TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
NOVEMBER 03, 2025

PUBLIC HEARING FOR CHAPTER 22 REVISIONS

I. Notice of the public hearing was posted at the Town Hall and 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, Deputy Clerk-Treasurer Jennifer Millage and Highway Superintendent Dan Dresen.

II. Anders read the notice and called the public hearing to order at 7:00 P.M. There were no public comments or questions.

III. **MOTION** by DuPlayee/Williams to close the public hearing at 7:01 P.M. **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 website. Attendance was the same as above for the public hearing.

B. Anders called the meeting to order at 7:01 P.M.

C. Flag Pledge.

D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the October 20, 2025 Town Board meeting with a correction of a dollar amount in item VI. A. **MOTION CARRIED 5-0**. **MOTION** by Williams/DuPlayee to approve the minutes of the October 28, 2025 Budget Workshop open session as printed. **MOTION CARRIED 5-0. MOTION** by DuPlayee/Williams to approve the October 28, 2025 closed session minutes as printed, and to keep them closed until the 2026 budget is adopted. **MOTION CARRIED 5-0.**

E. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve checks 38229-38254 and EFTs in the amount of $29,049.17. **MOTION CARRIED 5-0.**

2. **MOTION** by Williams/DuPlayee to approve payment of October per diems, with the addition of mileage that Anders said he had submitted by email but the Clerk-Treasurer had not yet received. **MOTION CARRIED 5-0.**

F. Public Concerns: None.

II. BUSINESS

A. Plan Commission Recommendations: Wade Huston, Skaar Pitt LLC – petition to rezone 31.056 acres of parcel 0711-331-8012-0 on North Star Road from AT-35 to RM-16 to correct a land division violation (DCPREZ-12208): Wade Huston was present and Dennis Richardson was online. **MOTION** by Eickhoff/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 31.056 acres from AT-35 to RM-16, with a deed restriction against residential development. **MOTION CARRIED 5-0.**

B. Consider adoption of Ordinance 2025-11-03 amending Chapter 22 – Administrative Policies and Procedures: **MOTION** by DuPlayee/Williams to adopt the ordinance amendment as drafted. **MOTION CARRIED 5-0.**

C. Consider funding source for down payment on equipment package for 2025 Western Star patrol truck: **MOTION** by Fonger/Williams to use existing funds for the full amount due on the equipment package for the 2025 Western Star patrol truck ($125,932.25), rather than borrowing for it. **MOTION CARRIED 5-0.**

D. Discuss/Consider plans for selling 2010 International patrol truck: **MOTION** by Anders/DuPlayee to list it on Wisconsin Surplus. **MOTION CARRIED 5-0.**

E. Discuss/Consider Flynn Hall rental fees and policies, and terms for renewal of Lease and Cooperative Agreement regarding Flynn Hall: Discussion included whether to increase the rental fee and/or deposit, consensus was that the Town Board should reserve the right to set these rather than the committee, along with the right to amend the application form as needed. The committee has already agreed to move the cost of internet service to the Utilities line item that is split between the Town, Village and Lions Club. There was a suggestion that paper products should be moved too since they are consumed by users. The language on page 5 referring to annual maintenance costs not to exceed $100 should be stricken as nobody knows what it is referring to. The committee should look at past financials and determine what the annual ceiling on the shared portion of the Utilities line item should be. The remainder would be the Town's responsibility. The Town keeps the rent, which some years has offset the Town's third, and some years has not. **MOTION** by DuPlayee/Williams to add the following language to the application form: *Renter/User will be responsible for the total cost of any damage exceeding the deposit amount.* **MOTION CARRIED 5-0.** Consensus was to increase the fee for Town and Village residents from $150 to $175, and leave the deposit at $100. The fee change will need to be adopted by resolution at a later date.

