TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 05, 2024

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's website. Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, and Mike DuPlayee were present. Along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. Deer-Grove EMS Chief Eric Lang was present virtually.

B. Hampton called the meeting to order at 7:00 P.M.

C. Flag Pledge.

D. Discuss/Consider approval of minutes of previous meeting: **MOTION** by DuPlayee/Fonger to approve the minutes of the July 15, 2024 meeting as presented. **MOTION CARRIED 4-0**.

E. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve checks #37245-37279, voided checks #37280-37296, and EFTs in the amount of $23,791.99. **MOTION CARRIED 4-0.**
2. **MOTION** by Anders/DuPlayee to approve payment July per diems as presented. **MOTION CARRIED 4-0**.

F. Public Concerns:

1. Gary Tresner, 4610 Conestoga had two concerns:
   a) A Frontier pedestal along Kennedy Road is damaged and an eyesore. Dresen said he has contacted local Frontier staff multiple times without resolution. Board members directed the Clerk-Treasurer to ask the Town Attorney what options the Town has to require resolution.
   b) He recently filed a police report of a teenager riding an ATV on the road without a helmet, and with passengers on each fender, and has safety concerns over the recently approved ATV routes.
2. Richard Wood, 1965 W. Ridge Rd, had several comments/concerns:
   a) He thanked the Board for their service and fiscal responsibility.
   b) He thanked the Town for trimming trees along Ridge Road at the bike trail.
   c) He voiced his support for reducing the speed limit on Uphoff Road to 45 m.p.h.
   d) He suggested traffic enforcement is needed on CTH N at US Hwy. 12/18 because motorists exiting the highway are not slowing down.
3. Jenifer Quimby, candidate for the 46th Assembly District, introduced herself and stated that as the Mayor of Waterloo, she understands the challenges facing local governments. She will support changes to state aid formulas to provide additional resources for roads, emergency services and schools.

II. BUSINESS

A. Plan Commission Recommendations:

1. Discuss/Consider adoption of Resolution 2024-08-05 Approving the Swalheim Business Park 4-lot preliminary plat: Hampton read the Plan Commission minutes to adopt their resolution recommending conditional approval of the preliminary plat. The draft Town Board resolution included redline changes that the Clerk-Treasurer stated have since been confirmed with the Town Attorney. **MOTION** by Anders/Fonger to adopt Resolution 2024-08-05 Granting Conditional Approval of the Swalheim Business Park Preliminary Plat as red-lined, and noting that the Developer has been advised he must

consult with the Postmaster about mailbox placement. **MOTION CARRIED 4-0**. The Developers Agreement will be on the August 19th agenda.

2. Town of Cottage Grove, Applicant, as recommended by Dane County Planning and Development for consistency with the Dane County Farmland Preservation Plan and s. 91.38 Wisconsin Statutes: Rezone of 151.3 acres from FP-35 to AT-35, Rezone of 2.39 acres from FP-35 to NR-C, 22.8 acres from FP-1 to NR-C, and Rezone of 8.51 acres from FP-1 to UTR: Hampton read the Plan Commission's recommendation for approval of the rezone. The Clerk-Treasurer noted that all affected property owners were notified in advance of the Plan Commission meeting. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 151.3 acres from FP-35 to AT-35, Rezone of 2.39 acres from FP-35 to NR-C, 22.8 acres from FP-1 to NR-C, and Rezone of 8.51 acres from FP-1 to UTR. (See Exhibit A for list for specific parcels). **MOTION CARRIED 4-0.**

B. Discuss/Consider approval of Certified Survey Maps for:

1. Benjamin and Gwendelyn Specht, 2549 Gaston Road (DCPREZ #12040): **MOTION** by Anders/DuPlayee to approve Drawing #6219-24 dated 07/23/2024 as presented. **MOTION CARRIED 4-0.**

2. Capital Holdings LLC, 3475 North Star Road (DCPREZ #12049): **MOTION** by Fonger/DuPlayee to approve Office Map no. 230494 dated July 26, 2024 as presented. **MOTION CARRIED 4-0.**

C. Discuss/Consider Monona Grove Soccer Club request to use Town parks for the Fall soccer season: Marissa Anders represented the soccer club, and stated they would like to use fields at Bass, Ravenwood, and Sr. Dan Johnson Memorial parks for practice and the Town Hall field for games, which will be between 8 a.m. on 2 p.m. on Saturdays and Sundays. She will provide a schedule when it is available. They will avoid October 2nd when the Fire Department will be holding their open house, and will make sure parents and coaches are aware that they cannot park in the Emergency Services Building parking lot at any time. **MOTION** by DuPlayee/Fonger to grant the Monona Grove Soccer Club their request to use fields at Bass, Ravenwood, Sr. Dan Johnson Memorial parks, and the Town Hall field, for the Fall soccer season. **MOTION CARRIED 4-0.** Ms. Anders was advised to come back in January or February with her request for the Spring season.

