

**VILLAGE OF COTTAGE GROVE
VILLAGE BOARD OF TRUSTEES
Tuesday, September 18, 2018**

MINUTES

1. Call to order

The September 18, 2018 regular meeting of the Village Board of Trustees was called to order at 6:30 p.m. by Village Clerk Lisa Kalata. Nomination for chairperson Pro Tem was called. **Motion** by Elmore to nominate Williams as Chairperson Pro Tem, seconded by Allen. **Motion** carried with a voice vote of 6-0-0.

2. Determination of quorum and that the agenda was properly posted.

It was determined that there was a quorum of members present and that the agenda was properly posted. Village Board members present were: Troy Allen, James Elmore, Jeff Lennberg, Melissa Ratcliff, Jon Russell and John Williams. Jack Henrich was absent and excused. Staff present were Administrator Matt Giese, Village Clerk Lisa Kalata, Village Planner Erin Ruth, Public Works Director JJ Larson, Village Treasurer Deb Winter, Parks & Recreation Director Sean Brusegar, Police Chief Dan Layber, Village Engineer Mike Maloney and Village Attorney Leighton Boushea.

3. Pledge of Allegiance.

4. PUBLIC APPEARANCES – *Public's opportunity to speak about any subject that is not a specific agenda item.*

None

5. Discuss and consider the minutes of the regular Village Board meeting of August 20, 2018 and Special Board Meeting on August 28, 2018.

Motion by Allen to approve the August 20, 2018 Village Board minutes, seconded by Elmore. **Motion** carried with a voice vote of 6-0-0. **Motion** by Elmore to approve the August 28, 2018 Special Board minutes, seconded by Allen.

Motion carried with a voice vote of 6-0-0.

6. Unfinished Business

a. Discuss and consider update to Financial Management Plan for 2019-2023.

Greg Johnson and Jonathan Schatz from Ehlers were present to give a brief overview of the updated Financial Management Plan for 2019-2023. The plan was updated with changes that reflected a change in the debt service, which was lowered from the previous meeting. The projects were incorporated within the maintenance budget item and the larger items would then be incorporated in the borrowing. Williams asked about the Clark Street bike path, as he did not see it in the plan and feels that it needs to be incorporated so it does not get lost in the future planning. Allen feels that 2019 is a large increase from 2018, which Giese indicated it was increased because road repaving and a new fire truck were added to the plan. Elmore indicated that the current plan would be a 6% increase which equates to about \$116,000 and would like to cut it down to a 3% increase. Elmore suggested replacing only one dump truck in 2019 to decrease expenditures. Greg Johnson decreased the capital fund by \$124,000 and add the \$230,000 to the Clark Street project in the model which equated to a .19 decrease in the tax levy. **Motion** by Ratcliff to approve the Financial Management Plan for 2019-2023 with the amendments of the board, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

b. Discuss and consider Village Facilities Use/Rental Policy.

Giese reported that staff was asked to get feedback on the policy that was presented from the Village of DeForest. The policy is new, so they did not have much to offer, other than it is not rented very much because groups do not want to pay the fees. They also use a key fob system as well. The feedback from Village Staff was that the space is used on a regular basis by the Village, so they would like it to be after hours or weekends. Allen indicated that this is public space and it should be available for use. He also gave some background information on Flynn Hall, which residents can rent. Williams thought that adding a list of available spaces within the Village may be useful for people looking to meeting space and that maybe this should be the first steps and see how this works before drafting a policy. Ratcliff indicated that she contacted a trustee in the Village of DeForest and the reason they have the policy is because they have a new facility that has extra space that can be rented to the public. **Motion** by Lennberg to table and create a list of available meeting space within the village to be listed on the Village website, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

c. Discuss and consider joint meeting with the Town of Cottage Grove on September 27, 2018.

