
  - A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33157-33181 from Monona Bank as presented. **MOTION CARRIED 5-0.**
  - B. **MOTION** by Anders/DuPlayee to approve payment of May per diems as presented. **MOTION CARRIED 5-0.**
- III. Public Concerns: None.
- IV. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Wisconsin Power & Light/Intercon Construction to install new electric service at the intersection of Uphoff and Nora Roads. **MOTION CARRIED 5-0.**
- V. BUSINESS:
  - A. Discuss/Consider approval of July 1, 2019– June 30, 2020 Alcohol Beverage Licenses:
    1. Combination Class B Beer and Class B Liquor Licenses: **MOTION** by Fonger/Williams to approve July 2019-June 2020 Class B Beer and Liquor Licenses for the following establishments:

Ball of Fun, LLC	Nora's Tavern, Inc.
d.b.a. Doubleday's	Timothy Kluever, Agent
Debra Stueber, Agent	1843 HWY 12 & 18
4586 Baxter Road	Deerfield, WI 53531
Cottage Grove, WI 53527	

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
JUNE 3, 2019

Door Creek Golf Course, Inc.  
Phillip C. Frederickson, Agent  
4321 Vilas Road  
Cottage Grove, WI 53527

Tricia's Country Corners, LLC  
d.b.a. Country Corners  
Tricia Youngs, Agent  
3737 CTH AB  
McFarland, WI 53558

**MOTION CARRIED 5-0.**

2. Operators and Managers Licenses: The list of applicants is attached as Appendix A. Brittany Calvert, Operator's License applicant under Nora's Tavern, explained that she is currently fighting a charge of Operate with Restricted Controlled Substance (1<sup>st</sup>), with her next court date on June 27<sup>th</sup>. She said her drug tests came back negative, her passenger was in possession of the controlled substance and she was charged because she was the driver. Nora's Tavern Agent Tim Kluever said that laws are conflicting in that CBD oil products are now legal, but will cause positive tests. **MOTION** by DuPlayee/Williams to approve July 2019-June 2020 licenses for all operator's and manager's license applicants except Brittany Calvert, with her application tabled until the July 1, 2019 meeting. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of July 1, 2019– June 30, 2020 Non-metallic Mining Permits: Hampton stated there are no complaints to address. Wade Cattell explained that he has not yet begun mining operations on the new area approved a year ago under CUP #2405 because the reclamation plan has not yet been approved by the County. **MOTION** by Hampton/Williams to approve a July 2019-June 2020 Non-Metallic Mining permit for the non-conforming area at:  
Nonmetallic Mining Site: **2294 US Highway 12 & 18**  
Operator: Wade Cattell, Raymond P. Cattell, Inc., 2401 Vondron Road, Madison, WI 53718  
Landowner: Rocky Rights LLC, 2401 Vondron Road, Madison, WI 53718  
with approval of the area under CUP #2405 pending approval of the reclamation plan.  
**MOTION CARRIED 5-0.**  
**MOTION** by DuPlayee/Williams to approve July 2019-June 2020 Non-Metallic Mining permits for the following sites:  
Nonmetallic Mining Site: **Gaston Road Quarry – 2543 Gaston Road**  
Operator: Brad Huston, R.G. Huston Company, Inc.  
2561 Coffeytown Road, Cottage Grove, WI 53527  
Landowner: Dale and Dwight Huston  
2561 Coffeytown Road, Cottage Grove, WI 53527  
Nonmetallic Mining Site: **Skaar Pit – 3355 County Road N**  
Operator: Brad Huston, R.G. Huston Company, Inc.  
2561 Coffeytown Road, Cottage Grove, WI 53527  
Landowner: Skaar Pit, LLC  
2561 Coffeytown Road, Cottage Grove, WI 53527  
**MOTION CARRIED 5-0.**
- C. Discuss/consider approval of second driveway at 3104 Hope Hollow Trail: Owner Amy Fluke had provided a sketch of where the driveway would be located, but also offered another

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option for a drive from the new detached garage to the existing driveway, which would not require a second driveway. **MOTION** by Hampton/Anders to approve a possible second driveway as depicted on the sketch, depending on what Dresen recommends upon viewing the site. **MOTION CARRIED 5-0.**

- D. Discuss/Consider awarding of bids for 2019 re-paving and seal coating projects; The following bids were received:

	<b>Total for All Projects</b>	
	<b>Sealcoating</b>	<b>Paving</b>
Payne & Dolan	No Bid	\$287,465.75
Wolf Paving & Excavating	No Bid	\$271,487.40
Scott Construction	\$70,996.00	No Bid
Fahrner Asphalt Sealers	\$76,756.00	No Bid

**MOTION** by Hampton/DuPlayee to accept Scott Construction's bid for sealcoating, and Wolf Paving's bid for paving. **MOTION CARRIED 5-0.**

- E. Plan Commission Recommendations:

1. Discuss/Consider approval of a Conditional Use Permit to allow Transient & Tourist Lodging at 4466 Wind Chime Way, parcel #0711-112-8160-9 zoned RR-8 - Richard Wm King, applicant, Glacial Drumlin House, LLC, Landowner: Hampton began the discussion with a reminder that the Board is required to act as a quasi-judicial body when acting on CUPs, dealing only in fact. He said that Board members have reviewed the minutes and materials presented at the May 22<sup>nd</sup> Plan Commission meeting, and is looking only for new information tonight.

Mr. King said that he feels he can address the major concerns expressed by neighbors over parking and traffic. He provided a sketch on a map showing potential areas he could put an additional 6-8 parking spaces on his property, and offered to install signage to prohibit parking on the shared driveway. He suggested instructing renters to come in through the North entrance to Wind Chime would alleviate traffic concerns. He admitted that he is learning as he goes and going forward could add more acknowledged rules to his rental contract. He feels the rental is a good resource for the community as renters spend money while they are here. He said he has made arrangements for soil testing and expects to install a larger septic system in October. He said he does spend part of his time living there in the owner's unit in the basement, and his daughter may stay there. When asked if he obtained building permits as required for all of the renovations he made, he said he did have a building permit now, however it was determined that the permit only covered the deck, and was obtained after completion of construction in response to a notice of violation. He said the mother-in-law suite has always been there, and the only addition was the deck.

Williams questioned the incident reported in the Plan Commission minutes when burning there got out of hand. Mr. King said he had a helper there burning around the pond and it got out of hand. This was part of his effort to improve the property by getting rid of undesirable brush and trees.

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Williams asked if Mr. King had discussed his plans to use the property as a rental with neighbors, he said he had not, he didn't expect that it would affect them adversely.

Anders noted that windows and electrical improvements, among other things, require a building permit, and he would have expected an attorney to know this. He read from Dane County Zoning Administrator Roger Lane's response refuting Mr. King's claim at the Plan Commission meeting that Lane had told him it was acceptable for him to continue to rent the house out for less than 7 days prior to approval of a conditional use permit. To this King responded that he has a disagreement with the County under the old ordinance, which the courts will settle. He said he could advertise and rent for 7 days, but charge according a 2-night stay (the example he provided was \$600 for two of the nights, \$1 or the rest).

Hampton asked how he obtained a second set of trash and recycling containers. Mr. King said he contracts independently for them. Hampton also asked if he has an easement onto 4468 Wind Chime because on the map Mr. King sketched potential additional parking on, it does not appear 4466 Wind Chime even touches the shared driveway. Mr. King said there is a triangle that does not show up on that map.

Several neighbors spoke in opposition. As little new information was presented, only their names and addresses are recorded here, unless they provided new information. Several other neighbors who spoke at the May 22<sup>nd</sup> Plan Commission meeting were also present:

- Terrie Howe, 4450 Wind Chime Way.
- Richard Blomker, 4454 Wind Chime Way offered that 4466 Wind Chime Way was built by Walter Olson, who is still in the area and may be able to provide insight into what was originally in the house,
- Ken Gulbranson, 4449 Wind Chime Way.
- Jim Stitt, 4472 Wind Chime Way.
- Jerome Janson, 4446 Wind Chime Way, reported that another rental group was there on May 25<sup>th</sup>.
- Kathy Blomker, 4454 Wind Chime Way, said they have a good view of what is going on at 4466, and Mr. King does not live there. She said the property has 2-night bookings in October already. She wanted it to be on record that at the Plan Commission meeting, Mr. King admitted that he has other rental properties, one of which turned into a meth lab.

Board members considered the 6 standards for a CUP:

1. Not Satisfied by a vote of 5-0. Applicant has not demonstrated efforts to maintain the safety or welfare of the neighborhood. Testimony of numerous neighbors describe events where neighbors have worried for the safety of themselves and their property. Owner is not on site or nearby to ensure that renters are not endangering neighbors with speeding or behaviors.
2. Not Satisfied by vote of 5-0. Alleged outdoor sexual activities, uncontrolled fire, fireworks have interfered with neighbors' ability to enjoy their own properties.

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3. Not Satisfied by vote of 4-1 (DuPlayee opposed): The conditional use is not consistent with surrounding uses and could impede values or salability of surrounding properties.
4. Not Satisfied by vote of 5-0: The septic system is sized for 3 bedrooms, the applicant has it advertised, and has applied for transient or tourist rental of 6 bedrooms.
5. Not Satisfied by vote of 5-0: The property is served by a shared private drive. Rental parking spills over onto the driveway and could impede emergency services to all three properties.
6. Not Satisfied by vote of 5-0: The applicant has long history of notices of zoning violations that have gone unheeded, and he has also not followed applicable building permit requirements, showing a lack of responsibility to regulations.

**MOTION** by DuPlayee/Anders to deny he conditional use permit to allow Transient & Tourist Lodging at 4466 Wind Chime Way. **MOTION CARRIED 5-0.**

2. Discuss/Consider approval of revised site plan for commercial building on parcel 0711-284-9755-0, 10 acres on North Star Road owned by Steve Banovetz: Mr. Banovetz arrived too late for the agenda item, but the Clerk explained that the setback of 75' for the building on the original plan was in relation to the road right-of-way before Mr. Banovetz dedicated right-of-way to the Town for the North Star Road reconstruction project. With the new right-of-way line, he estimated the building would have a 66'-foot setback although he was not exactly sure of the measurement so the Plan Commission gave him some leeway with their motion. **MOTION** by Hampton/Williams to accept the Plan Commission's recommendation to accept the revised site plan, with the building not less than 60 feet from the North Star Road right-of-way. **MOTION CARRIED 5-0.**
3. Discuss/Consider approval of concept plan for Hoppman Acres, proposed 18 lot subdivision on farm at 3973 Vilas Hope Road: Bill and Dan Paulson and Atty. Mike Lawton were all present. Atty. Lawton said the 24-lot concept plan was presented at the Plan Commission level based on the density study showing 3 RDU that would yield 24 lots when the multiplier factor is applied under the Transfer of Development Rights Program, however they realize the land required for this concept extends beyond what is planned for neighborhood development. Atty. Lawton said he had spoken with Dane County Planner Pam Andros who said it would be an interpretation decision on the part of the Town whether the multiplier could be applied in this case, and the interpretation should be described in the Town's report to the County. Other discussion topics included:
  - a) They have talked twice to City of Madison planners, and made adjustments to the concept to accommodate some of their concerns. They think there is a fair chance the City's plan commission would approve it.
  - b) Anders wondered if here could be some compromise on parkland: not a full-fledged Town park, but rather a park that the homeowner's association would maintain. Dan Paulson also suggested that the lots could be made slightly larger to take up what is shown as open space, however roads and open space are drawn on areas not suitable for septic fields.

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- MOTION** by Hampton/DuPlayee to accept the Plan Commission's recommendation to accept the 18-lot concept plan. **MOTION CARRIED 5-0.**
4. Discuss/Consider approvals for Copart of Connecticut, Inc., Door Creek LLP Landowner, parcels 0711-303-0750-0 to 0783-0 on US Highway 12 & 18: Ben Stephens and Atty. Angie Black represented Copart, with input from Engineer Brian Deckow. Atty. Black reported that the DOT has indicated they will sign the driveway application on Monday. Board members viewed the plans for the re-clad building, berm, fence and plantings as previously presented to the Plan Commission.
    - a) Request for removal of deed restriction #4246936: Atty. Black asked about timing of the Town's release, suggesting that the Town could hold it until the closing, but that Copart would not want to close with it. **MOTION** by DuPlayee/Hampton to accept the Plan Commission's recommendation to revoke deed restriction #4246936. **MOTION CARRIED 5-0.** Atty. Black offered to draft the revocation document and send it to the Clerk.
    - b) Site/Design Plan Review under TCG Ord. sec. 12.08: **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to accept the site plan, building materials and color scheme as presented, requiring the berm and fence be built, the hill and trees must not be disturbed, all lighting must be dark sky compliant, and a Knox box must be installed. **MOTION CARRIED 5-0.**
  - F. Discuss/Consider renewal of agreement with Dane County to participate in the CDBG and HOME program: The Town's participation in this program allows the Town, its businesses and other agencies within or serving the Town to apply directly for federal funding and provides access to other funding opportunities. The program is referenced in the Town's comprehensive Plan. The agreement automatically renews, so no action is needed unless the Town would like to opt out. No action was taken.
  - G. Discuss/Consider TDS quote for internet and phone services to the Town Hall and Garage: The clerk provided a quote from TDS for 150MB fiber optic internet service to the Town Hall at a cost of \$59.00 + the usual regulatory charges. Current 3MB Frontier DSL costs \$43.99/month. The Clerk stated staff has been hoping for faster internet service for some time, but was waiting to see what TDS had to offer before pressing for an upgrade. The only other option would be Charter at \$59.99 per month for 100MB. She said there is no need to change phone service providers at this point, especially since phone lines originate at the Emergency Services Building. **MOTION** by Hampton/DuPlayee to change to TDS as the Town Hall internet provider at \$59.00 per month as soon as services is available. **MOTION CARRIED 5-0.**
  - H. Discuss/Consider enforcement of TCG Ord. section 11.09 Property Maintenance for the following properties:
    1. 2983 County BB: The owner left Hampton a phone message in response to the May 7<sup>th</sup> courtesy notice, but a connection was never made. Hampton said that in addition to the alleged property maintenance issues, the lawn has not been mowed **MOTION** by Anders/DuPlayee directing the clerk to send a Preliminary Notice of Violation under TCG Ord. section 11.10(1), including the unmowed lawn. **MOTION CARRIED 5-0.**



TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
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2. 2476 Ofsthun Road: No response to the May 7<sup>th</sup> courtesy letter was received. **MOTION** by DuPlayee/Anders directing the clerk to send a Preliminary Notice of Violation under TCG Ord. section 11.10(1). **MOTION CARRIED 5-0.**
3. 1987 Nora Road: No response to the May 7<sup>th</sup> courtesy letter was received. Troy Eickhoff, 3632 Earlwyn Road, asked the nature and origin of the complaint. Hampton told him siding has not been filled in around new, smaller windows, and there is hole in the roof of a porch. **MOTION** by Anders/DuPlayee directing the clerk to send a Preliminary Notice of Violation under TCG Ord. section 11.10(1). **MOTION CARRIED 5-0.**
4. 2712 Nightingale Lane: A written response to the May 7<sup>th</sup> Preliminary Notice of Violation was received today, stating that some of the debris has been removed, and asking for 3-4 weeks to dispose of the rest. Fonger made a motion with no second to send a Notice of Violation with 30 days to remove the display pieces from the front of the garage and any other debris visible from the road. Nicholas Gagner, owner of 2706 Nightingale, said that 30 days does not help him, and he feels the Board is extending the time for abatement preferentially. He read 8 comments from potential buyers of his home that were turned off by the condition of 2712 Nightingale Ln. He asked the Board to allow the least time possible under the ordinance. In addition to Christmas decorations and lights, he also mentioned a brush pile in the back yard, and unlicensed cars, which he suggested could be moved to a rented storage unit. **MOTION** by Fonger/Anders to send a Notice of Violation under TCG Ord. section 11.10(2) that if all Christmas decorations and lights, brush piles, and unlicensed cars are not removed by June 30<sup>th</sup>, penalties will begin on July 1<sup>st</sup>, and the Town Board shall cause such work to be done at the owner's expense. **MOTION CARRIED 4-0-1.**

VI. CLERK'S OFFICE UPDATE: Deputy Biwer asked the Clerk if the County SWAT team could hold a training exercise at Flynn Hall. Consensus was that due the residences next door, and with Flynn Hall being in the Village, this would not be appropriate. Board members suggested that the Town Hall or Garage would be better choices.

VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: North Star Road is scheduled to be paved at the end of this week, weather permitting. The crew has been busy bucket patching, shouldering, and mowing, and will be replacing some culverts soon.

VIII. BOARD REPORTS AND COMMUNICATIONS: Hampton shared an invitation to participate in the Firemen's Festival parade, Anders may be interested. He also shared a notice regarding a funding opportunity for flood repairs to parks and open spaces, and notice of a public hearing at the Village Hall on June 5<sup>th</sup> regarding Homburg Equipment's proposed 136 lots on land recently annexed from the Town.

- A. Dane County Towns Association Update: Anders has been reelected to the Executive Committee.
- B. Colonial Club: Hampton and Williams attended their annual meeting, and were presented with a plaque recognizing the Town's support.
- C. Cottage Grove Chamber of Commerce: DuPlayee missed the meeting.

IX. COMMITTEE REPORTS:

TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
JUNE 3, 2019

- A. Joint Town/Village Landfill Monitoring Committee: Anders is still the Chairperson, there were no detects in the monitoring wells.
- B. Joint Town/Village Fire Department Committee: Hampton is the new Chairperson, Melissa Ratcliff is Secretary.
- X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 10:12 P.M.

Kim Banigan, Clerk  
Approved 06-17-2019

## 06-03-2019 Town Board Minutes Appendix A

### 2018-19 Operator's License Applicants

New/Renewal	Background	Servers Cert.	Last Name	First Name	Establishment
Renewal	ok	yes	Anderson	Lee Allan	Country Corners
Renewal	ok	yes	Erickson	Pamela J.	Country Corners
Renewal	ok	yes	Kadrmaz	Sue M.	Country Corners
Renewal	ok	yes	Larson	Brooke	Country Corners
Renewal	ok	yes	Lust	Adam	Country Corners
Renewal	ok	yes	Nelson	Ryan M	Country Corners
Renewal	ok	yes	Smith	Tammy J.	Country Corners
Renewal	ok	yes	Warden	Tanya M	Country Corners
New	ok	yes	Benedict	Nicole T.	Door Creek Golf Course
New	ok	yes	Bless	Bradley	Door Creek Golf Course
New	ok	yes	Braley	Stephanie M	Door Creek Golf Course
Renewal	ok	yes	Counts	Alexandra N.	Door Creek Golf Course
Renewal	ok	yes	Dyer	Ione M.	Door Creek Golf Course
New	ok	yes	Feldt	Anna K.	Door Creek Golf Course
Renewal	ok	yes	Frederickson	Kristin Lynn Zweifel.	Door Creek Golf Course
Renewal	ok	yes	Kennedy	Matthew J	Door Creek Golf Course
Renewal	ok	yes	Quelle	Jenna C.	Door Creek Golf Course
New	ok	yes	Sylvia	Amanda M	Door Creek Golf Course
Renewal	ok	yes	Archer	Bernadette L.	Doubledays
Renewal	ok	yes	Banigan	Kyle F.	Doubledays
Renewal	ok	yes	Kratochwill	Becky J.	Doubledays
Renewal	ok	yes	Moen	Nancy A.	Doubledays
Renewal	ok	yes	Stueber	Anna M.	Doubledays
Renewal	ok	yes	Stueber	Mark A.	Doubledays
Renewal	ok	yes	Stueber	Riva M.	Doubledays
Renewal	Pending controlled substance in vehicle, court date 6/27/2019	yes	Calvert	Brittany J.	Nora's Tavern
Renewal	ok	yes	Fuller	Tammy L.	Nora's Tavern
Renewal	ok	yes	Hudson	Dawn M.	Nora's Tavern
Renewal	ok	yes	Linnerud	Jaimee L.	Nora's Tavern
Renewal	ok	yes	Schmidt	Jason M.	Nora's Tavern
Renewal	ok	yes	Shapiro	Michelle L.	Nora's Tavern
Renewal	ok	yes	Simle	Jason M.	Nora's Tavern
Renewal	ok	yes	Sines	Pamela J.	Nora's Tavern
Renewal	ok	yes	Slater	Rebecca A.	Nora's Tavern
Renewal	ok	yes	Viney	Alison M	Nora's Tavern
Renewal	ok	yes	Wood	Marcia L.	Nora's Tavern

### 2018-19 Manager's License Applicants

New/Renewal	Background	Last Name	First Name	Establishment
Renewal	ok	Purvis, Jr.	Robert A.	Door Creek Golf Course
Renewal	ok	Stueber	Gary F.	Doubledays
Renewal	ok	Kluever	Sheryl L.	Nora's Tavern

TOWN OF COTTAGE GROVE  
JOINT MEETING OF THE TOWN BOARD AND PLAN COMMISSION  
JUNE 17, 2019

- I. Determination that a quorum is present and that the meeting was properly posted: Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Board members present were Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders and Kristi Williams. Plan Commission Members present were Chair Kris Hampton and members Steve Anders, Jerry Meylor and Troy Eickhoff. Clerk Kim Banigan and Attorney Connie Anderson were also present. David Riesop and David Dinkel were present to represent Kennedy Hills, LLC.
- II. CALL MEETING TO ORDER:
  - A. Town Board: Hampton called the Town Board to order at 7:00 P.M.
  - B. Plan Commission: Hampton called the Plan Commission to order at 7:00 P.M.
- III. Plan Commission: Discuss/Consider adoption of [Plan Commission Resolution NO. 2019-06-17](#) Recommending Conditional Approval of the Preliminary Plat of Kennedy Hills: Atty. Anderson said that in 2018 the Plan Commission and Town Board approved the concept plan for a 64 lot development by David Riesop that is now being called the Kennedy Hills. Zoning for the the first phase to include 16 lots was also approved in 2018. In April of this year a preliminary plat for 16 residential lots and two outlots was submitted. The preliminary plat is on the Dane County ZLR Committee agenda for June 25<sup>th</sup>, and they will be wanting to know the Town's position. For this reason, she had prepared and recommended adoption of a resolution to recommend conditional approval of the Plat. The resolution included several conditions for approval, which it referred to the Town Board to full-fill and potentially add to. Eickhoff asked Mr. Riesop to what degree the engineering plans have been completed, and what happened to slow the progress. Mr. Riesop said his engineer has had health issues. **MOTION** by Anders/Eickhoff to adopt Plan Commission Resolution 2019-06-17 Recommending Conditional Approval of the Preliminary Plat of Kennedy Hills. **MOTION CARRIED 4-0**
- IV. Town Board: Discuss/Consider adoption of [Town Board Resolution NO. 2019-06-17](#) Conceptual Approval of Kennedy Hills Development Proposal: Atty. Anderson had prepared the resolution, which acknowledges the Plan Commission resolution and all of its conditions, and requests a 90 day extension to the preliminary plat review period. Mr. Riesop said he would agree to the extension. Mr. Dinkel said they have met with the Village of Cottage Grove Plan Commission and Board regarding approval of the plat under ETJ, but the Village prefers to hold off on taking action until they can review the preliminary and final plats simultaneously. **MOTION** by Hampton/Anders to adopt Town Board Resolution 2019-06-17 Conceptual Approval of the Kennedy Hills Development Proposal, including a 60-day extension to the preliminary plat review period. **MOTION CARRIED 4-0.**
- V. Adjournment
  - A. Plan Commission: **MOTION** by Anders/Eickhoff to adjourn the Plan Commission. **MOTION CARRIED 4-0.**
  - B. Town Board: **MOTION** by Fonger/Williams to adjourn the Town Board. **MOTION CARRIED 4-0.**

The meeting ended at 7:50 P.M.

Kim Banigan, Clerk

Approved by the Town Board on 07/15/2019

Approved by the Plan Commission on 07/24/2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JUNE 17, 2019

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, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, Highway Superintendent Dan Dresen and Deputy Jennifer Grafton.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the Public Hearing and Town Board meeting held on June 3, 2019 as printed.  
**MOTION CARRIED 5-0.**

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33182-33205 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/DuPlayee to approve payment of \$2,683.33 to General Engineering Company for May building permits. **MOTION CARRIED 5-0.**
- C. The Treasurer asked that June per diem reports be submitted by June 28<sup>th</sup>.

III. Public Concerns: None.

IV. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for MG&E/KS Energy Services to install a new 4" gas main in the right-of-way in the 3100 block of Gaston Road.  
**MOTION CARRIED 5-0.**

V. BUSINESS:

- A. Review May Police Activities: There were 207 calls for service and 122 citations issued in May. Deputy Grafton reported that there have been no significant issues, including with the Firemen's Festival, however they are preparing for the usual seasonal uptick in car break-ins. The speed bumps recently installed on Damascus Trl. appear to be working well.
- B. Discuss/Consider approval of Certified Survey Map for 4061 Vilas Hope Road: Carl Sandsness of Royal Oak & Associates, Inc. explained that this CSM is needed to incorporate a driveway previously conveyed by quit-claim deed into the residential lot so the property can be sold. **MOTION** by Anders/Fonger to approve the CSM identified as Office Map No. 16492 dated 06/10/2019. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of leveling an area and allowing parking in the road right-of-way at 3783 Janelle Lane: Property owner Joe Nigh explained that he placed gravel and pavers in the right-of-way in an attempt to create a parking area because they had damage to cars and the garage from sliding down the very steep driveway. He said there are a total of 5 cars used by residents of the property, which has a 2-car garage. He provided a drawing of the area he would like permission to park on. Dresen had taken photos showing the pavers and filled area of the right-of-way, as well as a car parked at the top of the driveway. Mark and Joan Hoenecke, 3785 Janelle Lane, provided oral and written objections (Appendix A) due to the impact of the parking area on snow removal, access for emergency response, and affect on property value. Roger Goppelt, 3786 Janelle Lane, also objected, for the same reasons as the Hoeneckes as well as due to concern about erosion and setting a precedent for others to park in the right-of-way. **MOTION** by Hampton/Anders prohibiting parking in the right-of-way, directing Dresen to mark the right-of-way, and ordering Mr. Nigh to remove all excess materials (gravel, pavers, retaining wall, etc.) from the right-of-way, and restore it to the proper elevations based on input from Dresen, by August 5, 2019. **MOTION CARRIED 4-1**

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JUNE 17, 2019

(DuPlayee opposed). Board members suggested Mr. Nigh contact a landscape architect to design parking within the property if he needs additional capacity.

- D. Discuss/Consider agenda items for the joint meeting of the Cottage Grove Town and Village Boards scheduled for June 27, 2019: Flynn Hall Rental Agreement, Kennedy Hills development, Update on Shady Grove and Widen developments, Connection of Town and Village roads, cost sharing of replacement for the Brush truck, shared/cooperative upgrades of joint roads.
- E. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Strategy for boundary negotiations: **MOTION** by Hampton/DuPlayee to move into closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.** All but the Town Board and Clerk left and the closed session began at 8:30 P.M.
- F. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Hampton/DuPlayee to reconvene to open session. **MOTION CARRIED 5-0 by roll call vote.** The Closed session ended at 8:47 P.M. and there was no action as a result.