F. Consider approval of quote for a security/transaction window for the Town Office: **MOTION** by DuPlayee/Williams to table for a second quote. **MOTION CARRIED 5-0.**

G. Consider approval of cost estimate to update light fixtures in the Town Hall: Dresen provided a quote from MeBulbs for $7,023.71 for all of the light fixtures, which Town personnel can install. **MOTION** by DuPlayee/Fonger to approve up to $7,500 out of unassigned funds to upgrade light fixtures in the Town Hall in 2025. **MOTION CARRIED 5-0.**

H. Discuss/Consider 2026 Town Budget: With all estimated revenues and expenses accounted for, there was an excess of $81,443.55 in revenues over expenses. **MOTION** by DuPlayee/Williams to allocate this amount to Highway Maintenance Contracts. **MOTION CARRIED 5-0.**

I. Complete Insurance Renewal Questionnaire: Discussion was that limits on replacement costs for the buildings seem low. The Clerk-Treasurer offered to contact the Town Assessor to see if they can provide a current appraisal. **MOTION** by DuPlayee/Williams to table for staff to check into getting appraisals and fill out the construction details of the buildings. **MOTION CARRIED 5-0.**

J. Consider attendees for Urban County Consortium Informational Meeting on November 6th: Williams is interested in attending. **MOTION** by Anders/Fonger to allow up to two attendees. **MOTION CARRIED 5-0.**

K. Discuss/Consider increasing credit limit for the Town Visa credit card account: The Clerk-Treasurer said the monthly $5,000 limit shared by herself and Dresen is not enough this time of the year when annual subscription fees and maintenance costs come due at the same time. **MOTION** by Williams/DuPlayee to increase the monthly shared limit to $10,000. **MOTION CARRIED 5-0.**

L. Discuss/Consider 2025 Employee Bonus Payments: **MOTION** by Williams/DuPlayee to pay a $500 bonus to the Highway Superintendent, two Public Works Employees, Clerk-Treasurer and Deputy Clerk-Treasurer along with their regular paycheck on November 28, 2025, using unassigned funds. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Report of Road Right-of-Way permits: None since the last meeting.

B. They are working on cleaning up and putting away summer equipment and getting out winter equipment.

C. Dresen and Banigan have been hearing concerns from builders and realtors about when occupancy will be possible for new homes in Kennedy Hills First Addition. The improvements are mostly complete except for the final course of asphalt, which will not be possible until spring. Dresen and Banigan suggested that the Board consider accepting the developer's dedication of improvements conditioned on the final paving occurring by a certain date, and keeping the security in place until it is. This would allow for occupancy permits to be issued and for more of the construction to take place before the final surface is put down. Otherwise, an agreement for the Town to perform snow removal and bill the developer will be needed soon. Consensus was to get a final list from the Town Engineer and contact the developer about dedicating the improvements.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that merchants have been contacting her about chargebacks on legitimate credit card charges. She is working with the bank to get to the bottom of it. So far, she does not have any answers for why the bank initiated the chargebacks, as they were not charges that she disputed. Millage provided an update on hiring processes for the Deputy Clerk and Court Clerk vacancies.

V. BOARD REPORTS AND COMMUNICATIONS: None.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by DuPlayee/Eickhoff to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 9:11 P.M.

Kim Banigan, Clerk-Treasurer

Approved 11-17-2025

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

Title: Ordinance 2025-11-03 Amending Chapter 22 Administrative Policies and Procedures

Code Section(s) created, amended, or repealed	Chapter 22
Presented to Board by	Clerk-Treasurer
Committee Review by	None
Attorney Review by	Christopher Nelson
Date(s) Public Hearing(s) held (if required)	November 3, 2025
Date adopted	Nov 3, 2025
Vote	5-0
Date of posting of adoption of ordinance	Nov 6, 2025
Date of publication of adoption of ordinance	not required

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

Chapter 22 is hereby amended to read as follows:

CHAPTER 22 - ADMINISTRATIVE POLICIES AND PROCEDURES

22.01 LOT DRAWING FOR PLACEMENT OF CANDIDATES NAMES ON ELECTION BALLOTS

(1) The Town Clerk-Treasurer shall make a legal posting of the date, time and location of the lot drawing, in at least three places where such public notices are routinely made. The date selected, shall be within the deadline for such drawing; established by the state elections board.

