TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JUNE 2, 2025

PUBLIC HEARING FOR 2025-26 ALCOHOL BEVERAGE LICENSES

Notice of the public hearing was published in the Wisconsin State Journal on May 28, 29, 30, 2025, and posted at the Town Hall, on the Town's website and Facebook page. Town Chair Steve Anders, Supervisors Mike Fonger, Troy Eickhoff, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. A list of other attendees is available in the Clerk's Office.

Anders called the Public Hearing to order at 7:00 P.M., read the list of applicants and asked if there were any questions, or comments. There were none. **MOTION** by Williams/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The Public Hearing ended at 7:02 P.M.

PUBLIC HEARING FOR 2025-26 NON-METALLIC MINING PERMITS

Notice of the public hearing was posted at the Town Hall and on the Town's website and Facebook page. Attendance was the same as for the Alcohol Beverage hearing above.

Anders called the Public Hearing to order at 7:02 P.M., read the list of applicants and asked if there were any questions, or comments. There were none. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The Public Hearing ended at 7:04 P.M.

PUBLIC HEARING FOR PROPOSED ORDINANCE AMENDMENT TO INCLUDE ALL TOWN ROADS AS ATV/UTV ROUTES

Notice of the public hearing was posted at the Town Hall and on the Town's website and Facebook page. Attendance was the same as for the earlier public hearings above.

Anders called the Public Hearing to order at 7:04 P.M., and opened the floor up for questions and comments

- Gordy Bischel, 2838 Busston Road, asked if the routes would include Gaston and Vilas Roads. It was stated that both of those roads have areas shared or totally controlled by the Village of Cottage Grove that cannot be opened to ATVs/UTVs without approval from the Village. Coffeytown Road also has a portion in the Village, and Hope and Femrite Roads are partially in the City of Madison. Anders said for now, the focus is on Town roads with hopes that the Village might consider opening their sections too.
- Ben Nelson, 4954 Sandpiper stated that he does not want ATVs/UTVs on the road he lives on, and asked for the question to be put to referendum. Anders explained that a year ago Town Roads east of CTH N and north of US Hwy 12/18 were designated as routes as a pilot program. There have not been any problems so now they are looking at opening the rest of the Town to give access to roads going south into the Town of Pleasant Springs and beyond. Nelson did not think a trial run in rural areas was an accurate test for more populated areas with kids around and more going on.
- Kris Hampton, 3310 CTH N, noted that the CTN MN has not been opened up by the County yet. Anders said the County is waiting for the Town to approve adjacent roads first. Hampton was concerned that if the Town opened routes on roads broken up by the Village, riders would get a ticket for riding on the Village portions. Discussion was that the Quad County Runners Club would post end route signs before routes are opened. Hampton asked about posting of allowable hours for riding. Discussion was that this could be on the signs entering the Town, or alternately the ordinance number or a QR Code linked to the ordinance could be placed on the entrance signs.
- Trevor Munn, 4392 Vilas Hope Rd., asked if Vilas Hope Rd. would be included. Discussion was that it could be included, however there would be no outlet onto either CTH AB or CTH BB without County approval, which is questionable.
- Anders posed the question of how many in the audience live in the part of the Town that would be included under this proposal. About half raised their hands.

- Sandy Rueter, 4516 Sandpiper Trl., was online and stated she is in favor of the proposal. She thought of ATVs/UTVs just like a car, and noted she is not with the club.
- Tom Lehmann, 2643 Bluebird, echoed Ms. Reuter's comments, and saw no difference between ATVs/UTVs and motorcycles. He said it would be nice to see the Town work with the Village or landowners to alleviate landlocked areas.

MOTION by Fonger/Williams to close the public hearing. **MOTION CARRIED 5-0.** The Public Hearing ended at 7:37 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's website. Town Chair Steve Anders, Supervisors Mike Fonger, Troy Eickhoff, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. Much of the audience left after the public hearings.

B. Anders called the meeting to order at 7:38 P.M.

C. Flag Pledge.

D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the May 19, 2025 meeting, correcting the motion in item 1.C and a typo in item V. A. **MOTION CARRIED 5-0.**

E. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve checks #37929-37950 and EFTs in the amount of $24,908.55. **MOTION CARRIED 5-0**.
2. **MOTION** by Williams/DuPlayee to approve payment of May per diems as presented. **MOTION CARRIED 5-0.**

F. Public Concerns: Mike Grob, 3761 Sky High Rd and a member of the Fire Department, reported that after recent repairs of the garage doors at the Emergency Services Building, the doors are not closing all the way and some of the buttons are not working. The Clerk-Treasurer will hold the check paying for the services and contact them to come back and make it right.