VI. CLERK'S OFFICE UPDATE: The Clerk reported that TDS will not honor the \$59.00/month quote for internet service unless it is bundled with phone service. She was unable to attend a recent demonstration of the Badger books, but one of the election inspectors was.

VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Hampton reported that paving and sealcoating will take place in mid July, and the new tractor and mower are expected sometime this week.

VIII. BOARD REPORTS AND COMMUNICATIONS: Hampton reported receipt of an updated operating plan checklist and modifications to SOPs from Hydrite. He received an amendment to the reclamation plan for the quarry operated by Rocky Rights, LLC at 2294 US Highway 12 & 18 for the Town's review, and will add it to the agenda for the special meeting scheduled for June 19<sup>th</sup>.

IX. COMMITTEE REPORTS:

A. Emergency Government Committee: Sarah Valencia is the new Chair, Otto Kraus is the new secretary.

X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:55 P.M.

Kim Banigan, Clerk  
Approved 07-01-2019

## 06-17-2019 Appendix A

We are Mark and Joan Hoenecke. We live at 3785 Janelle Lane. We have lived at our current home for 27 years. Our home is located at the end of Janelle Lane with a private driveway extending down the hill off the end of Janelle Lane. 3783 Janelle Lane is located at the top of the hill on the southwest corner of our property. Unfortunately there is no turnaround at the end of Janelle Lane. The road simply ends in a dead end where our driveway begins.

We are here tonight to register our opposition for the request to allow the owner of 3783 Janelle Lane to level an area and permit parking in the right of way.

The first factor we would like you to consider is snow removal along the end of Janelle Lane. For 26 years the town's snow plowing team has done an excellent job of keeping the end of Janelle Lane and the top of our driveway clear of piles of snow. The plowing team has always pushed the snow off Janelle Lane down the hill along our property line keeping the top of our driveway open. This year has been a notable exception. There were often 3 or 4 cars parked at the end of Janelle Lane in front of 3783 Janelle Lane. The tail ends of these cars were frequently sticking way out into the roadway making it very difficult for the plow personnel to push the snow off the road since there were cars parked there. Even though we have a hired private plowing company, we still had to dig out the top of our driveway because the town plow truck had no where else to maneuver with all the parked cars there. This is the first time we have ever had to dig out the top of our driveway in 27 years. The occupant of 3783 Janelle Lane does not even know this has become an issue for us since he is out of the country from late fall until early spring. And yet when he is gone there are still 3 – 4 cars parked along the road since his driveway and garage are not utilized for parking in the winter. Another untoward consequence of having cars parked along the end of Janelle Lane is that our own private plowing truck was forced to drive off our driveway since he couldn't fit his plow blade fully across our driveway. This will in time lead to breaking off the blacktopped edges of our driveway. Before considering approving this request we certainly would appreciate it if the highway superintendent would review the situation to determine how to efficiently plow Janelle Lane with multiple cars parked at the end of Janelle Lane.

The second concern we have about having a parking area at the top of our driveway is the access of emergency vehicles down Janelle Lane to our home past these parked vehicles. This past winter it was often very difficult for us to get out of our driveway as there were often multiple vehicles parked way out into Janelle Lane. We often had minimal clearance ourselves to get around these parked vehicles. There was no way that an emergency vehicle would have been able to pass these vehicles some mornings. This is huge safety concern for us if this is approved.

Our third reason we are requesting that you deny this petition is the effect it will have on our property value. Having 3-4 cars parked at the top of your driveway is hardly a desirable selling point. The home at 3783 Janelle Lane does have a 2 car garage but no cars can park in that garage as it is completely full with other items. I would suggest that you take a look at the property surrounding this home to see all the junk stored around this house. We know that he has made an effort this past spring to clean it up but it still has a long way to go. All of this accumulated junk and multiple cars parked at the top of the

road certainly does not match the curb appeal of our neighborhood and would have a negative impact on the surrounding property values.

The fourth item we would like you to consider is the effect of water erosion if the owner of 3783 Janelle Lane levels the area next to the roadway. If not done properly all of the water runoff would go down our hill and eventually erode under our existing blacktopped driveway. We would appreciate it if the Highway Superintendent or Town Engineer would study this potential erosion issue before any decision is made.

Thank you for listening to our concerns, and we would urge you to vote against this petition to allow a parking lot to be built at the end of Janelle Lane.

Mark and Joan Hoenecke

June 17, 2019



TOWN OF COTTAGE GROVE  
TOWN BOARD CLOSED SESSION  
JUNE 17, 2019

- I. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Strategy for boundary negotiations: **MOTION** by Hampton/DuPlayee to move into closed session for the reason stated above. **Roll call vote: Fonger, Anders, Hampton, Williams and DuPlayee all voted aye.** Town Clerk Kim Banigan was also present. The closed session began at 8:30 P.M.
- II. Hampton reported that he expects the new Madison Mayor will be in favor of continuing boundary agreement talks, and suggested that the Board review the map provided by City planners in preparation. Discussion included the following:
  - Hampton suggested using mapped wetlands as a border that the City could not cross.
  - Fonger suggested sticking to roads for the border.
  - Femrite Drive and Siggelkow Road were discussed as borders in the South-West portion of the Town.
  - Vilas Hope Road was discussed as a border to the north, however the area from the proposed Paulson development south to Coyt drive, including the Gala neighborhood, should stay in the Town.
- III. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Hampton/DuPlayee to reconvene to open session. **MOTION CARRIED 5-0 by roll call vote.** The Closed session ended at 8:47 P.M.

Kim Banigan, Clerk  
Approved 07-15-2019, Keep Closed  
Opened 10-18-2021

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JUNE 19, 2019

- I. Determination that a quorum is present and that the meeting was properly posted: Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Mike DuPlayee and Kristi Williams were present, along with Clerk Kim Banigan and Highway Superintendent Dan Dresen. Dave Pantzlaff and Dan Schrum represented Ayres Associates, and Mark Westerveld from the WisDOT was also present.
- II. Call to Order & Flag Pledge: Hampton called the meeting to order at 7:00 P.M.
- III. Discuss/Consider scope and contracts for Ayres and Associates to provide design services for Local Bridge Program projects to rebuild Door Creek Bridge #P130939 and Koshkonong Creek Bridge #P130151: Pantzlaff said tonight's meeting is a prelude to the contract. He had provided the Clerk with the scoping letters for each of the projects prior to the meeting, which were included in Board packets. He provided a Project Scoping Meeting Agenda which he described as a checklist, and proceeded to address topics from it. Highlights included:
  - Right-of-way acquisition may be necessary and will require the services of a Certified Land Acquisition Agent.
  - Borings and Title Searches will be billed at actual costs. Other services will be lump sum under the contract, with amendments as needed.
  - The draft contract will be ready for simultaneous review by the WisDOT and the Town in 2-3 weeks.
  - Design will be replacement in kind, anything more would need justification.
  - Approach lengths are anticipated at 300', they will be surveying at 500'
  - A dry hydrant and additional trail parking may be considerations for the Uphoff bridge.
  - Traffic counts will not be needed.
  - Dresen will be the contact person, with a copy of correspondence to the Clerk.
  - The following meetings will be held:
    - 30% - Operating Planning Meeting.
    - 60% - Public Information meeting.
    - Meeting with the City of Madison regarding any enhancements to the Femrite bridge the City wants to pay for.
    - Pre-construction Conference.
  - The Town will ask for updates as needed, there will not be regularly scheduled meetings.
  - The Town (Dresen) will need to make sure utility moves take place.
  - Anticipated piling depths are 80' for the Femrite bridge and 70' for the Uphoff bridge.
- IV. Discuss/Consider recommendations for repairs and maintenance to address edge spalling of other Town bridges: 2018 Bridge inspections recommended repair to spalling and edge cracks to several bridges. Dresen provided photos. Pantzlaff said repair can be costly, likely \$15,000 per bridge, and would consist of chipping off the old concrete, then thickening up the vertical surfaces. Spalling on the two beam bridges are cosmetic, the Vilas and Ridge bridges are more structural. The inspections do not indicate anything needs to be done immediately.
- V. Review Reclamation plan #28 (modification to the existing plan) for Rocky Rights LLC Mineral Extraction site at 2294 US Highway 12 & 18: Comments were that there is not much new compared to the current plan other than the additional area. No action was taken.

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JUNE 19, 2019

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 8:17 P.M.**

Kim Banigan, Clerk

Approved 07-01-2019

PUBLIC HEARING FOR PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN

- I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site, and published in the Wisconsin State Journal on June 1, 2019. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan, Treasurer Deb Abel, Highway Superintendent Dan Dresen and Planning Consultant Mark Roffers.
- II. Hampton called the public hearing to order and asked if there were any questions or comments. There were none.
- III. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

TOWN BOARD MEETING

IV. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Attendance was as listed for the public hearing above.
- B. Hampton called the meeting to order at 7:01 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the Public Hearing and Town Board meeting held on June 17, 2019, and of the Special Town Board meeting held on June 19, 2019 as printed. **MOTION CARRIED 5-0.**

V. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33206-33229 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/Fonger to approve payment of June per diems as presented. **MOTION CARRIED 5-0.**

VI. Public Concerns: None.

VII. Road Right of Way Permits: **MOTION** by Anders/Williams to approve a permit for Alliant Energy/Intercon Construction to install new electric service to an outbuilding at 3098 Hope Hollow Trail, and a permit for WP&L/Intercon Construction to install new gas service at 2733 Bluebird Ln. **MOTION CARRIED 5-0.**

VIII. BUSINESS:

- A. Discuss/Consider whether conversion from old County zoning code to new County zoning code was correct for 4407 Vilas Hope Road: Thomas and Julia Willan said that prior to the adoption of the new zoning ordinance by Dane County, their property at 4407 Vilas Hope Road was zoned A-2(2). With the new ordinance, it was converted to RR-2, which they believe took away their permitted Ag Accessory use of the barn on the property. They felt that FP-B zoning would be the appropriate conversion. Hampton read the permitted uses of the from A-2(2) and the current RR-2 zoning districts. The barn is within the allowable height of accessory buildings in the RR-2 district, however Mr. Willan argued that residential accessory uses do not cover what they have been allowed to use the barn for in the past under agricultural accessory uses. The Clerk read the definitions of agricultural accessory uses, which were identical under the old and new ordinances. In both cases, they were defined as uses on a farm. The Clerk then read the definition of a farm, which was identical under both versions of the ordinance, and required that the majority of the land must be in agricultural use. Next the Clerk read from the definition of agricultural use, again identical in both

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version of the ordinance. There were questions as to whether the 2.3 acres could meet the definition of a farm. Mrs. Willan said she does carry on farming operations there, and Mr. Willan said the house takes up 5,000 square feet, the remaining 80,000 square feet could be farmed. Williams read from the permitted uses of the FP-B zoning district, which include some that would have required a public hearing and CUP under A-2(2) zoning. Ed Eckloff, 4293 Vilas Hope Road, had a question about when permission is needed for storage inside a building. He said while he hasn't always agreed with their methods, the Willans have been good neighbors and have made the place look nice. **MOTION** by Anders/Fonger determining that the conversion from A-2(2) to RR-2 with adoption of the new County zoning ordinance was correct. **MOTION CARRIED 5-0.**

- B. Discuss/Consider adoption of Town Board Ordinance NO. 2019-07-01 Amending the Town of Cottage Grove Comprehensive Plan: The Clerk stated that Larry Skaar had called her earlier in the day to say that he was ill and would not be able to attend tonight's meeting, but he was still interested in having his property on North Star Road placed into the commercial planning district. Ken Foust, 3788 County Highway AB was present and stated that he was also still hoping that his 35.34 acres could be placed in the commercial planning district. He currently has 1.4 acres zoned commercial, however he has documents dating back to 1962 that indicate the commercial zoning should be 10 acres. Dane County Planner Pam Andros is researching this for him. Even with this additional acreage, he would like to be allowed to further extend his trucking and landscaping business. Roffers' memo to the Board analyzed the requests for the commercial planning district, which were not recommended by the Plan Commission. Discussion was that in the case of the Foust property, there is a distinct physical distance from other areas planned for commercial, and residential development close by. A sale of the property could open up the idea of commercial development over the entire area that would not be consistent with adjacent uses. In the case of the North Star Road area, Roffer's memo was referenced (attached as Appendix A). Roffers said that most of the text revisions were related to having the Town's comprehensive plan speak the same language as the recently revised County Zoning ordinance. There is also language added to clarify that 160 acres planned for Open Space and Recreation would be eligible as a TDR sending area. **MOTION** by Williams/Fonger to follow the Plan Commission's recommendation to not adopt the map revisions, and to adopt Town Board Ordinance 2019-07-01 Amending the Comprehensive Plan. **MOTION CARRIED 5-0.**
- C. Discuss/Consider refund of building permit application fee for 4454 Sandpiper Trail: Property Owner Shari Walsvick requested the refund because she said when she asked the Town's building inspector if she needed anything beyond the Town building permit to complete a 10 x 24' overhang off of the garage, he did not tell her she also needed a zoning permit from Dane County. The overhang has been cited as too close to the lot line by the Dane County Zoning Inspector, and the Walsvicks have been ordered to remove it. Ms. Walsvick also asked for reimbursement of \$833.18 worth of construction materials as evidenced by a receipt from Home Depot. An email from the Town Building inspector said he understood they were just expanding the eaves to help with run-off, and he had advised the property owner to consult with Dane County. His recollection was that the property owner told her Dane County felt a zoning permit was not needed. He said he wrote the permit for an overhang, not an addition of any kind. He could not find record of an inspection. The Board reviewed the permit application, which did specify a 10 x 24' / 240 sq. foot overhang. **MOTION** by Fonger/DuPlayee to refund the \$126.50 building permit fee, and directing the Clerk to contact General Engineering Company request a refund to the Town of their portion

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of the fee, as well as a reimbursement to the property owner of \$833.18 for construction materials. (It was thought that GEC's errors and omissions insurance should cover this).

**MOTION CARRIED 5-0.**

D. Discuss/Consider approval of 2019-20 Operator's Licenses for:

1. Brittany Calvert: Atty. David Sapperstein of Hurley Burish, S.C. Represented Ms. Calvert, and provided a copy of the judgment by the Iowa County Circuit Court in Case 2018TR002537. Atty. Sapperstein stated that the conviction does not fall into any of the categories under TCG Ord. section 5.03(6)(b). **MOTION** by Hampton/Fonger to approve a 2019-20 Operator's License for Brittany Calvert. **MOTION CARRIED 5-0.**
2. Michael Imhoff: The Clerk stated that this was a new application and a background check had revealed no reasons for concern. **MOTION** by Williams/Anders to approve a 2019-20 Operator's License for Michael Imhoff. **MOTION CARRIED 5-0.**

E. Plan Commission Recommendations:

1. Discuss/Consider recommendation regarding blanket rezone for correction of errors when zoning districts were assigned as part of the adoption of the revised Dane County Zoning Ordinance: Tom Willan, 4407 Vilas Hope Road, objected to the blanket rezone process, stating his belief that it is illegal without written consent of all of the affected property owners. He questioned why they were all absent from tonight's meeting and the Plan Commission meeting last week. The Clerk said she had mailed notice to all of them a week prior to the Plan Commission meeting. Most of them had contacted her for clarification and were satisfied that the proposed rezone of their property was appropriate. Several of the errors could be attributed to rezones that occurred between the time the County mapped out the new zoning districts and when they were actually applied. Dane County will also be notifying affected landowners of a public hearing at the County level. Mr. Willan asked if the letters sent by the Clerk were certified, and did the Town have written consent to rezone all of the affected properties or was it just the word of the Clerk. The Clerk said such letters were not usually sent certified, and she had not asked property owners for any written consent.

The Plan Commission minutes were reviewed, with the Clerk providing the following updates of developments since the Plan Commission meeting:

- She had advised the owner of 0711-113-8310-6, 4.2 acres of bare land at the corner of County Highway BB and Rathert Road, that rather than RR-1 as indicated on the blanket rezone map, this property is now proposed to be rezoned to FP-1 after the Clerk pointed out to Dane County Planner Pam Andros that the parcel is not buildable. The owner stopped into the Town Hall and was given fact sheets on prior and planned zoning districts, and agreed the rezone was appropriate.
- She had advised the owner of 0711-182-9175-0, 24.45 acres of bare land just north of the railroad tracks on the west side of Vilas Hope Road, that rather than RM-16 as proposed on the blanket rezone map, this property is now proposed to be rezoned to FP-1 after the Clerk pointed out to Dane County Planner Pam Andros that the parcel is not buildable. The owner thought all three of his parcels should be FP-35 since they are adjacent, but email correspondence just this afternoon from Andros indicates there is a parcel owned by the City of Madison that divides the parcels, so FP-1 is

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still appropriate since all are under 35 acres. The Clerk will communicate this to the owner.

- She had advised the owner of a farm at the corner of Femrite and Hope Roads that he may want to consider re-titling the various parcels with a uniform owner (some include his deceased wife's name, some do not) so all of the ag parcels could be zoned FP-35, and also to possibly make a sale easier some day. He indicated he may come in to the Town office to discuss, and she has documentation ready to demonstrate what she means.

**MOTION** by Hampton/Fonger to accept the Plan Commission's recommendation to approve the rezones as discussed and recorded in the June 26, 2019 Plan Commission minutes. **MOTION CARRIED 5-0.**

- F. Discuss/Consider enforcement of TCG Ord. Sec. 11.09 Property Maintenance of properties at:
1. 1737 S. Jargo Rd.: No response has been received from the owner since a preliminary notice of complaint was mailed on October 17, 2017. **MOTION** by Hampton/DuPlayee directing the Building Inspector to perform an inspection from the road to determine if the siding of the house has been completed, and if not, and directing the Clerk to send a Notice of Violation of sec. 11.09(6) for uncompleted siding, with compliance or a plan due by August 5, 2019. **MOTION CARRIED 5-0.**
  2. 1987 Nora Road: A June 26, 2019 response from the owner to the June 4, 2019 preliminary notice of complaint stated he is working on getting bids for the repair work and asked for patience in this busy time of the year for contractors. **MOTION** by Hampton/Anders directing the Clerk to send a letter extending the time for compliance or a plan until August 5, 2019. **MOTION CARRIED 5-0.**
  3. 2476 Ofsthun Road: No response has been received to the June 4, 2019 preliminary notice of complaint. **MOTION** by Hampton/DuPlayee directing the Clerk to send a Notice of Violation of sec. 11.09(6) for disrepair of roof and gutters, with compliance or a plan by August 5, 2019. **MOTION CARRIED 5-0.**
  4. 2712 Nightingale Ln: Hampton reported upon inspection earlier today, he observed the violations have been corrected.
  5. 2983 County Road BB: No response has been received to the June 4, 2019 preliminary notice of complaint. Lisa Brockert, 2979 County Road BB said the property has been vacant for some time. In addition to windows in disrepair, the lawn not being mowed, and brush piles, she has also observed wild animals coming and going from the house. **MOTION** by Hampton/DuPlayee directing the Clerk to send a Notice of Violation under sec. 11.09(6) and (7) for disrepair of the house and the unmowed lawn, with compliance consisting of repair of the windows, elimination of access by animals, mowing of the lawn and removal of brush piles, or plans to do so, due by August 5, 2019. **MOTION CARRIED 5-0.**
  6. 3671 W. Jargo: Hampton reported that the owner had called him during the week of June 24<sup>th</sup> in response to a pre-enforcement notice mailed May 8, 2019. She is still working on getting a price to paint the house, and is attempting to locate someone to mow. **MOTION** by Fonger/DuPlayee directing the Clerk to send a Preliminary Notice of Complaint that there appear to be violations of 11.09(6) and (7), with compliance

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PUBLIC HEARING AND TOWN BOARD MEETING  
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(house painted and lawn mowed), or a plan to do so, due by August 5, 2019. **MOTION CARRIED 5-0.**

7. 4672 Gaston Road: The Clerk reported that the property owner called this morning asking when the meeting was, which the Clerk took as his plans to attend. **MOTION** by Hampton/Williams to extend the time for the brush piles to be removed, or a plan to do so, until August 5, 2019. **MOTION CARRIED 5-0.**

- IX. CLERK'S OFFICE UPDATE: The Clerk reported that Deputy French will be out due to a non-work related injury, and the Deputy Grafton is probably discontinuing the police Facebook page due to a County Supervisor request.
- X. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Seal coating began today and re-paving will begin in a couple of weeks. The new tractor arrived at the dealer with the wrong sub-frame for mowers, which pushed delivery back a couple of weeks. The 2010 International patrol truck had a parking brake failure, a public works employee caught it with the loader before it hit the building, but there was damage to the bulk head. Painting of the garage and lower shed are complete. Crews have been busy mowing.
- XI. BOARD REPORTS AND COMMUNICATIONS: Hampton received an invitation from Dane County and the City of Madison Mayor to a July 23<sup>rd</sup> meeting of a work group on sustainability, energy efficiency and climate change. Williams may be interested. Hampton had an inquiry regarding sand for DOT projects. The Cattel quarry would need a blasting permit, Larry Skaar's land on North Star was mentioned but Dresen and Hampton both told them no because of the new road. The Village of McFarland bought 35 acres on the east side of County Road AB. The Clerk said that the McFarland Clerk told her it is for possible future park land.
- XII. COMMITTEE REPORTS:
- A. Cottage Grove Chamber of Commerce: DuPlayee reported that the bulk of the meeting was related to construction work on Cottage Grove Road and its effects on local businesses.
- B. Deer-Grove EMS Commission: Williams reported that Chief Lang presented some interesting statistics on emergency calls. She found it interesting that falls account for one in five calls. The Commission is in the process of reviewing the Chief.
- XIII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:05 P.M.

Kim Banigan, Clerk  
Approved 07-15-2019



TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JULY 15, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were in attendance. Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Dan Dresen were also present.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
  - 1. **MOTION** by Williams/DuPlayee to approve the minutes from the June 17, 2019 joint meeting of the Town Board and Plan Commission as printed, the June 27, 2019 joint meeting of the Town and Village Boards as printed, and the July 1, 2019 Public Hearing and Town Board meeting, filling in the blanks for the motion under item V. F. 7. as Hampton/Williams. **MOTION CARRIED 4-0.**
  - 2. **MOTION** by Williams/Fonger to approve the minutes of the closed session held on June 17, 2019 as printed, and to keep them closed. **MOTION CARRIED 4-0.**

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33230-33257 from Monona Bank as presented. **MOTION CARRIED 4-0.**
- B. **MOTION** by DuPlayee/Williams to approve payment of \$2,383.80 to General Engineering Company for June building permits, less a credit for the refunded permit for 4454 Sandpiper Trail. **MOTION CARRIED 4-0.**
- C. The Treasurer asked for July per diem reports to be submitted by August 2<sup>nd</sup>.

III. Public Concerns: Joe Byrne, 2835 Riva Ridge Circle, wanted to know why TDS was planning to put pedestals in the road right-of-way rather than in the utility easements at the back of the lots in Meadow Grove, and why they are using the upright pedestals rather than flush mount ones. Dresen said the plans he approved include some fiber running in easements, some running in the road right-of-way, and some running on poles in that subdivision. He said that homeowners should contact TDS if they are not happy with the plans in their area. The Clerk offered to share the plans with Mr. Byrne.

IV. Road Right of Way Permits: **MOTION** by Williams/DuPlayee three permits: 1) for Wisconsin Power & Light/Intercon Construction to install new gas service to 3857 and 3859 Vilas Road, 2) Alliant/Intercon Construction to install electric service to a new garage at 4450 Wind Chime Way, and 3) TDS/Intercon Construction to install fiber at 2846 Femrite Drive. **MOTION CARRIED 4-0.**

V. BUSINESS:

- A. Review June Police Activities: The monthly report showed 230 calls for service, 82 of which were handled by contract deputies, and 140 citations issued in June, 30 by contract deputies.
- B. Update on speed bumps on Damascus Trl: Hampton said the two speed bumps will come out before the frost in the fall, and go back in after the spring thaw. Comments he had heard indicated traffic has slowed down and the number of vehicles cutting through has diminished. Rollie Halverson, 2798 Alydar Way, said they are very hard and require a near stop. Gary Skiles, 4378 Damascus Trail said that is a good thing, as the whole point is to discourage cut-through traffic. Complaints have been that the quality of the speed bumps are on the cheaper side (Board members said they were not that cheap), and could discourage neighborhood

pedestrian and bicycle traffic. Other feedback was that two more would be nice, one at the park and one between the two already there. Hampton said placement was based on input from the Town's deputies. Delores Ebert, 4342 Damascus Trl. said some people have been driving around the bumps, she has placed flower support wires there to discourage this. Frank Salvi, 4363 Damascus Trl., said he has used old soccer flags for this purpose, and he has more of them if needed. Ms. Ebert thought the bumps should be permanent as there is a lot of school related traffic cutting through, and probably will be even more once the new school is built. Comments were that Nelson Bus Service has stopped sending buses through at least. Joe Byrne said the bumps are too aggressive for long term, and felt permanent ones would be better. Dresen said that the permanent table-top speed bumps used in Madison are designed for 25 mph and will not slow traffic to the degree that the ones currently installed do. Consensus was to see how it goes and have another update on an agenda next spring.

- C. Discuss/Consider request for a compost site for use by Town residents: Rollie Halverson said he was informed by staff at the Dane County Landfill that the compost site there will close at the end of this year, and he wondered if it would be a real big deal for the Town to have its own compost site. Mayda Halverson said there is no place in their yard to burn or compost. Hampton said information on the DNR web site said a minimum of 7 acres would be needed for a 20,000 cubic yard compost site, which the Town does not currently own. The site would need to be fenced and monitored, there would need to be employees and equipment to run the compost operation, and a market for the end product. Discussion was that the Village of Cottage Grove will need somewhere to go with compost materials if the Dane County site closes, and consensus was to talk to the Village Board about the potential for a shared compost site. The next joint meeting of the two boards is scheduled for September 17, 2019.
- D. Discuss/Consider approval of a Parade or Race permit for the Bike MS: Toyota Best Dam Bike Tour to utilize Schadel and Deerfield Roads on event on August 4, 2019: The Clerk stated that the ride organizer asked for a waiver of fees due to low impact on the Town, and wanted to mail the letters to residents directly vs. sending to the Town to distribute. **MOTION** by Williams/Fonger to approve the permit with fees waived, but maintain the requirement for letters to be mailed to the Clerk for distribution, and contingent on an agreement with Deer-Grove EMS to provide emergency medical services. **MOTION CARRIED 4-0.**
- E. Discuss/Consider proposals for auditing services for 2019-2021: The Treasurer reported that Johnson Block Company was the only firm to respond to her RFP. **MOTION** by Fonger/DuPlayee to accept Johnson Block Company's proposal to provide auditing services for 2019-2021 at a cost of \$12,200 for 2019, \$12,600 for 2020 and \$13,000 for 2021, and selecting the option for Form CT – Auditor Reviewed at a cost of \$300, \$325 and \$350 for the three contract years. **MOTION CARRIED 4-0.**
- F. Reconsider internet service provider for the Town Hall: The Clerk explained that the \$59.00 monthly cost approved by the Board on June 3<sup>rd</sup> was a bundled price, even though she thought she had clarified to the TDS representative ahead of time that the Town would only be interested in internet at this point. The unbundled cost for fiber internet is \$79.00/month for 24 months. In comparison, Charter offered cable internet for \$59.99/month for 12 months, then 84.99/month. **MOTION** by Williams/Fonger to approve TDS fiber internet at \$79.00/month for 24 months, with a reassessment of the options at that point. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
JULY 15, 2019

- G. Discuss/Consider approval of polices for social media comments and photo uploads: The Clerk had drafted these polices based on examples she provided, and thought they should be in effect prior to the Town's Facebook page being made live. **MOTION** by Hampton/DuPlayee to approve the social media comment and photo upload policies as printed (attached as appendix A). **MOTION CARRIED 4-0.**

VI. CLERK'S OFFICE UPDATE: Nothing to report.

VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Repaving projects are about  $\frac{3}{4}$  done. There was a delay due to Wolf's plant breaking down, but work should resume tomorrow. The crew has been re-shouldering on Vilas Road. The County will paint the center line on Nora Road this week. Installation of two culverts is planned for next week. Dresen will attend WISLR training next Tuesday. The new mower is still delayed due to problems with the sub frame, but the dealer is giving the Town a bigger rear mower at no additional cost.

