TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
OCTOBER 7, 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, Kristi Williams, Steve Anders and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, and Attorney Chris Nelson. EMS Chief Eric Lang was present virtually, and Fire Chief Nick Archibald arrived toward the end of the meeting.

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 Williams/DuPlayee to approve the minutes of the September 16, 2024 meeting as presented. **MOTION CARRIED 5-0**.

E. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve checks #37384-37430 and EFTs in the amount of $34,350.96. **MOTION CARRIED 5-0**.

2. **MOTION** by Williams/Anders to approve payment of September per diems as presented. **MOTION CARRIED 5-0**.

F. Public Concerns: None.

II. BUSINESS

A. Plan Commission Recommendations:

1. Dennis Richardson representing R.G. Huston, Inc., petitioner, Skaar Pit LLC, property owner of parcel 0711-283-9800-6 at 3355 County Road N, petitions to:

a) Rezone of 14.51 acres from HC and 31.01 acres from RM-16 to MI (Manufacturing and Industrial) to match existing land use to current zoning districts (DCPREZ #12109): Dennis Richardson stated that the rezone would bring the mining site into compliance under current Dane County zoning districts that were changed since the mining site was last approved. They are only looking for the permitted uses not crossed off on a copy of the MI district fact sheet they provided (Exhibit A). **MOTION** by Williams/Fonger to accept the Plan Commission's recommendation to approve the rezone of 14.51 acres from HC and 31.01 acres from RM-16 to MI to include only the permitted uses not crossed off on Exhibit A. **MOTION CARRIED 5-0.**

b) Extend current CUP #2342 for processing or composting of organic by-products or wastes, which was approved in 2016 and expires Feb. 25, 2025 (DCPCUP #2641): **MOTION** by Fonger/DuPlayee to confirm that the standards for approval were met. **MOTION CARRIED 5-0.** Williams asked if the compost site could take the yard waste generated by Town residents. Richardson said its composition would cause it to decay at a different rate than the organic products they currently compost, plus the possible inclusion of chemicals would not produce the same product. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to extend the CUP for composting of organic by-products or wastes for 10 years. **MOTION CARRIED 5-0.**

c) Extend current CUP #2003 for non-metallic mining extraction, which was approved in 2015 and expires Feb. 25, 2025 (DCPCUP #2642). **MOTION** by

Anders/Williams to confirm the standards for approval have been met, and accept the Plan Commission's recommendation to extend the CUP for non-metallic mining extraction for 10 years.

2. Viney Acres LLC, petitioner and property owner: petition to rezone 0.190 acres from FP-1 to RR2 to adjust the lot line between parcel 0711-311-0011-0 and parcel 0711-311-8020-0 at 2876 Siggelkow Road. (DCPREZ #12112): **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve the rezone 0.190 acres from FP-1 to RR2 to adjust the lot line between parcel 0711-311-0011-0 and parcel 0711-311-8020-0 at 2876 Siggelkow Road. **MOTION CARRIED 5-0.**
3. Discuss/Consider approval of Declaration of Covenants and Restrictions for Swalheim Business Park: Hampton asked if section 5.2 should state approval from the Plan Commission rather than the Town Board for Design review, since that is how the Town Ordinance is written. **MOTION** by Williams/DuPlayee to approve the Declaration of Covenants and Restrictions for Swalheim Business Park, changing Town Board to Plan Commission in item 5.2. **MOTION CARRIED 5-0.** Mr. Swalheim will need to get the signatures from the owners of the three CSM lots identified as Property 1 in the Declaration of Covenants and Restrictions.
4. Consider adoption of Resolution 2024-10-07 recommending approval of the Final Plat of Swalheim Business Park: The Clerk-Treasurer stated that the Town Engineer has confirmed that the plat now contains all the required elements. Atty. Nelson said the Town will need to contact Dane County to have responsibility for maintaining the stormwater lot assigned to the Town. **MOTION** by Anders/Williams to adopt Resolution 2024-10-07 recommending approval of the Final Plat of Swalheim Business Park as presented. **MOTION CARRIED 5-0.** The Plat and Declaration of Covenants and Restrictions must be recorded with the Dane County Register of Deeds once Mr. Swalheim has acquired all of the necessary signatures. The Town Attorney will do the recording at Mr. Swalhiem's expense. Hampton asked Mr. Swalhiem if any standards for the buildings have been discussed. Mr. Swalheim said they will most likely be metal buildings. The Clerk-Treasurer was directed to send him the Town's design standards.

