

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, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. DGEMS 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 meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the December 16, 2024 meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #37582-37631, voided check #37570 replaced by #37583, and EFTs in the amount of \$39,209.35. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of December per diems as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Plan Commission Recommendations:
 - 1. Brian Korfmacher, applicant, Roger & Lynn Korfmacher, property owners, parcels 0711-293-8660-0, 0711-293-9003-0 and 0711-293-9440-0 on Femrite Drive: Petition for rezone of 16.7 acres from FP-35 to FP-1 and 7.4 acres from NR-C to FP-1. (DCPREZ-12128): Brian and Roger Korfmacher were present. Brian stated that he wants to split off 5 acres to purchase from his parents, and was advised that he should be able to do that along with this rezone rather than needing a separate application. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to rezone all of parcels 0711-293-8660-0, 0711-293-9003-0 and 0711-293-9440-0 to FP-1, but not specifying the number of agricultural lots to be created, leaving that for the petitioners to determine with a CSM. **MOTION CARRIED 5-0.**
 - 2. Discuss/Consider approval of Dane County OA-23 regarding the review process for conditional use permits: Anders stated that the DCTA is recommending approval of this amendment, that it is in conformance with State Statutes. **MOTION** by Anders/Williams to accept the Plan Commission's recommendation to approve OA-23 as presented. **MOTION CARRIED 5-0.**
- B. Award bid for solar inverter system for Town Hall and Garage: Advertisement for bids was published in the WSJ on December 17th and 24th, and posted at the Town Hall and on Town's website. Only one bid was received, from Midwest Solar Power, Inc, for \$33,257 for the Town Hall and \$23,550 for the Town Garage. Federal tax credits and Focus on Energy cashback are estimated to reduce the total costs by \$17,554. **MOTION** by Williams/DuPlayee to award the Bid to Midwest Solar Power, Inc. for \$33,257 and \$23,550. **MOTION CARRIED 5-0.**
- C. Award bid for installation of membrane over roof at 4091 CTH N: Advertisement for bids was published in the WSJ on December 17th and 24th, and posted at the Town Hall and on Town's website. Two bids were received: 1) Custofam Roofing Solutions: \$29,260 including 5-year total systems manufacturer's warranty and an option to add a 15-year manufacturer's warranty for \$450, and 2) Great Lakes Roofing: \$39,500, including a 20-year manufacturer's membrane warranty and 15-year labor warranty. **MOTION** by DuPlayee/Williams to award the bid to

Custofoam Roofing Solutions for \$29,260 plus \$450 for the optional 15-year manufacturer's warranty. **MOTION CARRIED 5-0.**

- D. Consider adoption of Ordinance 2025-01-06 setting the speed limit of Uphoff Road at 45 m.p.h.: A speed study conducted by the Dane County Highway Department determined the 85th percentile speed at 43 m.p.h. on Uphoff Road between West Ridge and Nora Roads, clearly justifying reduction of the speed limit to 45 m.p.h. **MOTION** by DuPlayee/Williams to adopt Ordinance 2025-01-06 setting the speed limit of Uphoff Road between West Ridge and Nora Roads at 45 m.p.h. **MOTION CARRIED 5-0.**
- E. Consider approval of a Certified Survey Map for 3895 Vilas Hope Road (DCPREZ 12121): **MOTION** by DuPlayee/Anders to approve the CSM as presented, identified by revision date 12-18-2024. **MOTION CARRIED 5-0.**
- F. Appoint Responding Contact for Alliant Energy: **MOTION** by Williams/Anders to appoint Highway Superintendent Dan Dresen as the responding contact for Alliant Energy. **MOTION CARRIED 5-0.**
- G. Appoint representative for Yahara Wins beginning with March meeting: **MOTION** by DuPlayee/Anders to appoint Kristi Williams to represent the Town with Yahara Wins, beginning with the March 18th meeting. **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 have been picking up lots of Christmas trees.

IV. CLERK-TREASURER'S OFFICE UPDATE: Office staff has been busy collecting property taxes, completing end of year tasks and preparing for the 2024 audit. COM2 Recycling Solutions reached out again to see if the Town would be interested in their services, however, thoughts were that we don't have a good spot to locate a collection vessel, and it would likely become an eyesore and act as a dumping spot for unacceptable items that Town staff would have to deal with.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that there is a DCTA Membership meeting on January 15th. Four of the Board members are interested. Since notice came too late for an agenda item, decision to pay per diems for this meeting will have to be made when January per diem payments are approved.
- B. Williams presented a painting of a winter scene on Vilas Road by Town resident Kent Parks. Plans are to frame and hang it in the Town Hall meeting room.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that the Commission is evaluating the Chief this month. 2024 had a record number of calls. Lt. Devon Anders has resigned and will be the new Deputy Chief at Fitch-Rona. Response to the current hiring campaign is strong.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:48 P.M.

Kim Banigan, Clerk-Treasurer
Approved 01-20-2025

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JANUARY 20, 2025

PUBLIC HEARING FOR COMPREHENSIVE PLAN AMENDMENTS

- I. Notice of the Public Hearing was published in the legal section of the Wisconsin State Journal on December 20, 2024, and posted at the Town Hall, on the Town's web site, and Facebook page. Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, Deputy Jennifer Grafton (through item II A. below), Fire Chief Nick Archibald and Assistant Fire Chief April Hammond. Town Planner Mark Roffers and DGEMS Chief Eric Lang was present virtually. Others present are listed on the sign-in sheet available in the Town Clerk's Office.
- II. Hampton called the public hearing to order at 7:00 P.M.
- III. Roffers presented the proposed amendment, as described in his memo to the Board (Exhibit A). Williams pointed out a couple of typos in the amendment. There were no questions or comments from the public.
- IV. **MOTION** by Anders/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:08 p.m.

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 for the Public Hearing above.
 - B. Hampton called the meeting to order at 7:08 P.M.
 - C. Flag Pledge.
 - D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the January 6, 2025 meeting as presented. **MOTION CARRIED 5-0.**
 - E. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Fonger to approve checks #37632-37662 and EFTs in the amount of \$16,228.16. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of \$1,736.00 to General Engineering for December building permits. **MOTION CARRIED 5-0.**
 - F. Public Concerns: None.
- II. BUSINESS
 - A. Review December Police Activities: The monthly report showed 217 calls for service and 107 citations issued in December. Deputy Grafton said there were no major incidents to report. Hampton mentioned that a sex offender was recently relocated to a house in the Town, and Deputy Grafton said she had made contact with all of the residents of nearby properties. The Clerk-Treasurer said her office also mailed notice of the Zoom informational meeting on the topic to nearby residents.
 - B. Discuss/Consider adoption of Ordinance 2025-01-20 Amending the Town of Cottage Grove Comprehensive Plan: **MOTION** by Anders/Williams to adopt Ordinance 2025-01-20 Amending the Town of Cottage Grove Comprehensive Plan, including correction of typos mentioned by Williams earlier. **MOTION CARRIED 5-0.** Hampton asked Roffers to keep an eye on the County's revisions to the CUP process in case any revisions to the Town's review process are needed, and to prepare to comment on how design standards for commercial development fronting US Hwy 12/18 should be increased compared to other

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JANUARY 20, 2025

areas due to visibility. Roffers suggested reviewing the Design Review ordinance to identify highly visible sites.

- C. Discuss/Consider approval of a Parade or Race permit for the 2025 Hot2Trot Cottage Grove Run on June 14, 2025, to include a small portion of Vilas Road and Glacial Drumlin trail crossings in the Town: Applicant Cynthia Kelm-Nelson was present. The Clerk-Treasurer noted that a waiver of the fee and deposit were requested due to the charitable nature of the event, and that she has transmitted the application to the Fire Department and Deer-Grove EMS. The application is similar to prior years. Kelm-Nelson said this event has raised \$93,000 over the past several years, and volunteer helpers are needed. **MOTION** by Fonger/Williams to approve the permit and waive the fees. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of Operator's License for David Callahan: Mr. Callahan was present and stated that his OWI conviction last September was his only law offense, that he made an uncharacteristic mistake that will not happen again. Hampton asked if he was the holder of an operator's license at the time of the offense, he said he was. **MOTION** by Anders/Williams to deny the operator's license. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of Deer-Grove EMS Resolution 2025-01-0116: Ambulance Capital Purchase Fund Transfer: Chief Lang said this resolution sets aside the portion of the \$130,000 allocated in 2024 for the new Ambulance so it can be carried into the current year. **MOTION** by Williams/DuPlayee to approve Deer-Grove EMS Resolution 2025-01-0116. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of First Amendment to Solid Waste Agreement with Waste Management of Wisconsin, Inc.: The Clerk-Treasurer stated this amendment addresses the omission in the 2025-29 agreement of the annual e-cycle collection event that was included in Waste Management's quote. **MOTION** by DuPlayee/Fonger to approve the amendment as presented. **MOTION CARRIED 5-0.**
- G. Discuss/Consider Driveway Inspections (tabled on December 16, 2024): The Clerk-Treasurer said that the Fire Department has identified seven driveways that are the biggest issues for access by an engine. Five of them are due to steep slopes, especially when icy. One has a chain across it, and one has a small bridge that they question whether would hold up to the weight of an engine. Chief Archibald noted that most of the issues are not ones that can be realistically fixed, but the owners should be made aware of the fact that fire response may be slowed by the inability to get an engine close to a fire. The owner of the property with the chain should be advised that any driveway with a locked gate or fence is required by Town ordinance to have a Knox Box. Assistant Chief Hammond said the other issue is how to ensure future conformance with driveway standards. Discussion was to look at the driveway ordinance and permit process to address inspection of the base material when it is installed and discourage steep slopes, as well as to coordinate with the Building Inspector to add driveway standard conformance to the occupancy permit requirements. **MOTION** by DuPlayee/Anders to direct the Clerk's office to mail certified letters to the seven properties explaining the issues as discussed above, and directing the Clerk-Treasurer and Highway Superintendent to review the driveway ordinance and permit process to address future driveways, and coordinate with the Building Inspector to add conformance with driveway standards to the requirements for an occupancy permit. **MOTION CARRIED 5-0.**
- H. Discuss/Consider adoption of Budget Amendment 2024-01: The Clerk-Treasurer had prepared a suggested amendment to address mainly use of fund balances as determined by

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JANUARY 20, 2025

action of the Town Board and Fire Commission in 2024. **MOTION** by Anders/DuPlayee to adopt Budget Amendment 2024-01 as presented. **MOTION CARRIED 5-0.**

- I. Discuss/Consider approval of engagement letter for the 2024 Town Financial Audit: **MOTION** by DuPlayee/Williams to approve the audit engagement letter as presented. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: One permit has been issued since the last meeting, to Alliant for new service at 3850 Gala Way.
- B. Since they have not had much snow to deal with, the crew has been trimming trees and completing some other projects, including new light fixtures at Flynn Hall and some updates to the Town Garage. There was a question about how the brine is working on roads. Dresen said it seems to be working, however there has not been a good test yet this year.

IV. CLERK-TREASURER'S OFFICE UPDATE: The new access keypads for the Town Hall and Flynn Hall are scheduled for installation this Friday. There will be a Spring Primary on February 18th, to include State Superintendent of Public Instruction and Monona Grove School Board. Staff is preparing for that, as well as the audit on February 6th and 7th.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that the recent DCTA meeting included a discussion on CUPs and a presentation by the County Executive. He sat in on a Zoom meeting today with the Wisconsin Policy Forum on behalf of the City of Sun Prairie, with Chiefs Archibald and Lang, and Village Administrators from Cottage Grove and Deerfield. Comments were that Sun Prairie is too far away to help out as a first responder, although there would be efficiencies gained through collaboration on purchases and repairs.

VI. COMMITTEE REPORTS:

- A. Emergency Government Committee: Fonger reported that the new Dane County Representative is Andrew Beckett, and the committee plans to have him come to a meeting. They realized that neighboring Towns don't all have Emergency Government committees.
- B. Deer-Grove EMS Commission: Williams reported that calls were up 5.7% in 2024. The Chief's evaluation went very well. Chief Lang said all four positions have been hired. Fonger asked how collections are going. Chief Lang said a new billing company took over and they are still working through some issues with that. The 2024 goal of \$900,000 was met. Call volume is expected to increase this year, and the 2025 goal is set higher accordingly. Medicare and Medicaid have a big influence on what is collected, especially because 60-70% of patients have Medicare or Medicaid. He also mentioned that the State has been working for 2 years to allocate Federal Ground Emergency Medical Transport funds. The plan has federal approval but needs to be passed at the state level.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:09 P.M.