VIII. BOARD REPORTS AND COMMUNICATIONS: Hampton attended a meeting with the DOT, County Highway Dept. and CoPart. DOT plans still include a diamond interchange at USH 12 & 18 and County AB, with the relocated County AB going through about where CoPart's building is. The DOT does not have a time frame, but wants CoPart to acquire land from the County to allow for a driveway off of Luds Lane rather than access off of US Hwy 12 & 18. The DOT and County have until July 17<sup>th</sup> to come up with a plan. CoPart has not closed on the property yet.

IX. COMMITTEE REPORTS:

- A. Emergency Government Committee: Fonger reported that they are upgrading equipment in the EOC thanks to the donation from Hydrite. Sarah Valencia has taken over as committee chair. Fonger described her as professional and is helping her get up to speed.

X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:27 P.M.

Kim Banigan, Clerk  
Approved 08-05-2019

## **TOWN OF COTTAGE GROVE SOCIAL MEDIA COMMENTS POLICY**

We welcome you and your comments to the Town of Cottage Grove Wisconsin Social Media pages.

The purpose of this site is to present matters of public interest to Town of Cottage Grove residents, businesses, visitors and other interested parties. You may submit your comments, but please note that this is a moderated online discussion site and not a public forum.

Once posted, the Town of Cottage Grove reserves the right to delete unacceptable comments. The following are examples of unacceptable social media content and comments. The list is not intended to be all-inclusive. Examples are:

- Profane or obscene language or content
- Personal attacks of any kind
- Content that promotes, fosters, or perpetrates discrimination or harm based on race, religion, age, gender, national origin, physical or mental disability, or sexual orientation.
- Contain spam, advertising, solicitations of funds or include links to other sites
- Clearly off topic and/or disruptive
- Advocate illegal activity
- Promote particular services, products or political organizations
- Infringe on copyrights or trademarks
- Personal information including but not limited to e-mail addresses, telephone numbers, mailing addresses, or identification numbers
- Duplicate posts

Please note that the comments expressed on this site do not reflect the opinions and position of the Town of Cottage Grove or its officers and employees.

Activity on Town of Cottage Grove Social Media pages is subject to public disclosure (Wis., Stat. 19.31-19.39).

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
August 5, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance. Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Dan Dresen were also present.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the July 15, 2019 Town Board meeting as printed. **MOTION CARRIED 5-0.**

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #33258-33292 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/DuPlayee to approve payment of July per diems as presented. **MOTION CARRIED 5-0.**

III. Public Concerns: None.

IV. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Alliant and Intercon to install new gas service at 3810 Bass Lane. **MOTION CARRIED 5-0.**

V. BUSINESS:

- A. Discuss/Consider request to locate a Little Library in Meadow Grove Park: Mary Salvi had submitted the request and was present at the meeting. She would like to put the Little Library near one of the benches. A neighbor will donate the library, and she has books to donate. **MOTION** by Williams/DuPlayee to approve locating a Little Library in Meadow Grove Park. **MOTION CARRIED 5-0.** Dresen offered that Town staff can install the post for it.
- B. Discuss/Consider second driveway for 3339 Field View Lane: Dresen had marked up a bird's eye photo of the property to show the location of the proposed driveway, which would serve a new storage shed. Dresen said it is in a flat area and visibility is not a problem. **MOTION** by DuPlayee/Anders to grant the request for a second driveway, requiring a culvert as specified by the Town Engineer to meet drainage requirements. **MOTION CARRIED 5-0.**
- C. Plan Commission Recommendations:
  - 1. Discuss/Consider application by Paulson & Associates, LLC, Daniel A Paulson for rezone of 39.91 acres from AT-35 and FP-35 to SFR-08 and URT for 18 lot residential subdivision on parcels #0711-183-8000-7, 0711-183-8500-2, 0711-183-9500-0 and 0711-183-9000-5 owned by Windsor Quarries, LLC at 3973 Vilas Hope Road. Requested also includes rezone of 3.8 acres from AT-35 to FP-35: Bill and Dan Paulson were present, along with their Atty. Mike Lawton. Minutes of the Plan Commission were reviewed and the Board had no questions for the applicants. Williams said she is in agreement with Troy Eickhoff in that she favors the rezone but not the use of the RDU multiplier. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 39.91 acres from AT-35 and FP-35 to SFR-08 and URT for a 18 lot residential subdivision as depicted on the rezone map (Exhibit A), along with return of 3.8 acres from AT-35 to FP-35 as indicated on the application to the County. Use of the 1:8 RDU multiplier on the 3 RDU's available from the original farm should be allowed because development will take place in the Neighborhood Development planning area, and is west of County Highway N. **MOTION CARRIED 4-1** (Williams opposed).

2. Discuss/Consider application by Silvin Kurt for a conditional use permit for a secondary farm residence on parcel #0711-013-8000-2 zoned FP-35 at 4558 Ridge Road owned by Kurt Rev. Tr, Silvin F & Rosemary C: Hampton said that in addition to the conditional use permit, the Town Board will need to consider the requirements of TCG § 12.07 Regulation of Manufactured and Mobile Homes, which states that when issuing a special permit allowing the temporary location of a manufactured home outside a manufactured home park the Town Board must specify the duration of the permit. Silvin Kurt asked that it be for a long term. Mark Oleniczak, 1796 Strawberry Road, questioned how this additional dwelling unit is allowed and who can reside in it. Mr. Kurt said the intended occupant is his grandson who is an active partner in the farm. The Clerk said that the number of unrelated residents allowed would be the same as for any other single family residence. Mr. Oleniczak asked if this is something any farm owner could apply for, and he was informed that it is. **MOTION** by Fonger/Anders to accept the Plan Commission's recommendation to approve a CUP for a secondary farm residence, adding that it be effective for a five year period. Hampton read the six standards for approval of a CUP and all were orally and unanimously confirmed to be satisfied. **MOTION CARRIED 5-0.**
3. Discuss/Consider application by Benjamin Larson for rezone of 3.2 acres at 2416 County Highway MN, parcel #0711-333-8001-4 owned by Walter R. Jobe, from RR-2 to GC and a conditional use permit to allow domestic pet boarding, a pet crematorium and a single family residence for the caretaker: Mr. and Mrs. Larson were present, along with Mr. and Mrs. Jobe. Mr. Larson confirmed that the only changes planned to the current operation are use of the home as a caretaker residence, and increasing the number of employees from 4 to 6. They hope to add a vet clinic eventually. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendation to approve rezone to GC with a CUP for domestic pet boarding, a pet crematorium and a single family residence for the caretaker, with operating hours and other conditions as stated on Exhibit B, except that number of employees will be increased to 6. All six standards for a CUP were considered satisfied. **MOTION CARRIED 5-0.** Mr. Larson said that the County told him there will need to be a deed restriction on the property, however he did not know why. The Clerk offered to try to find out.
- D. Discuss/Consider approval of Memorandum of Agreement Between the Wisconsin Department of Transportation, Dane County and Town of Cottage Grove Pertaining to: New Town Road Extension of Luds Lane: Mike Niebuhr, 3124 Luds Lane, and Kyle Mathews, 3646 County AB were interested parties in this discussion. The proposal from the WDOT is to relocate access to the property at 3100 USH 12 to address safety concerns regarding application by potential new owner Coparts for access from USH 12. It proposes that Dane County provides a 120' wide by 600' long temporary easement to extend Luds Lane from its current east end south to 3100 USH 12. The DOT would design and participate in the construction to the extent costs exceed the \$250,000 Coparts had intended to improve the USH 12 access point. The Town would agree to maintain the new road. A caveat is that the temporary easement would expire on December 31, 2023, or at such time that the WDOT purchases it to execute their plans to relocate County AB. At this time, County AB is planned to go right through the building at 3100 County AB. The plans show three roundabouts and a bridge. The bridge would stay, but the roundabouts would eventually be replaced when USH 12 is converted to a freeway. Mr. Niebuhr said this proposal for relocating County AB is better than the current intersection of County AB and USH 12 & 18. Mr. Mathews was

concerned that in the meantime, Coparts traffic would increase the volume of cross traffic at the current intersection. He thought it was already rated as an 'F' and this would make things even worse. He also wondered what access Coparts would be left with if the WDOT does not go through with its plan to relocate County AB before the easement expires at the end of 2023. Board discussion was that items 4 and 5 of the agreement are unclear in that item 4. indicates that Coparts and the WDOT will pay for the new road, but item 5. says that the Town will agree to construct the new road. Board members also felt it was wasteful to construct the roundabouts only to remove them. **MOTION** by Fonger/Anders that if access to USH 12 will be denied for 3100 USH 12, items 4 and 5 of the agreement be clarified as to who will pay for and construct the new road and a cul-de-sac be required at the south end of the new road. Assurance that Copart traffic will not create additional safety concerns at the intersection of County AB and USH 12 is needed. The Board also recommends not building the roundabouts but going directly to the final plan. **MOTION CARRIED 5-0.**

- E. Discuss/Consider enforcement of violation to TCG Ord. section 08.03 for modifications to the right-of-way at 3783 Janelle Lane without a permit: Joseph Nigh and Daniela Parro were both present. Dresen had taken photos today, and confirmed that the stone had been removed and there are no longer any obstacles for plows to go around. Mr. Nigh said there is a hole and offered to fill it in with gravel. Dresen also recommended grading it properly so water will drain to the north. Mr. Nigh asked about parking in the portion of the driveway that is in the right-of-way, Hampton said it would be subject to the 24 hour restriction. **MOTION** by Williams/DuPlayee that no violations to TCG § 8.03 exist at this time. **MOTION CARRIED 5-0.**
- F. Discuss/Consider enforcement of TCG Ord. section 11.09 Property Maintenance for:
1. 1737 S Jargo Road: Discussion was that the lack of siding is not a threat to public health or safety. **MOTION** by Williams/Fonger to not pursue enforcement of TCG § 11.09. **MOTION CARRIED 5-0.**
  2. 1987 Nora Road: The property owner submitted a written plan to replace windows and siding and remove the porch, but indicated that contractors are booked out so it will take some time. **MOTION** by Hampton/Williams to have an update on the agenda for the November 4<sup>th</sup> meeting. **MOTION CARRIED 5-0.**
  3. 2476 Ofstun Road: The property owner submitted a written response indicating that he is unable to afford the repairs to his roof at this time, but if his financial situation improves, he will make the necessary repairs. He said it will be at least six months from now. Concerns over the safety of the current conditions were expressed. **MOTION** by Hampton/Anders to send a letter asking for the property owner's permission to allow the Building Inspector to conduct a safety inspection of the property. **MOTION CARRIED 5-0.**
  4. 2983 County Highway BB: The property owner called Hampton on July 22<sup>nd</sup>, and Hampton told him at least the lawn must be mowed by August 5<sup>th</sup>. Hampton said the front lawn has been mowed, but the back yard contains 6 foot high burdocks, and windows are falling out. There has been no further response from the property owner. **MOTION** by Williams/Anders to send a letter asking for the property owner's permission to allow the Building Inspector to conduct a safety inspection of the property. If permission is not granted, a court order should be pursued. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
August 5, 2019

5. 3671 W Jargo Road: Hampton reported that an attempt was made to mow the lawn. The property owner called him today asking for more time. Consensus was to delay action until August 19<sup>th</sup>.
  6. 4672 Vilas Road: Hampton reported that the property owner called today to say that the transmission is out on the loader he has obtained to move the wood piles, Barneveld Implement is coming to service it. **MOTION by Hampton/DuPlayee to extend the deadline for removal of the brush pile from the right-of-way until August 19<sup>th</sup>, or else the Town will remove it at his expense. MOTION CARRIED 5-0.**
  - G. Discuss/Consider approval of draft Design Engineering Contracts for Koshkonong Creek (P-13-0151) and Door Creek (P-13-0939) bridge reconstruction projects: The Clerk pointed out typos on the first page of both contracts, and that the properties identified for title searches were incorrect for both contracts. Discussion was that there did not seem to be any mention of identification of additional costs for a dry hydrant and widened shoulders for trail parking at the Koshkonong Creek Bridge on Uphoff Road. **MOTION by Williams/Anders authorizing the Town Chair to sign the agreements once the typos and properties for title search are corrected, and language relating to the dry hydrant and widened shoulders trail parking is added. MOTION CARRIED 5-0.**
  - H. Update on Flynn Hall agreement with the Village of Cottage Grove: Hampton reported that Village President John Williams told him that the Village Board wants the operating costs in section 3 e. more clearly identified.
  - I. Discuss/Consider application to Village of Cottage Grove for variance to allow for curbing at Flynn Hall: Hampton explained that the Lions Club is willing to install a curb along the cement driveway to control run-off on the adjacent property, but Village ordinances prohibit parking withing 5 feet of a lot line, so a variance is needed. It did not appear there would be a fee involved. **MOTION by DuPlayee/Williams to allow the Town Chair to submit the variance application. MOTION CARRIED 5-0.**
  - J. Discuss/Consider date for first Town Board meeting in September: **MOTION by Hampton/DuPlayee to hold the first meeting in September on Tuesday, September 3<sup>rd</sup>. MOTION CARRIED 5-0.**
- VI. CLERK'S OFFICE UPDATE: It has come to light that single family residences converted to HAM-R zoning with the new County zoning ordinance can convert to a two family residence without further permission. One property in the Town has already taken advantage of this. County staff has identified 57 properties in the Town zoned HAM-R. Thirteen of them exceed the maximum lot size for HAM-R and can be corrected without a rezone. County staff is working on a blanket rezone application for the others. It has also come to light that two of the Welcome Signs appear to be located in County Highway right-of-way. The Town will need to decide how to address this.
- VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Shouldering of the recently repaved roads is complete, Vilas Road still needs to have the center line repainted. Anders asked when the swale in Meadow Grove park will be constructed to keep water from running into his yard, and when the trees will be cut. Dresen said budget will not allow for the swale this year, trees will be cut later this year.
- VIII. BOARD REPORTS AND COMMUNICATIONS: Hampton shared an invitation from Capital Underground for an open house at their new location on August 9<sup>th</sup>. Anders provided an update on DaneCom and how the 911 center weathered the power outage resulting from the recent power



TOWN OF COTTAGE GROVE  
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plant explosions. The system was only down for 42 seconds, and all the radios kept working. He also reported that an upcoming software upgrade will allow for public works talk groups.

IX. COMMITTEE REPORTS:

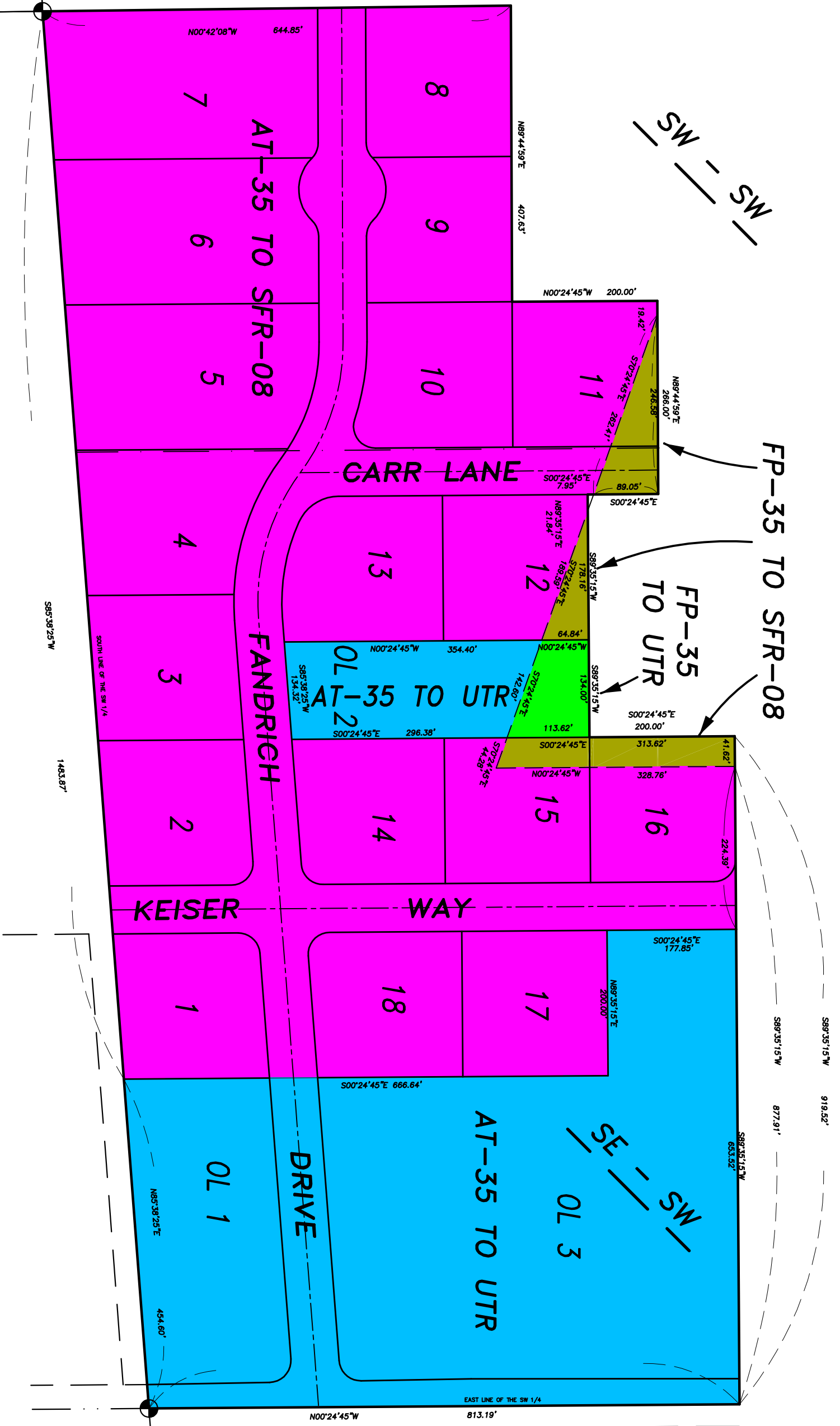
- A. Deer-Grove EMS Commission: The Chief's evaluation went well, Door #1 is repaired and the timer on the closer has been removed.
- B. Joint Town/Village Landfill Committee: The July meeting was business as usual, the committee will work on the 2020 budget at their September meeting.
- C. Joint Town/Village Fire Department Committee: In July the committee approved the lighting quote from Accurate electric. The Chief has been instructed to prepare his 2020 budget for the September meeting, and he is getting prices to replace the brush truck.
- D. Emergency Government Committee: The table has had electricity installed, and a new laptop has been purchased, all with funds donated by Hydrite. The September meeting will be held at Aster, and letters are being sent to other elderly and childcare centers.

X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:23 P.M.

Kim Banigan, Clerk  
Approved 08-19-2019

WEST LINE OF THE SW 1/4

SW CORNER  
SECTION 18  
(BRASS CAP MON)  
(4-TIES FOUND)



S 1/4 CORNER  
SECTION 18  
(ALUMINUM MON)  
(4-TIES FOUND)

VILAS HOPE ROAD

EAST LINE OF THE SW 1/4

MS  
SW

SE  
SW

FP-35 TO SFR-08

FP-35 TO UTR

AT-35 TO SFR-08

CARR LANE

FANDRICH

KEISER WAY

DRIVE

AT-35 TO UTR

OL 1

OL 3

8

9

10

11

4

13

12

3

14

15

2

16

1

18

17

## **Conditional use Application, 6/20/19**

This is an application for Conditional use located at 2416 County Highway MN, Cottage Grove, WI 53527. The property is in the process of being sold to Underdogs, LLC and the current Conditional Use Permit will expire with the sale of the property. There are no proposed changes to the conditional use permit that currently exists with this application. Underdogs, LLC intends to continue to use the property as a pet boarding facility in the same manner which it is currently used.

The operations plan for the pet boarding facility is as follows:

**Hours of Operation:**

Mon – Fri: 6a-9a, 4p-6p

Saturday: 7a-9a, 4p-6p

Sunday: 4p-6p

**Number of Employees:** 4

**Anticipated Customers:** 50

**Outside Storage:** There is no outside storage.

**Outdoor Activities:** Fenced-in play areas for dogs, Swimming for dogs in pool

**Outdoor Lighting:** 1 Outdoor light

**Proposed Signs:** 1 sign already exists. That will stay in the same spot – it is located in the front of the property and faces Highway N.

**Trash Removal:** Town of Cottage Grove

**The conditional use shall be located on the property described as follows:**

Part of the NE ¼ SW ¼ Section 33, Town of Cottage Grove Described as Follows: Commencing at the Northeast corner of the NE ¼ SW 1/4; Thence West, 80.8 Feet to the point of beginning; Thence S 00 Degrees 05' 53" East, 44.82 Feet; Thence S 00 Degrees 01' 20" West, 263.26 Feet; Thence S 02 Degrees 52' 11" West, 149.67 feet; Thence S 01 degrees 12' 36" West, 90.02 Feet; Thence S 86 Degrees 28' 38" West, 160.29 Feet; thence S 88 degrees 26' 49" West, 80 feet; thence North, 550 Feet to the North line of the aforesaid NE ¼ SE 14; thence East along said North line, 250 feet to the point of the beginning.

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
August 19, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance. Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Dan Dresen, Attorney Connie Anderson, Engineer Thomas TeBeest and Deputy Jennifer Grafton were also present.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/Fonger to approve the minutes from the August 5, 2019 with corrections. **MOTION CARRIED 5-0.**

II. Finance Report and Approval of Bills:

- A. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33293-33318 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- B. **MOTION** by Anders/DuPlayee to approve payment of \$3,937.17 to General Engineering Company for July building permits. **MOTION CARRIED 5-0.**

III. Public Concerns: None.

- IV. Road Right of Way Permits: Dresen reported that TDS has decided to abandon plans to suspend fiber on poles, and has submitted a new application to bury it instead. He asked the board whether to bill per boring or per lineal foot. **MOTION** by Hampton/Anders to bill per boring. **MOTION CARRIED 5-0.** The Clerk asked whether the board wanted any additional security deposit, consensus was it was not necessary.

V. BUSINESS:

- A. Review July Police Activities: The monthly report showed 292 calls for service and 212 citations issued in July. Deputy Grafton said the Traffic Team has been running a lot of speed enforcement grants, with a heavy presence on US Hwy 12 & 18 in the Township. Deputy Grafton also reported that:
  - Car thefts continue to be a problem throughout the County. Young teens are often the offenders, taking advantage of unlocked cars and using garage door openers or keys in the cars to even go into homes.
  - She would be in favor of putting speed bumps on Sandpiper Trl. Hampton said this could be considered for next year.
  - The new judge is doing really well.
- B. Discuss/Consider adoption of Resolution 2019-08-19 Conditional Approval of Preliminary Plat for Kennedy Hills: Developer David Riesop was present, along with his representative David Dinkel. There were no other interested parties present. Atty. Anderson said that the Town Engineer's report to the Board is not ready because TeBeest has not had the two weeks he requested to review the engineering documents from the developer. In the interest of meeting the statutory deadline to approve the preliminary plat, Atty. Anderson recommended a conditional approval as described in the resolution she had prepared. All of the conditions would need to be met to the satisfaction of the Town Clerk and Town Attorney prior to the Town signing the final plat. The Town Board will need to hear the Engineer's report to make decisions on anything that falls outside Town ordinances, Town practices and industry standards. Then the terms and conditions of the Engineer's Report will need to be incorporated into the Developer's Agreement, which is one of several documents required to

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
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be executed and recorded as a condition of the approval of the preliminary plat. TeBeest said he has not gotten the County's report on the stormwater permit application yet, which is one of the items he needs to complete his review. He expects it soon, hopes to have his report ready later this week. Atty. Anderson stepped through each of the conditions outlined in the proposed resolution. **MOTION** by Hampton/DuPlayee to adopt Resolution 2019-08-19 Conditional Approval of Preliminary Plat for Kennedy Hills as presented. **MOTION CARRIED 5-0.** It is anticipated that the Board will consider the Engineer's report at their September 3<sup>rd</sup> meeting, and a Developer's agreement at their September 16<sup>th</sup> meeting. Atty. Anderson advised Mr. Riesop to send the documents listed in section 6. of the resolution to her as soon as possible for the Town's review before they are recorded.