II. BUSINESS

A. Consideration of July 1, 2025– June 30, 2026 Alcohol Beverage Licenses:

1. Renewal of Class A Beer and Class A Cider License for Door Creek Orchard, LLC, Elizabeth Griffith, Agent, 3252 Vilas Road
2. Renewal of Combination Class B Beer and Class B Liquor Licenses:
   a) Ball of Fun LLC, d.b.a. Doubledays, Debra Stueber, Agent, 4586 Baxter Road
   b) Badger Farms, LLC, David Muehl, Agent, 1682 County Road BB
   c) Door Creek Golf Course, Inc., Phillip Frederickson, Agent, 4321 Vilas Road
   d) Noras Tavern, Inc., Timothy Kluever, Agent, 1843 US Hwy 12 & 18
   e) Warm Belly Noble, LLC, d.b.a. Warm Belly Farm, Francis D Wisnewski, Agent, 4311 Vilas Hope Road

MOTION by Fonger/Williams to approve July 1, 2025 – June 30, 2026 licenses for all of the Class A and Class B licenses listed above. **MOTION CARRIED 5-0.**

B. Operators and Managers Licenses: **MOTION** by Williams/Fonger to approve July 1, 2025-July 30, 2026 licenses for all of the Operators and Managers License applicants (attached as Exhibit A). **MOTION CARRIED 5-0.**

C. Consideration of July 1, 2025– June 30, 2026 Non-Metallic Mining Permit Renewals:

1. 2543 Gaston Road, Wade Huston, Operator, R.G. Huston Company, Owner.
2. 3355 County Road N, Wade Huston, Operator, Skaar Pit LLC, Owner.
3. 2294 US Highway 12 & 18, GR Lyons III, Operator, Rocky Rights, LLC, Owner.

MOTION by Fonger/Williams to approve July 1, 2025-June 30, 2026 Non-metallic Mining Permits for all three applicants above. **MOTION CARRIED 5-0.**

D. Consider adoption of Ordinance 2025-06-02 Amending Section 09.097 to include All Town roads, as posted, as all-terrain vehicle ("ATV") and utility terrain vehicle ("UTV") routes in the Town of Cottage Grove: **MOTION** by Fonger/Anders to adopt Ordinance 2025-06-02 as presented, and require that the club work with Dresen to determine and map the location of all the signs, to be reviewed by the Town Board before signs are erected and new routes are opened. A QR code linked to the ordinance must be included on all signs entering the Town. **MOTION CARRIED 3-2** (Williams and DuPlayee opposed).

E. Plan Commission Recommendations:

1. Kirk and Heidi Eilenfeldt, petitioners and landowners: Rezone 2.0 acres of parcel 0711-144-8001-0 on Ridge Road from FP-35 to RR-1 to create a new residential lot using the RDU transferred from parcel 0711-273-9600-0. (DCPREZ-12160): **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to rezone 2.002 acres from FP-35 to RR-1, using the transferred RDU from parcel 0711-273-9600-0. **MOTION CARRIED 5-0.**
2. Allison Rodriguez & Jose Rodreguez Moreno, petitioners and landowners, parcel 0711-141-8200-5 at 4185 Ridge Road: Rezone 1.1 acre from SFR-1 to RR-1 with a CUP for a limited family business (small remodeling business, including 35 x 60 accessory building for storage and carpentry shop space.) (DCPREZ-12164 and CUP-2660.): The application reviewed by the Plan Commission included a driveway extension through the back yard of the property to reach the proposed new outbuilding. Subsequent input suggested accessing the new building with a second driveway off of West Ridge Road. **MOTION** by William/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 1.1 acre from SFR-1 to RR-1 with a CUP for a limited family business, no outdoor storage allowed. The petitioner should abandon the plan for a driveway extension and apply to the Highway Superintendent for a second driveway off of W. Ridge Rd. **MOTION CARRIED 5-0.**
3. Viney Acres LLC, petitioner and landowner, parcels 0711-331-8000-7 and 0711-331-9502-8 on North Star Road: Rezone of 21.76 acres to General Commercial for a 7-lot commercial subdivision, and 3.99 acres to Utility, Transportation and ROW (DCPREZ #12170): **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 21.76 acres to General Commercial, excluding permitted uses of day care centers, indoor entertainment or assembly and transient/tourist lodging, and also recommend approval of the rezone of 3.99 acres to UTR. **MOTION CARRIED 5-0.**

F. Consider request from Monona Grove Football Club for porta-potties in Sr. Dan Johnson Memorial Park and at the Town Hall field: Marissa Anders represented the club and stated that the porta-potties would be placed and serviced by Hubred Septic Pumping and Porta-potties at the club's expense. The club would monitor them to be sure they were emptied as needed and that nothing dangerous was left inside. They would be delivered this week and removed after the season ends in mid-June. Going forward, they would be in place from mid-April through mid-June for the spring season, and mid-August through late-October for the fall season. Dresen suggested placing them by the signs at Sr. Dan Johnson Memorial Park and on the asphalt behind the Town Hall. **MOTION** by Fonger/Eickhoff to approve the use of porta-potties at the two locations during spring and fall soccer seasons as described above. **MOTION CARRIED 5-0.**