D. Discuss/Consider approval of the Negotiated Agreement Relating to Dane County Landfill No. 3 Between the County of Dane, the City of Madison, the Town of Cottage Grove, and the Village of McFarland: Roxanne Weinkes, Deputy Director of Dane County Department of Waste and Renewables, was present, and Director John Welch was online. Hampton took issue with the provision in the agreement to compensate the City of Madison with $125,000 annually for police, fire and EMS. He felt when the city sold the land to the County at $24,000/acre, which he said was greater than the appraised value, they knew what the intended use would be and should not be looking for additional compensation. Weinkes said the agreement is modeled off of prior agreements for the Rodefeld Landfill, with a new level of compensation to the City of Madison for Fire, EMS and other municipal services as well as impact to revenue of the Yahara Golf Course. She said the $24,000/acre was less than the price of land already approved for commercial or industrial development, and the appraisal was devalued due to the impacts of the existing landfill. She pointed out that by State law, the City got 4 seats at the negotiation because the entire footprint of the new landfill is within its limits. The County and the Town of Cottage Grove each got one, and the Village of

McFarland was also allowed a seat. The City on its own would probably not have approved compensation for the Town of Cottage Grove or Village of McFarland, however the County advocated for maintenance of compensation to the Town of Cottage Grove and new compensation to the Village of McFarland, including a 2% annual increase. There is also a provision that the City could get up to $50,000 per year as direct reimbursement for any costs they have to reimburse golfers or close the course temporarily due to odors or other impacts of the Landfill. Welch does not expect this to ever happen, but thought it will act as an incentive to keep the County responsible to make sure such issues do not come up. He said they want to be good neighbors to the residents and municipalities. Fonger and Anders thanked Weinkes and Welch for doing all they can to work with the Town. It was also noted that the County and City have a 10-year agreement for City waste disposal, which does include provisions for the County to raise City tipping fees. Town of Cottage Grove waste does not go to the County landfill currently, however that could change depending on who is selected as a waste hauler for the next contract. **MOTION** by Hampton/Anders to approve the Negotiated Agreement Relating to Dane County Landfill No. 3 Between the County of Dane, the City of Madison, the Town of Cottage Grove, and the Village of McFarland under duress. **MOTION CARRIED 4-0.**

E. Discuss/Consider plans to sell 2010 International Patrol Truck: It was determined that this is premature as the box for the new truck will not be ready until later this year or early next year. **MOTION** by Hampton/DuPlayee to table until March. **MOTION CARRIED 4-0.**

F. Discuss/Consider Highway Superintendent's recommendation to reduce the speed limit on Uphoff Road to 45 m.p.h. and determine funding source for required speed study: Dresen said with all of the curves, he thinks the lower limit is warranted. The Dane County Highway Dept. had provided a quote to do the required speed study for $1,500. The Town Engineer said his firm is not able to do the study. **MOTION** by DuPlayee/Anders to contract with Dane County for the speed study, using up to $1,500.00 from Unassigned Funds. **MOTION CARRIED 4-0.**

G. Discuss/Consider 2024 short term borrowing needs: The Clerk-Treasurer had prepared a comparison of projected short-term borrowing needs for road maintenance projects at the time the 2024 budget was developed and the current outlook. It looks like it might be slightly less than the $350,000 originally anticipated, however some of the bills have not yet been finalized. She was looking for approval to go ahead and get loan quotes once the bills are all finalized rather than having to wait for another board meeting so the Town funds can get replenished for the cost of the projects sooner than later. **MOTION** by DuPlayee/Fonger to authorize the Clerk-Treasurer to solicit loan quotes up to $350,000 as soon as the final amount needed is known. **MOTION CARRIED 4-0.**

H. Consider date for first Town Board meeting in September: Consensus was to hold the meeting on Tuesday, September 3rd.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Report of Road Right-of-Way permits issued: No permits have been issued since the last meeting.

B. Paving and chip sealing projects are complete, and they are almost done shouldering. They have been mowing like crazy, and will start patching roads soon.

IV. CLERK-TREASURER'S OFFICE UPDATE: Early voting for the Partisan Primary is open through the end of this week. The public test of the voting equipment will be held tomorrow morning.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton attended an open house on the 1-39/90/94 Corridor study. He said the construction is anticipated sometime between 2030-2040.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: They started looking at the 2025 budget.