- C. Discuss/Consider approval of CSM to divide a 2.0 acre residential lot from parcel #0711-153-9001-0 on Uphoff Road owned by Dale & Dwight Huston (rezone approved 04-01-2019): **MOTION** by Hampton/DuPlayee to approve the CSM identified as drawing number 5333-19 dated 08-08-2019 as presented. **MOTION CARRIED.**
- D. Discuss/Consider options regarding location of welcome signs: The Board reviewed a memo from Atty. Susan Allen regarding the status of the easements for the welcome signs. Two are all in order, two were never recorded and the signs appear to be in the county road right-of-way. Fonger explained that the one on his property is not placed per the easement as he had them move it at the time of installation since it would not have worked as planned. The easement was probably not updated to reflect the move. Furthermore, he recently had his property surveying, and from eyeballing the line between the lot pins, he thinks the sign is entirely on his land. The Clerk said that the other one in question, on the Bulman property, may be on Village right-of-way, not County. **MOTION** by Hampton/Williams to find out who created the legal description of the sign locations on the easement documents, and have that same party create a new description for the sign on the Fonger property. Expenses to be paid using the Welcome Sign funds. **MOTION CARRIED 5-0.** Hampton will talk to the Village Planner to find out if the right-of-way under the Bulman sign is the jurisdiction of the Village or the County.
- E. Discuss/Consider enforcement of TCG Ord. section 11.09 Property Maintenance for:
1. 3671 W Jargo Road: The property owner faxed a response today, asking to be allowed until December 31, 2019 to paint the house and address the overgrown lawn. She said a professional landscaping crew suggested conducting a "Prairie burn" after the vegetation has dried rather than attempting to mow the overgrown lawn. Board members were concerned about the idea of burning near structures. The Clerk said that the Town's burning ordinance prohibits burning within 20 feet of any structure. Hampton asked that the owner be directed to make sure the address number is visible from the road. **MOTION** by Anders/DuPlayee to allow until November 30, 2019 for the owner to paint the house and address the overgrown lawn, directing the Clerk to send the burning ordinance and the ordinance regulating address numbers along with notice of the board's action on this item. **MOTION CARRIED 5-0.**
  2. 4672 Vilas Road: Hampton reported that the property owner called today and the big brush pile along Vilas Road was moved between 7:30 a.m. and 6:10 p.m. today. Dresen said the majority of the brush is gone. Consensus was to revisit the topic on September 16<sup>th</sup>.
- F. Discuss/Consider office computer upgrades: The Clerk said that two of the office computers were not up to the standards required by WisVote. She was able to update a 4 year old

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
August 19, 2019

computer to a compliant state, but since the other is 8 years old, she suggested replacing it yet this year with a refurbished all-in-one unit from Horstman Computers at a cost of approximately \$549, plus \$125 for Office software. **MOTION** by Fonger/DuPlayee to purchase a computer and software not to exceed \$800. **MOTION CARRIED 5-0.**

VI. CLERK'S OFFICE UPDATE: The Facebook page is up to 95 likes and 98 followers, and 61 of 93 recent referrals to the Town's web site came from Facebook.

VII. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: The ditch mower brought just over \$2500 on the Wisconsin Surplus auction site, and 4 of the 6 doors were also sold there. The new tractor is expected this week. Public Works Employee Justin Madsen and his wife welcomed a new baby girl last week.

VIII. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

- The August edition of the WTA magazine includes attorney advice regarding removal of a hazardous burned out structure.
- He attended the Village Plan Commission meeting regarding Homburg Equipment's proposed 5<sup>th</sup> addition to Westlawn, and took with him recommendations from Town Engineer Tom TeBeest regarding stormwater issues that may affect the Town. Hampton advocated for planning for street connectivity. A City of Madison Planner who lives in the Village also advocated for street connectivity.
- He attended a pre-construction meeting for I-39 from Illinois State Line to Madison. Construction is to start today both day and night between County AB and USH 12 & 18. Hoffman Construction is the general contractor. Weekly meetings will be held on Thursdays at the old General Store on County N. Siggelkow Road will be closed at some point but not at the same time that County AB is closed.
- He has invited County Supervisor Melissa Ratcliff to the September 3<sup>rd</sup> board meeting, and asked what topics she should plan to discuss. Suggestions were: 1) closing of the County's compost drop-off site 2) Plans/location for a replacement site for the landfill 3) update on Alliant Center renovations and 4) update on the new jail.

B. Williams:

- She attended the open house at Capital Underground's new building, which was hosted by Wick Buildings in honor of their 75,000<sup>th</sup> building. They wanted to host it there because of having such a good working experience with the Town.
- She attended the Sustainability Leaders Collaborative hosted by County Executive Joe Parisi and Madison Mayor Satya Rhodes-Conway. She was interested to learn that Stoughton and Monona have solar panels on municipal buildings with the help of grants from WPPI and Focus on Energy. She volunteered to check into the grant possibilities for our municipal buildings. She had an offer from County Solid Waste Manager John Welch for a tour of the County facilities that use gas captured from the landfill. In addition to Williams, Hampton and DuPlayee expressed interest in such a tour. Williams reported that the county has 75 vehicles converted to utilize the renewable gas, and the City of Madison has 1400 vehicles total.

IX. COMMITTEE REPORTS:

**TOWN OF COTTAGE GROVE  
BOARD RESOLUTION 2019-08-19**

**CONDITIONAL APPROVAL OF PRELIMINARY PLAT FOR  
KENNEDY HILLS**

**WHEREAS**, in 2018, David C. Riesop and Riesop Farms, LLC, submitted a draft preliminary plat and concept plan for a single family residential development in the Town of Cottage Grove, Dane County, WI (“the Development”) and obtained input from the Town Plan Commission and Town Board on the Development; and

**WHEREAS**, on April 11, 2019, David C. Riesop (“Petitioner”) on behalf of Kennedy Hills, LLC, a single member limited liability company (“Developer”) paid the preliminary plat review fee and formally submitted a preliminary plat including Lots 1 -16 for single family residential development, Outlot 1 (stormwater) and Outlot 2 (park with trails) identified as the Preliminary Plat of Kennedy Hills (Drawing No. 4241-19; Dated 3/29/2019) (the “Preliminary Plat”), which Preliminary Plat is located in the NW ¼ of the NE ¼, Section 10, T 7 N, R 11 E of the Town of Cottage Grove; and

**WHEREAS**, the Developer anticipates two additions to Kennedy Hills north of the 16-lot single family residential development set forth in the Preliminary Plat, with the first addition including Lots 17 – 38 and the second addition including Lots 39 – 64, Outlot 3 (park with parking area) and Outlot 4 (stormwater), all as set forth in the concept plan; and

**WHEREAS**, the Petitioner has requested approval of the Preliminary Plat and rezoning of the lots within the Preliminary Plat; and

**WHEREAS**, the Town submitted a Town Action Report to Dane County recommending rezoning of the property within the Development consistent with the comprehensive plan and Dane County’s Transfer of Development Rights program, and Dane County has provided conditional approval of same; and

**WHEREAS**, the Plan Commission confirmed its recommendation for concept approval of the Development proposal and conditional approval of the Preliminary Plat as set forth in Plan Commission Resolution No. 2019-05-17, and the Town Board provided conceptual approval of the Kennedy Hills Development Proposal as set forth in Town Board Resolution No. 2019-06-07; and

**WHEREAS**, the Town Board acknowledges conditional rezoning of the Property, all in a manner consistent with Dane County’s rezoning approval, and now wishes to proceed with conditional approval of the Preliminary Plat, on the conditions set forth herein; and

**WHEREAS**, the Town Board has requested that the Town Engineer review Construction Plans and Specifications for the Development as well as Stormwater Facility Plans within two weeks of the date that Petitioner has provided same to the Town Engineer, and prepare an Engineer’s Report for the Preliminary Plat for consideration by the Town Clerk, Town Attorney and Town Board, as set forth herein; and

**WHEREAS**, the Town Board has considered the foregoing and shall take action as set forth herein.

**NOW, THEREFORE, FOLLOWING CONSIDERATION OF THE ABOVE RECITALS, WHICH ARE INCORPORATED BY REFERENCE, IT IS HEREBY RESOLVED** by the Town Board of the Town of Cottage Grove as follows:

The Town of Cottage Grove Town Board **Conditionally Approves** the Preliminary Plat for Kennedy Hills (Petitioner David C. Riesop and Developer Kennedy Hills, LLC) located in the NW ¼ of the NE ¼, Section 10, T 7 N, R 11 E of the Town of Cottage Grove, Dane County, Wisconsin, and as set forth in the attached Sheets 1 and 2 which are attached as Exhibit A and incorporated by reference, **subject to the following conditions, each of which Petitioner and Developer is required to meet and confirm to the satisfaction of the Town Clerk and Town Attorney prior to the Town's inscription of the Final Plat:**

1. **Statutory Approving Authorities.** The Petitioner shall obtain approval of the Final Plat from all other approving authorities, as required by law.
2. **Engineer's Report.** The Petitioner shall provide the information regarding the Preliminary Plat, Construction Plans and Specifications and Stormwater Facilities as required by Town ordinances and/or requested by the Town Engineer. Within two weeks of receipt of same, the Town Engineer shall complete his review of same and prepare an Engineer's Report summarizing his opinion as to compliance with Town ordinances, Town practices and industry standards. Where the Petitioner is requesting design or methods that are inconsistent with the above, the Town Engineer shall provide his professional recommendation with respect to same. The Engineer's Report shall be reviewed by the Town Board and is subject to Town Board approval. The terms and conditions of the Engineer's Report shall thereafter be incorporated in the Developer Agreement. Execution of the Developer Agreement is a required condition of approval of the Preliminary Plat.
3. **Dane County Land Division Review, Including Highway Permit and Intersection with Kennedy Road.** The Petitioner shall comply with the requirements set forth in the Dane County Land Division Review letter from Dan Everson dated August 14, 2019 ("Everson Letter"), which is attached as Exhibit B, and incorporated by reference. The Everson Letter references, among other requirements, the Dane County Highway Department requirements for the intersection of Kennedy Road and the County Highway as determined by the Dane County Highway Department. Based on a meeting between Petitioner and Pam Dunphy, PE, Deputy Commissioner of the Dane County Highway Department, the Petitioner shall apply for a County Permit which, in addition to standard requirements, will require that the entire improvement, passing lane and intersection with turn lane, will be completed by August 15, 2020. Petitioner's agreement to complete the Kennedy Road - County Highway in accordance with County requirements is a condition of approval of the Preliminary Plat. The terms and conditions of the Everson Letter and the Dane County Highway Permit shall be incorporated in the Developer Agreement. Execution of the Developer Agreement is a required condition of approval of the Preliminary Plat.
4. **Fire/EMS Approval.** Prior to the Town signing the Final Plat, Cottage Grove Fire Department and the Deer-Grove EMS (or designee) shall review the Preliminary Plat to provide recommended conditions of approval ("Fire/EMS Approval"), which Fire/EMS Approval is subject to concurrence from the Town Board following its consideration of additional comments (if any) from the Town Engineer, Town Attorney, Town staff, or other Town consultants. The Petitioner is responsible for acknowledging and complying with the conditions of the Fire/EMS Approval, which shall be incorporated in the Developer Agreement. Execution of the Developer Agreement is a required condition of approval of the Preliminary Plat.
5. **ETJ Approval.** Town approval of the Preliminary Plat is conditioned on the Petitioner and Developer obtaining extra-territorial jurisdiction approval from the Village of Cottage Grove on such terms as are acceptable to the Town. Prior to the Town signing the Final Plat, the Petitioner shall not only obtain



approval from the Village of Cottage Grove with respect to the Village's extra-territorial jurisdiction and but shall also obtain Village signatures on the Final Plat confirming such approval.

6. **Executed Documents for Recording.** Town approval of the Preliminary Plat is conditioned on the Petitioner and Developer presenting certain fully executed documents to the Town in the form acceptable to the Town prior to the Town's inscription on the Final Plat. Therefore, concurrent with presentation of the Final Plat, the Petitioner shall present to the Town Clerk the following fully executed original documents in a form suitable for recording along with the fees for recording of same:
  - a. A Developer Agreement, in a form satisfactory to the Town Board, Town Attorney and Town Engineer, covering the installation of public improvements for the proposed development *including security acceptable to the Town Board, Town Attorney and Town Engineer and in the amount of 120 percent of the cost of the public improvements.*
  - b. Easements, in a form satisfactory to the Town Board, Town Attorney and Town Engineer, ensuring compliance with the representations and requirements set forth in the Developer Agreement and the approvals related thereto.
  - c. A Declaration of Covenants and Restrictions, and related Home Owner Association documents, all in a form satisfactory to the Town Board and Town Attorney, ensuring the quality of the development and the representations made to the Town.
  - d. A Stormwater Management Agreement, in a form satisfactory to Dane County, Town Board, Town Attorney and Town Engineer, for all stormwater management facilities serving the Preliminary Plat.
7. **TDR Program.** Town approval of the Preliminary Plat is conditioned on the Petitioner presenting documents satisfying the TDR Program to the Town in the form acceptable to the Town. Prior to the Town signing the Final Plat, the Petitioner shall satisfy the requirements of the Dane County Transfer of Development Rights ("TDR") Programs, as opted-in to by the Town of Cottage Grove. See letter from Pam Andros at Dane County dated May 28, 2019 ("Andros Letter"), which attached as Exhibit C and incorporated by reference. It is the Petitioner's responsibility to obtain and provide to the Town all required original documents, which must be reviewed and accepted by the Town PRIOR TO RECORDING. Timing is of the essence. Petitioner's failure to fully comply with this provision will result in denial of the Final Plat.
8. **Erosion Control & Stormwater Facilities.** Town approval of the Preliminary Plat is conditioned on the Petitioner satisfying the Erosion Control & Stormwater Facilities requirements established and enforced by Dane County. Furthermore, the Developer Agreement shall contain a separate covenant to the Town that the Petitioner shall thereafter construct the stormwater facilities in accordance with the approved design. The Petitioner shall obtain approval of an Erosion & Sedimentation Control Plan and Stormwater Management Plan from Dane County and the Wisconsin Department of Natural Resources (WDNR), and provide confirmation of same to the Town Clerk. Copies of the following shall also be provided to the Town Clerk and Town Engineer:
  - a. Permits from Dane County for the approved Erosion & Sedimentation Control Plan and Stormwater Management Plan; and
  - b. The performance bond or other security in a form and amount acceptable to Dane County; and
  - c. A full set of the final approved plans for the facilities that comprise the approved Erosion & Sedimentation Control Plan and Stormwater Management Plan.
9. **Construction Plans and Specifications.** Town approval of the Preliminary Plat is conditioned on the Petitioner presenting Construction Plans and Specifications for the Development to the Town that are acceptable to the Town. The Petitioner shall obtain approval of the Construction Plans and Specifications, which shall be in a form that satisfies Town ordinances and specifications on file with

the Town, in writing from the Town Engineer. If the Petitioner includes items in its Construction Plans and Specifications that are not expressly described in the Town ordinances and approved specifications, then the Town Engineer shall exercise his professional discretion to set the requirement based on his professional expertise, current Town practices and general industry standards. Any deviations from these requirements shall require review and approval of the Town Board.

10. **Fees and Costs.** Town approval of the Preliminary Plat is conditioned on the Petitioner and Developer paying the fees and costs associated with the Development. Prior to the Town signing the Final Plat, the Petitioner shall satisfy the Town of Cottage Grove's requirement for payment of Fees in Lieu of Land Dedication and Parkland Improvement Fees (if any), as determined by the Town in consultation with the Town Attorney and Town Engineer, and shall reimburse the Town for costs and expenses incurred by Cottage Grove in connection with the review and approval of the Preliminary and Final Plat to date.
11. **Zoning.** The Town acknowledges that the Petitioner has obtained conditional rezoning of the property within the Preliminary Plat from both Dane County and the Town.
12. **Reimbursement.** The Petitioner shall promptly reimburse the Town of Cottage Grove for all costs and expenses incurred by Cottage Grove in connection with the review and approval of the Preliminary and Final Plat, including, but not limited to, the cost of professional services incurred by the Town of Cottage Grove for the review and preparation of required documents, attendance at meetings or other related professional services. The Town shall not sign the Final Plat or provide any further approvals needed or desired by the Petitioner with respect to this Project if Petitioner fails to comply with this provision.
13. **Time and Expiration.** Time is of the essence as to Petitioner's compliance with the terms and conditions of this Resolution. The Town Board's conditional approval of the Preliminary Plat shall expire at the earlier of (a) termination of the Village of Cottage Grove's Waiver of its ETJ over the area included in the Preliminary Plat, or (b) twenty-four months from the date of adoption. Expiration shall have the effect of the Town Board's denial of the Preliminary Plat for failure to meet the conditions set forth herein.

The above and foregoing Resolution was duly adopted at a meeting of the Town Board of the Town of Cottage Grove held on the 19<sup>th</sup> day of August, 2019, by a vote of 5 in favor and 0 opposed.

**TOWN OF COTTAGE GROVE**

  
Kris Hampton, Town Chairperson

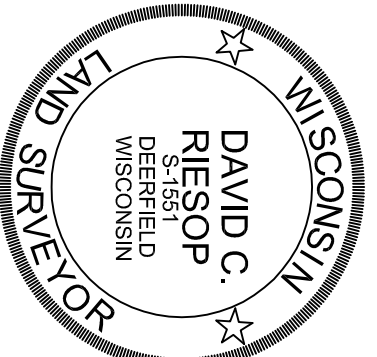
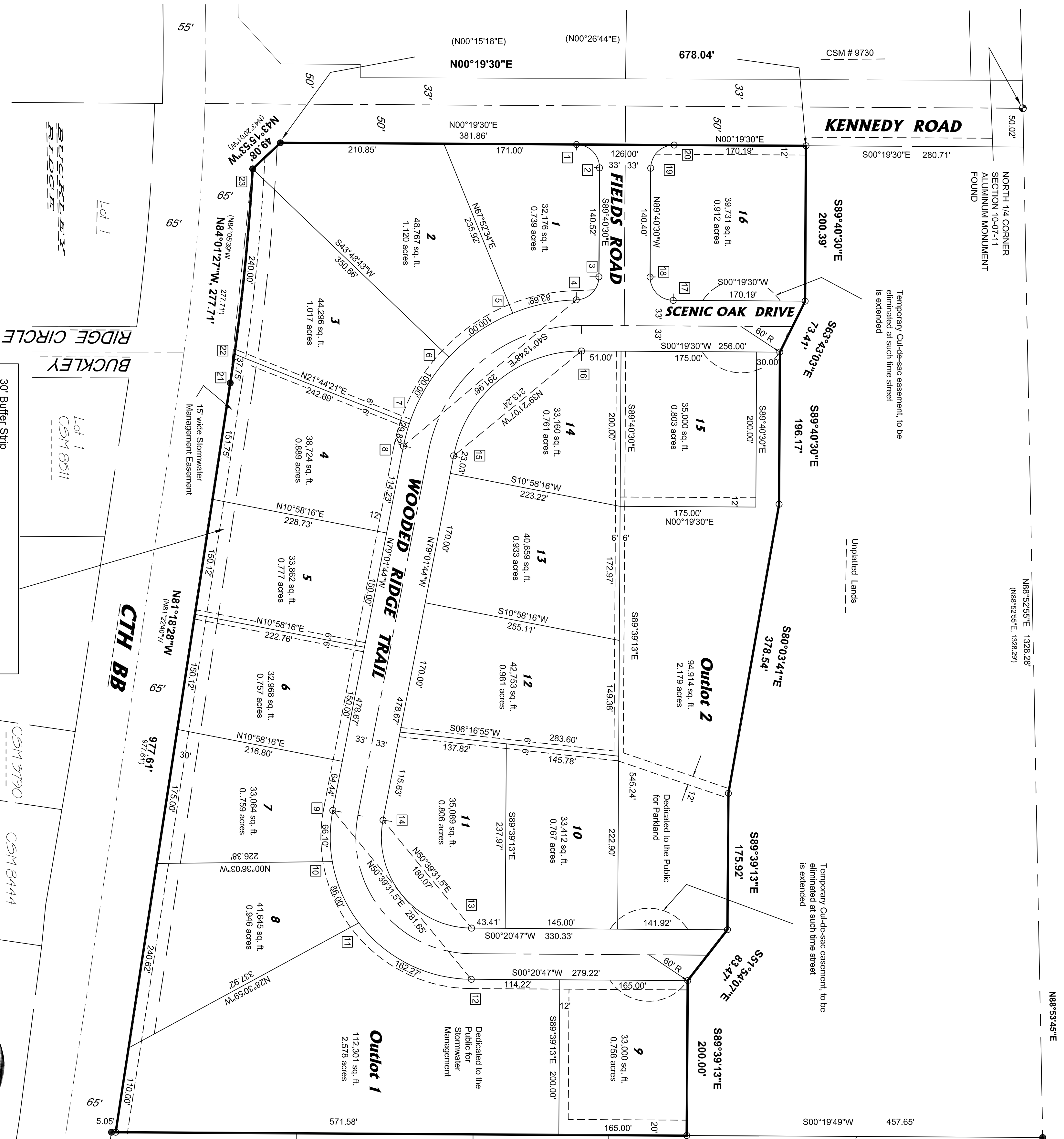
Attested by:  
  
Kim Banigan, Town Clerk

Exhibits Incorporated by Reference:  
Exhibit A – Sheets 1 and 2 of Preliminary Plat  
Exhibit B - Everson Letter dated August 14, 2019  
Exhibit C – Andros Letter dated May 28, 2019

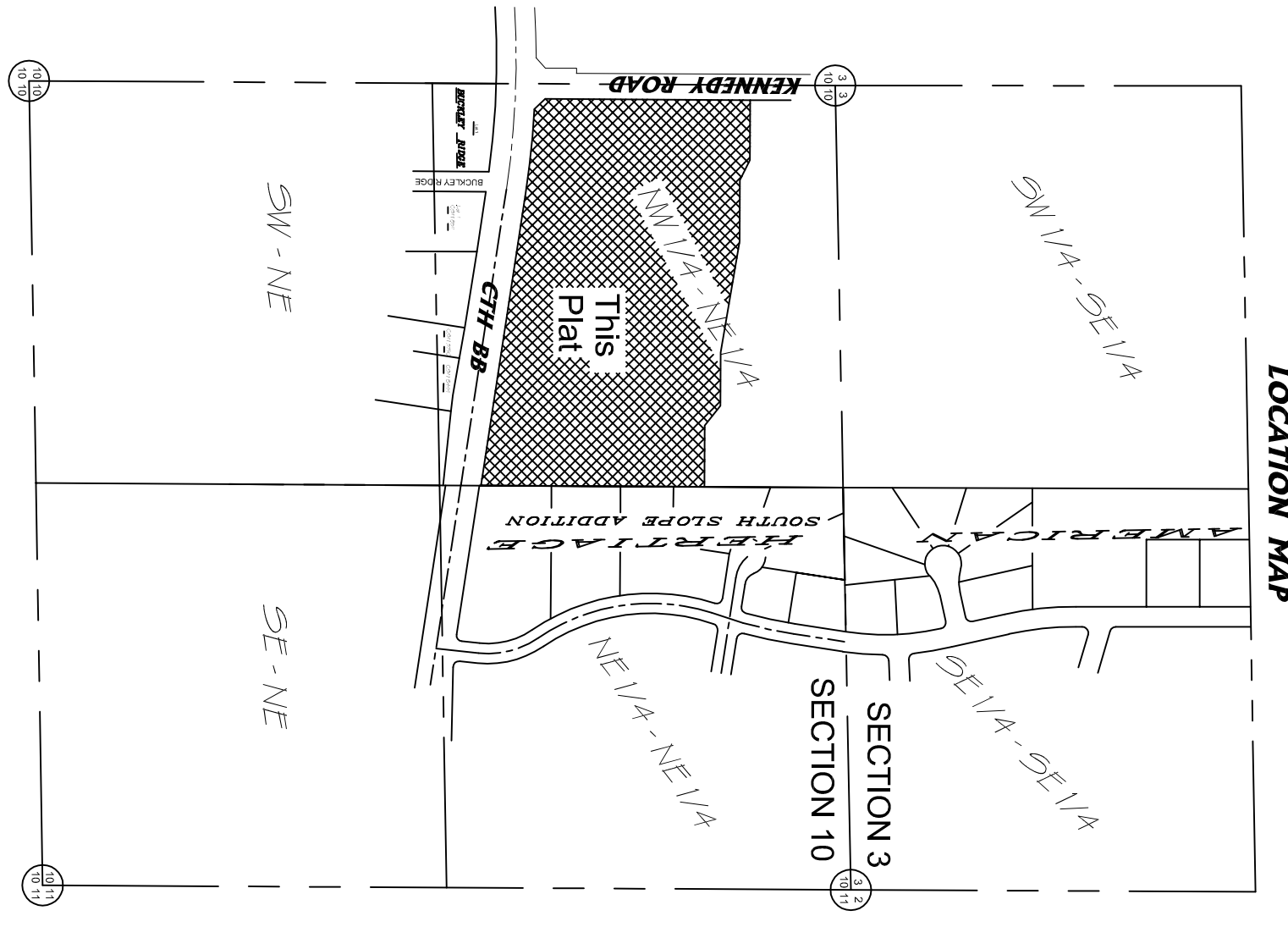
Part of the Northwest 1/4 of the Northeast 1/4 of Section 10, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.

# KENNEDY HILLS

30' Buffer Strip  
 "This strip reserved for the planting of trees or shrubs by the owner, the building of structures hereon is prohibited, and the rear 30 feet of the strip shall not be counted as any required yard. Maintenance of this strip is a responsibility of the lot owner."



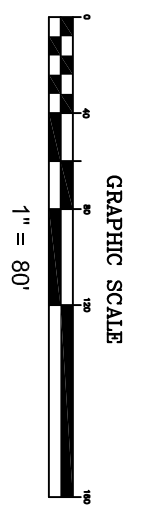
AMERICAN HERITAGE SOUTH SLOPE ADDITION



- Lot Notes**
- 1) Lot zoning is SFR-08
  - 2) Building setbacks are Front = 30', Side = 10' minimum each side Rear = 50'

- Legend**
- = 3/4" dia. solid from rod found unless otherwise noted
  - = 1" dia. pipe found unless otherwise noted
  - = 1 1/4" dia. x 24" long solid from rod set, 4.17 lbs. per lineal foot.
  - All other lot corners are marked by a 3/4" dia. x 18" long solid from reinforcing rod, 1.50 lbs. per lineal foot.
  - = When different, parentheses indicate recorded as values

All distances shown along a curved line are chord length distances.  
 In cases of overlap, Stormwater Drainage Easements have precedent over utility easements.