Kim Banigan, Clerk-Treasurer
Approved 02-17-2025

To: Town of Cottage Grove Board

From: Mark Roffers, Town Planning Consultant

Date: December 1, 2024

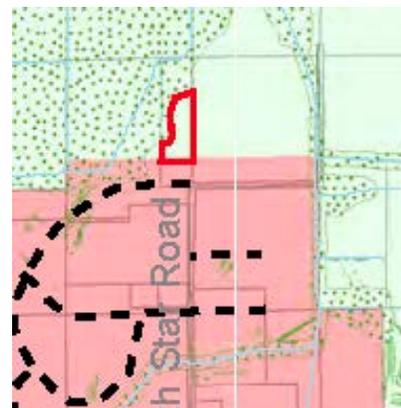
Re: Proposed Comprehensive Plan Amendments, 2024 Plan Amendment Cycle

Early in 2024, as part of the Town’s every-other-year Comprehensive Plan amendment cycle, the Plan Commission received a handful of requests for potential Plan amendments. At its March meeting, the Commission provided advice on how to handle those requests and suggested a couple of others including direction on associated research. From March to August, we completed such research, reached out to property owners at the north end of North Star Road, and waited for the proposal to extend sanitary sewer service to the Highway 12/18/N interchange area to resolve. In August, October, and November, the Commission reviewed the proposed amendments, and following Dane County staff review recommended the Plan amendments that are now before the Board for its consideration.

The following is a description and rationale for the proposed amendments:

Map Amendments

- Included as Exhibit B to the attached resolution.
- Amendments to Maps 1 and 2 of the Conditions and Issues volume of the Comprehensive Plan are intended to keep those background maps fresh and correct.
- One proposed amendment to Map 16—Future Land Use and Transportation illustrates the ¼-mile radius from the Village of Cottage Grove 2022 limits within which transferred RDUs are not required to develop residential subdivisions, per a 2022 Town policy change that would be refined (see below). A proposed map note also summarizes that policy, helping interpret what that 1/4-mile radius means right on that map.
- The second proposed amendment would redesignate the remaining developable acreage of parcel 0711-284-8001-0 (owned by Dave Zielke) to the “Commercial Development Area” as outlined in red on the map crop to the right. The Town Clerk



also asked Larry Skaar, the owner of parcel 0711-284-8500-3 to its immediate east, if he had similar interest, and he did not. Still, the Skaar parcel's northern frontage (~150-200' deep) along the underimproved east-west segment of North Star Road is already planned for future commercial use.

County Landfill Related Amendments

- Covered in items 1, 15, 16 in Exhibit A to the attached resolution.
- Item 1 relays the status of the siting of the new landfill southwest of the Highway 12/18/AB interchange.
- Items 15 and 16 are general landfill-related policies the Town may consider.

McFarland East Side Plan Related Amendments

- Covered in items 2 and 17 in Exhibit A to the attached resolution.
- Item 2 relays McFarland's 2023 Plan affecting lands near the southwest corner of the Town, including its differences when compared with the Town Plan and the Madison-Cottage Grove intergovernmental agreement.
- Item 17 reinforces a statement of interest from the Town for a boundary agreement with McFarland, enhancing the short list of issues described in the 2022 Town Plan with new issues that McFarland's 2023 plan seems to raise.

Transfer of Development Rights (TDR) Ratio Change

- Covered items 3, 4, 5, 6, and 7 of Exhibit A to the attached resolution.
- My research and opinion suggests that a modest TDR ratio increase from 8:1 to 10:1 for rights transferred to the planned "Neighborhood Development Area" may increase program activity.
- Contributing factors include land and building price increases that have outstripped inflation, higher interest rates that are unlikely to reach sub-3% levels for many years, very limited TDR and subdivision activity in the Town over the past several years, and proximity of other towns in the area (e.g., Bristol) where rural subdivisions are allowed without requiring transferred development rights.
- I am not certain that this modest increase will be sufficient to change some of the above dynamics. I do know that once a policy gets loosened, it is hard to go back if the mark is overshot. A 10:1 ratio seems appropriate in this context.

Dark Sky Lighting Amendments

- Covered in items 8 and 9 of Exhibit A to the attached resolution.
- Proposed changes address residential lighting through encouraging private covenant provisions and commercial lighting by reference to the Town Design Review Ordinance.

High-Quality Commercial Building Promotion Amendments

- Covered in items 10 and 13 of Exhibit A to the attached resolution.
- Refers to already existing photos in the Plan and adds two new photos to provide a visual representation of the Town’s ideal for new commercial buildings along North Star Road and elsewhere.
- I advise that any desired further upgrades to commercial building and site/landscape design standards take the form of amendments to the Town’s Design Review Ordinance.

Holding Tank Allowance Amendments

- Covered in items 11, 12, and 14 of Exhibit A to the attached resolution.
- Would allow holding tanks as a “system of last resort” for new commercial development only and pre-existing structures, subject to preliminary work to attempt to eliminate the need for such systems in early development planning, up-front agreements including with the Town, and the ability of the Town and County to direct pumping and other maintenance if the owner would fail to do so.
- These proposed changes are based on research of Dane County sanitary ordinance (Chapter 46) and my interview with a County Sanitarian, who was familiar with the interest along North Star Road. The changes are enhanced by further involvement with Dane County staff, with the overall goal of not creating too broad of an opening for holding tanks.

RECOMMENDATION

Considering comments at the public hearing, I recommend that the Town Board approve the attached ordinance to adopt amendments to the Town’s Comprehensive Plan. The revised Plan would then be forwarded to the County for incorporation in its plans as well. I will be prepared to answer questions about any of these proposed amendments at the Board meeting.

Attachment: Town Board adopting amendments to the Town Comprehensive Plan

**TOWN OF COTTAGE GROVE
BOARD ORDINANCE 2025-01-20**

AMENDING THE TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN

WHEREAS, on July 5, 2022, the Town of Cottage Grove Board adopted an updated Town of Cottage Grove Comprehensive Plan (hereinafter “Plan”), under Section 66.1001(4), Wisconsin Statutes, in two volumes, with one volume titled Conditions and Issues and the second volume titled Vision and Directions; and

WHEREAS, Section 66.1001(4), Wisconsin Statutes and Chapter 7 of the Vision and Directions volume of the Plan establish the required procedure for the Town to amend its Plan; and

WHEREAS, on November 26, 2024, as a result its every-other-year consideration of amendments to the Plan, the Town of Cottage Grove Plan Commission (hereinafter “Commission”) adopted its Resolution 2024-11-26, recommending that the Town Board amend both volumes of the Plan as reflected in the attached Exhibits A and B; and

WHEREAS, on January 20, 2025, the Town Board conducted a public hearing on the attached Plan amendments preceded by a Class 1 notice published at least 30 days in advance, per Section 66.1001(4), Wisconsin Statutes, and has considered comments received at the public hearing and the recommendation of the Commission.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cottage Grove hereby approves the amendments to the Town of Cottage Grove Comprehensive Plan, as indicated in Exhibits A and B to this Ordinance.

The above and foregoing Ordinance was duly adopted at a meeting of the Town Board of the Town of Cottage Grove held on the 20th day of January, 2025, by a vote of 5 in favor and 0 opposed.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chair

Attested by:



Kim Banigan, Town Clerk-Treasurer

Incorporated by Reference

Exhibit A: Text Amendments to Town of Cottage Grove Comprehensive Plan

Exhibit B: Amended Maps for Town of Cottage Grove Comprehensive Plan

EXHIBIT A
TEXT AMENDMENTS TO TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN

Amendments to Conditions and Issues Volume

1. Within Chapter Seven: Utilities and Community Facilities, replace the second paragraph under “Trash Collection, Recycling Services, and Solid Waste Disposal Sites” on pages 46-47 with the following:

“At the time of Plan writing, the Dane County Landfill (Rodefeld site), located northwest of the Highway 12/18/AB interchange near the southwest corner of the Town, was experiencing capacity issues. To accommodate additional capacity, the County has proposed to expand landfill operations south of Highway 12/18 to 230 acres of the current Yahara Hills Golf Course, just west of Highway AB. Dane County is currently working on design and permitting for the new landfill site south of Highway 12-18. In February 2024, the engineering team submitted a Feasibility Report to the Wisconsin Department of Natural Resources (WisDNR), and in April 2024 WisDNR determined that the Feasibility Report was incomplete. At time of writing, the team was working to address WisDNR comments. Once WisDNR provides a determination that the proposed landfill is feasible, permitting will move to the final step, the Plan of Operation, anticipated for 2025. Landfill construction is anticipated to start in 2027 or 2028 so that the proposed site is ready to accept waste prior to the Rodefeld site reaching capacity.

A Local Negotiated Agreement (LNA) process, administered by the State, is required as part of the Feasibility Report process. The LNA process allowed for neighboring municipalities to negotiate directly with Dane County about operational concerns and/or compensation for economic impacts. The Dane County Landfill No. 3 Local Negotiated Agreement Committee included representatives from Dane County, City of Madison, Village of McFarland, and Town of Cottage Grove. After several meetings, the Committee in June 2024 approved the negotiated agreement. The agreement addresses matters such as transportation access and haul routes; source of waste; hours of operation; golf course operations; odor, dust, and litter control; visual impact and screening; drainage, leachate, and erosion control; environmental compliance and reporting; complaint resolution; height limitations (maximum 1,136 feet); final use; compensation and property value guarantees for nearby residential owners; and compensation to municipalities. The agreement indicates that the Town of Cottage Grove is to be paid an annual siting fee of \$50,000 to Town within 60 days of the beginning of solid waste acceptance at the facility. The Town Board accepted the agreement at its August 5, 2024 meeting.

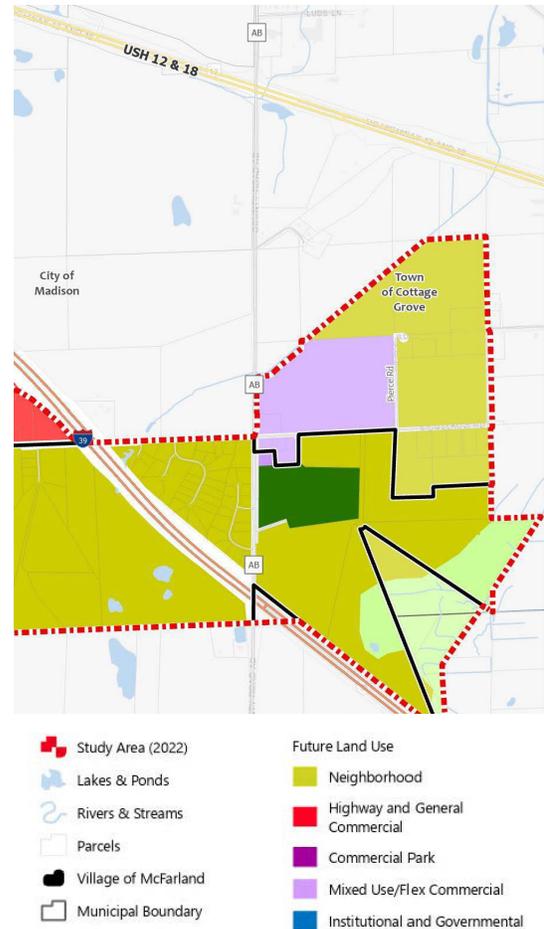
There is a related planning effort for a Sustainability Campus, including a Waste Education Center and waste recycling, reuse, and processing opportunities. Construction of some elements of the Sustainability Campus, including a Waste Education Center (and Administrative Building) are proposed to start by 2025 or 2026. Also, upon the closure of the current Rodefeld site, up to 150 acres of land will be available for public recreation.”

2. Within Chapter Nine: Intergovernmental Cooperation, replace all information under “Village of McFarland” heading on page 63 with the following:

“The Village of McFarland is located directly southwest of the Town of Cottage Grove. In 2019, the Village annexed approximately 120 acres in the Town northeast of Interstate 39/90. This was the first time Town lands had been annexed by the Village of McFarland. This annexation was not anticipated in the Village’s plans adopted at the time. The annexed land includes a 9-acre parcel owned by the McFarland School District just east of the Siggelkow Road and CTH AB intersection and a 26-acre parcel immediately to its south owned by the Village of McFarland, intended for athletic field development.

In April 2023, the McFarland Board adopted a plan for new development and expansion at and beyond that Village’s eastern edge. McFarland’s East Side Plan covers land annexed from the Town of Cottage Grove in 2019 plus lands to their north including larger undeveloped lands owned at the time by Teran (~50 acres), Ewing (~50 acres), and Anderson (~30 acres). The map to the right is a section of the future land use map from McFarland’s Plan. This 2023 Plan does not indicate how the Village may approach these property owners or the Town, or the projected development timing.

McFarland’s recommended future uses in the planning area differ in most places from the Town’s recommendations. The Town’s Future Land Use and Transportation map (Map 16 in Vision and Directions volume) identifies the eastern part of this planning area for a mix of planned commercial development and agricultural preservation, rather than the future “neighborhood” (mostly residential) development recommendation in the Village’s plan. The Town’s agricultural preservation designation was as advised by the Ewings themselves in 2020. Further, the western part of McFarland’s planned development area is also within City of Madison expansion area, as agreed under the 2022 City-Town intergovernmental agreement. All of these factors present a confusing future land use picture for this area.”