Williams indicated that the meeting would be at the Town Hall since the Village hosted last time. Russell indicated that he will not be able to attend the meeting. Ratcliff would like the meeting to start at 7:00 p.m. Lennberg will not be able to attend the meeting. Attorney Boushea would like the Emergency Government agreements on the agenda because there are a series of agreements and it should be in one complete agreement. Williams would like to discuss economic development and the branding study from the Chamber. Russell would like to discuss parks and recreation at Bakken Park, as the Town may be interested in contributing to the park. Williams indicated that the agenda will be discussion topics and Village staff will not need to attend the meeting. **Motion** by Elmore to approve the joint meeting on September 27, 2018 at 7:00 p.m. at the Town Hall, seconded by Allen. **Motion** carried with a voice vote of 6-0-0.

d. Discuss and consider Alliant street light buy back.

Larson explained the memo in the packet regarding the buyback of light poles from Alliant. The cost would be \$96,620.10 for 96 poles and fixtures, which would cut the cost of the monthly bill by \$1,592.64. The \$96,620.10 is not in the budget so it would come from the reserve fund balance to be paid. Alliant is offer a one-time 50% down payment immediately in the amount of \$48,310.05 and then equal payments of \$4,025.84 for 12 months. **Motion** by Allen to approve the buyback as presented, seconded by Elmore. **Motion** carried with a voice vote of 6-0-0.

e. Private driveway to 4026 County Road N (Dale & Joanne Huston), from County N to second driveway of Emergency Services Building: Discuss and consider obtaining an easement for the Town and Village to utilize for Emergency Services Building access.

Attorney Boushea indicated that the Hustons have hired a land surveyor to get the legal description of the property so an easement can be drafted. **Motion** by Russell to approve moving forward with the easement along the private driveway of 4026 County Road N and the second driveway of the Emergency Services Building, seconded by Lennberg. **Motion** carried with a voice vote of 6-0-0.

7. New Business

a. Discuss and consider sound amplification permit for Lisa Treu at Firemans Park at 220 S. Grove St.

Motion by Russell to approve the sound amplification permit for Lisa Treu at Firemans Park at 220 S. Grove St, seconded by Elmore. **Motion** carried with a voice vote of 6-0-0.

b. Discuss and consider new operator's licenses for year July 2018-June 2019 for Heather Bane, Megan Paskey, Catherine Gitter, Daniel Grimes, Destiny Castillo and Jennifer Meyer.

Motion by Ratcliff to approve operator's licenses for Heather Bane, Megan Paskey, Catherine Gitter, Daniel Grimes, Destiny Castillo and Jennifer Meyer for license year July 2018-June 2019, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

c. Discuss potential Village cable channel via TDS.

Kalata explained that with TDS coming to the Village there is an opportunity to have another cable channel, however the cost of the equipment would be \$8,000 to \$9,000 to run the channel. This could be looked at during budget time next year when the service is in full capacity.

8. Reports from Village Boards, Commissions & Committee

8.I. Deer-Grove EMS Commission

a. Discuss and consider Deer-Grove EMS contract with Life Line Billing Systems, LLC

Allen reported that they discussed the contract with Pleasant Springs. They also approved the Life Quest contracts. They are waiting on the collective bargaining agreement. The next meeting will be September 20, 2018.

Motion by Ratcliff to approve the contract with Life Line Billing Systems, LLC, seconded by Lennberg. **Motion** carried with a voice vote of 6-0-0.

8.II. Parks, Recreation & Forestry Committee

Elmore reported that they discussed a trail in the Quarry Ridge Development that would be a nice addition to the trails in Cottage Grove. They also looked at options for the splash pad in Bakken Park.

8.III. Law Enforcement Committee

a. Discuss and consider Restorative Justice program.

Allen reported that they discussed the restorative justice program that does not take any funds to be a part of the program and it would give the age group of 17-25 a different path to choose. This would be an agreement with Dane County and would need a signed MOU from the Village President. They also discussed the 2019 budget and the next meeting is September 25, 2018. **Motion** by Allen to approve the agreement to participate in the Restorative Justice program, seconded by Lennberg. **Motion** carried with a voice vote of 6-0-0.

