<u>PUBLIC HEARINGS FOR 2021-22 Alcohol Beverage License and Non-Metallic Mining Permit</u> renewals

- I. Notice of the Alcohol Licensing public hearing was published in the legal section of the Wisconsin State Journal on June 2, 3, and 4, 2021, and posted on at the Town Hall and on the Town's web site on May 28, 2021. Notice of the Non-Metallic Mining hearing was mailed to Town property owners within .5 mile of each mining site, and posted at the Town Hall and on the Town's web site on May 24, 2021. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, as well as Treasurer Deb Abel and Highway Superintendent Dan Dresen. A list of others present is available in the Clerk's office. Online participation was also available via gotomeeting.com, however due to technical difficulties, the recording was not started until after the end of the public hearing on alcohol licenses.
- I. Hampton called the public hearing on alcohol licenses to order at 7:00 P.M. and read off the list of applicants. There were no questions or concerns over the applicants. **MOTION** by DuPlayee/Williams to close the public hearing on alcohol licenses. **MOTION CARRIED 5-0.**
- II. Hampton called the public hearing on non-metallic mining permits to order, and read off the three mining sites up for renewal. Williams read an email from Richard and Christine Reines regarding the Gaston Road Quarry at 2543 Gaston Road (Appendix A). There were no further questions or concerns expressed. MOTION by Anders/DuPlayee to close the public hearing. MOTION CARRIED 5-0.

TOWN BOARD MEETING

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Attendance was as listed above for the public hearing.
- B. Hampton called the meeting to order at 7:05 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes from the May 17, 2021 Town Board meeting as presented. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #34690-34725 as presented. **MOTION CARRIED 5-0**.
 - 2. **MOTION** by Anders/DuPlayee to approve payment of May per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: Gary Skiles, 4378 Damascus Trl, stated that he had sent an email to Board members regarding the closure of County BB by the Village. Hampton advised that this topic is agenda item II. D.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve 3 permits: 1) for the Village of Cottage Grove/RG Huston Company, Inc. to install curb ramps at the SW corner of the intersection of Buss Road and Lane Street, along with a rapid rectangular flashing beacon with the crossing of Buss Road, 2) Charter/contractor TBD to replace underground communication cable on Janelle Ln. and 3) Charter/Michels Power to directionally bore to place a duct in the right-of-way of Nadene Rd and Janelle Ln. **MOTION CARRIED 5-0.**

II. BUSINESS:

A. Discuss/Consider Approval of July 1, 2021– June 30, 2022 Alcohol Beverage Licenses:

- 1. Class A Liquor (Cider Only) License for Door Creek Orchard, LLC, Thomas Griffith, Agent: **MOTION** by Williams/DuPlayee to approve the Class A Liquor (Cider Only) license for July 1, 2021 June 30, 2022. **MOTION CARRIED 5-0.**
- 2. Combination Class B Beer and Class B Liquor Licenses:
 - a) Ball Of Fun LLC, D.B.A. Doubledays, Debra Stueber, Agent
 - b) Door Creek Golf Course, Inc., Phillip Frederickson, Agent
 - c) Noras Tavern, Inc., Timothy Kluever, Agent

MOTION by Fonger/DuPlayee to approve Combination Class B Beer and Class B Liquor Licenses for the applicants as listed above for July 1, 2021 through June 30, 2022. **MOTION CARRIED 5-0.**

- 3. Operators And Managers Licenses: The list of applicants was absent from Board packets, but a memo from the Clerk indicated all background checks were clean. **MOTION** by Williams/DuPlayee to approve 2021-22 operators and managers. **MOTION CARRIED 5-0.** (A list of applicants is attached to these minutes as Appendix B).
- B. Discuss/Consider Approval of July 1, 2021– June 30, 2022 Non-Metallic Mining Permits: Dennis Richardson was present to represent the mining sites operated by Brad Huston.
 - 1. 2543 Gaston Road, Brad Huston, Operator: **MOTION** by DuPlayee/Anders to approve renewal of the license. Hampton asked Richardson whether there are any plans for blasting, he said not in the near future, however there are not any plans to reclaim the site soon either. **MOTION CARRIED 5-0.**
 - 2. 3355 County Road N, Brad Huston, Operator: **MOTION** by DuPlayee/Anders to approve renewal of the license. **MOTION CARRIED 5-0.**
 - 3. 2294 Us Highway 12 & 18, Wade Cattell, Operator: Hampton noted that an email from Dan Everson at Dane County indicated no complaints or violations for the site.