Amendments to Vision and Directions Volume

3. Within Chapter Two—Agricultural, Natural & Cultural Resources, under the Expand Activity in Town’s Transfer of Development Rights (TDR) Program on page 10, repeal the final bullet point that begins with “Reconsidering the maximum 8-to-1 transfer ratio” and amend the second paragraph to read as follows:

“In general, the Town seeks to keep residential development density in planned Agricultural Preservation Areas below a density of one home per 35 acres. This is accomplished by allowing landowners within these areas to sell their rights to develop new homes to property owners in other parts of the Town. These other parts of Town are designated as “Neighborhood Development Areas” or “Agricultural Transition Areas” on Map 16 in the

Land Use chapter. Within these TDR receiving areas, except where exempted per associated Land Use chapter figures, each transferred “residential density unit” enables the development of eight-ten additional homes. In 2020, the Town introduced another TDR option that allowed limited transfers between lands planned in the Agricultural Preservation Area, at a 1-to-1 transfer ratio. Figures 3 and 4, within Chapter Three of this Vision and Directions volume, provide more detail.”

4. Within Chapter Three—Land Use, amend Figure 4: Transfer of Development Rights, TDR Receiving Areas policy 3 on page 26 to read as follows:

“For permitted RDU transfers to a Neighborhood Development Area, or to an Agricultural Transition Area where the Town Board has determined that the land is ripe for more intense development per Figure 6 and will remain in the Town following development, a transfer ratio incentive is built in so that landowners and RDU buyers have an incentive to transfer RDUs to such Receiving Areas. These are areas where compact housing development is more appropriate than Agricultural Preservation Areas. The incentive is that someone can buy one RDU from a Sending Area and develop more than one housing unit with that RDU in the Neighborhood Development Area or Agricultural Transition Area. Based on a 2024 technical review and public input, the Town of Cottage Grove has determined that an economically reasonable transfer ratio is 810-to-1. A transfer ratio of 810-to-1 means that, for each RDU transferred from a Sending Area to a Receiving Area that is also designated as a Neighborhood Development Area or Agricultural Transition Area on Map 16 (subject to the above limitations), that Receiving Area developer would be able to develop eight10 housing units above the number of housing units allocated to the May 15, 1982 parcel (see Figure 3), provided that the developer meets all other applicable regulations and policies. See Figures 6 and 8 for potential exemptions for Agricultural Transition Areas and Neighborhood Development Areas close to the Village of Cottage Grove.”

5. Within Chapter Three—Land Use, amend Figure 4: Transfer of Development Rights, TDR Receiving Areas policy 5 on page 26 to read as follows:

“RDUs must either be used on-site or transferred from a specific Sending Area parcel to a specific Receiving Area parcel. Where RDUs are legally transferred, but not immediately used for the development of housing units on a Receiving Area parcel, the ability to construct such housing units may remain with that Receiving Area parcel for future use there. For example, if the owner or developer of a Neighborhood Development Receiving Area parcel acquired two RDUs from a Sending Area parcel, but did not initially subdivide lots for all of the 16-20 additional housing units enabled by the transfer, he or she could hold to a later date the ability to build the remaining housing units on the Receiving Area parcel. Except where expressly allowed prior to January 18, 2021, no remainder housing units may be transferred by the Receiving Area parcel owner to a different Receiving Area parcel, whether or not the different parcel is owned by the same entity.”

6. Within Chapter Three—Land Use, amend Figure 6: Agricultural Transition Area Purpose and Policies, Relationship to Town’s TDR Program policy 4 on page 31 to read as follows:

“Once the Town designates an ~~entire~~ Agricultural Transition Area tax parcel that is mostly further greater than ¼ mile from the Village of Cottage Grove as of July 5, 2022 as appropriate for more intensive development per policy #4 below, such parcel may qualify as a TDR Receiving Area with an 810-to-1 transfer ratio. ~~However, if Where the majority of any part of an Agricultural Transition Area tax parcel the Town so designated as appropriate for more intensive development is instead~~ within ¼ mile from ~~the that~~ Village’s ~~of Cottage Grove~~ boundary as of July 5, 2022, transferred RDUs are not required to obtain Town

approval ~~of a residential development for development of that parcel that is above with more than~~ the number of housing units (RDUs) allocated to ~~that the~~ May 15, 1982 tax parcel. Map 16 shows that ¼-mile radius. Regardless of location, ~~the~~ Town and County may need to rezone any such parcels away from the TDR-R Receiving Area Overlay Zoning District to the extent they are already zoned in that manner.”

7. Within Chapter Three—Land Use, amend Figure 8: Neighborhood Development Area Purpose and Policies, Relationship to Town’s TDR Program policy 4 on page 31 to read as follows:

“To build one or more residences on any new lot zoned residential and created after January 1, 1981, the parcel owner must have an RDU based on the acreage he or she owns as further described in Figure 3: Residential Density Unit (RDU) Principle, obtain an RDU originating from a TDR Sending Area, or both, except transferred RDUs are not required ~~if any part of where the majority~~ the tax parcel is within ¼ mile of the Village of Cottage Grove as of July 5, 2022 (with such ¼-mile radius shown on Map 16). For each RDU assigned to the Neighborhood Development Area parcel per Figure 3, one housing unit will be allowed, subject to compliance with other applicable policies of this Plan and Town ordinances. For each RDU obtained from a TDR Sending Area, the 10-to-1 transfer ratio incentive in Figure 4 shall apply. So, for example, an owner of an undeveloped 80 acres in the Neighborhood Development Area ~~on a tax parcel where any part is greater than ¼ sufficiently distant~~ from the Village of Cottage Grove ~~as of July 5, 2022~~ who acquires two RDUs from a TDR Sending Area is allowed ~~4620~~ housing units from the transferred RDUs (2 transferred RDUs x transfer ratio incentive of 108), plus two additional housing units assigned to the 80-acre parcel land area as a base under the RDU principle in Figure 3, for a maximum of 1822 housing units.”

8. Within Chapter Three—Land Use, amend Figure 8: Neighborhood Development Area Purpose and Policies, adding a policy 9 in the Development Policies for Neighborhood Development Area policy on page 32 to read as follows:

“Require submittal and recording of a declaration of covenants with each residential subdivision plat, including matters such as continued maintenance of shared private facilities and exterior lighting provisions intended to preserve the dark night sky.”

9. Within Chapter Three—Land Use, amend Figure 9: Commercial Development Area Purpose and Policies, Development Policies within Commercial Development Area, policy 11 on page 34 to read as follows:

“If the business is to operate at night, design all outdoor lighting so as not to create glare, ~~or~~ not to shine directly on neighboring residences or into the dark sky, and otherwise to meet Town Design Review Ordinance requirements.”

10. Within Chapter Three—Land Use, amend Figure 9: Commercial Development Area Purpose and Policies, Development Policies within Commercial Development Area, policy 3 on page 34 to read as follows:

“For new non-residential development, with each application for rezoning or conditional use permit approval, require submittal and review of conceptual site and building plans. Where the land requested for rezoning or conditional use permit includes wetlands or wetland indicators per the WisDNR Surface Water Data Viewer, or includes soils with limited or questionable potential for on-site waste treatment (septic) systems per the County Sanitarian, also require a report completed by a soil/environmental scientist hired by the applicant that evaluates the suitability of the land for building sites and on-site wastewater treatment

systems of the types, locations, and densities contemplated. Prior to building permit issuance, require that a detailed site and building plan be submitted that is laid out in accordance with Section 12.08 of the Town’s Design Review Ordinance and this figure. As the Commercial Development Area is predominately mapped near main community entryways and other highly visible and sometimes wetter locations, the Town is particularly concerned that ~~#~~ commercial development contributes to the Town’s aesthetic quality and environmental health. Maximizing commercial development served by conventional on-site waste treatment systems and maintaining attractive V-views to and from highways like 12, N, ~~and AB,~~ and North Star Road are of particular importance to the Town. See other policies in this figure, Map 17, and the photographs in the “Focus Commercial Development at the Highway 12/18/N Interchange Area” program in the Economic Development chapter for desired commercial building and siting characteristics.”

11. Within Chapter Three—Land Use, amend Figure 9: Commercial Development Area Purpose and Policies, New Lot Sizes policy on page 33 to read as follows: “Minimum lot size is one acre, ~~provided that soil tests determine that the lot is suitable for an on-site waste treatment system. New holding tanks not permitted.~~”

12. Within Chapter Three—Land Use, amend Figure 9: Commercial Development Area Purpose and Policies, adding a policy 12 in the Development Policies within Commercial Development Area policy on page 34 to read as follows:

“Assuming public sewer is not available, generally require use of on-site waste treatment systems as the means of sanitary waste treatment and disposal, and direct new development to sites and to portions of sites that allow for on-site waste treatment wherever practical. Work with the County Sanitarian to permit holding tanks in the Commercial Development Area only as a system of last resort, provided that, prior to permit issuance, the applicant executes:

a. Demonstrates through a report completed by a soil/environmental scientist that an on-site waste treatment system(s) are not feasible.

b. Has explored all reasonable options to direct or cluster development in parts of the site that are feasible for an on-site waste treatment system(s).

~~a-c.~~ Executes Aa service contract with a WisDNR licensed pumper, and provides a signed copy of that contract to the County and Town. The pumper must file semiannual reports of service on the tank to the County and Town thereafter, and keep all pumping records.

~~b-d.~~ Executes Aa holding tank agreement with the Town, which among other provisions shall require the owner to pay all charges and costs incurred by Dane County or the Town for inspection; pumping, hauling, or otherwise servicing and maintaining the holding tank; and that if such charges are not paid the Town will place the charges on the tax roll as a special charge.”

13. Within Chapter Four—Housing and Economic Development, exchange the following photographs for the first and last photo within the “Focus Commercial Development at the Highway 12/18/N Interchange Area” program on page 38, and replace the caption associated with those photos with the following: “The above images, plus those included on Map 17, represent the Town’s desired building quality in the Highway 12/18/N Interchange Area.”



14. Within Chapter Five—Transportation, Utilities, and Community Facilities, amend “Utilities and Community Facilities” policy 5 on page 48 to read as follows:

“The Town does not consider holding tanks an acceptable form of sewage disposal in new [residential](#) construction. Holding tanks may be permitted for existing structures [and in the planned Commercial Development Area](#) if no other sewage treatment system is feasible [\(i.e., as a system of last resort\)](#). [See Figure 9 for additional information and limitations.](#)”

15. Within Chapter Five, replace “Utilities and Community Facilities” policy 7 on p. 48 as follows:

“Continue to monitor the approval and implementation process for the siting of a new Dane County Landfill southwest of the Highway 12/18/AB interchange, and to advocate for Town interests before, during, and after construction.”

16. Within Chapter Five, amend the following two rows of “Figure 11: Utilities and Community Facilities Timetable” on page 49 to read as follows:

Utility or Facility	Improvement Timeframe	Comments
Recycling/Trash Collection	Rebid/renew contract when expires	In 2024, Town Board approved a new collection contract with a private hauler.
Solid Waste Disposal	New landfill construction proposed to begin in 2027 or 2028.	Town desires to be actively involved in the continued planning and implementation of a new landfill near Town’s southwest corner.

17. Within Chapter Nine: Intergovernmental Cooperation, replace the final paragraph on page 55 under the “Pursue Intergovernmental Agreements with Neighboring Municipalities” heading with the following:

“The Town is also interested in intergovernmental boundary agreements with the Village of Cottage Grove and the Village of McFarland. Both the Town and the City of Madison are required to inform the other when negotiating an agreement with either of these two villages, and to only enter agreements that are consistent with the executed Town-City agreement. The Town and Village of Cottage Grove have discussed an agreement, including as recently as the past five years, but such discussions have not advanced. In the early 2020s, Village of McFarland staff had expressed willingness to discuss a potential boundary agreement with the Town. McFarland’s 2023 East Side Plan suggested the Village’s further expansion into the Town in a manner that does not fully comport with either this Town Comprehensive Plan or the 2022 agreement between the Town and the City of Madison. The extent of McFarland’s extraterritorial land division review jurisdiction into the Town is also uncertain. These could be topics of conversation and potential agreement.”