CURVE TABLE

Curve	Delta Angle	Radius	Long Chord	Arc	Tangent Bearings
1-2	90°00'00"	30.00'	N45°19'30"W, 42.43'	47.12'	N00°19'30"E, S89°40'30"E
3-4	88°14'38"	30.00'	S45°33'11"E, 42.43'	41.77'	S89°40'30"E, S01°25'52"E
4-5	20°41'32"	233.00'	S11°46'38"E, 83.69'	84.15'	S01°25'52"E, S22°07'24"E
5-6	24°47'02"	233.00'	S59°17'57"E, 100.00'	100.78'	S22°07'24"E, S46°54'26"E
6-7	07°20'16"	233.00'	S75°21'36"E, 29.82'	29.84'	S46°54'26"E, S71°41'28"E
7-8	77°35'52"	233.00'	S40°13'48"E, 291.98'	315.55'	S01°25'52"E, S79°01'44"E
8-9	20°48'16"	183.00'	S89°26'00"E, 66.08'	66.44'	S79°01'44"E, N80°10'00"E
9-10	27°10'54"	183.00'	N66°34'19"W, 86.00'	86.81'	N80°10'00"E, N52°59'06"E
10-11	52°38'19"	183.00'	N26°39'51"E, 162.27'	168.12'	N52°59'06"E, N00°20'47"E
11-12	100°37'29"	117.00'	S50°39'31.5"W, 281.65'	321.39'	S07°04'47"W, N79°01'44"W
12-13	100°37'29"	117.00'	N39°21'07"W, 213.24'	205.48'	S07°04'47"W, N00°19'30"E
13-14	79°21'14"	167.00'	N39°21'07"W, 213.24'	231.29'	N79°01'44"W, N00°19'30"E
14-15	90°00'00"	30.00'	S45°19'30"W, 42.43'	47.12'	S89°40'30"W, N89°40'30"W
15-16	90°00'00"	30.00'	N44°40'30"W, 42.43'	47.12'	N89°40'30"W, N00°19'30"E
16-17	00°44'18"	2930.00'	N81°18'28"W, 37.75'	240.07'	N82°02'46"W, N86°44'26"W
21-22	04°44'18"	2930.00'	N84°23'35"W, 240.00'	277.81'	N81°18'28"W, N86°44'26"W
21-23	05°25'58"	2930.00'	N84°01'27"W, 277.71'		

**Surveyor's Certificate**

I, David C. Riesop, Professional Land Surveyor do hereby certify that in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the Chapter 15, Land Division and Planning Code of the Town of Cottage Grove, and under the direction of Kennedy Hills, LLC, owner, I have surveyed, divided and mapped the plat of Kennedy Hills, and that such plat correctly represents the exterior boundaries thereof and the subdivision of the land surveyed and is more fully described as follows:

Part of the NW ¼ of the NE ¼ of Section 10, T.7N., R.11E, Town of Cottage Grove, Dane County, Wisconsin, described as follows:

Commencing at the North ¼ corner of Section 10; thence N88°52'55" E, 50.02 feet to the East line of Kennedy Road; thence S00°19'30" E, 280.71 feet along said East line to the point of beginning; thence S89°40'30" E, 200.40 feet; thence S63°43'03" E, 73.41 feet; thence S89°40'30" E, 196.17 feet; thence S80°03'41" E, 378.54 feet; thence S89°39'13" E, 125.92 feet; thence S51°54'07" E, 83.47 feet; thence S88°39'13" E, 200.00 feet to the East line of the NW ¼ of the NE ¼; thence S00°20'50" W along said line, 726.58 feet to the North line of County Trunk Highway BB; thence N81°18'28" W along said line, 977.61 feet to the point of curvature of a curve to the left, said curve having a radius of 2350.00 feet and a delta angle of 23°58', the long chord of which bears N84°01'27" W, 277.71 feet; thence Northwesterly along the arc of said curve and North line, 277.81 feet; thence N43°15'53" W, 49.08 feet to the East line of Kennedy Road; thence N00°19'30" E along said line, 678.04 feet to the point of beginning.  
The above described containing 924,275 square feet or 21.22 acres.

David C. Riesop \_\_\_\_\_

**Owners Certificate**  
Kennedy Hills, LLC, As owner hereby certifies that it has caused the land described hereon to be surveyed, divided, mapped and dedicated a represented on this plat. It also certifies that this plat is required by S. 236.10 and S. 236.12 to be submitted to the following agencies for approval or objection:

Department of Administration  
Dane County Zoning and Land Regulation Committee  
Town of Cottage Grove  
Village of Cottage Grove

In witness hereof, Kennedy Hills, LLC has caused these presents to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Kennedy Hills LLC, by: \_\_\_\_\_  
David C. Riesop, member

STATE OF WISCONSIN)  
COUNTY OF DANE )ss.

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, the above named owner to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin  
my commission expires \_\_\_\_\_

**Consent of Mortgage Holder**

Bank of Deerfield, a banking association duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this Certified Survey Map, and does hereby consent to the above certificate of Kennedy Hills, LLC, owners.

IN WITNESS WHEREOF, the said Bank of Deerfield has caused these presents to be signed by \_\_\_\_\_ its Authorized Officer, at Deerfield, Wisconsin on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
(name, title)

STATE OF WISCONSIN)  
COUNTY OF DANE )ss.

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, the above named officer to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin  
my commission expires \_\_\_\_\_

# KENNEDY HILLS

Part of the Northwest 1/4 of the Northeast 1/4 of Section 10, T.7N., R.11E., Town of Cottage Grove, Dane County, Wisconsin.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_

Department of Administration



**Town of Cottage Grove Certificate**  
This plat of Kennedy Hills has been approved by the Town Board of the Town of Cottage Grove as per action of the Town Board on \_\_\_\_\_, 2019.

Kim Banigan \_\_\_\_\_ dated \_\_\_\_\_  
Clerk, Town of Cottage Grove

**Village of Cottage Grove Certificate (Extraterritorial Jurisdiction)**  
This plat of Kennedy Hills has been approved by the Village Board of the Village of Cottage Grove as per Village Board action on \_\_\_\_\_, 2019.

Lisa Kalkata \_\_\_\_\_ dated \_\_\_\_\_  
Clerk, Village of Cottage Grove

**Town Treasurer's Certificate**  
I, Debra Abel, being the duly elected, qualified and acting Treasurer for the Town of Cottage Grove, hereby certify that in accordance with the records in my office, there are no unpaid taxes and no unpaid special assessments as of \_\_\_\_\_, 2019 affecting any of the lands included in the plat of Kennedy Hills.

Debra Abel \_\_\_\_\_  
Treasurer, Town of Cottage Grove

**County Treasurer's Certificate**

I, Adam Gallagher, being the duly elected, qualified and acting Treasurer for the County of Dane, hereby certify that in accordance with the records in my office, there are no unpaid taxes and no unpaid special assessments as of \_\_\_\_\_, 2019 affecting any of the lands included in the plat of Kennedy Hills.

Adam Gallagher \_\_\_\_\_  
Treasurer, County of Dane

**County Approval**  
This plat know as Kennedy Hills is hereby approved by the Dane County Zoning and Land Regulation Committee this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Jerry Bollig, Chair \_\_\_\_\_  
Dane County Zoning and Land Regulation Committee

**Register of Deeds Certificate**  
Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2019, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in Volume \_\_\_\_\_ of Plats, \_\_\_\_\_ as document number \_\_\_\_\_.

Kristi Chlebowski \_\_\_\_\_  
Dane County Register of Deeds



## Dane County Planning & Development Land Division Review

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August 14, 2019

Wisconsin Mapping  
306 West Quarry St.  
Deerfield, WI 53531

Re: Kennedy Hills (final plat)  
Town of Cottage Grove, Section 10  
(18 lots, 21.2 acres)  
Rezone Petition #11283, AT-35 to SFR-08, *no sensitive environmental areas within this plat*  
*Review deadline: October 1, 2019*

Attention: David Riesop, S-1551

The Dane County Zoning and Land Regulation Committee, at its meeting of August 13, 2019 considered the proposed final plat. The committee approved the plat, subject to the following conditions:

1. Compliance with the Dane County Comprehensive Plan is to be established.
  - *See memo from Planner Pam Andros that verifies that this plat is consistent with the land use plan for the Town of Cottage Grove.*
2. The public park land appropriation requirement is to be satisfied (private park land does not satisfy this requirement).
  - *The amount of land to be provided shall be at least 1,750 square feet of land for each proposed residential dwelling unit within the plat. 16 lots = 28,000 s.f.*
  - *Outlot 2 shown as park 96,305 s.f.*
3. All public land dedications are to be clearly designated “dedicated to the public.”
  - *Outlot 1 shown for storm water pond/management.*
  - *Outlot 2 shown as park. (2.18 acres)*
4. Comments from the Dane County Highway department are to be satisfied:
  - *ROW is acceptable as shown.*
  - *Type B2 intersection with passing lane needed in Phase 1.*
  - *Provide detail of pond outlet with respect to impact on County ROW. Due to past water issues at this location a drop inlet with discharge at grade may be required.*
5. Utility easements are to be provided.
  - *Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines*

6. All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Dane County Highway Commission and the Town of Cottage Grove.
7. Dead-end streets shall not be permitted without suitable turn-around. Appropriate arrangements shall be made for those parts of temporary turn-arounds outside of street right-of-way to revert to the abutting property owners at such time as streets shall be extended.
8. Comments from the Dane County Surveyor are to be satisfied:
  - *Updated road names and the configuration of such road names are acceptable.*
9. All street names shall be consistent with chapter 76 of the Dane County Ordinances.
10. Compliance with Ch. 14.45 DCCO, Erosion Control Plans is to be established, prior to any land disturbance.
11. Compliance with Ch. 14.46 DCCO, Stormwater Control Permit is to be established, prior to any land disturbance
  - *Storm water drainage facilities of a size and design that will adequately accommodate design volumes of flow and which will present no hazard to life or property shall be installed in accordance with plans and specifications approved by the committee.*
12. An Owner's approval certificate is to be included and contain the following language:
  - *As owners we certify that we caused the land described on this certified survey map to be surveyed, divided, mapped and dedicated as represented on this certified survey map. We also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee.*
13. All owners of record are to be included in the owner's certificate. A certificate of consent by all mortgagees/vendors shall be included and satisfied if relevant.  
County records indicate the following owners:
  - *KENNEDY HILLS LLC*
14. The required approval certificates are to be included.
  - *Town of Cottage Grove*
  - *Village of Cottage Grove (extra-territorial jurisdiction)*
  - *Dane County Treasurer*
  - *Dane County Zoning and Land Regulation committee*

Please contact myself if you have any questions regarding this letter.

Sincerely,

Dan Everson  
Assistant Zoning Administrator  
267.1541

Town of Cottage Grove  
Village of Cottage Grove  
Dane County Highway  
Dane County Land & Water Resources – Jeremy Balousek



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Room 116, City-County Building, Madison, Wisconsin 53703  
Fax (608) 267-1540

**MEMORANDUM**

**TO:** Zoning & Land Regulation (ZLR) Committee

**FROM:** Pamela Andros, AICP, Senior Planner

**SUBJECT:** Kennedy Hills, Preliminary Plat, Town of Cottage Grove, Section 10

**DATE:** 5/28/2019

**CC:** Dan Everson, Assistant Zoning Administrator  
Roger Lane, Zoning Administrator  
Todd Violante, Director of Planning & Development  
Kim Banigan, Town of Cottage Grove Clerk  
David Riesop, Kennedy Hills LLC, Applicant

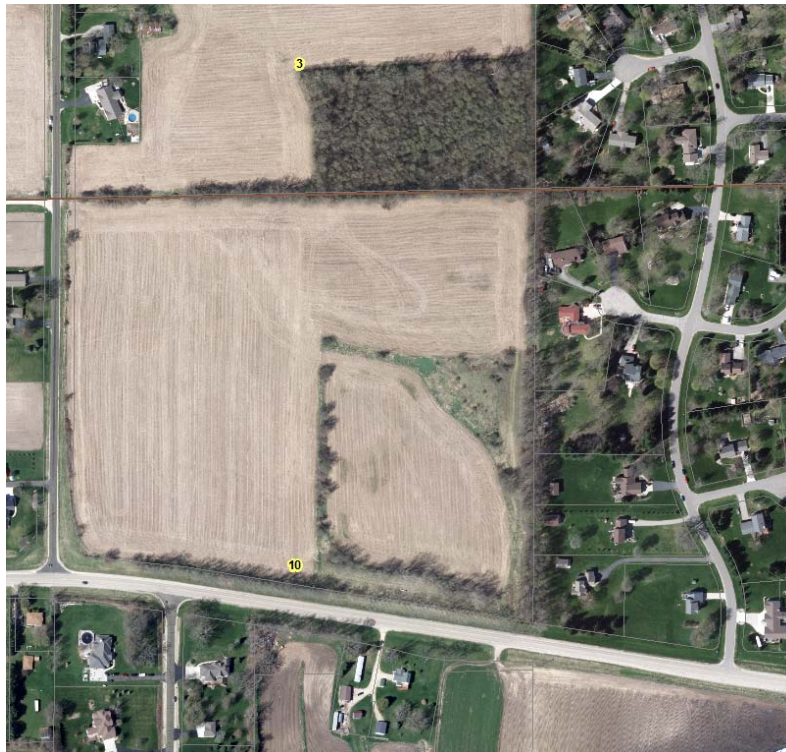
*Housing &  
Economic Development*  
(608)266-4270, Rm. 362

*Planning*  
(608)266-4251, Rm. 116

*Records & Support*  
(608)266-4251, Rm. 116

*Zoning*  
(608)266-4266, Rm. 116

As requested by the ZLR, staff provides analysis of land divisions, comparing them against the local and county comprehensive plans. In this case, the analysis is of the consistency of this preliminary plat located in the town of Cottage Grove and the goals, objectives and policies of the *Dane County Comprehensive Plan*.



With this preliminary plat, Kennedy Hills, LLC wishes to split an existing 21.2 acre lot, into 16 lots. The lots range from 0.74 acres to 1.12 acres in size. The plat is located within the Village of Cottage Grove's Extra Territorial Jurisdiction (ETJ), and is outside of an Urban Service Area (USA).

The proposed subdivision is surrounded by residential development to the east, vacant land to the north and a small subdivision (Buckley Ridge) to the south. The subdivision is designed in such a way that it may be expanded northward in the future.



The *Dane County Comprehensive Plan* describes broad policy directions for new development, but refers to component town and municipal plans for detailed land use, subdivision and public infrastructure recommendations relevant at the land division scale.

The county-adopted *Town of Cottage Grove Comprehensive Plan* identifies the subject property in the *Neighborhood Development Area* of the future land use plan and map. The purpose of this area includes promoting sustainable residential development by encouraging infill around existing development and incorporating principles of conservation neighborhood design. The minimum residential lot size allowed in this district 20,000 square feet (provided that soil tests determine that the lot is suitable for an on-site waste treatment system), and the maximum lot size is 1.0 acre.

Plan policies include a transfer of development rights (TDR) program, requiring that development rights (residential development rights or “RDUs”) be transferred from a TDR sending area to the *Neighborhood Development Area* (a TDR receiving area) in order for creation of residential lots. Development rights are transferred at a 1:8 ratio, so two development rights are required to create these 16 lots.

Assuming that the correct number of RDUs are acquired, this subdivision plat is consistent with the town and county comprehensive plans.

I hope this information is helpful, and would be happy to answer any questions you may have. Please feel free to contact me at [andros@countyofdane.com](mailto:andros@countyofdane.com) or (608)261-9780 if I can be of any further assistance.

AFFIDAVIT OF POSTING OF  
TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF DANE        )

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

On August 20, 2019 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.


**TOWN BOARD RESOLUTION 2019-08-19  
CONDITINAL APPROVAL OF PRELIMINARY PLAT FOR  
KENNEDY HILLS**

  
\_\_\_\_\_  
Kim Banigan, Town Clerk

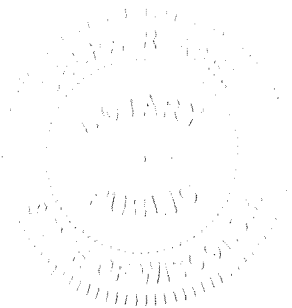
Subscribed to and sworn before me  
this 20<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Signature of Town Chair person

OR

  
\_\_\_\_\_  
Debra R. Abel (print name)

Notary Public, State of Wisconsin  
My Commission expires: March 7, 2023



TOWN OF COTTAGE GROVE

TOWN BOARD MEETING

August 19, 2019

- A. Deer-Grove EMS Commission: Williams reported that the next meeting will be on September 10<sup>th</sup> to work on the 2020 budget.
  - B. Flynn Hall Committee: The 2020 budget request is for \$6,500, the same as 2019. The Lions Club plans to install a concrete curb and a light pole in 2019. The Town will consider budgeting for blacktopping in 2020.
- X. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:31 P.M.

Kim Banigan, Clerk

Approved 09-03-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
September 3, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance. Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Dan Dresen were also present.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/Fonger to approve the minutes from the August 19, 2019 meeting with one addition. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
- E. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33319-33341 from Monona Bank as presented. **MOTION CARRIED 5-0.**
- F. **MOTION** by Anders/DuPlayee to approve payment of August per diems as presented. **MOTION CARRIED 5-0.**
- G. Public Concerns: None.
- H. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve two permits for Wisconsin Power and Light/Intercon Construction to replace gas service at 1) 4513 Buss Road and 2) 4407 Vilas Hope Road. **MOTION CARRIED 5-0.**

II. BUSINESS: (Some of the following agenda items were taken out of order)

- A. Update from Dane County Supervisor Melissa Ratcliff:
  - 1. Closing of Dane County compost site: Ms. Ratcliff confirmed that Dane County plans to close the compost site as of January 1, 2020. The decision to close was not made by the Dane County Board. The Village of Cottage Grove is among municipalities currently taking compost to the site, along with individual county residents. The Village is looking into other resources. Ratcliff said she believes this decision is counterproductive to the County's focus on lake health, and she will continue to work toward a future compost site. Hampton wondered if the farm off of County AB recently purchased by the County would be a possible site, at least until clay is harvested from it. Rollie and Mayda Halverson, 2798 Alydar Way, were present and interested in this topic. Mr. Halverson has been calling around but has not found any place where individuals can drop off compost. Ratcliff said the Town of Pleasant Springs has a compost site, and it was suggested that the Town ask if Cottage Grove residents could bring compost there for a fee. Town Board members are also hoping this can be a topic for the joint meeting of the Town and Village Boards on September 17<sup>th</sup>.
  - 2. Status of replacement site for Rodefild landfill: Ratcliff reported that the County is in the beginning stages of looking for a new site. She acknowledged that time is getting short as the days are numbered for the current landfill, and siting a new one can take a long time.
  - 3. Alliant Energy Center redevelopment: Ratcliff reported that the Redevelopment Committee is looking for other funding sources now that the State has pulled their funding for the \$90 million project. They meet monthly, their next meeting will be on September 16<sup>th</sup> at 3 p.m. Ratcliff provided copies of the Alliant Energy Center Campus Master Plan dated 12/20/2018, along with an Issue Brief on the Dane County Alliant Energy Center Redevelopment. She said Dane County saw \$1.3 billion in tourism in 2018, second only to Milwaukee County, and the Alliant Energy Center hosts about 400

events each year. It is currently self-funding but that could change as the facility becomes seen as outdated. Hampton wondered when the Alliant naming rights expire, and how much revenue they provide. He also wondered what the effect of the site being taken over by the City of Madison will be. Ratcliff will look into Hampton's questions.

4. Jail addition: Ratcliff provided a handout that indicted plans to vacate the 6<sup>th</sup> and 7<sup>th</sup> floor of the City-County Building and the Ferris Center, renovate the Public Safety building and build the 198,600 SF South Tower addition at an estimated cost of \$148 million to be completed by the second quarter of 2024. She said four options were considered, three of which were greenfield sites that were more costly. The project will actually reduce the number of beds, with the County's focus on preventing people from going to jail. Board members questioned whether Dane County is paying other counties to house its prisoners. Ratcliff will find the answer to that question.
5. Ratcliff provided a press release from RSVP of Dane County regarding the need for volunteer drivers to deliver meals and take people to medical appointments. She suggested the Town could help publicize the need.
6. Hampton asked if she could do anything to convince the County to sell its right-of-way that is needed for the WDOT plans for the intersection of USH 12 & 18 and County AB. She will look into this issue.

B. Plan Commission Recommendations:

1. Discuss/Consider recommendation regarding application by Royal Oak Engineering – Tim Thorson for rezone of .27 acres from parcel #0711-074-9052-0 owned by Strand Family Farm, LLC from RM-16 to SFR-08 to combine with parcel #0711-074-9151-0 at 4278 Vilas Hope Road, owned by Kathy Strand: Hampton said this is basically a lot line adjustment to encompass the access to a garage at the back of the residential property before the remainder of the larger parcel is sold. **MOTION** by DuPlayee/Anders to accept the Plan Commission's recommendation to approve the rezone of .27 acres from parcel #0711-074-9052-0 from RM-16 to SFR-08 to combine with parcel #0711-074-9151-0, with road right-of-way of both parcels dedicated to the Town. **MOTION CARRIED 5-0.**

- C. Joel Roltgen, Energy Advisor with Focus on Energy - Presentation of grant funding opportunities: Mr. Roltgen clarified that Focus on Energy does not provide grant funding, but rather incentives via reimbursement after the energy efficient projects are complete. The incentives are classified as either 1) Prescriptive: pre-defined projects and products that do not require pre-approval and 2) Custom: projects that require pre-application and approval. The top 3 projects are lighting, controls and vfd's on any motor. He suggested contacting him before any energy related upgrades are made and he will guide the process of selecting products to qualify for the incentives. He left several informational booklets.
- D. Discuss/Consider approval of contracts for Ayres and Associates to provide engineering services for Local Bridge Program projects to rebuild Door Creek Bridge #P130939 and Koshkonong Creek Bridge #P130151: Mark Westerveld, Local Program Manager from the WDOT, was present and noted that Ayres' price for engineering the Femrite bridge exceeds the SMA estimate by ~\$9,000. He said the two bridge projects are similar, and Ayres' engineering price is similar for the two, but for some reason the SMA estimate for the Femrite bridge was significantly lower than the estimate for the Uphoff bridge. Since the Town would need to pay the difference between the SMA estimate and actual cost, he offered to contact

Ayres to see if they could come down on their price for the Femrite bridge. Their price on the Uphoff bridge is under the SMA estimate. **MOTION** by Hampton/DuPlayee to authorize Westerveld to ask Ayres if they can come down any on their price for the Femrite bridge, then get back to the Town with what will be remaining for the Town to fund on its own.

**MOTION CARRIED 5-0.**

- E. Discuss/Consider nomination for First Responder of the Year Award for the 46th Assembly District: **MOTION** by Anders/Williams to throw the nomination in the laps of the Fire and EMS Chiefs and Lt. Bahler. **MOTION CARRIED 5-0.**
- F. Discuss/Consider enforcement of TCG Ord. section 11.09 Property Maintenance for:
1. 2983 County BB: The Clerk reported that no response to her certified letter mailed on August 8, 2019 has been received, nor has she received the return postcard or the unopened letter. Neighbor Lisa Brockert, 2979 County Road BB, was present and said the lawn has been mowed once this summer, with the clippings left in compost piles. She shared pictures from her phone that showed deterioration of brick mold around windows that are falling out, and what looked like the house being off the foundation. **MOTION** by DuPlayee/Anders to proceed with a court order for access to the property for inspection and possible remediation. **MOTION CARRIED 5-0.**
  2. 2476 Ofsthun Road: The Clerk reported that her certified letter mailed on August 8, 2019 came back today unopened. Williams reported that she and her husband had visited the owner. He does not want to send anyone up on his roof, and would prefer a smaller house. He invests in what earns him income, including housing and care of his animals. Due to low milk prices, he does not have the funds to invest in the house at this time. Williams said he is single, lives alone, and is of sound mind. **MOTION** by Williams/Fonger to drop the enforcement of TCG § 11.09 for 2476 Ofsthun Road. **MOTION CARRIED 5-0.**
- G. Discuss/Consider quotes for loan to fund 2019 public works projects: The Treasurer had obtained two quotes for short term loans for total principal and interest of \$286,000 due on March 15, 2020:
- Monona Bank: 2.43% fixed interest
  - McFarland State Bank: 2.832% fixed interest
- MOTION** by Williams/Fonger to accept the quote from Monona Bank. **MOTION CARRIED 5-0.**
- H. Discuss/Consider legal counsel for Arboretum Ridge development: **MOTION** by Hampton/Anders to use Attorney Connie Anderson as special counsel for the Arboretum Ridge development. **MOTION CARRIED 5-0.**
- I. Discuss/consider agenda items for joint meeting with the Village Board on September 17<sup>th</sup>: **MOTION** by Williams/DuPlayee to ask for the following agenda items:
- Discuss options for a joint compost site.
  - Discuss road connections between the Town and Village for the 5th Addition to Westlawn.
  - Discuss sustainable improvements to joint facilities (possibly invite Joel Roltgen from Focus on Energy to come again).

**MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
September 3, 2019

- J. Discuss/consider dates for 2020 budget workshops: **MOTION** by Hampton/Williams to hold budget workshops beginning at 6:30 P.M. on October 29<sup>th</sup> and 30<sup>th</sup>. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: The Clerk distributed copies of the Town of Westport's Short-Term Rental ordinance for discussion at the next meeting.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen said the new tractor is here and staff have been receiving training.

V. BOARD REPORTS AND COMMUNICATIONS

A. DuPlayee – Cottage Grove Chamber of Commerce update: DuPlayee said he did not attend the August meeting, which was for new members. Ratcliff said Paula Severson told her to mention that there will be a new member reception on October 10<sup>th</sup> from 4-6 p.m. at Aster, and all are welcome to attend.

B. Hampton:

- The Village approved the variance for the Flynn Hall parking lot, with conditions.
- He is waiting to hear if Copart will accept the temporary driveway permit.
- He received notice of UW Extension Fall Town/Village workshops, there was no interest expressed by board members.

C. Williams tentatively has a tour of the County's renewable gas facilities scheduled for 8:30 A.M. on Monday, September 16<sup>th</sup>.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:02 P.M.

Kim Banigan, Clerk  
Approved 09-16-2019

**PUBLIC HEARING FOR BLASTING PERMIT APPLICATION**

- I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site and Facebook and mailed to all property owners within ½ mile of the blasting site on August 28, 2019. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were in attendance. Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Dan Dresen were also present.
- II. Hampton read the notice which identified the potential blasting site as parcel #0711-332-9700-0 at the south-west corner of US Hwy 12 & 18 and County Highway N owned by Storage World of Cottage Grove, LLC, and called the public hearing to order 7:00 P.M.
- III. Public Comment:
  - Joe Konkel, 3325 Fieldview Lane, said he is against the issuing of a blasting permit based on experiences of his brother who lives near the quarry in Deerfield. He is worried about damage to his home, well and septic system.
  - John Hornung, 2441 Ofsthun Road, asked if one blast would be sufficient.
- IV. Applicant Comments: DJ Dolphin of Olson Explosives, Inc. admitted that one blast has taken place already prior to his knowledge that a permit was required, and he expects that only 1 or 2 more blasts will be necessary to prepare the construction site. He said the blasts will be much lower in intensity than typical quarry blasts, and he feels the requirements of the Town's blasting ordinance are excessive for construction related blasting. He notified owners of three structures within the State prescribed distance based on the intensity of the blast. Two of them took advantage of his offer for a pre-blast inspection.
- V. **MOTION** by DuPlayee/Anders to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:22 P.M.

**TOWN BOARD MEETING**

- I. ADMINISTRATIVE
  - A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Attendance was the same as for the public hearing above.
  - B. Hampton called the meeting to order at 7:22 P.M.
  - C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the September 3, 2019 meeting as printed. **MOTION CARRIED 5-0.**
  - D. Finance Report and Approval of Bills:
    1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33342-33370 from Monona Bank as presented. **MOTION CARRIED 5-0.**
    2. **MOTION** by Anders/DuPlayee to approve payment of \$2,984.16 to General Engineering Company for August building permits. **MOTION CARRIED 5-0.**
    3. The Treasurer asked that September per diem reports be submitted by October 4<sup>th</sup>.
  - E. Public Concerns: None.
  - F. Road Right of Way Permits: None.
- II. BUSINESS:
  - A. Review August Police Activities: None of the deputies were present. The Board reviewed the monthly report which showed 158 calls for service and 116 citations issued in August. It was



TOWN OF COTTAGE GROVE  
PUBLIC HEARING AND TOWN BOARD MEETING  
September 16, 2019

noted that Deputy French returned to duty last Friday, and that there are a lot of tire marks on some town roads including Kennedy, Buss, Gaston Roads.