 MOTION by DuPlayee/Anders to approve renewal of the license. MOTION

 CARRIED 5-0.
- C. Conduct 5-Year Review of Concrete Batch Plant at 2272 US Highway 12 & 18 as required by Conditional Use Permit #2175: Hampton stated that Dan Everson from Dane County reported that there have been no issues at the site. The Board had no concerns with the CUP. No action taken.
- D. Discuss/Update on construction on County Hwy BB and Buss Rd: Discussion was that motorists are continuing to drive through the work zone, and there are no local detour signs. Deputies have already issued 75 citations for entering a work zone. The official detour uses County N to I-94 to US-51. Darcy Ellestad, 4497 Buss Rd, questioned why Buss Road is being expanded to the west into her property rather than to the east as was discussed when the school property was annexed into the Village. Fonger said that the school district did not budget to rebuild the road, so there will be further construction later. The Village and school district did not involve the Buss Road property owners in the planning of the current construction. Ms. Ring said it took several calls to the Village to get water trucks out to mitigate the construction dust. Ann Krebs Byrne, 2835 Riva Ridge Cir. wanted to talk about the additional traffic on Damascus Trl due to the road closure. Gary Skiles said it seems traffic issues are happening on Town roads (Damascus, Vilas, Gaston and Buss), so they are here to ask how the Town Board can help. Estimates on Damascus were 200 cars per hour,

including heavy trucks and even school busses. Skiles measured County BB to County N to County TT to Sprecher Rd as 7 miles, a 3 minute and 3-mile difference from using Damascus after factoring in delays for traffic jams at Damascus and Vilas. He suggested staggered barricades at each end of Damascus for local traffic only. Joe Byrne, 2835 Riva Ridge Circle, also suggested closing Damascus, stating that Southing Grange would be a safer detour since it is wider and has sidewalks. Fonger suggested the Village could move the eastern work zone barricade to the east of Damascus. Hampton said he would ask the Village to put up detour signs and encourage Village police to issue citations rather than just warnings. Alecia Rauch, 4522 Vilas Road, suggested the Board communicate with the Village and school district asking for flaggers and opening of one lane, and/or possibly temporary stop lights. Fonger asked Richardson if he knew when construction will reach the point where a lane could be opened. He will check into it, and also suggested flagging speed limit signs and putting out portable radar signs. He said having no traffic in the work zone will make the work go faster, and said that the foreman was nearly hit the first day of the project. He said that while RG Huston Company is working for the Village, they are Town residents and will help out if they can. The Town has posted weight limits in an attempt to deter heavy trucks. Williams encouraged those in attendance to write letters to the editor to point out the failure and implications of the Village to designate a local detour. Skiles said he sent emails to the Village Board and Dane County but has gotten little response.