G. Consider offer to rebuild team benches at Town Hall field: Ms. Anders said the husband of one of the soccer coaches has offered to rebuild the benches at an estimated material cost of $300. Dresen agreed the benches are in bad shape, and noted that Town employee Justin Madsen actually built them as an Eagle Scout Project many years ago. **MOTION** by Williams/DuPlayee to accept the offer to rebuild the two benches, with a cost not to exceed $300 to come from the 2025 Parks budget. **MOTION CARRIED 5-0.**

H. Review/Consider approval of Town Email Policy: Discussion was that overall the policy looked good. The Clerk-Treasurer will change references to email to say electronic message to make the policy more comprehensive. **MOTION** by Williams/DuPlayee to table until the June 16th meeting. **MOTION CARRIED 5-0.**

I. Consider including related document links on agendas: **MOTION** by Williams/DuPlayee to direct the Clerk's office to start including document links on agendas. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Report of Road Right-of-Way permits: One permit was issued to Alliant to provide gas and electric to R.G. Huston's new office building on Coffeytown Road.

B. Chip sealing projects may start as soon as 2 weeks from now. Repaving projects will probably be mid-July.

C. Culverts have been delivered for replacements on Hope Road and Lane St.

IV. CLERK-TREASURER'S OFFICE UPDATE: New computers have arrived. Banigan offered to hold an iPad training session for Board Members at 2:00 P.M. on Wednesday, June 11th.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Fonger reported that he will not be at the next meeting, and that Emergency Government Committee meetings will be moved to the fourth Wednesday of the month.

B. Anders reported that he met with Village President Cindi Kelm Nelson, Village Trustee Paula Severson, Fire Chief Nick Archibald and EMS Chief Eric Lang to discuss Fire Department and building needs for 2026 and beyond. Discussion included a pay-per-call system and retirement contributions for fire fighters, as well as contracting a study of facility needs. The Town would be involved in the RFP and selection process for the firm to conduct the study, and responsible to pay a portion of the cost based on the EV split between the Town and Village when it is performed, probably in 2026. More information will be coming on all of this soon in preparation for the 2026 budgeting process. Anders also reported that he has been re-elected to the DCTA Executive Committee.

VI. COMMITTEE REPORTS:

A. Natvig Landfill Monitoring Committee: Anders reported that the Village had a complete turnover in representation to this committee. They approved the bills at the last meeting. Dresen reported that he found and filled in two more sinkholes in the former landfill site.

B. Cottage Grove Fire Commission: A facility needs study was discussed and the Village Board is considering an RFP at their meeting tonight. The Town of Pleasant Springs re-drew the boundaries of service areas split between CGFD/DGEMS and Stoughton and McFarland services to more closely follow roads and reduce confusion as to which agency should respond.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:05 P.M.

Kim Banigan, Clerk-Treasurer
Approved 07-07-2025

For Consideration 06-02-2025

2025-26 Operator's License Applicants

New/Renewal	Background Check	Servers Cert.	Full Name	Establishment
New	yes	yes	Tracey E. Lyons	Badger Farms
New	yes	yes	Theresa M. Smith	Badger Farms
New	yes	yes	Kristine M. Fracek	Badger Farms
New	yes	yes	Anna K. Christenson	Door Creek Golf Course
New	yes	yes	Emma G. Dyer	Door Creek Golf Course
New	yes	yes	Matilyn J. Mabie	Door Creek Golf Course
Renewal	yes	yes	Abigail N. McConnell	Door Creek Golf Course
New	yes	yes	Faith M. Morrissey	Door Creek Golf Course
Renewal	yes	yes	Abigail L. Smith	Door Creek Orchard
Renewal	yes	yes	Bernadette L. Archer	Doubledays
Renewal	yes	yes	Becky J. Kratochwill	Doubledays
Renewal	yes	yes	Mark A. Stueber	Doubledays
Renewal	yes	yes	Riva M. Stueber	Doubledays
Renewal	yes	yes	Brittany J. Calvert	Nora's Tavern
Renewal	yes	yes	Amy M. Fosdick	Nora's Tavern
Renewal	yes	yes	Michelle A. Gottschalk	Nora's Tavern
Renewal	yes	yes	Taylor J. Hamm	Nora's Tavern
Renewal	yes	yes	Jaimee L. Linnerud	Nora's Tavern
Renewal	yes	yes	Jaybin R. Nielsen	Nora's Tavern
Renewal	yes	yes	Lisa M. Serena	Nora's Tavern
Renewal	yes	yes	Jason M. Simle	Nora's Tavern
Renewal	yes	yes	Brian J. Christian	Warm Belly Farm
Renewal	yes	yes	Emily M. Hebbe	Warm Belly Farm
Renewal	yes	yes	Joshua M. Kuelling	Warm Belly Farm
Renewal	yes	yes	Dylan M. Sadogierski	Warm Belly Farm
New	yes	yes	Sarah L. Skalitzky	Warm Belly Farm