EXHIBIT B
AMENDED MAPS FOR TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN

Legend

- School District Boundaries
- City of Madison Extraterritorial Jurisdiction Boundary (Per 2022 Agreement)
- Village of Cottage Grove Extraterritorial Jurisdiction Boundary
- Central Urban Service Area (June 2020)
- Cottage Grove Urban Service Area (Sept. 2024)
- Surface Water
- Cities and Villages
- Town of Cottage Grove Limits (September 2024)
- Sections with Section Numbers

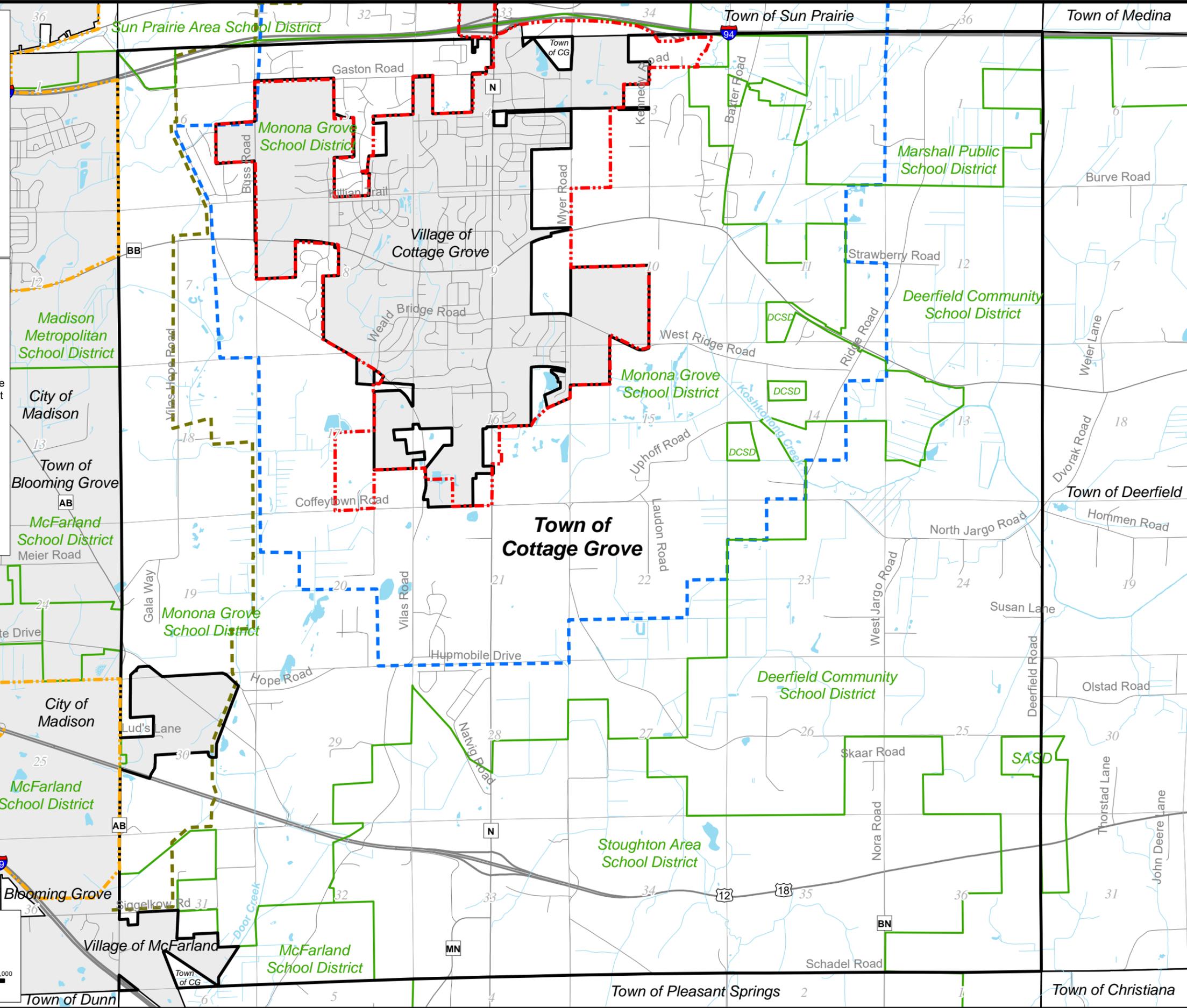
Note: It is the responsibility of the user to verify all boundaries on this map; they are provided here for general informational purposes to the best of the Town's knowledge, and may change over time.

The Village of Cottage Grove's extraterritorial jurisdiction was, to the Town's understanding, current at time of map preparation. The Village's extraterritorial jurisdiction may change in response to Madison's extraterritorial jurisdiction adjustment per its 2022 intergovernmental agreement with the Town.

The Village of McFarland may also have an extraterritorial land division review jurisdiction that extends into the southwest part of the Town of Cottage Grove, which would be no greater than 1 1/2 miles from that Village's limits and would be affected by the City of Madison's jurisdiction. However, at time of preparation, McFarland had not notified the Town of any particular extraterritorial jurisdiction in the Town.

Sources: MDRoffers Consulting, Strand Associates, Dane County LIO, US Census, CARPC, & City of Madison

Date: September 17, 2024



JURISDICTIONAL BOUNDARIES

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN

MAP 1

Legend

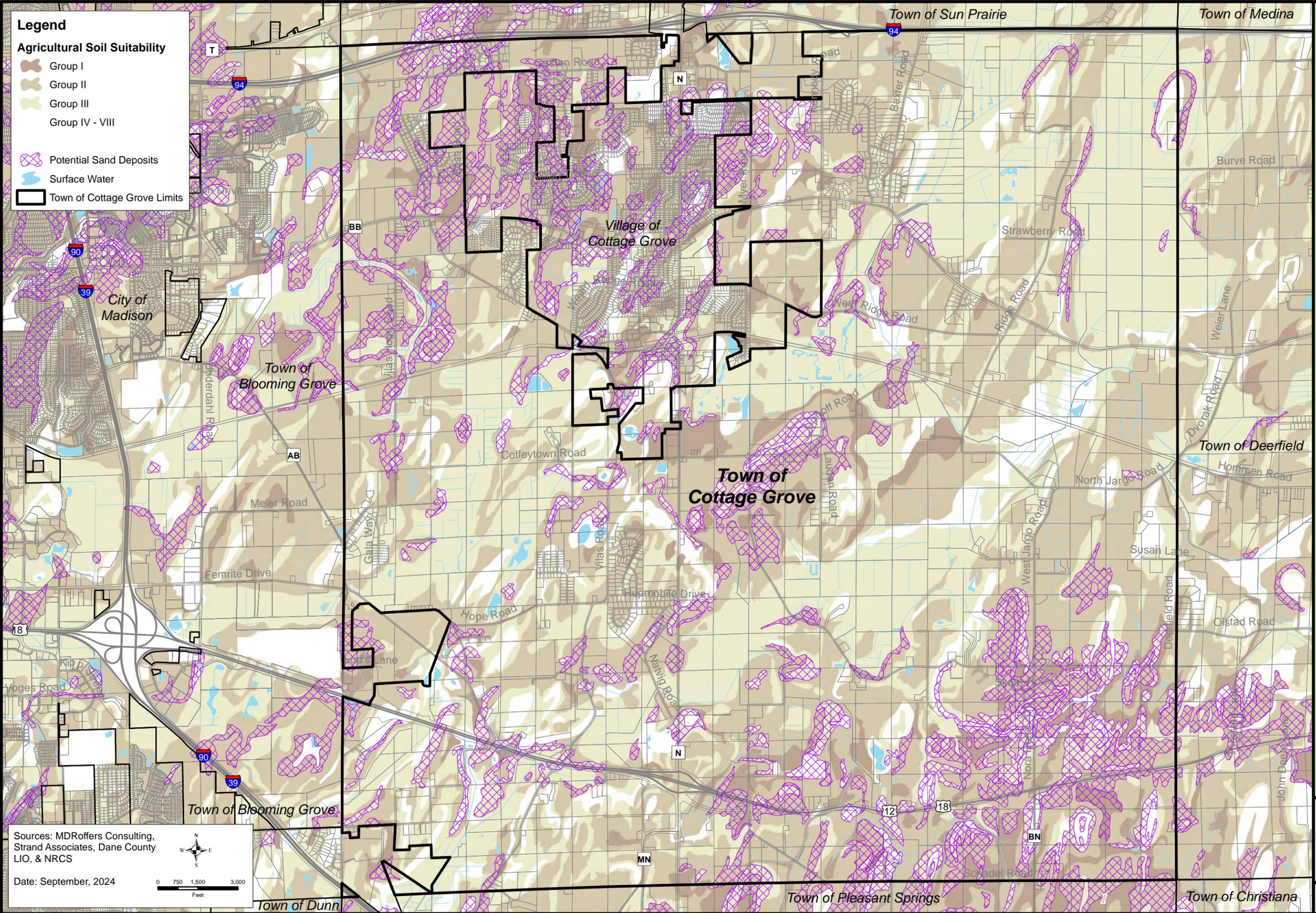
Agricultural Soil Suitability

- Group I
- Group II
- Group III
- Group IV - VIII

Potential Sand Deposits

Surface Water

Town of Cottage Grove Limits



Sources: MDROffers Consulting, Strand Associates, Dane County LIO, & NRCS

Date: September, 2024

SOIL SUITABILITY

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN



MAP 2

Legend

Future Land Use Categories¹

- Agricultural Preservation Area
- Agricultural Transition Area
- Open Space and Recreation Area
- Neighborhood Development Area
- Commercial Development Area
- Resource Protection Corridor
- Rural Neighborhood Expansion Area
- Existing Off-Street Trails
- Planned Trails
- Conceptual Future Roads
- Preliminary Highway 12/CTH AB Interchange Design
- 1/4-mile radius from 2022 Village limits²
- Parcels (Sept. 2024)
- Potential Madison Expansion Area (per 2022 intergovernmental agreement)
- Town of Cottage Grove Limits (Sep 2024)
- Surface Water

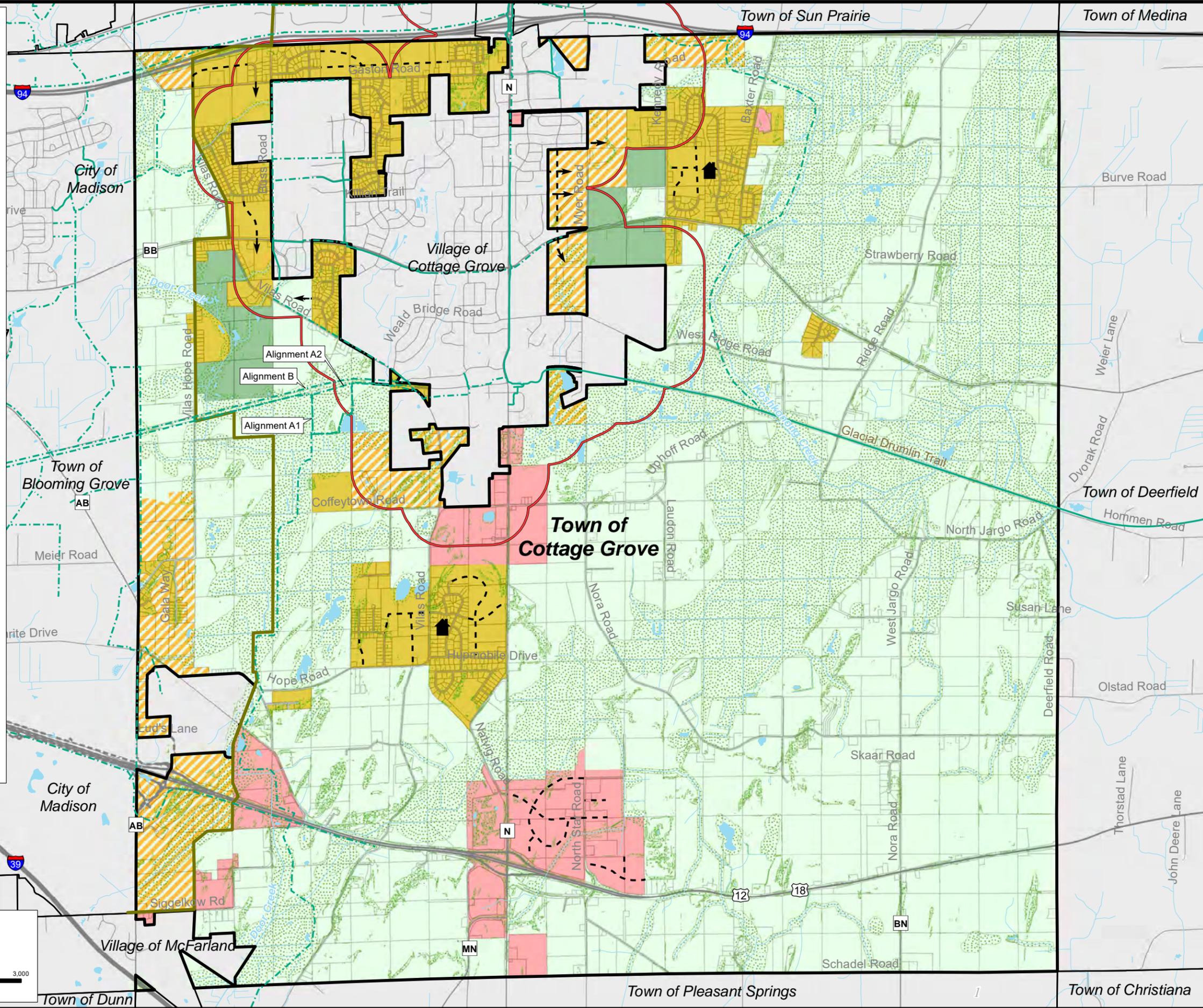
Notes:

1. Lands in the Agricultural Preservation Area, including lands also mapped Resource Protection Corridor, may serve as TDR Sending Areas in the Town's TDR program. Lands in the Neighborhood Development Area, and in the Agricultural Transition Area once the Town designates such lands as appropriate for more intensive development, may serve as the primary TDR Receiving Areas. The Town may also allow limited transfer of Residential Density Units (RDUs) between parcels in the Agricultural Preservation Area. See Land Use chapter for details and limits.