- B. Discuss/Consider approval of a blasting permit for parcel #0711-332-9700-0 at the south-west corner of the intersection of USH 12 and County Road N owned by Storage World of Cottage Grove, LLC: Hampton asked Mr. Konkel if he would like a pre-blast inspection, and he said he would. **MOTION** by Fonger/DuPlayee to approve a seven-day blasting permit for parcel #0711-332-9700-0, beginning with the first blast. Blaster must follow the requirements of TCG §§ 18.01(9) and (10). A pre-blast survey shall be conducted at 3325 Fieldview Lane, and at any other location if requested by an affected person upon notification under TCG §18.01(9)(b). Blaster must immediately notify the Town of any claims made against the Blaster's umbrella insurance coverage that would affect the aggregate amount of coverage available. **MOTION CARRIED 3-0-2** (Anders and Williams abstained).
- C. Discuss/Consider approval of contracts for Ayres and Associates to provide engineering services for Local Bridge Program projects to rebuild Door Creek Bridge #P130939 and Koshkonong Creek Bridge #P130151: The Clerk read the differences between the draft and final contracts. The Door Creek Bridge engineering cost quote of \$52,214.23 exceeds the estimate of \$48,342.50 by \$3,872.00, which will be the full responsibility of the Town. The Koshkonong Creek Bridge engineering cost quote of \$58,419.88 is below the estimate of \$61,742.50. **MOTION** by Fonger/Anders to approve the final contract for the Door Creek Bridge, with \$3,872.00 of engineering fees to be paid entirely by the Town. **MOTION CARRIED 5-0.** **MOTION** by Anders/Williams to approve the final contract for the Koshonong Bridge including the addition of consideration of a dry hydrant. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of revised Agreement for Municipal Plan Examination and Inspection Services between the Town and General Engineering Company: The Clerk had highlighted the differences between the current and proposed new agreements. **MOTION** by Hampton/Anders to send the agreement back to General Engineering Company with the following requests:
- Article 5 – Insurance: Add back in "with Municipality named as an additional insured."
  - Add back item 6.5 regarding Hold Harmless and Indemnification.
  - Item 7.2 - Inspector's Obligations - add back in: "The Inspector shall not destroy any original data, information, plans, specifications, or records and other documents utilized or created in the performance of its duties under this Agreement without the written permission of the Municipality."
  - Under Article 9 - Notices, it says c/o Brad Boettcher. That was Mark Jankowski in the current agreement. Has there been a change?
  - Under Article 10.6 Jurisdiction and Governing Law, it states Columbia County courts. The current agreement says Dane County. Is this an oversight or are they proposing to change the jurisdiction?
  - On the Fee Schedule Exhibit A: Include a column for the entire fee, including the Town's share, like the current schedule.
  - The Town does not issue permits for Camping units, fences or signs.

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September 16, 2019

- The Town does issue administrative permits for re-roofs, siding, sheds, and Ag Buildings, which is not listed on the new schedule.

**MOTION CARRIED 5-0.**

- E. Discuss/Consider enforcement of TCG § 11.09 Property Maintenance for 4672 Vilas Road: Discussion was that the wood piles have been cleaned up considerably and there is nothing left in the road right-of-way. **MOTION** by Hampton/Anders to table indefinitely. **MOTION CARRIED 5-0.**
- F. Discuss/Consider adoption Resolution 2019-09-16 authorizing the borrowing of \$282,361.88; providing for the issuance and sale of a general obligation promissory note therefor; and levying a tax in connection therewith (funding for 2019 road maintenance projects): **MOTION** by Hampton/DuPlayee to adopt the resolution as presented. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of the 2020 Deer-Grove EMS Budget: In addition to the proposed 2020 budget that was in meeting packets, the Clerk distributed a 2020-2025 Major Budget Impact Plan for capital purchases. **MOTION** by Anders/DuPlayee to approve the 2020 DGEMS Budget as presented, with the Town's share at \$159,726.02. **MOTION CARRIED 5-0.**
- H. Discuss/Consider approval of quote to re-survey the Welcome Sign at 2953 County Road BB: The Clerk said that Atty. Susan Allen had gotten a quote of \$350 from Royal Oak Engineering to update the legal description of the location of the welcome sign. **MOTION** by Williams/DuPlayee to approve spending up to \$350 to update the legal description, to be taken out of the Welcome Sign fund. **MOTION CARRIED 4-0-1** (Fonger abstained).
- I. Discuss developing an ordinance to regulate short term rental of residential property: An ordinance drafted by the Town of Westport was reviewed. Anders was in favor, Fonger, the Clerk and Williams expressed logistical concerns over administration and enforcement, and thoughts that much of the same regulation is already in effect through State statutes and County zoning. The drafter of the Town of Westport ordinance will be at the DCTA meeting on Wednesday. **MOTION** by Fonger/Anders to hold in abeyance for 90 days. **MOTION CARRIED 5-0.**
- J. Discuss/Consider approval of light fixtures for parking area behind Flynn Hall: **MOTION** by DuPlayee/Williams to approve the expenditure of \$189.99 out of the Flynn Hall Maintenance account to purchase a solar, motion detecting light recommended by Dresen. **MOTION CARRIED 5-0.** Dresen said that Alliant donated a pole and will install it.
- K. Discuss/Consider approval of participation in Touch a Truck on Saturday, October 5, 2019: Dresen said there will be no overtime, time will be donated. He plans to take the Town's grader and the new tractor/mower combination. **MOTION** by Williams/DuPlayee to approve the Town's participation in Touch a Truck as described by Dresen. **MOTION CARRIED 5-0.**
- L. Discuss/Consider approval of attendees for the DCTA membership meeting on September 18, 2019: **MOTION** by Hampton/DuPlayee to allow 3 attendees. **MOTION CARRIED 5-0.**
- M. Discuss/Consider approval of attendees for the WTA convention on October 13-15, 2019: **MOTION** by Hampton/DuPlayee to allow DuPlayee to attend on Monday, October 14<sup>th</sup>. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: No report.

TOWN OF COTTAGE GROVE  
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IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported that there should be funds remaining in the 2019 budget after the final park treatments to re-pave and stripe the basketball courts at Meadow Grove and Sr. Airman Dan Johnson parks yet this year.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that the DOT was supposed to give CoParts an answer by 5 pm today about their temporary access.
- B. Williams reported on the Board's tour of the County Landfill site this morning, stating that she learned a lot.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The 2019 Budget was finalized at the September meeting.
- B. Emergency Government Committee: Fonger reported that the September meeting held at Aster Assisted Living was a good one, and they plan to have another meeting with them.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:49 P.M.

Kim Banigan, Clerk  
Approved 10-7-2019

# RESOLUTION

RESOLUTION NO. 2019-916

## RESOLUTION AUTHORIZING THE BORROWING OF \$282,631.88; PROVIDING FOR THE ISSUANCE AND SALE OF A GENERAL OBLIGATION PROMISSORY NOTE THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, the Town Board (the "Governing Body") hereby finds and determines that it is necessary, desirable and in the best interest of the Town of Cottage Grove, Dane County(ies), Wisconsin (the "Issuer") to raise funds for the purpose of:

Public works road maintenance projects

(the "Borrowing Purpose"); and

WHEREAS, the Governing Body hereby finds and determines that the Borrowing Purpose is within the Issuer's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

WHEREAS, the Issuer is authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and issue general obligation promissory notes for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer that:

**Section 1. Authorization of the Note.** For the purpose of paying the cost of the Borrowing Purpose, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of \$282,631.88 from Monona Bank (the "Lender") in accordance with the terms set forth herein.

**Section 2. Issuance of the Note.** To evidence such indebtedness, the Chairperson and the Clerk are hereby authorized, empowered and directed to make, execute, issue and deliver to the Lender for, on behalf of and in the name of the Issuer, a general obligation promissory note aggregating the principal amount of \$282,631.88 (the "Note").

**Section 3. Terms of the Note.** The Note shall be designated "General Obligation Promissory Note"; shall be dated the date of its issuance; shall bear interest at the rate of 2.430% per annum; and shall be payable as follows:

Borrower will pay this loan in one principal payment of \$282,631.88 plus interest on March 15, 2020. This payment due on March 15, 2020, will be for all principal and all accrued interest not yet paid.

Interest on this Note is computed on a 365/365 simple interest basis; that is, by applying the ratio of the interest rate over the number of days in a year, multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. All interest payable under this Note is computed using this method.

**Section 4. Prepayment Provisions.** The Note shall have prepayment privileges on any principal or interest payment date on or after 09-17-2019.

**Section 5. Form of the Note.** The Note shall be issued in registered form and shall be attached hereto and incorporated herein by this reference.

**Section 6. Direct Annual Irrepealable Tax Levy.** For the purpose of paying the principal of and interest on the Note as the same becomes due, the full faith, credit and resources of the Issuer are hereby irrevocably pledged, and a direct annual irrepealable tax is hereby levied upon all taxable property of the Issuer. Said direct annual irrepealable tax shall be levied in the years and amounts as follows:

<u>Levy Year</u>	<u>Amount</u>
2019	\$286,000.00

The aforesaid direct annual irrepealable tax hereby levied shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the Issuer levied in said years are collected. So long as any part of the principal of or interest on the Note remains unpaid, the tax herein above levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created herein. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on the Note when due, the requisite amount shall be paid from other funds of the Issuer then available, which sums shall be replaced upon the collection of the taxes herein levied. In the event the Issuer exercises its prepayment privilege, if any, then no such direct annual tax shall be included on the tax rolls for the prepayments made and the amount of direct annual tax hereinabove levied shall be reduced accordingly for the year or years with respect to which said note was prepaid.

**Section 7. Debt Service Fund Account.** There is hereby established in the Issuer's treasury a fund account separate and distinct from every other Issuer fund or account designated "Debt Service Fund Account for \$282,631.88 General Obligation Promissory Note." Such fund shall be maintained in accordance with generally accepted accounting practices. There shall be deposited in said fund account any premium plus accrued interest paid on the Note at the time of delivery to the Lender, all money or funds raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay interest on the Note when the same shall become due and to retire the principal installments on the Note. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Note and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished. Sinking funds established for obligations previously issued by the Issuer may be considered as separate and distinct accounts within the Debt Service Fund Account.

**Section 8. Segregated Borrowed Money Fund.** The proceeds of the Note (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Note into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and be disbursed solely for the purposes for which borrowed or for the payment for the principal of and the interest on the Note.

**Section 9. Arbitrage Covenant.** The Issuer shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Note (the "Closing"), would cause the Note to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the Issuer hereby covenants and agrees that so long as the Note remains outstanding, moneys on deposit in any fund or account created or maintained in connection with the Note, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Note to be an "arbitrage bond" within the meaning of the Code or Regulations.

The Clerk, or other officer of the Issuer charged with responsibility for issuing the Note, shall provide appropriate certifications of the Issuer, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the Issuer regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

**Section 10. Additional Tax Covenants; Exemption from Rebate; Qualified Tax-Exempt Obligation Status.** The Issuer hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Note) to assure that the Note is an obligation described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout its term. The Clerk or other officer of the Issuer charged with the responsibility of issuing the Note, shall provide appropriate certifications of the Issuer as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the Issuer to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Note will continue to be an obligation described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes.

For Note Proceeds allocable to a Borrowing Purpose for new projects or acquisitions, the Issuer reasonably expects to:

- qualify for the small issuer rebate exception because it (including any entities subordinate to the Issuer) will issue no more than \$5,000,000 of tax-exempt obligations (including the Note(s)) during the current calendar year.
- qualify for the eighteen month rebate exception under Section 1.148-7(d) of the Regulations.
- qualify for the two-year rebate exception under Section 148(f)(4) of the Code.
- not qualify for an exception to rebate.

The Issuer hereby designates the Note to be a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the Clerk or other officer of the Issuer charged with the responsibility for issuing the Note, shall provide appropriate certifications of the Issuer, all as of the Closing.

Section 11. Execution of the Note. The Note shall be prepared in typewritten form, executed on behalf of the Issuer by the manual or facsimile signatures of the Chairperson and Clerk, sealed with its official or corporate seal thereof, if any, and delivered to the Lender upon payment to the Issuer of the purchase price thereof, plus accrued interest to the date of delivery; provided that, if this is a refinancing, the refunding Note shall be immediately exchanged for the note being refinanced. In the event that either of the officers whose signatures appear on the Note shall cease to be such officers before the delivery of the Note, such signatures shall nevertheless be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

Section 12. Payment of the Note. The principal of and interest on the Note shall be paid by the Clerk or Treasurer in lawful money of the United States.

Section 13. Registration and Transfer of Note. The Clerk shall keep records for the registration and for the transfer of the Note. The person in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of either principal or interest on the Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid. The Note may be transferred by the registered owner thereof by presentation of the Note at the office of the Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his legal representative duly authorized in writing. Upon such presentation, the Note shall be transferred by appropriate entry in the registration records and a similar notation, including date of registration, name of new registered owner and signature of the Clerk, shall be made on such Note.

Section 14. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Issuer or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Section 15. Financial Reports. Officials of the Issuer are hereby authorized and directed, so long as the Note is outstanding, to deliver to Lender any audit statement or other financial information Lender may reasonably request and to discuss its affairs and finances with Lender.

Adopted and recorded this 16th day of September, 2019.

(Seal)

By:   
Kris Hampton, Chairperson

ATTEST:

By:   
Kim M. Banigan, Clerk

AFFIDAVIT OF POSTING OF  
TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF DANE        )

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

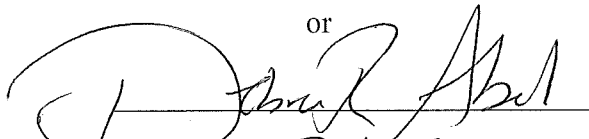
On September 17, 2019 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**TOWN BOARD RESOLUTION 2019-09-16  
AUTHORIZING THE BORROWING OF \$282,631.88;  
PROVIDING FOR THE ISSUANCE AND SALE OF A  
GENERAL OBLIGATION PROMISSORY NOTE THEREFOR; AND  
LEVYING A TAX IN CONNECTION THEREWITH**

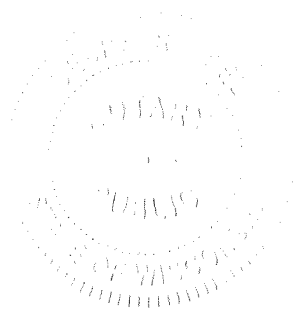
  
\_\_\_\_\_  
Kim Banigan, Town Clerk

Subscribed to and sworn before me  
this 17<sup>th</sup> day of Sept., 2019.

\_\_\_\_\_  
Signature of Town Chair person

or  
  
\_\_\_\_\_  
Debra R. Abel (print name)

Notary Public, State of Wisconsin  
My Commission expires: March 7, 2023



TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
OCTOBER 7, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Dan Dresen, and Judge April Hammond-Archibald.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the September 16, 2019 Public Hearing and Town Board Meeting, and the September 17, 2019 Joint meeting of the Town and Village Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33371-33400 from Monona Bank as presented. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Anders/DuPlayee to approve payment of September per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Williams/DuPlayee to approve a permit for Wisconsin Power & Light/Intercon to install gas service at 2563 Bass Road. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Plan Commission Recommendations:
  - 1. Discuss/Consider approval of blanket rezone to correct errors of how zoning districts were assigned when the new Dane County zoning ordinance was adopted in January: Rezone of 39 parcels totaling 18.68 acres proposed to be rezoned from HAM-R to SFR-08: The Clerk reported that notices were mailed to the owners of the 37 properties that were not represented at the September Plan Commission meeting. The notice stated that no response to the notice would be taken as no contest to the blanket rezone. She answered questions from one owner via email, but has had no contact from any of the others. There were no interested parties present at the meeting. **MOTION** by Williams/DuPlayee to approve the blanket rezone of 39 parcels totaling 18.68 acres from HAM-R to SFR-08 to correct errors of how zoning districts were assigned when the new Dane County zoning ordinance was adopted in January. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of 2 lot certified survey map for Strand Farm, LLC – Katherine Strand at 4278 Vilas Hope Road. **MOTION** by Anders/Fonger to approve the CSM identified as office map #16515 dated 09-30-19. **MOTION CARRIED 5-0.**
- C. Discuss/Consider Termination of Deed Restriction #4246936 for property at 3100 US Highway 12 & 18 owned by Door Creek, LLP: **MOTION** by Fonger/DuPlayee to approve Termination of Deed Restriction #4246936. **MOTION CARRIED 5-0.**
- D. Discuss and Consider process to replace Municipal Court Clerk: Municipal Judge April Hammond-Archibald reported that Court Clerk Cyndi Peck has tendered her resignation from the Town as of the end of 2019 (she plans to continue serving as Court Clerk for the Village). Hiring and supervision of the Court Clerk is up to the Judge, but the Town will need to post the position opening. Hammond-Archibald had drafted a position description and job post.

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
OCTOBER 7, 2019

Some edits to the job post were suggested to reduce the number of words. **MOTION** by Hampton/Williams to publish the job post in the Wisconsin State Journal, on the State's job site if there is no cost, on the Town's web site and Facebook page, and look into sites such as Madison Moms. Applications to be accepted until noon on October 25<sup>th</sup>. **MOTION CARRIED 5-0.**

- E. Discuss and Consider compensation for new Municipal Court Clerk: The Clerk provided results of her survey of other clerks about Municipal Court Clerk wage rates. **MOTION** by Hampton/Williams to set the starting wage at \$18.50/hour. **MOTION CARRIED 5-0.**
- F. Discuss and Consider 2019 expenses to equip Municipal Court Clerk Office: The Clerk had totaled up a list of computer hardware and software and other office equipment that will potentially be needed, along with an estimate of wages for a new Clerk through the end of 2019. Discussion was to start with putting the Court Clerk's office in the Town Office rather than setting up a separate room. **MOTION** by Hampton/DuPlayee to approve an amount not to exceed \$8,500 to equip the Court Clerk Office in 2019, to be funded through the use of unassigned funds. **MOTION CARRIED 5-0.**
- G. Discuss/Consider inspection report based on enforcement of TCG Ord. section 11.09 Property Maintenance for 2983 County BB: Board members reviewed a Property Condition Assessment (attached as Exhibit A) prepared by Michael E. Parrott of General Engineering Company based on his visual inspection of the structure and grounds on September 30, 2019 (the house was not entered nor was the roof accessed). The house is uninhabited and electrical service has been disconnected by the utility company. Lisa Brockert, 2979 County Road BB, said that she remembers that the basement flooded in past years when the house was occupied, so based on the observed foundational distress and sunken concrete, she imagines it must be flooded now. **MOTION** by Hampton/Fonger to have the Town Attorney draft a Notice of Violation with response due within 20 days of delivery, to be personally delivered to the property owner by a Town Deputy, listing the following violations per the noted sections of the assessment report:
  - 2.1 Unkempt yard including noxious weeds and brush piles that could harbor vermin.
  - 2.3 Wooden soffit & fascia in need of painting with some pieces of fascia possibly requiring replacement.
  - 2.4 Wooden frames of double-hung windows have peeling paint and are beginning to deteriorate. Storm windows are in poor condition with several that are broken and falling out.
  - 2.6 Gutters are full of leaves, including small tree seedlings, and are in need of cleaning.
  - 2.7 Foundational distress is observed in the single-story portion of the home located on the east side of the house.
  - 2.8 Areas of concrete sidewalk and patio on the north and south sides of the house have sunk resulting in drainage issues whereby concrete now directs water toward the house resulting in the undermining of the concrete block foundation on the north side, leaving an opening for animals to get in.
  - 2.9. The electrical service has been disconnected, presumably leaving the house without heat or functioning plumbing and thus uninhabitable.

**MOTION CARRIED 5-0.**



TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
OCTOBER 7, 2019

- H. Discuss/Consider approval of the 2020 Cottage Grove Fire Department Budget: **MOTION** by Anders/Fonger to approve the 2020 CGFD Budget at \$110,260.00, with the Town's share of the joint expenses at \$42,912.00, Town owned apparatus expenses to be \$7,200.00, of which \$4,100.00 will be paid by the Town and \$3,100.00 will come from Pleasant Springs contract proceeds. **MOTION CARRIED 5-0.**
- I. Discuss/Consider approval of the 2020 Emergency Services Building Budget: **MOTION** by Williams/DuPlayee to approve the 2020 Emergency Services Building budget at \$57,700, to be split 50:50 between the Town and the Village. \$20,000 will be allocated to the Property Repair fund. **MOTION CARRIED 5-0.**
- J. Discuss and Consider approval of Agreement with Strand Associates for 2020 Services for the Natvig Road Landfill: **MOTION** by Fonger/Williams to approve the Agreement for 2020 Services, with services fees limited at \$19,200. **MOTION CARRIED 5-0.**
- K. Discuss and Consider notice from Dane County of plans to increase dog license fees: Notice was received that Public Health Madison and Dane County are proposing a \$5 per license increase to dog licenses in 2020 to provide more funding to the Dane County Humane Society. **MOTION** by Hampton/DuPlayee that the Town Board does not oppose the increase as long as the entire increase is used towards the Dane County Humane Society. **MOTION CARRIED 5-0.**
- L. Discuss and Consider authorizing the Highway Superintendent and Town Engineer to apply for funding through the New Transportation Grant Program: Dresen said Engineer Tom TeBeest brought the 90% funding opportunity to his attention, and Dresen suggested making application to repair the spalling on Town bridges. TeBeest has offered to assist with applications at no charge. **MOTION** by Williams/DuPlayee to authorize Dresen and TeBeest to apply to the transportation grant program for repairs to all of the Town bridges not currently planned for replacement. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE:

- A. The Clerk asked for ideas to recognize outgoing Court Clerk Cyndi Peck for her 30 years of service. Discussion was to have a luncheon on the day after the December court date, and invite her family, past and present judges, and the Town deputies. Everyone should think about what an appropriate gift might be.
- B. The Clerk reported that a non-resident group that rented Flynn Hall over the weekend left a big mess that they refused to clean up. Their deposit will be withheld, but the Clerk suggested that the board consider not offering the halls for rent to non-residents at any cost.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported that the area of Ridge Road that goes through the marsh is closed due to 10" of water over it. The first salt delivery is expected tomorrow. Andrew Perry and Justin Madsen took Town equipment to Touch a Truck this past weekend and saw a good turnout.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton:
  - 1. Hampton asked if the Board wants to consider regulation of large and small wireless facilities. There was no response from other board members.
  - 2. Hampton asked if the Board wants to meet with residents on the dead-end streets that about the Village's 5<sup>th</sup> addition to Westlawn. Consensus was to hold a special meeting at

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
OCTOBER 7, 2019

6:30 P.M. on Monday, November 11<sup>th</sup>, and invite the Fire and EMS Chiefs. The Clerk will mail a notice to property owners on the dead-end streets west of Sandpiper.

3. Hampton reported that Accurate Electric will install the light pole and replacement interior lights at the ESOB on October 15<sup>th</sup> and 16<sup>th</sup>. The invoice will be sent to Focus on Energy for reimbursement.

- B. DuPlayee reported that the September Chamber of Commerce meeting was the biggest meeting ever with 60 attendees. They are preparing for Christmas in the Grove and celebrating their 30<sup>th</sup> anniversary this month. 2020 membership rates will be up slightly.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:45 P.M.

Kim Banigan, Clerk  
Approved 10-21-2019



*Engineers • Consultants • Inspectors*

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**PROPERTY CONDITION ASSESSMENT  
FOR  
TOWN OF COTTAGE GROVE  
OCTOBER, 2019**



Prepared by:

**GENERAL ENGINEERING COMPANY**  
916 Silver Lake Drive  
P.O. Box 340  
Portage, WI 53901  
Phone: (608) 742-2169

Location:

**2983 COUNTY RD BB  
COTTAGE GROVE, WI**



*Engineers • Consultants • Inspectors*

October 07, 2019

Town of Cottage Grove  
4058 County Road N  
Cottage Grove, WI 53527

Re: Condition Assessment

Property Having the Physical Address of: 2983 County Road BB, Cottage Grove, WI  
Tax Parcel ID Number: 0711-071-8850-4

## **1.0 BACKGROUND AND GENERAL INFORMATION**

- 1.1 At the request of the Town of Cottage Grove a non-destructive, visual inspection of the structure and grounds located at the above referenced address was performed on September 30<sup>th</sup>, 2019.
- 1.2 The structure in question is a single-family, two-story residential home. The home's claddings are composed of primarily aluminum siding, asphalt based shingles, wooden soffit & fascia and wooden framed windows.
- 1.3 The purpose of the inspection was to assess the overall condition of the structures and grounds as it pertains in order to Wisconsin State Statutes §66.0413 and applicable Town of Cottage Grove Ordinances regarding property maintenance standards and public safety.
- 1.4 The inspection was part of ongoing efforts by the Town to investigate complaints by neighboring property owners and address concerns by Town officials.
- 1.5 The weather at the time of the inspection was mostly sunny with temperatures of approximately 70-80 degrees.
- 1.6 The following defined terms are used to describe the condition of the components and systems reviewed:

**Satisfactory** – Performing its intended function with no major defects noted.

**Serviceable** – Performing its intended function, but has visible defects or is aging. Minor to moderate repairs will be required.

**Fair** – Barely performing its intended function and has visible defects or is aging and will require moderate to major repairs in the short term.

**Poor** – Not properly performing its intended function; at or beyond its useful life. Component requires major repair or replacement.

- 1.7 The inspection was performed by Michael E. Parrott and Jim Trebian of General Engineering Company in the partial company of Deputy Jennifer Grafton of the Dane County Sherriff's Department.
- 1.8 It should be noted that the house was not entered nor was the roof accessed during the inspection. As such, all observations were made at ground level from the exterior of the house.

## **2.0 INSPECTION**

- 2.1 Generally speaking the grounds were found to be unkempt. The grass was observed to be in need of mowing and noxious weeds including thistles were observed and especially prevalent in the rear yard. Piles of brush were observed in the west side yard.
- 2.2 The aluminum siding was observed to be in Serviceable condition overall. Some corner trim pieces were missing and the siding was observed to be in need of cleaning.
- 2.3 The wooden soffit & fascia was found to be in only Fair condition. All pieces are in need of painting with some pieces of fascia possibly requiring replacement.
- 2.4 The wooden, double-hung windows were found to be in only Fair condition overall. The wooden frames of the double-hung windows were observed to have peeling paint and have begun to deteriorate. The storm windows were observed to be in Poor condition overall. Several storm windows were broken and falling out and in need of replacement.
- 2.5 Since the roof was not accessed, it was difficult to determine the exact condition of the roof. That said, the roof did appear to be nearing the end of its useful life with granular loss noted. The single-story shed roof, located at the rear of the home, was observed to undulate and, given its relatively low-slope, has a high degree of risk for potential leaks. In my opinion the roof is in overall Fair to Serviceable condition.
- 2.6 The house has been equipped with an aluminum downspout and gutter system. The gutters were observed to be full of leaves and in need of cleaning. Weeds and small tree seedlings were observed to be growing out of the gutters.
- 2.7 The home appears to be suffering from at least some foundational distress. The observed issues are associated with the single-story portion of the home located on the east side of the house.
- 2.8 On the north and south sides of the portion of the house in question a concrete sidewalk/patio exists. These areas of concrete were observed to have sunk resulting in drainage issues whereby the concrete now directs water towards the house. As a result, the concrete block foundational support has become undermined as viewed on the north side.
- 2.9 The electrical service was observed to have been disconnected by the utility company. This has presumably left the house unheated and without a functioning plumbing system and therefore currently uninhabitable.