- E. Discuss/Consider Awarding of Bids For 2021 Road Maintenance Projects. The 2021 budget includes \$75,000 for chip-sealing projects and \$350,000 for repaving projects. Two bids were received for repaving projects: Payne & Dolan, Inc. for \$220,430.10 and Wolf Paving & Excavating of Madison, Inc. for \$223,920.00. Both have worked for the Town in the past and done good work. MOTION by DuPlayee/Anders to award the bid to Payne & Dolan, Inc. MOTION CARRIED 5-0. Hampton said with the bids coming in this low, we could do some additional work, Dresen suggested N. Jargo Rd. MOTION by DuPlayee/Fonger to add N. Jargo Rd. to finish out the budgeted amount for re-paving projects. MOTION CARRIED 5-0. Two bids were received for chip sealing projects: Scott Construction, Inc. for \$66,276.00 and Fahrner Asphalt Sealers, LLC for \$71,390.00. Dresen asked Board members to consider the estimated amount of oil and stone per square yard. MOTION by Williams/DuPlayee to award the bid to Fahrner Asphalt Sealers, LLC. MOTION CARRIED 5-0.
- F. Discuss/Consider Approval of Graveling a Parking Area at the Entrance to Capitol View Park: Lois Bence Ehlke, 2751 Nadene Road, does not like the idea of a gravel parking area. She said mosquitos are terrible there later in the summer, so if we are going to invite people to come there, there would need to be an investment in mosquito control. She also said that she was worried about security with unknown cars in the area. Matt Brabender, 2761 Nadene Road, said they bought there for the remoteness. They see everyone who goes to the park. Very rarely do they see people from outside the neighborhood, and there is ample street parking for those. He does not see the need or benefit, and worries about run-off from the gravel. Bruce Ehlke, 2851 Nadene Rd., echoed his wife's concerns, stating concerns about changing the nature of the park itself, and noting that the dream park in the Village has plenty of parking. Julie Shadel, 2745 Nadene Road, had concerns about safety of kids riding bikes in the gravel and around cars coming and going from the area. MOTION by DuPlayee/Williams to do nothing about graveling a parking area. MOTION CARRIED 5-0.
- G. Discuss/Consider Revised Signage Plan for Secure Storage of Cottage Grove At 3286 Field View Lane (Tabled from May 17th Meeting): Tim Moy and Arthur Kumiega were present.

Three options had been provided for signage on buildings A and C. The first has signage for both buildings on the parapet walls. The second option adds an extended cornice to wrap the corners, the third option adds a stone veneer with wrapped corners. DuPlayee noted that no signs will show up from Hwy 12 & 18, only from Field View Ln. Williams said she is disappointed because at the last meeting Anders suggested a compromise with a tower. Kumiega said a tower would cost up to \$200,000, a lot of expense that will not increase profits. Board members expressed disappointment that the options presented do not have nearly the aesthetic appeal that the original plan did. Hampton said he likes the option with stone best, but asked if there can be side walls to give the impression of a second story? Thoughts were that there may need to be structural enhancements to accommodate snow load if side walls were added. MOTION by Fonger/DuPlayee to accept the third proposal that includes the extended cornice and stone veneer, with addition of making it three-sided. MOTION CARRIED 3-0-2 (Anders and Williams abstained). Hampton reminded them to provide the code for the electrified gate to the fire and EMS departments.

- H. Discuss/Consider approval of a certified survey map for a single lot on Skaar Road (rezone petition #11648 by Screamin' Norwegian Farms): **MOTION** by Anders/DuPlayee to approve the CSM identified as Office Map #210179. **MOTION CARRIED 5-0.**
- I. Discuss/Consider Adoption of Resolution 2021-06-07 Adopting Certain Fees: **MOTION** by Williams/DuPlayee to adopt the resolution as printed. **MOTION CARRIED 5-0.**
- J. Discuss/Consider quotes to re-paint shelter at Bass Park: Three quotes were received: 1) Fritz Painting for \$1,360.00, Five Star Painting for \$1,896.00 and New Tech Painting for \$3,756.00. The Fritz painting quote was for painting the metal only, the other two included staining of wood beams and poles. **MOTION** by DuPlayee/Fonger to approve the quote from Fritz Painting was rescinded by maker and second after discussion. **MOTION** by DuPlayee/Fonger to accept the motion from Five Star Painting not to exceed \$1,900.00, to come out of unassigned funds. **MOTION CARRIED 5-0.**
- K. Discuss/Consider paying Town portion of the EMS organization review: MOTION by Williams/Anders to approve the Town's share, which would be between \$5,458.68 and \$7,215.49. MOTION CARRIED 3-0-2 (Hampton and Fonger opposed). This amount will be payable in 2022.
- L. Discuss/Consider accepting a bond to issue occupancy at Kennedy Hills Subdivision: Hampton said no action is needed as the person who inquired about this was no longer interested when he heard the cost. Dave Dinkel thought there would be discussion about how to allow for homeowners to move in on June 30th, stating that not being able to have occupancy could have ripple effects on their financing. Developer Dave Riesop was also present. Hampton asked if they did not understand from the Developers Agreement that they signed that while building permits would be issued, no occupancy permits would be issued until substantial completion of the improvements. Dinkel said he misunderstood a communication from the former Town attorney. Board discussion was that the situation is caused by developer delays, and advised that they work hard toward substantial completion.
- M. Discuss/Consider rescinding the State of Emergency declared by Resolution 2020-03-27: MOTION by Williams/DuPlayee to rescind the declaration. MOTION CARRIED 5-0.
- N. Discuss/Consider date for first Town Board meeting in July: **MOTION** by Williams/Anders to meet on Tuesday, July 6, 2021. **MOTION CARRIED 5-0.**
- III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen reported he reviewed all of the road maintenance bids, and they have started mowing ditches. They have been getting requests for