2. If the majority of a tax parcel designated as a Neighborhood Development Area or Agricultural Transition Area is within 1/4 mile from the Village of Cottage Grove boundary and tax parcels as of July 5, 2022 (with such 1/4-mile radius shown on this map), transferred RDUs are not required to obtain Town approval of a development on that parcel with greater than the number of housing units (RDUs) allocated to the May 15, 1982 tax parcel.

Sources: MDRoffers Consulting, Strand Associates, FEMA, WI DNR, WI DOT & Dane County LIO

Date: October 15, 2024



FUTURE LAND USE AND TRANSPORTATION

TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN

DRAFT

MAP 16

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
FEBRUARY 17, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall, on the Town's web site and Facebook page. Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:08 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the January 20, 2025 meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #37663-37724 and EFTs in the amount of \$40,515.55, and voided check #37572, which was lost. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of \$3,522.10 to General Engineering for January building permits. **MOTION CARRIED 5-0.**
 - 3. **MOTION** by Williams/Fonger to approve January per diem payments as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: Grace Anne Ogle, representing Brazen Dropouts Cycling Club, was looking for preliminary feedback regarding a Parade or Procession application she plans to submit for a competitive bike ride using portions of North Star and Schadel Roads in August. They will be asking for a one-way road closure, such that competitors will not have any oncoming traffic. She said this would not be a strung-out, leisurely ride, but clumps of riders circling a small course multiple times at 25-30 mph. Most of the course is in the Town of Pleasant Springs, and will be considered by the Pleasant Springs Town Board on March 4th. The club is sending letters to affected residents in the meantime, offering a chance to provide comments or concerns. Hampton asked for written confirmation that ATC will allow their lot to be used for parking, and that the Rinden Road quarry will be closed. Consensus was to consider the formal application on March 17th so that the action of the Town of Pleasant Springs is known.

II. BUSINESS

- A. Review December Police Activities: No deputies were present. The printed report showed 185 calls for service and 94 citations issued in January.
- B. Discuss/Consider approval of a variance petition by Chris Miller on behalf of property owners Micah and Kim Zielke to allow for a residential addition at 2917 County Highway BB to be just 30 feet from the rear setback (zoning code requires 50 feet): The applicant and property owners were all present. Williams asked if the addition would affect the second septic site or access to the well. Miller said it would not, although the location of the second septic site did have an influence on placement of the addition. The Zielke's had no objection to a deed restriction on the property to identify the structure is intended for single-family use, as suggested by Dane County Zoning Administrator Roger Lane. **MOTION** by Fonger/Williams to approve the variance to allow for the addition to be just 30 feet from the rear setback line. **MOTION CARRIED 5-0.**
- C. Discuss/Consider terms for renewal of Cash Farm Lease for approximately 5 acres south of the former Natvig Landfill site: Current Lessee Brett Skaar (Skaar Scattered Acres, Inc.) was present, and said he hopes the lease can renew with the same terms and rent amount. **MOTION** by Williams/DuPlayee to approve renewal of the lease for three years (April 1, 2025 through March 30, 2028) at \$168 per acre (\$840 per year). **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
FEBRUARY 17, 2025

- D. Discuss/Consider approval of Monona Grove Soccer Club plans to use the fields at Sr. Dan Johnson Memorial, Ravenwood and Bass parks, and the Town Hall for the 2025 Spring and Fall soccer seasons: Marissa Anders was present to represent the club, which she said has been renamed as Monona Grove FC. She asked to continue the use of the fields in the same manner as 2024, with games for younger kids at the Town Hall. She confirmed the club will continue to split the cost for weed/feed treatment of the Town Hall field. Williams brought up the ground-mounted solar panel system that will be installed south of the Town Hall this spring. Marissa Anders said siblings usually stay closer to the field or playground and do not play in that area. **MOTION** by DuPlayee/Williams to approve use of the fields listed above by the Monona Grove FC for the 2025 Spring and Fall soccer seasons, with the Town and club splitting the cost of weed/feed treatment of the Town Hall field. **MOTION CARRIED 5-0.**
- E. Discuss/Consider a letter of support of a BEAD grant application by Frontier Communications to extend fiber into a portion of the Town: Todd Kruse was present virtually to represent Frontier Communications. The project map he had provided showed most of the project being located in the Towns of Sun Prairie and Burke. According to his email, there are 18 potential customer locations in the Town of Cottage Grove. He said the County is looking for support from the municipalities in their approval process. **MOTION** by Anders/DuPlayee to support the project, and direct the Chair and Clerk to draft the letter of support. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of estimate to repair the 2010 International Patrol Truck: Dresen reported that the \$16,900.97 worth of repairs have already been completed as they needed the truck for the recent snow events. **MOTION** by Fonger/DuPlayee to approve the repairs, not to exceed \$17,000, to come out of unassigned funds. **MOTION CARRIED 5-0.**
- G. Discuss/Consider replacing patrol trucks every 12 years instead of every 15 years: Dresen said the 2010 International has had significant repair costs in the past couple of years, as did the 2005 International toward the end of its 15 years with the Town. He suggested maybe a 12-year replacement would be worth considering. Consensus was to revisit this in October of 2026, with 2027 budget discussions.
- H. Discuss/Consider attendees for WTA 2025 Spring Road School April 21-23: Dresen said he went last year and the material presented was more introductory than in depth. He saw no reason for anyone to attend this year.
- III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:
- A. Report of Road Right-of-Way permits: No permits have been issued since the last meeting.
- B. They finally got the chance to plow some snow over the past week. He said the salt brine put down prior to the snow did not seem to do much good, and it didn't work all that well on ice either. Fonger wondered if pre-wetting salt would work better. Hampton asked about marking of utility pedestals so they aren't hit during mowing or snow removal. Dresen said he has that on a list of a few other ordinance updates to look at. Hampton told him to put something together for an upcoming meeting.
- IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that first installment tax collection is complete, as is the field portion of the 2024 Audit. The Spring Primary will be held tomorrow. She is on call for jury duty in March. She provided an update on the Town and Flynn Hall keypad access project, and reported that driveway notices have been mailed as per the January 20th discussion.
- V. BOARD REPORTS AND COMMUNICATIONS:

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
FEBRUARY 17, 2025

- A. Hampton shared a notice regarding a boundary agreement between the Village of McFarland and Town of Dunn. A public hearing is scheduled for April 29th.

VI. COMMITTEE REPORTS:

- A. Natvig Landfill Monitoring Committee: A sink hole has developed, approximately 2' x 3', that will need to be filled and seeded.
- B. Cottage Grove Fire Commission: The Village has yet to approve the usual annual contribution to the Emergency Services Building Repair Fund.
- C. Emergency Government Committee: Fonger reported that they had a good meeting with new Dane County Representative Andrew Beckett

- VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:22 P.M.

Kim Banigan, Clerk-Treasurer
Approved 03-03-2025

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MARCH 03, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall, on the Town’s web site and Facebook page. Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:08 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the February 17, 2025 meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #37725-37754, EFTs in the amount of \$26,820.29, and annual loan payments to be made on March 14th totaling \$628,348.92. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve February per diem payments as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Discuss/Consider approval of a 3-lot certified survey map for Roger and Lynn Korfmacher east of Femrite Drive (DCPREZ #12128): Brian Korfmacher represented his parents. He mentioned that he would like to remove the access to the former quarry portion on Lot 1 of the proposed CSM, and possibly request new driveway access to the commercial lot across the road. He was advised that removal of the quarry driveway is up to him, and he should apply for a driveway permit for any new driveways. The Clerk-Treasurer stated she thought the City of Madison certificate could be removed since the City does not have ETJ in that area. **MOTION** by Fonger/Williams to approve the CSM as presented (there were no identifying numbers or dates on the map). **MOTION CARRIED 5-0.**
- B. Discuss/Consider moving forward with ordinance revision recommendations from the Highway Superintendent.
 - 1. Section 08.02 Driveway Permits: Language to clarify construction requirements for driveways over 200 feet were reviewed. Addition of a cross-section diagram was considered a good idea.
 - 2. Section 08.03 Right-of-Way Permits: Language to require a 4’ measuring stick to be attached to all utility pedestals was reviewed.
 - 3. Section 09.05 Parking Restrictions: Language to prohibit parking on the pavement of any Highway in the Town during a winter weather event was reviewed. Discussion was that terms like “Highway” and “Right-of-way”, which come from statutory definitions, may be confusing to some people. No remedy for this was agreed upon, however. **MOTION** by Anders/Williams to move forward with the revisions as discussed by scheduling a public hearing to precede the March 17th Town Board meeting. **MOTION CARRIED 5-0.**
- C. Discuss/Consider moving forward with Fire Inspection Ordinance recommendation from the Fire Department: An adoption ordinance drafted by the Town Attorney based on input from the Fire Department would reduce the frequency of fire inspections of commercial buildings to just once yearly. **MOTION** by Williams/Fonger to schedule a public hearing for the

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MARCH 03, 2025

proposed revisions to precede the March 17th Town Board meeting. **MOTION CARRIED 5-0.**

- D. Discuss/Consider Agenda items for the Annual Town Meeting on April 15, 2025: **MOTION** by Williams/DuPlayee to include approval of last year's minutes, additions to the agenda by Electors, Presentation of the 2024 Town Financial Statements, and an update from the Dane County Sheriff's Office. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: No permits have been issued since the last meeting.
- B. Seasonal weight limits were posted today. The steps on a play structure at the American Heritage Park are in bad shape. A replacement unit is \$1,741, up considerably from a couple of years ago, but the cost is within the 2025 budget so he is moving forward with replacing them. Williams asked about the zip line at Bass Park, which rides close to the ground. Dresen said they are going to shorten up the seat tether.

- IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that there were 515 voters for the Spring Primary on February 18th. Everything ran smoothly. She has jury duty next week, but her Deputy Clerks are ready to cover for her.

- V. BOARD REPORTS AND COMMUNICATIONS: Nothing to report.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that a potential contract to provide services to Cambridge Area EMS was discussed.
- B. Cottage Grove Fire Commission: There is a rodent problem in the building. Quotes for pest control are being sought, along with quotes to replace door openers.

- VII. Adjournment: **MOTION** by Anders/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:45 P.M.

Kim Banigan, Clerk-Treasurer

Approved 03-17-2025

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MARCH 17, 2025

PUBLIC HEARING FOR ORDINANCE REVISIONS

- I. Notice of the public hearing was posted at the Town Hall, on the Town's web site and Facebook page. Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen and Deputy Eric Miller. Others present are listed on the sign-in sheet available in the Clerk's office.
- II. Hampton read the notice. Discussion centered on proposed revisions to section 9.05 Parking Restrictions. The revisions proposed by Highway Superintendent Dan Dresen were meant to specifically prohibit parking on the pavement during winter weather events. Tom Lehman, 2643 Bluebird Lane, asked for a definition of winter weather event, and questioned why cul-de-sacs have not been cleared of snow as well during recent years. Ed Gaudet, 4546 Sundance Ct, also expressed concern about snow removal on cul-de-sacs, stating that snow used to be pushed out of the way but has recently been left in front of driveways. There was also discussion about a possible alternative for the word Highway when referring to Town roads, and clarifying existing language about parking on the pavement.
- III. **MOTION** by Anders/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:09 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

- A. Notice of the meeting and attendance were as described above for the public hearing
- B. Hampton called the meeting to order at 7:09 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the March 3, 2025 meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Fonger to approve checks #37755-37798 and EFTs in the amount of \$642,390.95, **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of \$1,755.00 to General Engineering for February Building Permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review February Police Activities: The monthly report showed 328 calls for service and 97 citations issued in February. Deputy Miller said they continue to see excessive speeds in the 60-70+ mph range on Vilas and Gaston Roads. A "Kick it with a cop" event is planned for July 24th at Pheobe Bakken Park.
- B. Consider adoption of Ordinance 2025-03-17a adopting revisions to Chapters 8, 9 and 12 of the Town Code of Ordinances: **MOTION** by DuPlayee/Fonger to table this until April 7th to allow the Clerk-Treasurer to consult with the Town Attorney regarding questions about section 9.05 listed above. **MOTION CARRIED 5-0.**
- C. Consider adoption of Ordinance 2025-03-17b Reducing the Frequency of Fire Inspections: **MOTION** by Anders/Fonger to adopt the ordinance as presented. **MOTION CARRIED 5-0.**
- D. Consider adoption of Resolution 2025-03-17 Granting Conditional Approval of the Final Plat for Kennedy Hills First Addition: Ed Gaudet expressed concerns over the affect the new wells might have on existing wells in the American Heritage subdivision. Hampton read a letter