(2) At the announced day and time, the Town Clerk-Treasurer shall ensure that there is a minimum of two witnesses available, along with a neutral party to do the actual lot drawing.

NOTE: It is recommended that each of the major political parties in the state, have a representative in attendance; however, any two electors of the Town may act as a witness. It is also recommended that the neutral party be a member of the boy scouts, girl scouts, or other non-elector of the Town.

(3) Each candidate's name shall be placed on a slip of paper that will be used in the drawing. Each slip used shall be the same size, shape and color. The name of the candidate shall be written in the same color ink on all slips.

(4) All the candidate slips shall be placed in a container, and the container placed so that the neutral party cannot see which slip is being selected (i.e.: raised above eye-level of the person doing the drawing).

(5) As the slips are drawn, the Town Clerk-Treasurer shall consecutively number them. The drawing shall continue until all the slips have been selected, and a number assigned to them.

(6) The order in which the slips are drawn and numbered, shall be the order that the candidate(s) names are placed in the ballot for their respective office.

(7) In the event there is a primary election required for any Town elected position, a separate lot drawing; following the above procedures, shall be held for only those candidates involved in the primary election.

(8) Following the primary election, the top two candidates for each contested office, shall be placed on the ballot in the order in which their names were selected, during the initial lot drawing.

22.02 OFFICE PROTOCOL

(1) ADMINISTRATIVE FUNCTIONS

To improve communication and organization, the Town Clerk ~~and~~ -Treasurer shall establish any directives they see appropriate regarding general housekeeping (*i.e.* policies on photocopying, maintenance and retrieval of records, sign-out sheets).

(2) AUDIT OF TOWN'S FINANCIAL RECORDS

(a) An audit of the Town's financial records shall be conducted annually.

(b) The Town Board may provide for financial audits under § 66.0605, Wis. Stats.

22.03 USE OF TOWN FACILITIES OR EQUIPMENT

The use of the Town office, all Town equipment, and support staff is for Town-related business only, and only by elected officials. Committee Chairpersons or officers must gain prior approval of the Town Clerk-Treasurer or Town Chair~~man~~ to utilize these services.

22.04 RESERVED FOR FUTURE USE~~USE OF APPEARANCE SLIPS, BALLOTS AND ATTENDANCE LISTS~~

(Reserved)

22.05 RESERVED FOR FUTURE USE

(Reserved)

22.06 SPLIT SHIFTS AT ELECTIONS

Pursuant to § 7.30(1), Wis. Stats. the Town of Cottage Grove shall allow for the selection of two or more sets of officials to work at different times on election days and permit the Town Clerk or his/her designee to establish different working hours for different officials assigned to the same polling place. Alternate officials shall also be appointed in a number sufficient to maintain adequate staffing of the polling place.

22.07 ALTERNATE CLAIMS PROCEDURE.

(1) PURPOSE.

The purpose of this ordinance is to authorize an alternative procedure for approving financial claims against the Town that are in the nature of bills and vouchers, when payment is due prior to the next scheduled Town Board meeting.

(2) AUTHORITY.

The Town Board has the specific authority under § 60.44 (2), Wis. Stats., to adopt this ordinance.

(3) APPLICABILITY.

Payments of claims against the Town may be made from the Town Treasury pursuant to § 66.0607, Wis. Stats., and under the procedure established in section (4) for bills or vouchers that are monthly or routine in nature when payment is due prior to the next scheduled Town Board meeting, including but not limited to: utility bills, payroll checks and liabilities, property tax settlements, loan and bond payments.

(4) PROCEDURE.

(a) Subject to the restrictions under section (3), the payment of a claim against the Town may be made from the Town Treasury if the Town Clerk-Treasurer reviews and approves in writing

the claim as a proper charge against the Town Treasury. A claim against the Town is a proper charge against the Town Treasury if the ~~clerk~~ Clerk-Treasurer determines that all of the following conditions have been met:

1. Funds are available under the Town budget to pay the bill or voucher.
2. The item or service covered by the bill or voucher has been authorized by the Town Board or an authorized Town official, agent, or employee.
3. The item or service covered by the bill or voucher has been supplied or rendered in conformity with the authorization.
4. The claim appears to be a valid claim against the Town.