### **3.0 SUMMARY AND CONCLUSIONS**

- 3.1 The house and grounds in question have been negatively impacted due to an extended period of deferred maintenance resulting in a property that was observed to be in overall Poor to Fair condition.
- 3.2 Issues include, but may not be limited to, deteriorated claddings, drainage problems and foundation issues. Generally speaking the house has diminished weatherization characteristics.
- 3.4 In conclusion, the house in question has suffered from an extended period of deferred maintenance which has resulted in a structure that currently has significant weatherization, aesthetic and some structural issues that require immediate attention. If actions to remedy the structure's issues are not undertaken the house will continue to deteriorate.

Respectfully,



Michael E. Parrott  
Buildings/Inspections  
MEP/Ilf

## PHOTOGRAPH APPENDIX



NORTH SIDE



SOUTH SIDE



EAST SIDE

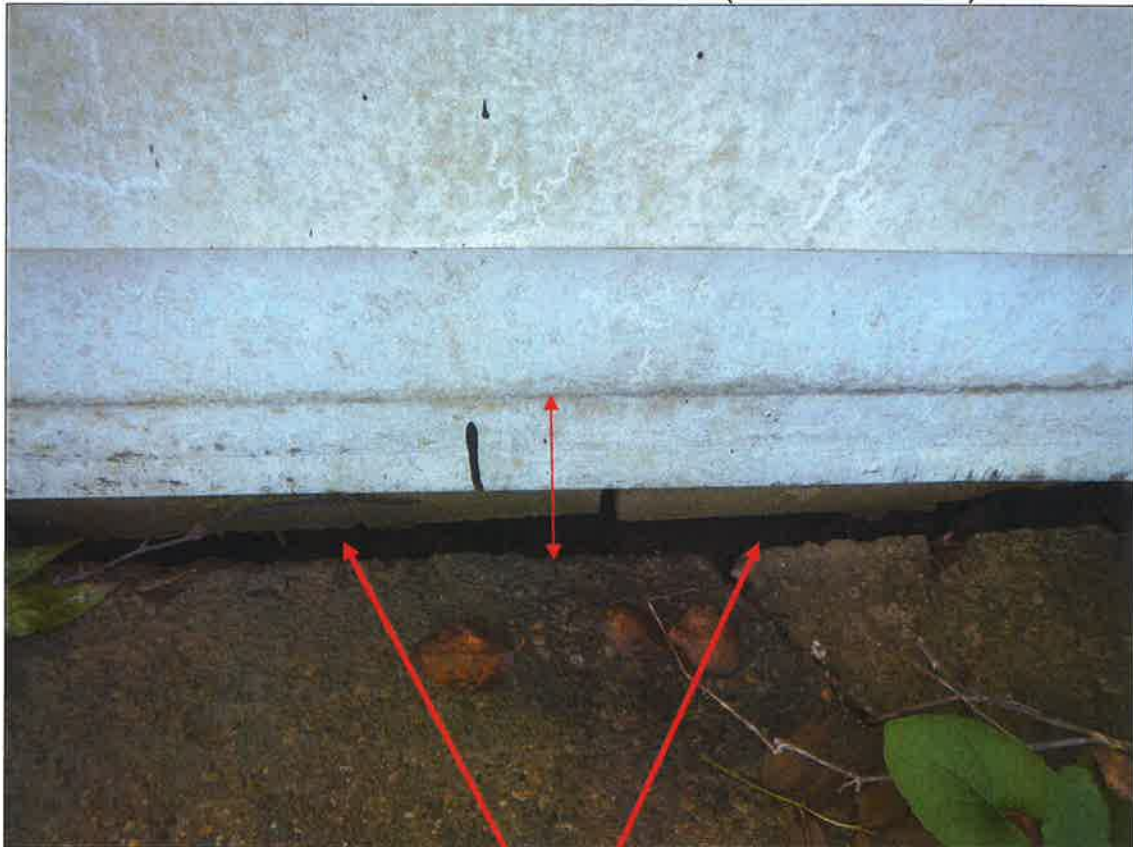


WEST SIDE





AREA OF SINKING CONCRETE (NORTH SIDE)



UNDERMINED FOUNDATION







WINDOWS



SOFFIT – FASCIA - GUTTERS

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
OCTOBER 21, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Anders to approve the minutes from the October 7, 2019 Town Board meeting as printed. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
  - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33401-33431 from Monona Bank as presented. **MOTION CARRIED 4-0.**
  - 2. **MOTION** by Anders/DuPlayee to approve payment of \$1,940.60 to General Engineering Company for September building permits. **MOTION CARRIED 4-0.**
  - 3. The Treasurer asked for October per diem reports by November 1<sup>st</sup>.
- E. Public Concerns: John Hornung, 2441 Ofsthun Road, asked if there is supposed to be a retaining pond in the south east corner of the mini-warehouse property under development at the corner of County N and US Hwy 12 & 18. Board members confirmed that plans call for one to be there, and that the County will ensure that the plans are followed.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Review September Police Activities: There were 262 calls for service and 132 citations issued in September. None of the deputies were present at the meeting. Hampton reported that the speed bumps on Damascus Trl. Have been removed for the winter.
- B. Discuss and consider winter road care responsibilities on West Skaar Road: Neli Skaar was present to represent Screamin' Norwegian Farms, LLC, party as 'Owner' to the Deed Restriction, Notice and Snow Maintenance Agreement on parcel 0711-264-8001-0, recorded with the Dane County Register of Deeds as Document #4319109. Mr. Skaar stated that he would like the Town to take over winter maintenance of West Skaar Road. He said Town plows go right by it, several years have passed since development took place, and the development has brought enough money into the Town to cover the costs. Hampton asked him if he is willing to satisfy the conditions under item 1.(a) of the agreement. Mr. Skaar does not have any plans for further development and does not intend to build out or improve West Skaar Road at this time. **MOTION** by DuPlayee/Fonger to relieve Screamin' Norwegian Farms, LLC of the responsibility for winter maintenance of West Skaar Road, but not relieve them of the responsibility to build out and improve West Skaar Road as per item 1.(a)(ii) of the agreement. **MOTION CARRIED 4-0.**
- C. Discuss and consider possible action regarding an Emergency Operations Plan recommended by Town Attorney: This discussion was prompted from notice from the Village that they are forming an autonomous Emergency Operations Plan. Correspondence from the Town Attorney advised that State Statute requires the town to have an Emergency Management Plan, and to appoint a head of emergency management services. Fonger suggested that the joint emergency plan could be easily adapted to just the Town, and that that an additional member should be appointed to the Emergency Government Committee if it is to be Town only. There were questions about how the Emergency Operations Center could be used jointly. **MOTION** by Hampton/Fonger to ask the Village President to take no further action on the subject until it has been discussed at a joint meeting between the Town and Village Boards, with the Fire and EMS Chiefs present, along with someone from Dane County Emergency Management. **MOTION FAILED 1-3** (Fonger, Anders)

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
OCTOBER 21, 2019

and DuPlayee opposed). **MOTION** by Anders/Fonger directing the Town Chair to have a conversation with the Village President on the subject. **MOTION CARRIED 4-0.**

- D. Discuss and consider possible action regarding the position of Director of Emergency Government – Consensus was to table this item pending the outcome of item C. above.
- E. Discuss/consider approval of quote for fall 2019 HVAC maintenance: **MOTION** by Hampton/Anders to approve the quote from High Tech Heating to perform Fall 2019 HVAC maintenance at the Emergency Services Building, Town Hall, Town Garage, Flynn Hall and Police station for a total cost of \$1,071.50. **MOTION CARRIED 4-0.**
- F. Complete Insurance Renewal Questionnaire: Comments were to add the Tiger Flail Mower to the description of the 2019 New Holland T6145 tractor, increase the Rented or Borrowed Equipment Extension Limit to \$200,000, reduce the miles of streets and roads to 65. There was a question about why Law Enforcement Liability coverage is indicated. The Clerk remembered asking about that in the past, and will find the answer to share with the board. The Clerk will make the changes discussed above and submit the questionnaire to the agent.
- G. Discuss/Consider attendees for November 6th DCTA Educational Forum on Town Roads: Fonger, Hampton, Anders and Dresen are interested in attending. **MOTION** by Hampton/Fonger to approve four attendees. **MOTION CARRIED 4-0.**

III. CLERK'S OFFICE UPDATE: Today's mail included a unanimous consent petition by five landowners to annex 147 acres from the Town of Cottage Grove into the Village of McFarland. Lands from the Town of Pleasant Springs are also included in the petition.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Annual fire extinguisher maintenance is scheduled this week. One of the furnaces in the shop needs a \$350 control board. Dresen will get quotes for a replacement furnace as an alternative to replacing the board on the aging furnace.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

- 1. The Lion's club got the curb poured at Flynn Hall this past weekend. He suggested that the Clerk draft a thank you letter to Wade Cattell for the donation of the concrete for the project, to be signed by himself and the Village President.
- 2. He gave the mother of the owner of 2939 County Road BB contact info to inquire with the Fire Department about burning down the house.
- 3. He and Dresen met with Engineer Tom TeBeest to discuss projects for possible funding through the new transportation grant program, since bridge maintenance does not qualify. Suggestions were to look at a bicycle lane on Vilas Hope Road to tie in with the trail planned for the railroad tracks, and to raise Ridge Road where it always floods.

B. DuPlayee said that at the WTA convention, he learned that the WDNR had no knowledge that Dane County plans to close their compost site. He also learned that there is nothing the Town can do to prevent the connection of Town and Village roads without a change to the Comprehensive Plan. He reported that the Town Advocacy Committee has 429 member municipalities, up from 140 in the former Urban Towns Committee.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by Fonger/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 8:02 P.M.

Kim Banigan, Clerk  
Approved 11-04-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
NOVEMBER 4, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
1. **MOTION** by DuPlayee/Fonger to approve the minutes from the October 21, 2019 Town Board meeting as printed. **MOTION CARRIED 4-0-1** (Williams abstained).
  2. **MOTION** by Williams/DuPlayee to approve the minutes of the open session of the October 29, 2019 budget workshop with correction of all instances of Cedar Knolls to Capitol View. **MOTION CARRIED 5-0.**
  3. **MOTION** by DuPlayee/Williams to approve the minutes of the October 29, 2019 closed session, and to keep them closed until the 2020 budget is adopted. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #33432-33454 from Monona Bank as presented. **MOTION CARRIED 5-0.**
  2. **MOTION** by Anders/Williams to approve payment of October per diems as presented. **MOTION CARRIED 5-0.**
  3. The Treasurer reported that she discovered a new line on the levy limit worksheet that allows an increase of \$1,000 for each qualifying single-family residence occupancy permit issued in 2018. She still needs to figure out how many qualifying homes there are. Consensus was to post the proposed 2020 budget as discussed at the October 29<sup>th</sup> budget workshop, and any additional allowable levy can be discussed at the December 2<sup>nd</sup> public hearing.
- E. Public Concerns: Alecia Rauch, 4552 Vilas Road, thanked the Board for the 35-mph speed zone near her home, and urged continued enforcement during all hours, especially when school busses are present. She asked if the faded red flags could be replaced, and if the curve could be posted in both directions rather than just one as it is now.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve permits for 1) Frontier Communications/Direct Line Communications to bore under Earlwyn Road at Nora Road to bury existing line, 2) Wisconsin Power & Light/Intercon Construction to install a gas main on Luds Lane and regulator station at NW corner of Vilas and US 12/81, and 3) Wisconsin Power & Light/Intercon Construction to install new gas service at 4733 Willmore Way. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Plan Commission Recommendations:
1. Discuss/Consider approval of a conditional use permit to allow for a detached garage with a 16-foot mean roof height at 2764 Pheasant Run, parcel #0711-054-5383-7 owned by Jason Bree: **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve a conditional use permit to allow for a detached garage with a 14.5-foot mean roof height at 2764 Pheasant Run, parcel #0711-054-5383-7, noting

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
NOVEMBER 4, 2019

that all eight standards of a conditional use permit are considered satisfied. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of Zach Banta's Eagle Scout project proposal to place Little Libraries at Sr. Dan Johnson Memorial park and American Heritage park: Mr. Banta belongs to Boy Scout Troop 88 from Deerfield, and resides in the Town of Cottage Grove. He wants to give back to the community by giving access to books since there is not a library in Cottage Grove. He has spoken with Dresen about locations for the little libraries, which he proposed to build from treated plywood with plexi-glass fronts. He does not plan spend the money to register with littlefreelibrary.org. **MOTION** by Fonger/Williams to approve little libraries at Sr. Dan Johnson Memorial park and American Heritage park, working with Dresen on placement. **MOTION CARRIED 5-0.**
- C. Discuss/Consider whether to accept plan for remedy of violations of TCG §11.09 at 2983 County Road BB: The written plan submitted by property owner Mike Cutrano asked the Board to give him until May 30, 2020 to get prices on repairing or removing the house. He stated he had met with the Fire Chief about burning it down, the Chief is considering the possibility but is concerned about close proximity of neighboring houses. DuPlayee said May 30, 2020 is too far out. Hampton proposed April 15<sup>th</sup> instead. **MOTION** by DuPlayee/Fonger to require a plan for repair or removal of the house by January 31, 2020, which the Board can review at their February 3, 2020 meeting, with the plan for repairs or removal to be executed by May 30, 2019. **MOTION CARRIED 5-0.**
- D. Update on progress of property maintenance remedies for 1987 Nora Road: A report from the Building Inspector showed good progress is being made on remedying the disrepair. Consensus was that no further action is needed.
- E. Discuss/Consider adoption of Resolution 2019-11-04 Adopting Certain Fees as permitted the Town of Cottage Grove Code of Ordinances and Smart Growth Comprehensive Plan: The proposed resolution had redline edits indicating the fee changes discussed at the October 29<sup>th</sup> Budget Workshop. The effective date was blank. **MOTION** by Hampton/DuPlayee to adopt Resolution 2019-11-04 as presented, with an effective date of January 1, 2020. **MOTION CARRIED 5-0.**
- F. Discuss/Consider use of Unassigned Funds for the Town's portion of the phone system upgrade for the Town Hall and Emergency Services Building: The Joint Fire Committee has already approved use of ESOB property repair funds to cover 50% of the cost of the phone system upgrade, with the Town paying the other 50%. **MOTION** by Fonger/DuPlayee to approve the use of unassigned funds for the Town's portion of the phone system upgrade, not to exceed \$4,000. **MOTION CARRIED 5-0.**
- G. Discuss/Consider quotes to replace furnace in Town Garage: Two quotes were received for the same furnace model by Modine:  
High Tech Heating & A/C Inc.: \$1,800.00  
Wohlers Heating & A/C Corp: \$2,500.00  
**MOTION** by Williams/DuPlayee to accept the quote from High Tech Heating & A/C not to exceed \$1,800.00. **MOTION CARRIED 5-0.**
- H. Discuss/Consider Election Day Emergency Response Plan: The clerk said the proposed plan is based on a template provided by the Wisconsin Elections Commission, and that an approved plan is a requirement for application for the 2019 Election Security Subgrant



TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
NOVEMBER 4, 2019

program. She plans to apply for funding for managed IT services to meet election security requirements. She had designated Flynn Hall as the alternate polling location should the Town Hall need to be evacuated. She said that there is no internet service there, but US Cellular offers a hotspot that can be activated and deactivated as needed, which could be an option to explore. She also said that there is no backup power at the Town Hall, although the Town does have a generator. There was general agreement that a quote to provide hookups to the generator for the Town Hall should be sought. **MOTION** by Williams/DuPlayee to approve the Election Day Emergency Response Plan as presented. **MOTION CARRIED 5-0.**

- I. Update and consider possible action regarding an Emergency Operations Plan recommended by Town Attorney: Hampton reported that he met with Village President John Williams, who said he sees value in the Town and Village staying together for Emergency Operations, but is not sure which way the Village Board will go on the proposed separation. There is not room for two committees to operate out of the EOC. Fonger said he can work with the Clerk to streamline the joint Emergency Operations Plan to fit just the Town.
- J. Discuss and consider possible action regarding the position of Director of Emergency Government: consensus was to table until the Town's Emergency Operations Plan is complete.
- K. Complete Annexation Review Questionnaire for Lightfoot ET AL Annexation to the Village of McFarland, Petition File No. 14264: The clerk had completed the factual portions of the questionnaire. Hampton said that one of the petitioners told him that McFarland will allow 1 acre unsewered lots, which the Town could also do. He suggested the following comments for item 13:  

Can McFarland provide any services at this time that Town of Cottage Grove cannot, as it appears sewer and water are a considerable distance from the territory proposed for annexation?

Hold off on the annexation for the outcome of the Madison vs. McFarland lawsuit over lands annexed from Blooming Grove to see if boundary agreements are enforceable.
- L. Finalize plans for luncheon to honor retiring Municipal Court Clerk: The luncheon is planned for Thursday December 12<sup>th</sup> at 12:30 p.m. Once a head count is known, the Clerk should order lunch from Stoddard's Market. The Town Board will pay for it.
- M. Discuss possible dates and agenda items for next joint meeting with the Cottage Grove Village Board: November 12, 13, 20 or Dec 4, 5, 10, 17 were offered as possible dates. Agenda to include Emergency Government, composting, road connections, and Village road maintenance plans that will affect Town roads.
- N. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Strategy for boundary negotiations: **MOTION** by DuPlayee/Williams to move into closed session for the reasons stated above. **MOTION CARRIED 5-0** by roll call vote. The closed session began at 8:03 PM, and included the Town Board, Clerk, Treasurer and Plan Commission member Dave Muehl.
- O. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Williams/Anders to reconvene to open session. **MOTION**

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
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**CARRIED 5-0** by roll call vote. The closed session ended at 8:17 P.M. and there was no action as a result.

- III. CLERK'S OFFICE UPDATE: The Clerk reported who she had invited to the special meeting planned to November 11<sup>th</sup>, that violations to a stipulation notice resulting from the County's lawsuit against the owner of 4466 Wind Chime Way have already occurred and the County is discussing enforcement options, and that changes are taking place in the Town office to make room for the new Court Clerk. Interviews are scheduled for this Thursday.
- IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: No report.
- V. BOARD REPORTS AND COMMUNICATIONS:
- A. DuPlayee – Chamber of Commerce update: The Village made a presentation of upcoming commercial projects at the October meeting, which had 80 people in attendance. The Chamber is now up to 200 members.
  - B. Hampton reported that Accurate Electric now says they will complete repairs at the ESOB in the next two weeks.
- VI. COMMITTEE REPORTS: None.
- VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:31 P.M.

Kim Banigan, Clerk  
Approved 11-18-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD CLOSED SESSION MINUTES  
NOVEMBER 4, 2019

- I. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Strategy for boundary negotiations: **MOTION** by DuPlayee/Williams to move into closed session for the reasons stated above. **Mike Fonger, Steve Anders, Kris Hampton, Kristi Williams and Mike DuPlayee all voted in favor by roll call vote.** The closed session began at 8:03 PM. Clerk Kim Banigan, Treasurer Debra Abel, and Plan Commission member Dave Muehl were also in attendance.
- II. Hampton said he has a meeting with City of Madison representatives at 1:00 P.M. this Thursday. Board members and Muehl reviewed the boundary map proposed by the City at an earlier meeting and drew lines that they felt should not be crossed through annexation by the City. Discussion was to follow roads and wetland boundaries.
- III. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Williams/Anders to reconvene to open session. **MOTION CARRIED 5-0** by roll call vote. The closed session ended at 8:17 P.M. and there was no action as a result.

Kim Banigan, Clerk

Approved 11-18-2021, KEEP CLOSED

Approved 10-18-2021

**TOWN OF COTTAGE GROVE  
TOWN BOARD RESOLUTION NO. 2019-11-04**

**A RESOLUTION ADOPTING CERTAIN FEES AS PERMITTED  
BY THE TOWN OF COTTAGE GROVE CODE OF ORDINANCES AND THE  
TOWN OF COTTAGE GROVE SMARTGROWTH COMPREHENSIVE PLAN**

WHEREAS, the Town of Cottage Grove Code of Ordinances and the Town of Cottage Grove Smart Growth Comprehensive Plan authorize the Town Board to establish certain fees by resolution; and

WHEREAS, TCG Ord. sec. 07.01(2)(b) indicates that the Town Board may amend such fees at any time;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin, does hereby adopt the following fees to be effective January 1, 2020: (Relevant ordinance or comprehensive plan sections are indicated in brackets following each fee)

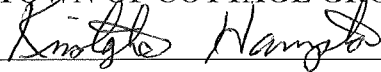
Alcohol Beverage Fees [TCG §05.03 (2)]	
Reserve “Class B” Intoxicating License [§ 125.51(4), Stats].....	\$10,000.00
Class “A” Fermented Malt Beverage License [§ 125.25, Stats.] .....	\$500.00
Class “B” Fermented Malt Beverage License [§ 125.51(2), Stats] .....	\$100.00
“Class A” Intoxicating Liquor License [§ 125.51(2), Stats.].....	\$500.00
“Class B” Intoxicating Liquor License [§ 125.51(3)(b), Stats.].....	\$500.00
“Class B” Winery License [§ 125.51(3am), Stats]. .....	\$100.00
“Class C” Retail Wine License [§ 125.51(3m), Stats].....	\$100.00
Temporary Class “B” Fermented Malt Beverage License [§ 125.26(6), Stats].....	\$10.00
Temporary “Class B” Wine License [§ 125.51(10), Stats.].....	\$10.00/day
Operator’s License [§ 125.17(1-3,6), Stats.] .....	\$25.00
Manager’s License [§§ 125.18, 125.32(10 and 125.68(1), Stats].....	\$25.00
Blasting Permit Fee [TCG §18.01]	
Short Term .....	\$250.00
Long Term .....	\$500.00
Change of Land Use Fee [TCG §15.20].....	\$275.00
Cigarette and Tobacco Products Retailer License Fee [TCG §07.02(1)] .....	\$50.00
Dangerous Animal License [TCG §20.20(7)] .....	\$150.00
Dog License Fee (in addition to County Fees)[TCG §20.01(4)]	
Per dog .....	\$4.50
Multi-Dog (up to 12) .....	\$7.00
Driveway Permit Fee [TCG §08.02] .....	\$150.00
Driveway Permit Deposit [TCG §08.02].....	\$1,000.00
Emergency Response Reimbursement Fees [TCG §07.02(3)]	
CGFD Ladder 1 .....	\$400.00/hour
CGFD Engine 3 .....	\$250.00/hour
CGFD Engine 4 .....	\$250.00/hour
CGFD Squad 1.....	\$200.00/hour
CGFD Tender 1.....	\$150.00/hour
CGFD Tender 2.....	\$150.00/hour
CGFD Brush 1 .....	\$100.00/hour

Personnel (minimum of 1 hour, rounded to next full hour for any minute over the hour)	
First hour	\$15.00/hour
Each additional person	\$10.00/hour
Water	\$10.00/1000 gal
Foam "A"	\$20.00/gal
Foam "B"	\$30.00/gal
Oil Dry	\$10.00/40 lb. bag
Fire Works Use Permit Fee [TCG §18.02(4)]	\$50.00
Hall Rental Fees (Town Hall or Flynn Hall) [TCG §07.02(5)]	
User Fee – Town or Village of Cottage Grove Resident	<del>\$132.00</del> 150.00
User Fee - Non Resident	<del>\$422.00</del> 1,000.00
Security Deposit – Town or Village of Cottage Grove Resident	<del>\$50.00</del> 100.00
Security Deposit – Non-Resident	500.00
Handling Fee [TCG §07.02(4)]	
per hour	\$20.00
minimum	\$20.00
Land Division Fees [TCG §15.19]	
-Concept Plan	300.00
Preliminary Plat,	\$350.00 + \$20/lot
Final Plat and Comprehensive Development Plan	\$350.00 + \$20/lot
Certified Survey Map	125.00
<del>Landowner Initiated Change to the Future Land Use Map [TCG Smart Growth</del>	
<del>Comprehensive Plan Chapter L – General Provisions sec. 3-6(a)]</del>	<del>500.00</del>
Mailing List Fees [TCG §07.02(6)]	
First 1,000 names	25.00
Per 1,000 in excess of 1,000	20.00
(Fees are tripled if gummed labels are requested)	
Non-metallic Mining Permit Fee [TCG §17.02]	300.00
Overweight Permit Fees [TCG §07.02(8)]	\$20.00 per power unit
Bond for variance to weight limits [TCG §09.07]	\$1 million/mile of road permitted
Park Organized Event Administrative Fee [TCG §10.05	25.00
Peddlers and Transient Merchants Permit Fee [TCG §11.07(4)(c)]	50.00
Photocopying Fee [TCG §07.02(9)]	
Black & White copies	\$.25/page
Color Copies:	\$.50/page
Plan Commission, Special Meeting of [TCG §15.01(6)]	300.00
Road Right-of-Way Permit Fee [TCG §08.03]	
Base Fee	55.00
Boring, trenching or plowing (small projects)	\$45.00 per boring/trenching/plowing
Open cut pavement	\$220.00/open cut
Trenching/Plowing in excess of 1,320 ft. (large projects)	\$110.00/# of lineal feet/1,000
Construction of vault or other structure	\$110.00 per vault or structure
Deposit	Set by the Town Board on a case by case basis

Town Board, Special Meeting of [TCG §2.03(4)] ..... \$300.00  
 Statement of Real Property Status (Title Search) Fee [TCG §07.02(10)]  
   Paid with request ..... \$25.00  
   Invoiced ..... \$50.00  
 Waste Treatment, Disposal or Storage Site Application Fee [TCG §16.04(6)(c)] ..... \$250.00

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 4<sup>th</sup> day of Nov, 2019.

**TOWN OF COTTAGE GROVE**



Kristopher Hampton, Town Chair

ATTEST:



Kim Banigan, Town Clerk


AFFIDAVIT OF POSTING OF  
TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF DANE        )

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

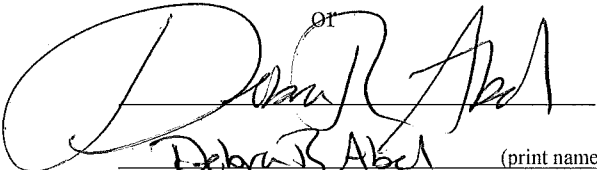
On November 5, 2019 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**TOWN BOARD RESOLUTION 2019-11-04  
ADOPTING CERTAIN FEES AS PERMITTED  
BY THE TOWN OF COTTAGE GROVE CODE OF ORDINANCES  
AND SMARTGROWTH COMPREHENSIVE PLAN**

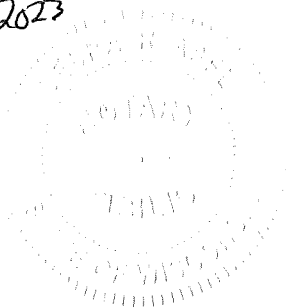
  
\_\_\_\_\_  
Kim Banigan, Town Clerk

Subscribed to and sworn before me  
this 5<sup>th</sup> day of November 2019.