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MARCH 17, 2025

that the Town Engineer provided in response to an earlier similar inquiry (Exhibit A). Hampton also stated that the much deeper Village well to the west is probably much more likely to have an effect than wells for the new homes. Gaudet asked what recourse property owners would have if their wells were affected. Hampton could not recollect any well in the Town going dry in the past 30 years. **MOTION** by Anders/Williams to adopt the resolution with a revision to the date of the Town Engineer's letter in item 1. k. to March 12, 2025 and the addition of item 1. l. to state "The Developer shall address all comments on the Town Planner's letter dated March 11, 2025, to the satisfaction of the Town Planner." It was also noted that the signature block for the Town Treasurer should be revised to indicate the Treasurer is appointed, not elected. **MOTION CARRIED 5-0.**

- E. Discuss/Consider proposal from Town Web for three year contract for Web Site Hosting, including upgrade to their new platform: A memo from the Clerk-Treasurer described the circumstances of the contract (attached as Exhibit B). There were questions about exactly what the ADA compliance option will add, and if the White Glove service is necessary. Banigan will see if she can get more information about the ADA compliance option, but she understands that is required by a DOJ ruling. She said the Town has not subscribed to the White Glove service before because staff is competent to make web site revisions themselves, however, the new platform is missing a critical function that would require assistance through this service. Town Web has indicated they will replace the service soon, and discounted the service for year one of the contract. She will attempt to reserve the right to cancel the White Glove service in years 2 and 3 of the contract. **MOTION** by Fonger/DuPlayee to approve the three-year contract including the update to the new platform but no re-design of the web site, and authorizing the Clerk-Treasurer to pay the bill that will be due on April 1st, before the next Town Board meeting. **MOTION CARRIED 5-0.**
- F. Set date for annual road and park inspection: Consensus was for board members to meet at 10:00 a.m. on Friday, April 11th to begin the inspection.
- G. Consider approval of closing the Town Office for electrical service upgrade, tentatively scheduled for May 12th: **MOTION** by Anders/DuPlayee to close the office for the electrical update, with pay for office staff scheduled to work whatever day it ends up being. **MOTION CARRIED 5-0.**
- H. Consider direction on digging in road right-of-way: Earlier this week, the Town crew struck a gas main when putting up a new sign on Vilas Road. They had not contacted Diggers Hotline in advance. Direction was given that Diggers Hotline should be contacted any time power tools will be used in the road right-of-way.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: No permits have been issued since the last meeting.
- B. New steps were installed on the play structure in American Heritage Park. The crew has been performing the required 10-year replacement of signs. Seasonal weight limits are still on but will probably be lifted soon. The yard waste site will be opened once weight limits are off. The replacement of the roof at 4091 CTH N is under way, and the salt shed roof is scheduled for next week. Dresen discussed the Bass Park zip line with the installers, who thought the plan to raise the seat up should be fine.
- C. Anders asked about getting a blind driveway or limited sight sign for a driveway across the road from his home. Fonger asked about putting up some kind of markers to make it easier to find the Town Hall driveway. Dresen will look into both of these.

TOWN OF COTTAGE GROVE
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IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that absentee voting in the Clerk's office for the April 1st Spring Election begins tomorrow. The annual e-waste drop-off event is scheduled for May 3-8.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that a feasibility study and plan set for the new Dane County landfill is available in the Town Office.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by Anders/DuPlayee to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:09 P.M.

Kim Banigan, Clerk-Treasurer
Approved 04-07-2025



EXHIBIT A

Kim Banigan <clerk@towncg.net>

Well info

1 message

Nickolas Bubolz <nbubolz@tcengineers.net>
To: Kim Banigan <clerk@tn.cottagegrove.wi.gov>

Tue, Nov 5, 2024 at 10:26 AM

Kim,

We looked at several well construction records from the existing subdivisions, they are cased through clay/sand/gravel and open to limestone and sandstone below with depths ranging from 140 to 200 feet. Static water levels vary depending on location but generally range from 15-75 ft below ground.

The location of the water table can change over time with periods of drought or high precipitation, but the specific capacity of the wells should not change much unless they become clogged/plugged with iron precipitates or bacteria. Lack of production could also be a pump issue – a worn out pump will obviously pump less.

We would expect the wells for the new subdivision to be similar in construction to the existing wells and the density of the lots appears to be similar to the lots just to the south. If the existing residences do not have issues with having enough water at the current density of wells, then I don't see lack of water or substantial drawdown being an issue with adding 22 new residential wells in the sandstone/limestone aquifer.

Nick Bubolz

Nick Bubolz, P.E.

nbubolz@tcengineers.net

Town & Country Engineering, Inc.

6264 Nesbitt Road

Madison, WI 53719

(608) 273-3350

Town of Cottage Grove
4058 County Road N
Cottage Grove, , 53527-9503

Dear Kim,

I just wanted to drop you a quick note about some updates at Town Web. I want to tell you about things that are changing that affect your service with us, including upcoming pricing changes.

But first, I felt it might be helpful to give some of the backstory into Town Web and how it all began. Some of you might not really know the origin story.

It goes back more than 20 years. Back in 2001, in rural Wisconsin, I gave a bid and won the project to my first municipal client. That was Sevastopol in Door County, right next to where I graduated from high school. They were the first municipality in the county to even get a website. Then, a couple of years later, Jacksonport followed suit. I built and hosted these sites as a side gig while I worked full-time at an engineering company. The internet was so new and intriguing in the early 2000s, but I was really interested in working with new technology. After a couple of years in the corporate world, I left to pursue a Master's degree in Business Administration. That allowed me to work for larger and larger companies. Even though I had the regular 9-to-5, I would spend my evenings and weekends handling the extra work needed by the handful of web design clients – two of which were municipalities. The corporate world even brought me to Suzhou, China. I had an amazing experience working in product management for a fast-growing company, which was relatively unknown in the US in 2005/6. Now those products I worked on (Worx) are sold in every Home Depot and Lowe's in the US.

After a full year working abroad, I returned to the US and completed my MBA from Thunderbird School of Global Management (now part of Arizona State University). I was ready to hit the job market in full steam. I was pleasantly surprised when I interviewed, and subsequently got hired to work at a new technology startup. This was the summer of 2007 and the company was based in Los Angeles. My career dream had come true! I was always interested in technology and was excited to be working for a fast-growing internet company in the heart of it all (Spot Runner). The office was on Wilshire Boulevard. The founders raised over \$50M from venture capital at the time. I was employee #200 and was going to get stock options as part of the incentive package.

I even rented an apartment on the top floor of a complex with a distant view of the Hollywood sign.

I felt I had made it. I went from rural Wisconsin to a hot new startup in Los Angeles!

I felt on top of the world... *for about four weeks.*

Then one morning after I got to work, my boss called me into an empty meeting room. He shut the door and said he was letting me go. And like that, my dream vanished.

I returned to Wisconsin. Journalled about my experience, and started writing down the things I wanted to do professionally and personally.

On that list was doing municipal website design.

So in Summer 2007, I filed paperwork to officially start Town Web Design. The side gig was to grow into a full-time endeavor. It started as a one-person shop. I was doing the sales, the web development, and handling all tech support calls. Each month I printed out all the invoices, stuffed them in envelopes, and dropped them off at the post office to be mailed.

Looking back, things were simpler. Technology was primitive compared to today. The sites needed to load quickly on a desktop computer over dial-up internet. Nobody asked about mobile friendly web design, because smartphones didn't exist.

Nobody knew anything about ADA 508 compliance for websites. Nobody considered getting a dot Gov domain name. Facebook was only used by students at Harvard at the time.

To show how basic things were back then, clerks used to fax me the signed copy of the web design proposals.

Eventually, we grew. More and more municipalities found they would benefit from having an official website. Now we're entering our 17th year of being an official business. Nearly 800 municipal clients across 40 states rely on our services and support. I have what I think is the best job. I get to work with all the talented people that I personally hired. I get to work with a creative team on building the cool technology that makes your job easier and more enjoyable.

And we now have nearly 20 people working on our team. Some of them are in the front lines (like Chris, Jelena, Megan, and Peter), working to help find the right solutions for each person.

Several of them are the ones handling your tech support questions, like Dado, Francine, and Nikita.

We have a team of others handling the launch and design of your website and other technical projects, including Angi, Jenny, Jerrica, and Marta.

And likely if you've been a client for several years, you've had conversations with Aleks, Cristina, or Ivan that required their expertise.

And there are several folks behind the scenes who build and maintain the code that powers your website service. Thanks to folks like Andrei, Marco, and Srdjan, we're doing R&D to build new solutions to serve the municipal industry.

As you can see, we have quite a large team working for you, with you, and supporting the technology from behind the scenes. We've been growing over the past 17 years, but we have really grown a lot since the pandemic.

Despite this growth, we retain a personal relationship with you. I personally want to keep things non-corporate. I also want to keep things fun and enjoyable...not just for our team, but for you as an end user! I want to make a difference in the daily lives of staff members, like you, who rely on our technology to keep your residents informed.

For 17 years and counting, we've been improving our systems so that you as a client can rely on our software and service to have an easier municipal life. Technology has changed so much since our early beginnings. And things have evolved even more in the past four years since the pandemic than they did in the four years leading up to it. More and more of your residents rely on the deliverability of the mass communications that are sent out to residents via email and text messages. Countless municipalities rely on the technology we have to crosspost their website content onto their Facebook.

Our servers need to power growing communities. Our support staff has to be responsive to handle requests from each one of our clients.

So, here's the scoop which brings us full circle. It's not something I take lightly, which is why I want to explain everything as best I can and be fully transparent.

The costs from our software & hardware vendors have increased in the past four years. Our office rent has increased. The cost of labor has increased. Heck, even the municipal associations have increased their marketing & advertising fees to us! We are at the point where we need to also re-adjust our pricing. We simply need to put it back in line with the level of service we provide.

As you will have noticed over the years, Town Web has always provided fixed pricing for our hosting & services. We never baked in annual price lifts. Most of our clients have not been affected by a pricing increase in over four or five years.

If you're currently in a hosting contract with us, your price is unaffected.

If you're not in a hosting contract or will be soon coming out of a hosting contract, then you will be getting a call and email from Jelena. She's going to provide you with some options for getting into a new hosting and support contract with us.

We understand how important it is to stick to an approved budget and not get hit with any unexpected or unbudgeted surprises. So Jelena is going to work with you. Our changes will go into effect from April 30th onward, or your next billing cycle, whichever is later.

If you've got any questions or want to chat about this, get in touch with Jelena. She's your Client Relations Manager and will do what is right to make you happy.

If you want to be proactive, you can reach her at jelena@townweb.com, otherwise, she'll get in touch with you.

So look for a call or email from her. She's looking forward to making this change smooth. As smooth as peanut butter.

A handwritten signature in black ink that reads "Dustin Overbeck". The signature is written in a cursive, slightly slanted style.

Dustin Overbeck
President/Owner of Town Web

TOWN WEB IS HERE TO LISTEN AND HELP TOWN OF COTTAGE GROVE STREAMLINE ONLINE WORK

Municipalities' communication with their residents has drastically changed in the past two decades. Our team has interviewed dozens of city administrators and town clerks.

We learned that it was easier to communicate the happenings and official notices of a municipality in the late 90s. By publishing the official notices in the local newspaper and running the loop of the video recordings on the local cable access television station, everybody would know what was going on. However, things have changed.

Newspapers aren't the primary source of news like they were in the 20th century. Municipalities needed to stay current with modern methods of communication. This includes using newer technology, like text messaging, emails, and the various avenues of social media.

The channels of communication have multiplied. The demographics of your citizens have become more diverse. Millennials prefer to consume information differently from the Baby Boomer generation.

The challenge of local government is to provide information to **ALL** their constituents. Even if they're considered "*digital dinosaurs*" and want everything on paper and want to write checks. Or if they're "*digital natives*" and want the same information, but accessible on their phone and paying with a credit card.

Or somewhere in between for the rest.

This is exactly the challenge that your website vendor needs to solve for you. Town Web is uniquely positioned to solve this problem in a way that saves you and your staff time. Plus, it provides an online citizen portal that your citizens deserve.

The current challenge facing many local governments is the difficulty of effectively communicating with their constituents. Many existing municipal websites are outdated, difficult to navigate, and lack the necessary tools to keep the local residents informed and engaged.

We hear from countless others who also have problems maintaining a municipal website independently. It's cumbersome and overly complex. Still, many others do not get the type of support or assistance they expect to be successful in maintaining the website.

This problem is even more pressing in a post-pandemic world, where citizens are increasingly expecting digital services and communication from their government. The lack of an effective website and communication tool means that local governments are not able to effectively share news and notices, community and government events, and other department-related data. This has led to a decrease in the effectiveness of public services and an overall lack of engagement with local residents.