B. Consider approval of Deer-Grove EMS Commission Resolution 2024-01-0919: Vehicle Maintenance Funds: Chief Lang explained that vehicle maintenance costs are likely to exceed budgeted amounts this year due to the major ambulance repairs already made, this resolution would allocate unassigned funds to get through the year. **MOTION** by Anders/Williams to approve Deer-Grove EMS Commission Resolution 2024-01-0919: Vehicle Maintenance Funds. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of the 2025 Deer-Grove EMS District Budget: The budget will allow for the addition of two additional FTE paramedics on January 1, 2025 to staff two ambulances 24/7. An increase in run fees was implemented on October 1st to put them more in line with other area services and offset the higher costs. **MOTION** by Williams/DuPlayee to approve the 2025 DGEMS Budget as presented, with the Town's share at $314,054.11 (24.87% of $1,262,630.00). **MOTION CARRIED 5-0.**

D. Discuss/Consider approval of the 2025 Cottage Grove Fire Department Budget: Chief Archibald noted that in 2025 NFPA and OSHA regulations will include mandatory annual physicals for all personnel. They have arranged for someone to come onsite to conduct them. **MOTION** by Williams/DuPlayee to approve the 2025 Cottage Grove Fire Department

Budget, which includes $10,000 for capital expenses. The Town's portion is $82,742.09 (34.66% of $238,725.00). **MOTION CARRIED 5-0.**

E. Discuss/Consider approval of the 2025 Emergency Services Building Budget: **MOTION** by DuPlayee/Williams to approve the 2025 Emergency Services Budget as presented, with the Town's share at $44,269.50 (50% of 88,539.00). **MOTION CARRIED 5-0.**

F. Discuss and Consider approval of Agreement with Strand Associates for 2025 Services for the Natvig Road Landfill: **MOTION** by Anders/Williams to approve the 2025 agreement as presented, with total cost of $27,500. **MOTION CARRIED 5-0.**

G. Consider acceptance of High-Tech Heating 2025 HVAC maintenance quotes: Williams asked about getting more quotes, there was general agreement to get new quotes next year. **MOTION** by Williams/DuPlayee to accept High-Tech Heating 2025 HVAC maintenance quotes. **MOTION CARRIED 5-0.**

H. Complete 2025 Insurance Renewal questionnaire: The Board reviewed the questionnaire and the Clerk-Treasurer will submit it.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Report of Road Right-of-Way permits: Dresen reported there were two permits issued to Charter Communications since the last meeting, one on Bass Road and one on Wind Chime Way. An application for Natvig Road came in today.

B. The batteries in the speed boards are getting weak. Dresen was directed to get quotes for replacements to consider at the next meeting.

C. Dresen asked about a drinking water bottle filler to replace the old water fountain at the Town Garage. He was directed to get prices for the next meeting.

D. One of the furnaces at the Garage is from the 1990's, Dresen was directed to get quotes for a replacement for the next meeting.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan said she is working on quotes to reduce the cost of phone services currently provided by Frontier, and to get her a cell phone, as she is not liking how many authentication apps she is needing to install on her personal phone, nor does she appreciate having to give her personal number for election contacts, etc. She has gotten one quote to install access keypads at the Town and Flynn halls. It is substantial, she wondered if it is worth pursuing additional quotes. Consensus was to go ahead with that. She and the Deputy Clerks attended training by the Dane County Treasurer for the new tax collection system the Town will be moving to this year. Taxpayers will now be able to retrieve receipts from Access Dane the day after payments are posted.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that Village of Cottage Grove Administrator Matt Giese had forwarded him a copy of an invitation to the Village of Cottage Grove from the City of Sun Prairie to participate in a study to address challenges and provide recommendations for enhanced delivery and sustainable financing of fire and EMS services. There was disappointment expressed that the Town was not extended the same invitation. Chief Lang stated there is room to find ways to save money regionally, and he does believe it is important for Cottage Grove Fire and DGEMS to be part of the conversation, but questioned why they did not invite either the Town of Cottage Grove or the Village of Deerfield. He suggested things like regionalized EMS billing, shared vehicle maintenance and synchronized purchases as

examples of potential savings. Chiefs Lang and Archibald reported that the Village Board accepted the invitation at their meeting tonight.