\_\_\_\_\_  
Signature of Town Chair person

  
\_\_\_\_\_  
Deborah R. Abel (print name)

Notary Public, State of Wisconsin  
My Commission expires: March 7, 2023



TOWN OF COTTAGE GROVE  
SPECIAL TOWN BOARD MEETING  
NOVEMBER 11, 2019

- I. Notice of the meeting was posted at the Town Hall and on the Town's internet site, as well as mailed to all property owners on dead end streets abutting the Westlawn neighborhood in the Ravenwood subdivision. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Deer-Grove EMS Chief Eric Lang, Cottage Grove Fire Chief Nick Archibald, Westlawn developers Andrew and Chris Homburg, and Deputy Brian Biwer. An additional 26 people signed the attendance sheet, available in the Clerk's office.
- II. Chairman Hampton called the meeting to order at 6:34 P.M.
- III. Perspectives of Fire and EMS Chiefs:
  - A. Chief Lang provided an example of routing to 2760 Mourning Dove and 2764 Pheasant Run from the Madison Fire Station 5 to show that the mapping software used by EMS knows that Mourning Dove and Pheasant Run do not currently go through. Even so, he said it is never a bad thing to have more access, and he felt connecting the roads would be a better decision, especially as the 5<sup>th</sup> addition to Westlawn is developed and there are more homes with one way in and out.
  - B. Chief Archibald said that while the main advantage to connecting the roads would be in emergency response time, another advantage would be access to fire hydrants for structure fires in the Town because of the fire hydrants on the Village side of the unconnected streets. He said the fire department would never be opposed to more access. Supervisor Fonger asked why hoses cannot be run without connecting the roads, Chief Archibald said there are trees between the two streets and the fire department would not risk damage to hoses by running them through.
- IV. Public Comments and Concerns
  - A. Chairman Hampton asked Andrew Homburg if he had any comments before public comments began. Mr. Homburg used a display board to show the general development plan, topography and street connections to the entire Westlawn neighborhood. The 4<sup>th</sup> addition is in finishing stages, and they hope to begin moving dirt for the 5<sup>th</sup> addition yet this year. He said it will be a community driven, phased development. Eventually Damascus Trail will go all the way north to Gaston Road, but the east-west corridors have been more difficult. The only current connection between Village and Town roads is Mourning Dove going east, which dead ends at Taylor Prairie School by design to keep it from being a cut-through to county Road N. He said he is not advocating for any one connection, or any at all for that matter, but is willing to make connections that are supported by the community. The Village Board has given direction to prioritize a connection to Buss Road to accommodate traffic to the new school before developing Damascus north to meet Gaston Road. In the meantime, also at the Village Board's direction, a gated gravel road has been constructed between Buss Road and Red Hawk Trail in the 4<sup>th</sup> addition, to which emergency services have the access code.
  - B. Deputy Brian Biwer said access is not a big deal for the Town's contracted deputies, unless they are backing up the Village Police Department. He said Sandpiper Trail is one of the Town's biggest speed concerns, and is also heavily used on foot. Opening the roads up could create more use by Village residents looking for easier access to get in or out of their neighborhoods.
  - C. The following residents had comments and concerns:



TOWN OF COTTAGE GROVE  
SPECIAL TOWN BOARD MEETING  
NOVEMBER 11, 2019

- Stephanie Calloway, 4540 Falcon Court, said she is vehemently opposed to connecting Mourning Dove. She bought the house there because of the quiet dead end, and does not think the road is wide enough for the additional traffic, including possibly school busses. She thinks access to the fire hydrants is not impeded by the trees. Her sister Sandra Crowder of the same address said she would not like sidewalks (Chairman Hampton said the Town has no plans for sidewalks).
- Matt Jenson, 4544 Falcon Ct., has two young sons who cut through the woods to walk to school, which he would not allow if the connection was made due to the additional traffic. He said the roads are not designed for heavier traffic and he would be against it unless bike paths were constructed. He noted Killian Trail is only 30 seconds to the south and it does go through towards the school. He suspects that the Village residents like their quiet dead-end streets and are not in favor of the connections either. He wondered who is advocating for the connections. Hampton said the Town and Village Boards have discussed at their joint meetings about whether any connections should be made for public safety reasons. He noted that the dead-end streets were always intended to go through eventually, which is why they were not built as cul-de-sacs. He also thought that having more accessible fire hydrants might improve homeowner's insurance rates for the Town residents.
- Mike Stern, 2747 Pheasant Run, wondered if the Town could install hydrants on its roads, but Chairman Hampton said the Town does not have a water supply. Stern listed snow plowing and on-street parking as significant issues for how kids get to school unless people change their habits or sidewalks are put in.
- Keri Robbins, 2743 Pheasant Run, said she has lived there for 20 years and observed the changes to traffic volume since Sandpiper Trail went through to the south. She said additional traffic could make it necessary to add sidewalks, which does not fit with the character of the neighborhood they chose to live in. She did say that as the neighborhood turns over, later generations will not remember how quiet it was and may not object to the additional traffic resulting from the connections being made in the future. She also asked about the naming of the streets, wondering if the use of the same names on the un-connected Town and Village segments were intended as pressure on the Town to accept the reality of the connections.
- Gerald Gaudet, 2459 Pheasant Run, is concerned for the safety of his small children, and suggested if it is not broke, don't fix it. He said that most people who buy homes in the Town do so knowing emergency services may not have quick access.
- Ron Christianson, 2739 Mourning Dove, said opening up the roads would result in a racetrack that would endanger the kids who ride or bike to school on the narrow road. He felt the hydrants are accessible as is, and also said that opening up the streets could increase criminal activity due to more exits for the criminals.
- Joe Heiman, 2756 Mourning Dove, said he is a part time bus driver and that Mourning Dove's construction will not hold up to bus traffic. The Village streets between Taylor Prairie and Glacial Drumlin schools are built for that traffic.
- Dave Toso, 2740 Pheasant Run, moved there when Sandpiper was still a dead end. Since it has opened up, it can be difficult to turn onto Sandpiper from Pheasant Run, and he worries that connecting the roads would lead to an exponential increase in traffic.

TOWN OF COTTAGE GROVE  
SPECIAL TOWN BOARD MEETING  
NOVEMBER 11, 2019

- Jason Bree, 2764 Pheasant Run, said that 4-5 years ago a berm was constructed to divert water after a lot of water originating from development in the village flooded septic systems in the Town. He asked what the plans are to continue diverting the water if the berm is taken down to make the road connection. Chris and Andrew Homburg confirmed that permanent water diverting structures are now in place.
- Debbie Feiner, 2760 Mourning Dove, is opposed to Mourning Dove going through, but if it does, she said it would need to be wider.
- Joe Zinkel, 2747 Mourning Dove, thinks that traffic has tripled on Sandpiper over the past 5-6 years. He thinks Mourning Dove is too narrow to accommodate the traffic a connection would bring on, and widening it is not acceptable. He feels the trees and brush affecting hydrant access are easily addressed.
- Elissa Zollin, 2733 Pheasant Run, is absolutely opposed to the connections, and worries they would affect resale value.
- Otto Oemig, 2757 Pheasant Run, was also concerned about property values.
- Linda Ellsberry, 2738 Mourning Dove, said the Town lots are not conducive to sidewalks, and wondered what the next steps will be? Will the Town Board take a vote? She commended the Town Board for doing a good job of protecting public safety.
- Terry Wisneski, 4633 Meadowlark St., said Meadowlark property owners have different concerns, and noted that the logistics of a ditch may determine if a connection can be made, or may cause the developer to give up a couple of lots. Once Damascus goes through there would be another north-south option just to the west, along with Sandpiper to the east.
- Ronald Daggett, 4620 Meadowlark Street, asked the Homburgs to comment about the neighborhood meeting held at the Village Hall in June. Chris Homburg said 80% of the attendees were Town residents who overwhelmingly do not want the roads to go through. The Village Board agreed to not hooking them up, but did demand that rights-of-way be dedicated for Nightingale and Meadowlark for future connections, as they are already for Pheasant and Mourning Dove. Since the public hearing, a Village resident has been advocating for some connections. Andrew Homburg offered that if everybody concerned is in agreement, the developer, not the Town or Village, would pay for the connections. He noted that the Village Planner thought that if all of the connections are made, no one will be overloaded with traffic. He briefly described how the connections might be made to provide traffic calming in the transition.
- Randy Thompson, 2751 Mourning Dove, said traffic calming only works at that specific spot, and drivers speed up approaching and leaving it.
- Supervisor Fonger said that the Homburgs build quality developments and must follow the decisions made by the Village Board. With the roads stubbed in, access will be there if minds are changed in the future.
- Supervisor Williams said the community is fortunate to have a good quality of life and developers willing to do what the community wants. As a member of the Deer-Grove EMS Commission, she has learned just how important mutual aid can be, but because they do not know our roads, the dead ends with the same street names could cause confusion.

TOWN OF COTTAGE GROVE  
SPECIAL TOWN BOARD MEETING  
NOVEMBER 11, 2019

- V. Town Board Discussion: Hampton will put the topic on the agenda for the November 18, 2019 Town Board Meeting. There was a brief discussion about how residents can stay involved and informed by watching and subscribing to notices from the Town's web site.
- VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:54 P.M.

Kim Banigan, Clerk

Approved 11-18-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
NOVEMBER 18, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Dan Dresen and Deputy Steve French.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
  - 1. **MOTION** by Williams/Fonger to approve the minutes from the November 4, 2019 and November 11, 2019 Town Boards meeting as printed. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Anders/DuPlayee to approve the minutes of the closed session of the November 4, 2019 meeting and keep them closed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  - 1. The Treasurer reported that the checks presented for approval include one to the Town of Deerfield for re-paving Burve Road. The amount exceeds the \$22,000.00 cap approved by the Town Board on May 20, 2019. **MOTION** by Fonger/Anders to approve payment of bills corresponding to checks #33455-33475 from Monona Bank as presented **MOTION CARRIED 5-0.** **MOTION** by Williams/DuPlayee to take the \$6,245.62 overage on the check to the Town of Deerfield out of unassigned funds. **MOTION CARRIED 5-0.**
  - 2. **MOTION** by Anders/DuPlayee to approve payment of \$10,897.32 to General Engineering company for October building permits. **MOTION CARRIED 5-0.**
  - 3. The Treasurer asked that November per diem sheets be submitted no later than first thing on the morning of December 2<sup>nd</sup>.
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve permits for 1) Alliant Energy/Intercon to install service to a new lot on Uphoff Road and 2) Frontier Communications/Direct Line Communications to bore under Deerfield Road to the house at 3269 Deerfield Road. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Review October police activities: Deputy French reported that there were 252 calls for service in October, of which 99 were traffic incidents and 40 were check area calls. Contract deputies responded to 139 of the calls. There were 136 citations issued in October, 82 of which were for speeding. Contract deputies issued 60 of the citations. Deputy Biver teamed up with a precinct deputy to enforce the speed limit on Sandpiper and issued 8 citations. The fastest speed was 44 mph. Hampton asked if there have been many school buses passing violations, Deputy French said there have been a few, one he witnessed and 3-4 called in by the bus company. He has been reviewing the bus videos. He suggested the Board may want to look into a parking citation that could go directly through the Town vs. going through the Trax system used by the DCSO. It would provide another tool for winter parking enforcement when vehicles are in the way of snow removal operations. Williams expressed concern over a recent incident when a DCSO deputy knocked on her door late at night in response to a 911 call that came from the next street. Deputy French said he will look into it.

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- B. Discuss and consider connection of Town roads and Village Streets: This was the Town Board's discussion in light of the public hearing held on November 11<sup>th</sup>. A few residents, listed on the sign-in sheet in the Clerk's office, and Westlawn developer Andrew Homburg were present.
- DuPlayee said he had been prepared to move forward with connecting all of the Ravenwood and Westlawn streets to spread the new traffic around vs. concentrating it on any one street, however after the public outcry on November 11<sup>th</sup>, he could not support connecting any of them. He commended Andrew Homburg for working with the community on the topic. Hampton asked DuPlayee if he would support connections if the new development to the west had been in the Town vs. in the Village. DuPlayee said he would, but at this point it would require a change to the comprehensive plan and go against the wishes of residents who moved there for the quiet and accept the potentially slower emergency responses. He thought it would be fine to connect Nightingale Ln. since there would be minimal impact on Town residents.
  - Fonger said that if the Town had developed to the west, there would not be two schools there. He added that the Village ETJ would probably have not allowed the development anyway. He thought trees could be easily cleaned out to allow access to Village fire hydrants from Town streets.
  - Hampton said he looked at the original plats for Ravenwood and saw none of the streets have dedications for cul-de-sacs, and he didn't think residents would be willing to dedicate the area for them now. Pheasant Run had dedications at one time, but they were done away with. He suggested that Nightingale Ln. and Meadowlark Street should be connected as development occurs on the other side, and the other streets should connect once Village development all the way to Buss Road is complete, after traffic patterns have been developed.
  - Anders said the Fire Chief did not mention the fire hydrants on Gaston Road or the one on Mourning Dove just one block east of where the Town and Village meet. These could be used for water access without tanker trucks having to drive very far. He did not see a way to remedy the dangers of the additional traffic on narrow Town roads short of filling in the ditches and putting in storm sewers. As the development in the Village does not benefit the Town, he is against the Town spending any money on such improvements.

**MOTION** by DuPlayee/Fonger to not connect any of the roads at this point. A friendly amendment by Williams added that trees and brush be cleared at the ends of the Town roads for access to fire hydrants. A discussion followed about how wide the cleared area should be, and what the Town would need to do to keep it clear. Mr. Homburg suggested that the trees should be left to provide a visual barricade. He thought to do otherwise was inviting an accident. Williams withdrew her amendment and Fonger added his to direct Dresen to work with the Village Public Works Director to clear the way to the hydrants and maintain an unpaved walkway between the Town and Village streets. **MOTION CARRIED 4-1** (Hampton opposed).

- C. Discuss/Consider quote to replace kitchen door at Flynn Hall: Hampton had obtained a quote from Nelson/Young Lumber for a replacement to the 30" with a hole in it. An unfinished door was quoted at \$106.23, a finished door was quoted at \$197.93. **MOTION** by Fonger/Williams to approve spending no more than \$400.00 from account #50750 to purchase the pre-finished door and hire someone to hang it. **MOTION CARRIED 5-0.**

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- D. Discuss and consider quote to update Town Hall and Garage computer network infrastructure: Horstmann Networks Inc. had provided a quote that included a business class router, switches and access points to upgrade wired and wireless internet service and connectivity for office and garage computers at a total cost of \$2,947.16. The Clerk said the upgrades are overdue and a necessary step toward meeting the Wisconsin Election Commissions cyber-security requirements. She trusts Horstmann Networks Inc. to provide a solid solution without being overkill for the Town's modest needs. **MOTION** by Hampton/Williams to approve the network infrastructure upgrades at a cost of \$2,947.16, to come out of unassigned funds. **MOTION CARRIED 5-0.**
- E. Discuss and consider quote for provision of managed IT services: Horstmann Networks, Inc. had provided a quote of \$10/month per computer (for a total of 6 computers) to provide managed IT services. The Clerk said this is a requirement of the Wisconsin Elections Commission, and she has already secured a \$500 subgrant through WEC for 2020. The proposed 2020 budget also an extra \$1,000 for IT services, so this will be will within budget. **MOTION** by Fonger/Williams to approve \$60/month for managed IT services beginning in 2020. **MOTION CARRIED 5-0.**
- F. Discuss and consider quote to adapt Town Hall for generator attachment: Electrical Solutions had provided a quote of \$1,391.00 to install the connections needed for the generator to power the meeting room (for elections) and some lights and receptacles in the office. Williams would like another quote. **MOTION** by Fonger/DuPlayee to approve the adaption for generator attachment not to exceed \$1,391.00, to come out of unassigned funds. **MOTION CARRIED 4-0-1** (Williams abstained).
- G. Discuss and consider quotes for tax bill enclosures: The Clerk included just one quote in board packets from Inkworks, Inc. for the usual tax payment instructions and recycling calendar, plus the salt wise insert discussed at the last meeting. At that time she was under the impression that the County would print the salt wise insert, but has since found that is not true. She had also gotten a quote from Insty Prints that was higher. Her question was if the Board still wants to include the salt wise insert at the cost of \$200.31. **MOTION** by Williams/DuPlayee to approve spending \$200.31 to print the salt wise inserts, with any amount exceeding the 2019 budget for Board Publications to come out of unassigned funds. **MOTION CARRIED 5-0.**
- H. Discuss and consider revising the Personnel Policy and Procedures Manual: The Clerk said she initially looked at updating the health insurance policy to reflect the Town offering benefits through the Wisconsin Dept. of Employee Trust Funds. Other items she suggested in the process included:
- Asking Atty. Allen to draft a harassment policy as she offered to do when the harassment section of the code of ordinances was removed. The Board agreed with this suggestion.
  - Updating all mentions of "Permanent" employees to say "General" employees. The Board agreed with this suggestion.
  - Updates to unpaid maternity/paternity leave or revising these to an unpaid family leave policy. The Board agreed with asking Atty. Allen to draft an unpaid family leave policy.
  - Clarification of payment of health insurance premiums during unpaid leave. The Board agreed to the Town continuing to pay the employer share for up to 3 months of unpaid leave.

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- Updating the longevity benefit to prorate for eligible part time employees vs. giving them a flat 50% of the longevity payment to full time employees.

**MOTION** by Hampton/DuPlayee to ask Atty. Susan Allen to revise the manual to include a harassment policy and the changes discussed above. **MOTION CARRIED 5-0.**

- I. Discuss and consider 2020 Chamber of Commerce membership: **MOTION** by Fonger/Williams to approve the Town's membership in the Chamber of Commerce for 2020. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: The Clerk reported that newly hired Court Clerk Vicki Anderson started today, and will be training with Cyndi Peck for the next few weeks. The Clerk received notice from Glatfelter Public Practice that effective January 1, 2020, all of the Town's insurance policies will be transitioning from American Alternative Insurance Corporation to National Union Fire Insurance company. She also reported that the Town received a \$1,709 worker's compensation dividend for the policy period from 01/09/2018 through 01/09/2019.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported that all of the winter equipment is on the trucks and ready to go, and they have already had to plow snow. He is working with Engineer Tom TeBeest on getting quotes for bridge repair.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that the furnace on the second floor of the Emergency Services Building has failed, and he is getting a quote for that as well as for the furnace in the garage at the police station, which the Hustons will have to fix or repair. Accurate Electric has still not shown up to replace the lights at the Emergency Services Building.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:21 P.M.

Kim Banigan, Clerk  
Approved 12/02/2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
DECEMBER 02, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:06 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the November 18, 2019 Town Boards meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33476-34999 from Monona Bank as presented **MOTION CARRIED 5-0.**
  2. **MOTION** by Anders/DuPlayee to approve payment of November per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve a permit for TDS to plow new conduit for fiber optic cable on Clark Street. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider adoption of the 2020 Town budget: **MOTION** by DuPlayee/Fonger to adopt the 2020 Town Budget as presented. **MOTION CARRIED 5-0.** Total budgeted expenditures are \$3,289,479.73.
- B. Plan Commission Recommendations
  1. Design review for proposed shop building at 3475 N. Star Road owned by Capitol Holdings: Gordy Morauske represented Capitol Holdings. Williams asked if he would consider a cupula on the new shop building. Mr. Morauske said cupulas are not recommended by the building manufacturer for heated metal buildings as the screws to hold them have potential to cause leaks. He also said that the commercial building on the property to the south is taller and does not have one. It was noted that while the plans say the ceiling height of the new building is 25 feet, it will actually be 28'. **MOTION** by Anders/Williams to accept the Plan Commission's recommendation to approve the design of the shop building as presented, with the color matching the existing cold storage building. **MOTION CARRIED 5-0.**
- C. Discuss/Consider revised applications by Paulson & Associates, LLC, Daniel A Paulson for rezones of 39.91 acres for 18 lot residential subdivision on parcels #0711-183-8000-7, 0711-183-8500-2, 0711-183-9500-0 and 0711-183-9000-5 owned by Windsor Quarries, LLC at 3973 Vilas Hope Road:
  1. Step 1 to divide the property into two separate parcels, and create a TDR-R overlay district over the lands zoned AT-35.
    - Rezone of 3.8 acres from AT-35 TO FP-35
    - Rezone of .69 acres from FP-35 to AT-35
    - Rezone of 33.91 acres to the TDR-R overlay district.
  2. Step 2 to describe the residential zoning classification areas (SFR-08) and the utility/storm water classification areas (UTR):
    - Rezone of 23.19 acres from AT-35 to SFR-08



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- Rezone of 10.72 acres from FP-35 to UTR

Atty. Mike Lawton said there had been a conference call including himself, Bill and Dan Paulson, and Hampton to address the question about RDUs for the SFR-08 zoning, and he had made a separate call to Dane County Sr. Planner Majid Allen. Atty. Lawton said the developer understands he will need to acquire the necessary RDUs, but there is no point lining them up until they know what the County and City will do with the application. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve the rezones described under Step 1 and Step 2 above, conditional on there being enough RDUs available for the SFR-08 lots created by the potential plat. **MOTION CARRIED 5-0.**

- D. Update on enforcement of TCG §11.09 Property Maintenance for 3671 W Jargo Road: The Clerk said she had a voicemail message a few weeks ago from the owner who was still planning to have the house painted but personal matters were keeping her from getting it done. **MOTION** by DuPlayee/Williams to table until the 2020 road inspection. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: The Clerk reported that between 15 and 20 people have RSVP'd for the luncheon in outgoing Court Clerk Cyndi Peck's honor on December 12<sup>th</sup>, and she plans to order food tomorrow. Discussion was to take the cost out of the Judicial Supplies budget line item.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported that a new furnace was installed in the garage, the damaged guardrail on Hope road has been repaired, and the crew has been busy trimming trees along the roads.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton said that with 2020 census results expected in 2021, he anticipates a major revision of the Town's Comprehensive Plan in 2021, and asked board members to start thinking about what they would like to change.
- B. Fonger said he heard the Village Board has no plans to meet jointly with the Town Board any time soon.

VI. COMMITTEE REPORTS:

- A. Joint Town/Village Fire Department Committee: A new furnace for the upstairs area was approved to be installed soon. A new furnace/AC unit was approved for the EMS quarters and will be installed in the Spring of 2020. Replacement LED lights for the bay were approved, the fire department will install them. The additional \$21,000 for the new rapid response vehicle was approved to come out of Town of Pleasant Springs contract proceeds. The various agreements between the Town, Village and CGFD, Inc. were reviewed, but no action was taken.
- B. Joint Town/Village Landfill Monitoring Committee: 2019 expenses will be over budget due to additional methane testing requirements. Methane levels have dropped significantly, and Tina Sebold thinks no more additional monitoring will be required.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:56 P.M.

Kim Banigan, Clerk  
Approved 12-16-2019

TOWN OF COTTAGE GROVE  
TOWN BOARD MEETING  
DECEMBER 16, 2019

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Dan Dresen and Deputy Brian Biwer.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the December 2, 2019 Public Hearing, Special Meeting of the Electors, and Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
  1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #33500-33538 from Monona Bank as presented **MOTION CARRIED 5-0.**
  2. **MOTION** by Anders/DuPlayee to approve payment of \$1,901.94 to General Engineering Company for November building permits. **MOTION CARRIED 5-0.**
  3. The Treasurer asked that December per diem reports be submitted by January 3<sup>rd</sup>/
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve two permits: 1) for Huston Living Trust/R.G. Huston Co., Inc. to install drain tile on Nora Road and 2) Wisconsin Power & Light Co./Intercon Construction to install new gas service at 2539 Bass Road. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Review November Police Activities: Deputy Biwer questioned where the north end of North Star Road is, and reported that he has been working on information related to a house fire in October. He said all of the necessary address changes have been made to reflect the Court Clerk's office now being at the Town Hall. The monthly report showed 205 calls for service and 88 citations issued in November.
- B. Discuss/Consider appointment of 2020-21 Election Inspectors: The Clerk provided a list of 34 people willing to serve as Election Inspectors, including 6 that have not previously served. Two were nominated by the Republican party, the Democratic party did not submit any nominees. **MOTION** by Hampton/Anders to approve the appointments of all 34 people on the list to serve as Election Inspectors for the 2020-21 term. **MOTION CARRIED 3-0-2** (Williams and DuPlayee abstained).
- C. Discuss/Consider approval of 2019-OA-20 Amendments to the Dane County Zoning Ordinance: Hampton said that the Plan Commission has not acted on the ordinance amendment yet, and asked that any motion by the Board allow for further comments by the Plan Commission.
  - Article 17 to require a CUP for any livestock on parcels with less than 5 acres in the FP-1 (Small-Lot Farmland Preservation) zoning district: The Clerk provided a list and map of properties in the Town that are zoned FP-1, including their acreage. Most of the under 5-acre parcels are clustered with other larger Farmland Preservation parcels or with a residential parcel. The Clerk noted that rural residential parcels of 2 acres or more can have one animal unit per full acre without a CUP, as could parcels previously zoned A-4,

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the processor district for the new FP-1 district. She questioned the sense of allowing animals on rural residential parcels but not on similarly sized FP-1 parcels.

- The other Articles were reviewed without any suggested revisions.

**MOTION** by Fonger/DuPlayee to support permitting 1 animal unit per full acre on FP-1 zoned parcels of 2 acres or more without a CUP, and support the remainder of the proposed amendment as drafted, allowing for input from the Plan Commission at their December 18<sup>th</sup> meeting. **MOTION CARRIED 5-0.**

- D. Discuss creating an ordinance to regulate short term rentals of residential property: **MOTION** by Hampton/Williams to table indefinitely. **MOTION CARRIED 4-1** (Anders opposed).
- E. Discuss/Consider attendees for WTA 2020 District Meetings: **MOTION** by Hampton/DuPlayee to approve 5 attendees at the February 15<sup>th</sup> meeting in Whitewater. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: The Clerk reported that all of the IT upgrades that can take place before TDS internet service is available have been completed by Horstman Networks. Pyramid Telephone will order the new phone system once a copy of the down payment check approved tonight is provided to them. New Court Clerk Vicki Anderson has been training with Cyndi Peck and a trainer for the Quick Clerk package.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: No Report.

- A. BOARD REPORTS AND COMMUNICATIONS: Hampton shared a map of the plans he got at a recent meeting for the County AB/US 12 & 18 intersection, including three round-abouts. Dane County Solid Waste manager John Welch was at the same meeting and told Hampton they are working with the owner of 3725 County AB to reduce landfill odors inside her house.

V. COMMITTEE REPORTS: None.

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:04 P.M.

Kim Banigan, Clerk  
Approved 01-06-2020