tree trimming, including one from the bus service. Bucket patching will be done on the roads to be chip sealed. He asked about returning the meeting room back to the "normal" configuration, consensus was to do that for the next meeting.

- IV. CLERK'S OFFICE UPDATE: The Clerk was on vacation.
- V. BOARD REPORTS AND COMMUNICATIONS: Hampton said that Morton buildings is too busy to provide a quote for park shelters, he asked if the Board wants to continue looking or drop it for now. Consensus was to drop it for now until lumber prices stabilize. Fonger recommended looking at the metal shelter in the Village park on Weald Bridge. Dresen said the Town of Burke has a nice Cleary shelter on Thorsen Road that he was told was not very expensive.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that 4 bids were submitted for the staffing study. The Commission decided to invite 3 to make presentations. Hampton is the new Commission Chair, and they are starting negotiations with the union. There have been mechanical issues with the ambulances.
- B. Jt. Town/Village Landfill Monitoring Committee: Anders reported that the insurance company for the vent contractor was not wanting to include the Town and Strand as additional insured in the project. This has finally been settled and a pre-construction meeting will be held later this week.
- C. Jt. Town/Village Fire Department Committee: Hampton was elected as Chair, and the committee continued to review current agreements. The department is putting specs together for a new tanker.
- VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:05 P.M.

Kim Banigan, Clerk (from the video recording and Treasurer's notes) Approved 06-21-2021



APPENDIX A

Kim Banigan <clerk@towncg.net>

Feedback via the Town of Cottage Grove - Contact Us Form [#112]

1 message

Richard S and Christine A. Reines Reply-To: "Richard S and Christine A. Reines" To: clerk@towncg.net

Fri, Jun 4, 2021 at 11:37 AM

Name*: Richard S and Christine A. Reines

Email*:

Subject*: Nonmetallic mining permits

> We are concerned about the Gaston Rd Quarry which was promised long ago to be "reclaimed" in landscape. Seems that this will never happen in our lifetimes. What is the plan for this? Will it always be an extraction site or a gravel storage site? I know that out well water has markedly changed its character (much more iron content) from the previous blasting activity that has fractured our bedrock. We hope no more of that activity will be permitted. Through testing at the

State Hygiene Lab we notice that our nitrate levels have also increased due to the close proximity of farm run off in the area and the decreased distance in the pit to the water table.