2025-26 Manager's License Applicants

New/Renewal	Background		Full Name	Establishment
Renewal	yes	Yes	Kristin Frederickson	Door Creek Golf Course
Renewal	yes	Yes	Jakob Schroeckenthaler	Door Creek Golf Course
Renewal	yes	Yes	Gary Stueber	Doubledays
Renewal	yes	Yes	Sheryl Kluever	Nora's Tavern

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN
Adopted pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: Ordinance 2025-06-02 adopting revisions to the Town Code of Ordinances

Code Section(s) created, amended, or repealed	09.097 All-Terrain Vehicles and Utility Terrain Vehicles
Presented to Board by	Clerk-Treasurer
Committee Review by	None
Attorney Review by	William Cole
Date(s) Public Hearing(s) held (if required)	June 2, 2025
Date adopted	June 2, 2025
Vote	3-2 (Williams and DuPlayee opposed)
Date of posting of adoption of ordinance	
Date of publication of adoption of ordinance	

The Town Board of the Town of Cottage Grove does ordain as follows:

TCG Ord. Section 09.097 is hereby created/amended to read as follows:

09.097 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

(1) STATEMENT OF PURPOSE

This ordinance is intended to establish and maintain all-terrain vehicle ("ATV") and utility terrain vehicle ("UTV") routes in the Town of Cottage Grove and to regulate the operation of same upon such routes.

(2) AUTHORITY

The Town Board of the Town of Cottage Grove, Dane County, Wisconsin, has the specific authority to adopt this ordinance under § 23.33(8), Wis. Stats.

(3) STATE STATUTES ADOPTED BY REFERENCE

The provisions of § 23.33, Wis. Stats. and Ch. NR 64, Wis. Admin. Code are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Unless otherwise provided in this ordinance, any act required to be performed or prohibited by any statute or regulation incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions, or modifications of the statutes or regulations herein are made a part of this ordinance. Any terms used in this ordinance that are defined in § 23.33(1), Wis. Stats., shall have the meaning prescribed by statute.

(4) ATV/UTV ROUTES DESIGNATED

(a) Pursuant to § 23.33(8)(b)(1), Wis. Stats., the Town of Cottage Grove designates the following as ATV/UTV routes:

~~(a)~~ All Town roads as posted ~~east of County Highway N and north of U.S. Highway 12/18; and~~

~~(b)~~(a) ~~Deerfield Road south of U.S. Highway 12/18 to its intersection with Schadel Road.~~

(5) ROUTE SIGNS

Under the direction of the Town, all authorized ATV/UTV routes shall be designated by route signs. The route signs shall be provided by the local ATV Club, or its successor at their cost, and shall be installed by the ATV Club in accordance with Ch. NR 64.12, Wis. Admin. Code, under the supervision of the Town. The route signs shall be inspected by the Town annually and shall be maintained by the ATV Club, or its successor. The Town shall be promptly notified by the ATV Club of any change in responsibility for maintenance of ATV/UTV route signs.

(6) CONDITIONS

In addition to the provisions of § 23.33, Wis. Stats., and Ch. NR 64.07, Wis. Admin. Code, the following restrictions are placed on the use of the ATV/UTV routes permitted under this section:

(a) All ATV and UTV operators shall be at least 16 years of age and possess a valid operator's license as defined in § 340.01(41g), Wis. Stats., as may be amended from time to time, including a safety certificate if required by State law. A learner's permit shall not be considered as a valid driver's license nor shall any license that has been revoked, temporarily or otherwise, or suspended for any reason, be considered as a valid driver's license during the period of suspension or revocation.

(b) All ATV and UTV operators shall observe the posted speed limits and all other applicable traffic regulations.

(c) The operators of ATVs/UTVs shall ride in single file.

(d) ATV/UTV headlamps and tail lamps must be turned on at all times and ATV/UTVs must have operational brake lights.

(e) All UTV operators and passengers must wear seat belts at all times.

(f) All Town designated ATV/UTV routes are closed between 11:00 p.m. and 5:00 a.m. every day of the year.

(7) ENFORCEMENT

This ordinance may be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

(8) PENALTY FOR VIOLATION

Any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not more than $250, together with the costs of prosecution.

(9) SEVERABILITY

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

Adopted this 2nd day of June, 2025, by a vote of 3 for, 2 against, with 0 abstentions.

TOWN OF COTTAGE GROVE

Steven Anders, Town Chair

ATTEST:

Kim Banigan, Town Clerk-Treasurer