**THIS IS WHERE TOWN WEB'S ONLINE DIGITAL SOLUTION
HELPS YOU AND YOUR STAFF TREMENDOUSLY**

Your Public Information Officer



At Town Web, we understand the critical role technology plays in the success of municipal websites. Our "White-Glove" service extends beyond exceptional customer support, encompassing the technical aspects that ensure your municipal website is secure, reliable, and always accessible.

You don't have to worry about annual domain management - we handle it for you. We maintain your website on our servers ensuring optimal performance. Our in-house developed Content Management Service (CMS) comes with a 99.9% uptime guarantee, providing a robust foundation for your website - and making your website the fastest municipal website on the web.

Every municipal site hosted by Town Web comes with a Secure Socket Layer (SSL) for secure and encrypted communication. We proactively monitor unauthorized access, keeping your website safe from potential threats. On top of that, daily backups of your site are stored off-site, ensuring quick recovery in case of unforeseen events. In the unlikely event of a setback, we guarantee immediate restoration of your website, utilizing the latest backup.

However, the backbone of Town Web's success lies in our commitment to unparalleled customer service. Our "White-Glove" approach ensures that you not only have a technically sound website but also receive unmatched support for any queries or needs.

Our support team is at your service round the clock, ready to assist with any technical, billing, or sales questions. With a commitment to resolving issues within four hours, our team ensures a prompt and efficient service experience. The most recent analysis says that no support ticket's left unanswered for more than 4 hours. Depending on the needs of your municipality, we provide a toll-free number you can reach us at during normal business hours. If you are eager to speak with our support masters in the higher-tier support package, you can do that - and it will never make a dent in your wallet. It's all included.

You will also receive one-on-one training, empowering you to manage updates and content independently. Ongoing training is provided for new staff or as needed, ensuring you make the most of your website's capabilities. While our Admin section is designed for ease of use, we understand some prefer a hands-off approach. Send us your content, and we'll handle the updates for you!

Choose Town Web for a holistic approach that combines technical excellence with unrivaled customer service. Elevate your municipal experience with our "White-Glove" service - where technology meets customer-centric support.



The Platform - Themes, Timeline, Technology & Features

User-Centric Design - Customized for you

Town Web's design team intertwines modern aesthetics with user-centric functionality, ensuring your municipal website not only looks sleek but also offers a seamless experience. The design concept focuses on ease of use for all users, regardless of their technical background. A contemporary layout ensures that your website is both visually appealing and intuitively navigable, whether accessed via desktop, mobile device, or tablet. ADA compliance further guarantees accessibility for all.

Our website solutions provide a range of themes, each designed to marry aesthetics with functionality. While cost-effective, these themes are not just pre-designed; they are a canvas awaiting your municipality's personal touch. Choose a theme and collaborate with your Project Manager and Account Manager to customize it, applying a unique color scheme, icons, and assets that resonate with your community. On top of that - you will be able to additionally add content of your liking to any page of your website.

Project Timeline

Embarking on a Town Web project is a breeze for you. We handle every aspect of the transition, ensuring minimal effort on your end. From transferring existing content to the new website to the meticulous design and development phases, our dedicated team manages it all. Your role is simple – guide us with your vision and wishes, and we'll transform them into a sophisticated and functional municipal website:

1. Designing the website layout and user interface
2. Integrating diverse content for a multimedia-rich experience
3. Configuring hosting, domain name, and new email addresses
4. Optimizing for enhanced search engine visibility
5. Implementing interactive features and contact forms
6. Ensuring security against malware and threats
7. Thorough testing, training, and a seamless Go-Live transition



Communication Platform - Only one place for all communication with the community

One of the main issues our customers faced ever since we started is the complexity of reaching out and communicating with as many members of the community as possible. Some regularly check out your municipal website. However, some only use their email and would like to get Newsletter updates on their emails. Over the last couple of years, there has been a significant increase in the number of constituents using Facebook for regular updates - and that's why we developed a set of tools that make communication extremely easy.

CALENDAR OF EVENTS

Facilitate transparent governance with a dedicated Calendar of Events. Specifically designed for Board and Council meetings, this feature ensures that residents stay informed about crucial municipal activities.

NEWS AND NOTICES WITH NEWS TICKER BAR

Keep your community engaged with a dynamic News and Notices section, complete with a News Ticker Bar. Timely updates and important announcements will be prominently featured, ensuring residents are always in the know.

EMERGENCY ALERTS AND NOTIFICATIONS

Prioritize community safety with an Emergency Alerts system. Urgent messages are displayed prominently on your homepage, simultaneously sent to all subscribers via email or text message, and posted to your Facebook page.

SUBSCRIBERS AND NOTIFICATIONS

Foster community engagement through subscriber management, allowing residents to subscribe to specific topics. Subscribers receive instant notifications via email and/or text messages, ensuring they stay informed on matters of interest.

CITIZENS' ENGAGEMENT AND REPORTING APP HEY311

Enhance citizen-city communication with Hey311, a dedicated app that streamlines service requests and non-emergency issue reporting. This user-friendly interface allows citizens to submit requests efficiently, and your city can manage and respond to them with ease.

Not-Yet-Seen Technology for Municipal Websites

Town Web's proprietary Content Management System (CMS), codenamed Juniper, is a state-of-the-art, cutting-edge web-based application coded with love in PHP and JavaScript that brings Municipal websites to a whole new level of simplicity, usability, speed, and security. Our team of developers worked for 12 months to bring to life the not-yet-seen technology in municipal websites which achieved 5 main key points:

1. **Stellar fast load times** - TTFB and first content paint do not exceed 500ms and are usually around 200ms. This translates to a "blink of an eye" once you type in the web address.
2. **Unbloated, static user side** - everything that loads after you type in the web address is loaded as static content super fast without encumbering your browser or device.
3. **Immutable and unhackable front end** - there is no direct connection to the database containing all the important stuff, the famous "below the kitchen sink stuff" that hackers love. Nothing is served directly from super-protected locations that we made untouchable from the internet. We value security so much that we rendered any potential hacking attempts useless because the server where your website is serves only what is public information, without any possibility of getting data stolen, lost, or manipulated. Guaranteed.
4. **Unparalleled experience** in managing your website content from our own proprietary Dashboard.



We guarantee that our new CMSv6 is a premium, hand-made, all-American Municipal CMS software designed and developed with the help of 15+ years of experience in serving over 800 US municipalities.

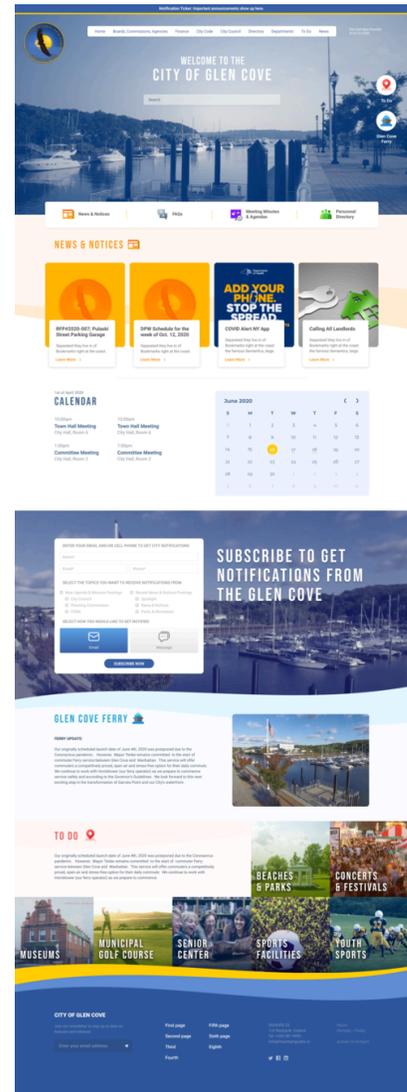
Make Your Municipal Website Unique

ON THE WHOLE-WIDE-WEB WITH THE ELITE WEB DESIGN PACKAGE

The Elite Web Design Package provides you with a "full-service" collaboration with our branding and design team, engaging your stakeholders in special meetings focused on design. These sessions, known for their enjoyable and interactive nature, include facilitated Discovery and Branding exercises that shape your custom UX/UI.

Opting for this exclusive package, you unlock a collaborative journey with our dedicated branding team, engaging in special meetings focused on design, Discovery, and Branding exercises.

These interactive sessions, far from the typical design experience, have been praised for their engaging and enjoyable nature. Attendees often find them surprisingly fun and beneficial. The collaborative efforts shape a unique User Experience/User Interface (UX/UI) for your website, ensuring it resonates with your municipality's personality.



The Elite Web Design Package extends the scope of work to encompass a wide array of branding and design services. From selecting premium typography and developing a UX/UI style guide for desktop and mobile to crafting custom illustrations and iconography, this package transforms your website into a visual masterpiece.

Embrace a visually enhanced website with a focus on personalized typography, custom illustrations, and a distinct UX/UI design that encapsulates your municipality's identity. The package includes the creation of a Style Guide, a versatile tool that extends its impact beyond your website to social media posts, letterheads, and other branding materials.

Immerse yourself in the design process, from Discovery and Branding exercises to the creation of appealing new designs for homepages and department pages. Our meticulous approach ensures that your municipality's online presence is not only functional but also visually striking, capturing the essence of your unique identity. Choose the Elite Web Design Package for a comprehensive and collaborative web design experience that goes beyond the ordinary.

Town Web's Online Digital Tools

Town Web's Online Digital Solution stands as an innovative cloud-based software platform, that connects seamlessly with your website. This comprehensive system, **aptly branded as "HeyGov,"** encompasses various modules designed to streamline municipal processes. The primary goal is to transition systems online, reducing workload and saving precious time for you.

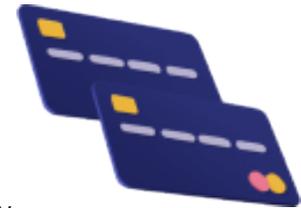


A key advantage of Town Web's Online Digital Solution lies in its ability to unite people, departments, and citizens on a single digital platform. At its core, the platform offers robust tools for drafting, editing, and managing documents. Notably, the forms, licenses, and applications created within this solution can seamlessly integrate into your website. These forms are intelligently linked to your payment system, ensuring effortless collection of fees with each form submission and simplifying your overall bookkeeping process.

HeyGov Pay

The era of checks and cumbersome payment methods is gone! Town Web brings you a state-of-the-art payment portal, featuring the HeyGov Pay Module, designed to redefine your municipal utility billing experience.

Connect effortlessly with HeyGov's payment portal to start collecting credit card payments. Enjoy the flexibility of accepting payments online, in person, or remotely. Plus, streamline reconciliation by directly syncing with your Utility Billing or Accounting software. HeyGov introduces a cutting-edge solution, sparing you from the nostalgia of handling checks. It's time to embrace technology that aligns with the fast-paced digital age.



You can offer your residents the convenience of online credit card payments. HeyGov's utility payment portal provides residents with a centralized hub for viewing invoices, storing payment methods, and setting up handy payment reminders – all at their fingertips. No more manual data entry or reconciliation headaches! HeyGov seamlessly integrates with your utility billing software, automating payment posting and reconciliation. Save valuable time and resources while ensuring accurate financial transactions. We have meticulously crafted a solution that anticipates your needs. And it's right at your fingertips.

HeyLicense

Town Web's HeyGov Modules redefine municipal processes, bringing efficiency and modernization to everyday tasks. With HeyGov's comprehensive HeyLicense Module, municipalities can seamlessly digitize and streamline their paperwork processes. This module allows for the effortless receipt and processing of various municipal forms, licenses, applications, and documents, such as dog licenses, building permits, operator licenses, boat launch permits, and land use applications. HeyGov facilitates the transition from traditional paper-based workflows to an agile and responsive digital platform. Citizens and local businesses can conveniently submit information, and the HeyGov solution ensures that paperwork becomes a fluid, digital asset, efficiently flowing through the entire organization with custom-built workflow rules.



Embrace a new era of licensing with HeyGov's user-friendly HeyLicense Module, offering a hassle-free online experience for tasks like dog licenses. Simplify the process with perfect payments—residents can easily manage their dog's license in just a few clicks. HeyGov is a powerful ally for local governments, designed to alleviate the burdens of daily tasks and save municipal staff up to five hours per week. Whether it's managing dog licenses or handling building permits, HeyGov offers modern solutions that transform traditional processes into streamlined, online experiences. Enjoy the convenience of online applications, tracking, workflow management, and secure payment processing—all in one comprehensive system. With HeyGov, municipal staff can effortlessly navigate the complexities of licensing and permitting in the 21st century.



HeyReserve

With HeyReserve's intuitive platform, your constituents and visitors can effortlessly book city amenities like park shelters and pavilions, streamlining the process for community or personal activities. It facilitates easy access to town rules, policies, and online fee payments, ensuring a seamless experience for all users.