B. Cottage Grove Fire Commission: The new Squad is expected to arrive in mid-September. They are getting quotes to replace lights in the ESB.

C. Natvig Landfill Committee: They will talk about 2025 budget needs at the September meeting.

VII. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 8:08 P.M.

Kim Banigan, Clerk-Treasurer

Approved 08-19-2024

EXHIBIT A

Dane County Farmland Preservation Zoning Recertification 2024

Town of Cottage Grove Rezones out of FP Districts

Municipality	PARCELNO	Plan_or_Zoning_Amendment	ZONING_DISTRICT	Proposed_Zoning	Acres	Notes	ConctOwner	BillingStreetAddress	BillingCity	Billing State	BillingZip	PlatDescription
Town of Cottage Grove	071134220220	Zoning	FP-1	NR-C	11.22	Property is along North Star Rd and shown as **future commercial** in the Town plan. NR-C zoning proposed in lieu of FP-1 as a holding category until owner pursues a development proposal in accordance with Town plan objectives for the commercial area	CUMMINGS AND TURK FARMS LLC	9615 OVERLAND RD	MOUNT HOREB	WI	53572	CSM 16268
Town of Cottage Grove	071134287300	Zoning	FP-1	NR-C	11.58	Property is along North Star Rd and shown as **future commercial** in the Town plan. NR-C zoning proposed in lieu of FP-1 as a holding category until owner pursues a development proposal in accordance with Town plan objectives for the commercial area	MICHAEL MCEVILLY	100 ONTARIO CT	GIBSON	PA	15044	CSM 15383
Town of Cottage Grove	071104288050	Zoning	FP-1	UTR	8.51	Property is a separate CSM lot located within a **neighborhood development area and within 1/4 mile of the Village of Cottage Grove**. Owner lives on adjoining SFR lot at 2620 Gaston Rd. Was zoned to A-4 under petition 11274 and then FP-1 under the 2019 zoning code update. Proposed UTR zoning would ensure Town oversight of any future development.	PATTI K HELGELAND	2620 GASTON RD	COTTAGE GROVE	WI	53527	CSM 14892
Town of Cottage Grove	071117485003	Zoning	FP-35	AT-35	40.15	Property is within the Village of Cottage Grove Urban Service Area. Shown as **Ag Transition** in Town plan.	2001 REALTY	2729 COFFEYTOWN RD	COTTAGE GROVE	WI	53527	METES AND BOUNDS
Town of Cottage Grove	071117490024	Zoning	FP-35	AT-35	31.43	Property is within the Village of Cottage Grove Urban Service Area. Shown as **Ag Transition** in Town plan.	2001 REALTY	2729 COFFEYTOWN RD	COTTAGE GROVE	WI	53527	METES AND BOUNDS
Town of Cottage Grove	071116387400	Zoning	FP-35	NR-C	2.39	Property is within the Village of Cottage Grove Urban Service Area. Shown as **Ag Transition** in Town plan. Property appears to be a remnant parcel left in the town following an annexation of owner's adjacent land. Property is within mapped wetlands and wetland indicators and appears unbuildable.	2001 REALTY & TIMOTHY R OLSON	2725 COFFEYTOWN RD	COTTAGE GROVE	WI	53527	METES AND BOUNDS
Town of Cottage Grove	071134285009	Zoning	FP-35	AT-35	13.40	Property is part of 78 acre ownership parcel (3 tax parcels) along North Star Rd and shown as **future commercial** in the Town plan. AT-35 zoning proposed until owner pursues a development proposal in accordance with Town plan objectives for the commercial area	SWALHEIM 2011 REV TR, DUANE P & CANDACE J	436 CONNIE ST	COTTAGE GROVE	WI	53527	METES AND BOUNDS
Town of Cottage Grove	071134290011	Zoning	FP-35	AT-35	26.51	Property is part of 78 acre ownership parcel (3 tax parcels) along North Star Rd and shown as **future commercial** in the Town plan. AT-35 zoning proposed until owner pursues a development proposal in accordance with Town plan objectives for the commercial area	SWALHEIM 2011 REV TR, DUANE P & CANDACE J	436 CONNIE ST	COTTAGE GROVE	WI	53527	METES AND BOUNDS
Town of Cottage Grove	071134297300	Both	FP-35	AT-35	39.8	Property is part of 78 acre ownership parcel (3 tax parcels) along North Star Rd and shown as **future commercial** in the Town plan. AT-35 zoning proposed until owner pursues a development proposal in accordance with Town plan objectives for the commercial area	SWALHEIM 2011 REV TR, DUANE P & CANDACE J	436 CONNIE ST	COTTAGE GROVE	WI	53527	CSM 12384