(b) The Town Clerk-Treasurer may require submission of proof to determine compliance with the conditions under subsection (a) prior to approval. (For example, the ~~clerk~~ Clerk-Treasuter may require verification of quantity, quality, etc., by another Town official or employee.)

(c) After determining that the conditions under subsection (a) have been met, the Town Clerk-Treasurer shall indicate approval of the claim by placing his or her signature on the bill or voucher. Upon approval of a bill or voucher under this procedure, the Town Clerk-Treasurer shall prepare and sign a check and have it countersigned by ~~the Town Treasurer and~~ the Town Chair, pursuant to § 66.0607, Wis. Stats. The Town Clerk-Treasurer shall then mail or deliver the completed checks to the appropriate parties.

(d) At least monthly, the Town Clerk-Treasurer shall file with the Town Board a written list of claims approved pursuant to this ordinance. The list shall include the date paid, name of claimant, purpose, and amount.

(5) SEVERABILITY.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this ordinance are severable.

~~(6) EFFECTIVE DATE.~~

~~(a) This original ordinance was adopted on March 19, 2012.~~

~~(b) This ordinance is effective on publication or posting as required under § 60.80, Wis. Stats.~~

22.08 LEGAL POSTING AND PUBLICATION; DESIGNATION OF OFFICIAL NEWSPAPER.

(1) Method of Notice: The Town shall use posting pursuant to State law as its primary means of giving notice.

(2) When Notice Shall be Posted: Notices shall be posted before the act or event requiring notice and no later than the time specified for the first newspaper publication.

(3) Where Notice Shall be Posted: The notice must be posted in at least three public places likely to give notice to persons affected OR must be posted in at least one public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the municipality. By its own motion, the Town Board shall determine the locations for the public places used for notices.

(4) Publication: When publication is required by State law or when publication is directed by

the Town Board, the official newspaper shall be the Wisconsin State Journal.

(5) State law reference: Publication of legal notices, public newspapers, and fees, § 985.01, Wis. Stats. et seq.; official newspapers, § 985.06, WIS. STATS.

~~(6) EFFECTIVE DATE.~~

~~(a) This original ordinance was adopted on December 21, 2015.~~

~~(b) This ordinance is effective on publication or posting as required under § 60.80, Wis. Stats.~~

22.09 REFUND OF REAL ESTATE TAX OVERPAYMENTS

(1) TITLE AND PURPOSE.

The title of this ordinance is the Town of Cottage Grove Refund of Real Estate Tax Overpayments. The purpose is to reduce the burden and cost on the Town to return small amounts of money that have been overpaid on real estate tax bills.

(2) AUTHORITY.

This section is adopted pursuant to § 60.44(2), Wis. Stats.

(3) PROCEDURE.

Upon verification by the Town Clerk-Treasurer that a real estate tax payment has been received in excess of the amount of the tax bill, the Town Clerk-Treasurer is authorized to refund the excess tax payment to the parties shown on the tax bill if it is in the amount of $2.00 or more. If the excess payment is less than $2.00, the Town Clerk-Treasurer shall keep a record of such overpayment and return it to the taxpayer if requested in writing by the taxpayer. The Town Clerk-Treasurer shall keep a permanent record of those tax overpayments from year to year. The payments shall be handled in the same manner as other payments of Town bills after the Town Clerk-Treasurer's February settlement of first installment tax collections with the Dane County Treasurer.

(4) EFFECTIVE DATE.

The foregoing policy, as set forth in ~~this ordinance~~Chapter 22 of this ordinance and any amendments thereto, shall be in full force and effect upon adoption by the Town Board and upon posting or publication as required under § 60.80, Wis. Stats.

Adopted this 3rd day of Nov, 2025, by a vote of 5 for, 0 against, with 0 abstentions.

TOWN OF COTTAGE GROVE

Steven Anders, Town Chair

ATTEST:

Kim Banigan, Town Clerk-Treasurer