Richard and Chris Reines

Visitor IP:

Contact Number*:

Message*:

APPENDIX B

Approved 06-07-2021 2021-22 Operator's License Applicants

New/Renewal	Background	Servers Cert.	Full Name	Establishment
Renewal	ok	yes	Bradley G. Bliss	Door Creek Golf Course
New	ok	yes	Kathleen M. Nosbusch	Door Creek Golf Course
New	ok	yes	Grace D. Schopf	Door Creek Golf Course
New	ok	yes	Kathryn E. Stupar	Door Creek Golf Course
New	ok	yes	Kai R. Sylte	Door Creek Golf Course
Renewal	ok	yes	Bernadette L. Archer	Doubledays
Renewal	ok	yes	Becky J. Kratochwill	Doubledays
Renewal	ok	yes	Nancy A. Moen	Doubledays
Renewal	ok	yes	Mark A. Stueber	Doubledays
Renewal	ok	yes	Riva M. Stueber	Doubledays
New	ok	yes	Lisa D. Broderick	Nora's Tavern
Renewal	ok	yes	Brittany J. Calvert	Nora's Tavern
Renewal	ok	yes	Tammy L. Fuller	Nora's Tavern
Renewal	ok	yes	Pamela J. Haskins	Nora's Tavern
Renewal	ok	yes	Michael J Imhoff	Nora's Tavern
Renewal	ok	yes	Jaimee L. Linnerud	Nora's Tavern
Renewal	ok	yes	Jason M. Schmidt	Nora's Tavern
Renewal	ok	yes	Michelle L. Shapiro	Nora's Tavern
Renewal	ok	yes	Jason M. Simle	Nora's Tavern
Renewal	ok	yes	Rebecca A. Slater	Nora's Tavern
Renewal	ok	yes	Marcia L. Wood	Nora's Tavern

2020-21 Manager's License Applicants

New/Renewal	Background	Full Name	Establishment	
New	ok	Paul G. Kostelac	Door Creek Golf Course	
Renewal	ok	Gary F. Stueber	Doubledays	
Renewal	ok	Sheryl L. Kluever	Nora's Tavern	

TOWN OF COTTAGE GROVE TOWN BOARD RESOLUTION NO. 2021-06-07

A RESOLUTION ADOPTING CERTAIN FEES AS PERMITTED BY THE TOWN OF COTTAGE GROVE CODE OF ORDINANCES AND THE TOWN OF COTTAGE GROVE SMART GROWTH 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 upon posting of this resolution: (Relevant ordinance or comprehensive plan sections are indicated in brackets following each fee)

Alcohol Beverage Fees [TCG §05.03 (2)] \$10,000.00 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" 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
Change of Land Use Fee [TCG §15.20] \$275.00\(\frac{300.00}{200.00}\)
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
Driveway Permit Fee [TCG §08.02]
Driveway Permit Deposit [TCG §08.02]\$1,000.00
Emergency Response Reimbursement Fees [TCG §07.02(3)] CGFD Ladder 1

First hour	
Each additional person	
Water	
Foam "A"	
Foam "B"	
Oil Dry	S
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	
User Fee - Non-Resident	\$1,000.00
Security Deposit – Town or Village of Cottage Grove Resident	
Security Deposit – Non-Resident	\$500.00
Handling Fee [TCG §07.02(4)]	
per hour	
minimum	\$20.00
Impact Fees	
Park Land Impact Fee (per new dwelling unit) [TCG §15.03(4)(d)	
Recreation Improvement Impact Fee (per new dwelling unit) [TCo	G §15.03(4)(d)3\$1,160
Land Division Fees [TCG §15.19]	
Concept Plan	\$300.00
Preliminary Plat,	
Final Plat and Comprehensive Development Plan	\$350.00 + \$20/lot
Certified Survey Map	\$125.00
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]	
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.	
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	n 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 \$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 pursu for and, against and, abstentions on this 1 day of, 2021.	ant to a vote of
TOWN OF COTTAGE GROVE ATTEST: B ATTEST:	e

Kris Hampton, Town Chair

AFFIDAVIT OF POSTING OF TOWN OF COTTAGE GROVE RESOLUTION

STATE OF WISCONSIN)
COUNTY OF DANE)
I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:
On June 10, 2021 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 2021-06-07 ADOPTING CERTAIN FEES
Kim Banigan, Pown Clerk
Subscribed to and sworn before me this, 2021.
Signature of Town Chair person

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