

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 15th 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 9th,

with a rain date of June 16th, 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 19th 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 15th: **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 23rd: **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 30th 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 16th commission meeting for a presentation of the district's 2018 financial statements.

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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