8.IV. Flynn Hall Committee

Allen reported that they discussed the budget for 2019 and it will remain the same. They discussed redoing the wood floors which they will not be doing. Allen also pointed out that the building rental revenue is not shared by all parties that contribute to the budget amount. The hall has been rented by 13 Village residents this year and 3 town residents.

8.V. Public Works & Properties Committee

a. Update regarding roundabout maintenance responsibilities.

Larson indicated that he received an email from DOT this morning that indicated the only agreement they have on file is the agreement that the Village has on file. Giese indicated that they met in 2014 with the DOT to get this issued resolved and they are still working on a maintenance agreement to date but are hopeful that they are almost done with it. Ratcliff is looking into the county responsibility, and it looks like the grass mowing is the county responsibility and the any additions that would be added by the Village would be the Village's responsibility. Allen asked if we received funding for this from the State or County and we have not.

b. Discuss and consider Resolution 2018-17; Re: Resolution requesting a Dane County PARC & Ride Grant for Vilas Road.

Maloney indicated that this would be a 50% funding through the county. **Motion** by Ratcliff to approve Resolution 2018-17 requesting a Dane County PARC and Ride grant for Vilas Road, seconded by Russell.

Motion carried with a voice vote of 6-0-0.

c. Discuss and consider Resolution 2018-18; Re: Resolution requesting a Dane County PARC & Ride Grant for Main Street.

Motion by Ratcliff to approve resolution 2018-18 requesting a Dane County PARC and Ride Grant for Main Street, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

8.VI. Emergency Government Committee

Allen indicated that they met on September 5, 2018 and Alliant Energy was present to discuss the lines that are in the Village and how to recognize their lines. They are also working with the Fire Chief to get a table top exercise with a propane leak. Monona Grove School did receive a grant for cameras and locks in the schools. The next meeting will be October 3, 2018.

8.VII. Community Development Authority

Williams indicated that they discussed the marketing for the new TIDs, which Ruth will bring back more ideas to the next meeting for approval. Lennberg indicated that the current budget is \$5,000 and they may need to increase that to make a bigger impact.

8.VIII. Ad Hoc Architectural Review Committee

Ruth reported that they approved the Oakstone project in Commerce Park with conditions in the staff report.

8.IX. Utility Commission

Russell indicated they discussed the pricing on the north water tower lighting that would cost about \$6,000 but would enhance the community. They also approved the 2019 budget and the next meeting is October 10, 2018.

8.X. Plan Commission

a. Discuss and consider request from R.G. Huston Co. for approval of an ETJ Certified Survey Map to split 5.2 acres from an existing 35.9 acre parcel located at 2621 Coffeytown Road (parcel #0711-212-8500-6) in the Town of Cottage Grove.

Ruth explained that this is a straight forward ETJ CSM that is being recommended for approval. **Motion** by Williams to approve the ETJ Certified Survey Map to split 5.2 acres from an existing 35.9 acre parcel located at 2621 Coffeytown Road in the Town of Cottage Grove with conditions in action report, seconded by Lennberg. **Motion** carried with a voice vote 6-0-0.

b. Discuss and consider request from Soul's Song LLC for a Conditional Use Permit to conduct classes for up to 15 people as a home occupation at a residence located at 300 Lindsay Way.

Ruth reported that this was approved at the Plan Commission with conditions in the staff report. **Motion** by Lennberg to approve the Conditional Use Permit to Soul's Song LLC to conduct classes for up to 15 people as a home occupation at a residence located at 300 Lindsay Way, with conditions in the Village action report, seconded by Ratcliff. **Motion** carried with a voice vote of 6-0-0.

c. Discuss and consider request from Madison United Rugby for approval of a Site Plan Amendment to add a shed at their facility located at 513 Clark Street.