B. Williams reported that the MG Education Foundation was at the recent Chamber of Commerce meeting, and the coordinator of student internships made a presentation. She wondered if student interns could be of any use in the Town Office. Banigan said there is a huge learning curve for Town office staff and not enough routine work for that to work. Williams also noted that the Village's Centennial Celebration is coming up this weekend.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Williams reported that there were 119 calls in August. The next ambulance will have a gas engine because of all of the recent expenses related to the diesel engines in the existing units.

B. Natvig Landfill Monitoring Committee: They approved the bills and the 2025 maintenance contract and annual testing report, which showed nothing out of the ordinary.

C. Cottage Grove Fire Commission: They approved the Fire Department and Emergency Services Building budgets for 2025. The new Squad 1 is due to arrive any day.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:51 P.M.

Kim Banigan, Clerk-Treasurer
Approved 10-07-2024

This document is intended for reference only. Please contact Dane County Zoning Division (608) 266-4266 for specific ordinance language.

MI Manufacturing & Industrial Zoning District

CH. 10-Zoning, Section 10.282

EXHIBIT A

Purpose of the Manufacturing Industrial District 10.282(1)

The Manufacturing and Industrial Zoning District is intended to accommodate industrial, processing and extractive uses, where: primary activity occurs either indoors or outdoors; uses are intensive, and at relatively high densities and may produce a high volume of employee and freight traffic; uses require separation from residential uses; uses may require full urban services or create intensive electrical, water or other utility demand, and; uses are appropriate to an urbanized or industrial area.

Permitted Uses 10.282(2)

- Undeveloped natural resource and open space areas
- ~~Adult book stores, subject to s.10.103(2)~~
- ~~Adult entertainment, subject to the provisions of the Adult Entertainment Overlay District (AED)~~
- Agriculture and accessory uses (livestock not permitted)
- ~~Animal boarding, domestic pets~~
- ~~Animal boarding, large animal~~
- Electric generating facilities
- Fertilizer manufacture, mixing or blending
- Freight and passenger bus terminals
- Government, institutional, religious or nonprofit community uses
- Drive-in establishments
- Personal or professional service
- Indoor entertainment and assembly
- Indoor storage and repair
- Indoor sales
- ~~Marinas~~
- Outdoor sales, display or repair
- Heavy industrial uses
- Light industrial uses
- Contractor, landscaping ro building trade operations
- Off-site parking lot or garage
- Office uses
- Outdoor active recreation
- Outdoor entertainment
- Outdoor storage
- Personal storage facilities
- Utility services
- Vehicle repair or maintenance services
- ~~Veterinary clinics~~
- Transportation, utility or communication use required by law
- Warehousing and distribution facilities
- Wastewater treatment facilities

Conditional Uses 10.282(3)

- Asphalt and concrete production
- Biodiesel and ethanol manufacturing
- Biopower facilities for distribution & sales
- Communication towers
- Commercial processing or composting of organic by-products or wastes
- Demolition material disposal sites
- Dumping grounds
- Incinerator sites
- Manure processing facilities
- Processing or composting of organic by-products or wastes
- Mineral extraction operations
- Salvage & salvage recycling operations
- Solid waste disposal or recycling operations
- Stockyards, livestock auction facilities
- Storage of explosive materials
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law

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MI Manufacturing & Industrial Zoning District
CH. 10-Zoning, Section 10.282

Setbacks, Height, and Size requirements 10.282 (4) & (6)

Front setback for all structures from highway centerline / right-of-way line (whichever is greater)
State or Federal Highway: 100/42 feet minimum
County Highway: 75/42 feet minimum
Town Road: 63/30 feet minimum
Subdivision streets platted prior to ordinance: 20 feet minimum
All other streets: 30 feet minimum

Height: 50 feet maximum, not including tanks, storage bins, silos and towers.

Side Yards:
10 feet minimum each side

Rear Yards:
10 feet minimum

Lot Width & Area: 10.282(5)

Lots must have sufficient area to accommodate sanitary, stormwater, and parking for intended uses