Ruth reported that they are looking for approval to construct a shed on the property to store equipment and the Plan Commission did approve with conditions in the staff report. **Motion** by Russell to approve the Site Plan

Amendment to add a shed at their facility located at 513 Clark Street, seconded by Elmore. **Motion** carried with a voice vote of 6-0-0.

d. Discuss and consider a request from John Schneider LLC for approval of a Preliminary Plat for the West Drumlin Subdivision.

Ruth explained that the Preliminary Plat will be 10 parcels for single family homes. Russell had concerns with the location being so close to the school on how the traffic will flow. John Schneider was present, and he indicated that they will be working with the school on delivery hours and signage for the area as well. **Motion** by Ratcliff to approve a Preliminary Plat for the West Drumlin Subdivision for John Schneider LLC with conditions in the staff report, seconded by Lennberg. **Motion** carried with a voice vote of 6-0-0.

e. Discuss and consider a proposed Zoning Ordinance Amendment creating an 'Outdoor Commercial Entertainment' accessory land use.

Ruth reported that the current zoning is for larger scale uses and this would allow for smaller scale uses that are incidental to an indoor use. This accessory use would be permitted as a conditional use in a wider variety of zoning districts. **Motion** by Ratcliff to approve the zoning ordinance amendment creating an outdoor commercial entertainment accessory land use with conditions in the staff report, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

f. Discuss and consider a request from Oakstone for a Conditional Use Permit to operate an Outdoor Commercial Entertainment (outdoor seating, bar, and volleyball) accessory land use, and to operate an indoor commercial entertainment (restaurant, bar, and volleyball courts) land use with a liquor license to be located at the NE corner of Commerce Parkway and Erb Rd.

Russ Owens and Andy Reed from Plunkett Raysich Architects were presented to explain the proposed bar and restaurant featuring indoor and outdoor volleyball. The proposed facility includes nearly 14,000 square feet of interior space including a bar, restaurant, meeting room and outdoor bar and two outdoor grass volleyball courts. They have worked with JSD for engineering on parking and the operating hours will be 11:00 am to midnight with league volleyball. Ratcliff asked why grass is used for the outdoor courts, which the architect explained that grass is for higher competition type volleyball. Giese indicated that this project does check a lot of the boxes of the type of business that Village residents have been asking to get in the Village. **Motion** by Russell to approve the request from Oakstone for a Conditional Use Permit to operate an Outdoor Commercial Entertainment (outdoor seating, bar, and volleyball) accessory land use, and to operate an indoor commercial entertainment (restaurant, bar, and volleyball courts) land use with a liquor license to be located at the NE corner of Commerce Parkway and Erb Rd with conditions on staff report, seconded by Ratcliff. **Motion** carried with a voice vote of 6-0-0.

g. Discuss and consider a request from Oakstone for approval of a Site Plan for a bar/restaurant/volleyball facility to be located at the NE corner of Commerce Parkway and Erb Rd.

Motion by Ratcliff to approve a request from Oakstone for approval of a Site Plan for a bar/restaurant/volleyball facility to be located at the NE corner of Commerce Parkway and Erb Rd with conditions on staff report, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

h. Discuss and consider a request from James and Marianne Gariti to rezone approximately 15 acres located at 4901 County Highway N from RH, Rural Holding to PI, Planned Industrial (parcels #0811-332-9782-1 and #0811-332-9791-1).

Ruth explained that they are requesting approval to rezone the property from RH, Rural Holding to PI, Planned Industrial and for a conditional use permit to construct personal storage units. The rezone would allow Moving Forward to use the existing building on the site as an office, and the storage units would not require Village utilities, which are not yet available at the site. Jim Gariti was presented and explained the future plan for the 15 acres is to develop a small business park with their business being run out of this location along with rental space for other businesses. Russell questioned if this is consistent with the comprehensive plan, which Ruth indicated that the plan says to avoid rezoning before utilities are in place, however this use does not need the utilities because there are existing utilities and the next phase would not need utilities either, so I think this would be a case that it would be allowable. Williams and Lennberg both have concerns with this type of business at this location and is not the use that the CDA is looking for in this area. **Motion** by Ratcliff to approve the rezone of approximately 15 acres located at 4901 County Highway N from RH, Rural Holding to PI, Planned Industrial (parcels #0811-332-9782-1 and #0811-332-9791-1) with conditions in the staff report, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

9. Reports from Village Officers:

- a. Troy Allen-No report
- b. James Elmore- No report
- c. Jeff Lennberg- No report
- d. Melissa Ratcliff- No report
- e. Jon Russell

i. Fire station parking lot update

They are coming back to do some painting by the front door. There was a miscalculation of material in the amount of \$16,990.35. The Town did talk about it at the town meeting. They are looking to be paid for materials only and wanted to make everyone aware of the issue. This item will be added to the agenda for the joint meeting.

ii. Future meeting dates of village board meetings and joint meetings with the town.

Russell had concerns with scheduling off cycle meetings to try to stick to the meeting dates as set as it becomes very difficult to attend such meetings. Russell would also like to invite the School District to come and speak about the upcoming referendum and the October 15, 2018 meeting date would work. Also, he would like that if people come to speak at a meeting they are allowed to speak whether they filled out the form to speak or not. Also, that if letters go out to neighbors for an item he would like that the Village Trustees get a copy as well, so they are aware of the topics or concerns. Thank you to Andrew for all his years of service and the partnership with MG schools for the new cable staff.

- f. John Williams- No report
- g. Jack Henrich- Absent
- h. Attorney Lee Boushea- No report
- i. Administrator Matt Giese- Thank you to Chief Wolf for getting the room for tonight's meeting along with Trustee Russell.
- j. Director of Planning and Development Erin Ruth-No report
- k. Police Chief Dan Layber- No Report

10. Communications and Miscellaneous Business

a. Consider approval of vouchers.

Motion by Ratcliff to approve the Village portion of the vouchers in the amount of \$105,627.10, seconded by Elmore. The check sequence goes from check #44237 to check #44308 **Motion** carried with a voice vote of 6-0-0.

b. Correspondence-None

c. Upcoming community events- September 28, 2018 there is the Triad State Conference at American Family from 8:00 am to 3:00 pm, Community Rugby day on September 29, 2018.

d. Future agenda items-Rugby Club on the October 15, 2018 meeting, Monona Grove School District to present on upcoming referendum.

11. Closed Session:

The Village of Cottage Grove Village Board will enter into Closed Session pursuant to Wisconsin State Statute §19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. This closed session is to discuss Commerce Park TID #5 land sale negotiation; and to discuss boundary agreements.

Motion by Russell to convene into closed session at 9:10 p.m., seconded by Elmore. **Motion** carried with a roll call vote Allen AYE, Elmore AYE, Lennberg AYE, Ratcliff AYE, Russell AYE, Williams AYE.

12. Reconvene into open session and possible consideration of closed session items

Motion by Elmore to reconvene into open session at 9:40 p.m., seconded by Lennberg. **Motion** carried with a roll call vote Williams AYE, Russell AYE, Ratcliff AYE, Lennberg AYE, Elmore AYE, Allen AYE. **Motion** by Allen to accept the offer to purchase from Punzarella LLC d.b.a. Oakstone Recreational Facility for lot 2 in Commerce Park and have staff prepare reports as needed, seconded by Elmore.

Motion carried with a voice vote of 6-0-0.

11. Adjournment

Motion by Allen to adjourn at 9:41 p.m., seconded by Elmore. **Motion** carried with a voice vote of 6-0-0.

**Lisa Kalata, Clerk
Village of Cottage Grove
Approved: October 1, 2018**

These minutes represent the general subject matter discussed in this meeting but do not reflect a verbatim documentation of the subjects and conversations that took place.