Experience the convenience of HeyReserve in managing online park reservations, covering park pavilions, shelters, community centers, and more. Imagine having an online booking calendar embedded on your website, allowing residents to explore available dates, and times, and even make secure credit card payments for deposits and rental fees. It's like having an "Airbnb for parks & recs" at your fingertips, eliminating administrative overhead and providing a user-friendly booking calendar that enhances your community's engagement.

Our commitment to simplicity extends to the Simplified Short-Term Rental (STR) Applications feature. We understand the complexities involved in STR applications, and HeyGov is designed to streamline this process for you. The intuitive platform ensures that all applications are up to date and compliant with regulations, reducing errors and minimizing the need for applicants to seek clarification. With HeyReserve, you can easily track all applications, stay compliant, and provide efficient service to local property owners, saving both time and preventing unnecessary delays in the application process.



Make Yourself Accessible - Everywhere

Facebook Syndication

Integrating your municipality's website with its Facebook page has never been more straightforward. Thanks to Town Web's Facebook Syndication plugin, you can effortlessly sync your website updates with your social media presence. Picture this: a seamless process where posting on your website simultaneously updates your Facebook page. It's not just a time-saving feature; it's a game-changer for community engagement.

In an era where almost everyone is on Facebook, this plugin provides a powerful avenue to reach your residents effortlessly. No need for intricate technical maneuvers—our streamlined plugin ensures your municipality's web content harmoniously merges with your Facebook communications. Stay effortlessly connected with your residents, amplify your online footprint, and keep your community informed with just a click. With Town Web's Facebook Syndication plugin, bridging the gap between your website and social media is not just practical; it's an uncomplicated reality.

Advanced Business Directory

Introducing the Advanced Business Directory – an innovative feature tailored for municipalities to elevate the visibility of their local businesses. It allows you to meticulously categorize and showcase the diverse tapestry of businesses - from small to the big ones - in your community. Imagine an online hub where you can flaunt your community's diverse businesses, beautifully categorized and showcased.

Want to feature that cozy coffee shop or the local bookstore? No problem! Each listing is a mini-masterpiece – complete with snazzy images or logos, handy contact details, and killer descriptions. By seamlessly integrating this advanced directory into your website, you create a valuable resource for residents and visitors alike. Explore the potential of the Advanced Business Directory, where showcasing local businesses is not just a feature; it's a pathway to community enrichment and economic growth. Elevate your website with this tool and empower your local businesses to thrive!

Multi-Language Website

Improve your municipality's outreach efforts and foster community engagement with our Multi-Language feature. By embracing linguistic diversity, you open the doors to a more inclusive and connected community. Imagine the positive impact on resident engagement when your website effortlessly communicates in various languages, breaking down barriers and ensuring that every member of your community feels heard and valued. A multi-language website not only promotes inclusivity but also positions your municipality as responsive and considerate to the needs of a diverse population. Strengthen community bonds, encourage participation, and showcase your commitment to serving everyone in your locality effectively.



Embedded Livestream Video Feed

If you're looking to enhance transparency and engagement during board and council meetings, an Embedded Livestream Video Feed is a must on your website. With it your municipality can seamlessly embed live-streamed videos from YouTube directly onto your website, providing residents with an easy and centralized way to stay informed about ongoing discussions and decisions. The beauty of this plugin lies in its simplicity; it automatically detects when a video is being premiered, eliminating any additional effort on your part. Residents can conveniently tune into the live stream without navigating to external platforms, fostering a sense of community engagement and transparency right from your website. This user-friendly feature ensures that your residents are always in the loop, fostering a more informed and connected community.

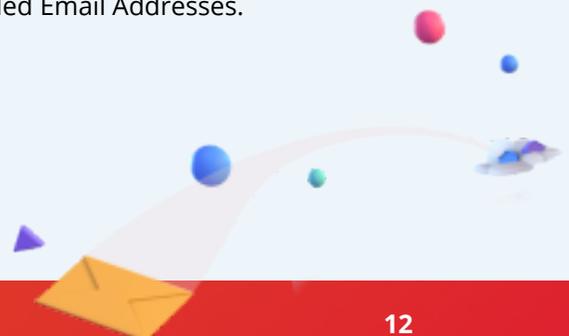
Advanced Search Option

Advanced Site Search is a dynamic solution designed to elevate user experience on your municipality's website. This powerful tool enhances user retention and satisfaction by optimizing the search functionality across your website, blog, and knowledge base. With lightning-fast results delivered in less than 50 milliseconds, it ensures that users find what they're looking for with unprecedented speed. The search engine supports all languages, automatically detecting and accommodating diverse linguistic needs. Town Web can tailor your search interface with custom filters and build a faceted search experience effortlessly. You can rest easy with sealed and signed API keys and tenant tokens that provide precise control over search access. Elevate your website's performance, increase user engagement, and offer a search experience that exceeds expectations—all with the user-focused "Advanced Site Search" feature.

Branded Email Addresses with FOIA Compliant Archiving System

Enhance your municipality's communication capabilities with our Branded Email Addresses, an optional feature powered by Google Workspace. As a Google Certified Partner, we offer a tailored email solution in collaboration with Jatheon, an established provider of email archiving solutions. This partnership ensures smooth communication, compliance with data retention regulations, and improved productivity for your municipality.

Benefit from the robust reliability of Google Workspace, an enterprise-level solution known for uninterrupted email access to millions of users worldwide. Trusted across various industries, including government bodies, Google Workspace delivers consistent, high-quality email services for your municipality. Experience unparalleled security features, including robust data protection, encryption, and advanced spam and phishing detection. Our partnership with Jatheon takes data retention compliance seriously by capturing, indexing, and securely storing all inbound and outbound emails, meeting the legal requirements of the Freedom of Information Act. Bid farewell to storage constraints, as our Branded Email Addresses provide ample space for your municipality's emails and files, allowing efficient storage, management, and access to business-related data. Stay connected and productive on the go with mobile accessibility, ensuring responsive communication from any device, be it a smartphone, tablet, or desktop. Improve your municipality's communication experience with the reliability, security, and productivity offered by our Branded Email Addresses.



Town Web Team and Portfolio/References

Collectively, our team has decades of web development and support experience, with a specific focus on creating engaging platforms for local governments to encourage communication and community involvement. Meet the key players:



Peter Stanko
New Client Coordinator
peter@townweb.com



Jerrica Wagner
Senior Project Manager
projects@townweb.com



Jelena Slavkovic
Customer Relations Manager
jelena@townweb.com



Marta Stankovic
Junior Project Manager
projects@townweb.com



Aleksandra Anastopoulos
Account Manager
projects@townweb.com



Francine Euniekrist
Junior Project Manager
projects@townweb.com

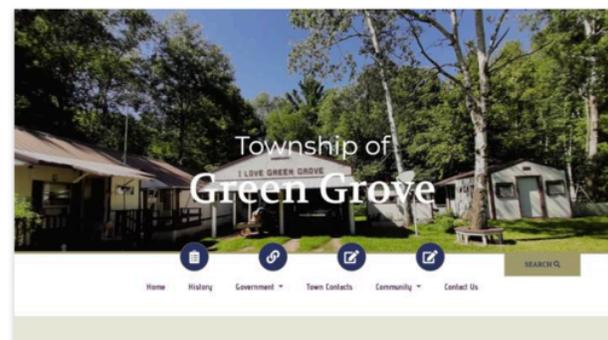
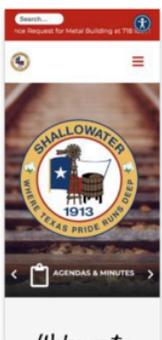


Flor Faustino
Customer Support Specialist
support@townweb.com



Nikita Sangweni
Customer Support Specialist
support@townweb.com

Town Web has developed more than 800 municipal websites in the previous 16 years while maintaining the average satisfaction level of customers above 97%. Here are some of the customers who have shared their love of working with us:



The Details of Our (Long-Lasting) Partnership

THE WEBSITE AND COMMUNICATION PLATFORM SETUP AND SUPPORT DETAILS

The setup is a one-time fee. It is the cost to build your website and transfer all the content from your existing website. You will work with a dedicated Account Manager (Angi or Jason) and Project Manager (Jerrica or Miranda) in real time for the design of your new municipal website. During the Onboarding Meeting, you will be shown all of our pre-built municipal themes from our design library. You get to select one, which we will completely customize for you and make it your own. We will customize the menu items, and the quick links and will custom design a banner based on the photographs you provide.

Included in your Website and Communication Platform setup fee:

- **We migrate all your old website content to Town Web's brand new TownCMS!**
Experience a much faster, unhackable website for your municipality! The transfer of all Town Web sites will occur by the end of 2025
- **Unlimited** number of pages and menu items
- **Unlimited** department pages with FAQs
- **Departmental-level** contact-us forms
- **Unlimited** Minutes & Agendas categories
- **Unlimited** Quick Links (theme dependent)
- **Unlimited** FAQs
- **Unlimited** calendars
- Agendas **linked to calendar**
- **Super menu** with dropdown (theme dependent)
- **Dedicated elections page**
- **Mobile-responsive** design
- Residents can **subscribe to emails and/or text messaging**
- Face-to-face meetings over Zoom, our easy-to-use video conferencing service

The following are included in Town Web's hosting, maintenance, and support:

- High-availability, reliable VPS (Amazon AWS or Google Cloud) website hosting and maintenance
- **Unlimited 24x7** technical support
- **24x7 website monitoring**
- **Guaranteed response time in less than 8 hours**
- **Technical and security updates** are applied automatically
- Nightly website **backups stored off-site**
- 12-month backup retention
- Immediate website restores (if ever needed)
- **Your login username and password** - you can make updates to the site on your own
- One-on-one training
- **Unlimited** training and re-training
- Access to our **free training and support library**
- **"White-Glove" Support** - send us content, and we will upload it for you - **if selected**
- **Phone support is available** Mon - Fri from 8 AM to 5 PM EST - **if selected**

Town of Cottage Grove Proposed Pricing

Description	Price	Qty	Total
<input checked="" type="checkbox"/> Website & Platform Upgrade (one-time fee) <i>please check one option</i>			\$1,600
<input checked="" type="checkbox"/> Platform Upgrade (one-time fee) <i>please check one option</i> Defer to 2026			\$1,000
<input type="checkbox"/> Advanced Business Directory			\$200
<input type="checkbox"/> Elite Web Design Package			\$10,000
Website Hosting and Website Maintenance			\$600/year
Customer Support Plan - Unlimited 24x7 Tech Support			\$600/year
<input checked="" type="checkbox"/> Customer Support Plan - "White-Glove" Service via email and phone <i>(discounted to \$100.00 in the first year's fee)</i>			\$300/year
<input type="checkbox"/> Branded Email Addresses	\$216/year	5	\$1,080/year
<input checked="" type="checkbox"/> Premium ADA-Compliance Solution			\$600/year
<input type="checkbox"/> Facebook Syndication			\$300/year
<input type="checkbox"/> Embedded Livestream Video Feed			\$150/year
<input type="checkbox"/> Multi-language Website - per language	\$50/year	1	\$50/year
Domain Name Management			\$20/year
TOTAL			\$3,120 \$3,720

\$1,920 due 4/1/2025

The Town would like to reserve the right to cancel white glove \$2,120 + \$1,000 = \$3,120 due 4/1/2026 service for years 2 and 3 since the only reason we need it is because \$2,120 due 4/1/2027 the new platform does not have a file replacement option, but we have been told it will be developed soon.

Town of Cottage Grove Signature Page

It is our commitment to ensure that the Town of Cottage Grove's online presence stands the test of time, making your website the ultimate tool for all your digital municipal needs today, and in the years to come. With our services, you can take pride in the fact that your residents, tourists, and visitors will never perceive your municipal services as outdated.

The duration of the contract is three years.

The 1st year's fee is \$3,720.00.

Customer Support Plan "White Glove Service" via email and phone will be discounted to \$100.00 in the 1st year's fee. In the 2nd and 3rd year's fee it will be invoiced in full amount.

The Website Upgrade fee is a one-time fee that will be invoiced with the 2nd year's fee, on 4/1/2026.

It is due 15 days after invoicing.

The Annual Hosting Maintenance and Support fee will be invoiced on 4/1/2025.

The 2nd year's fee of \$2,120.00 + the upgrade fee will be invoiced on 4/1/2026.

The 3rd year's fee of \$2,120.00 will be invoiced on 4/1/2027. The contract will end on 4/1/2028.

By endorsing this quote, you unlock a comprehensive package detailed in the previous sections of the proposal. Here are the three key benefits tailored to meet your needs:

1. **Town Web's Website and Communication Platform**

You will be providing your residents with unparalleled transparency in municipal decision-making. Keep them informed on vital topics, offering instant notifications about topics that interest them the most.

2. **Digital Transformation with Town Web**

Town Web's Online Digital Solution stands as the most advanced platform for local government - with many more features yet to come. It facilitates payments from any funding source through any device, efficiently reducing the administrative workload for busy staff while catering to the convenience citizens demand. Your Digital Transformation team creates digital workflows and enables your licenses and forms to be filled - and submitted online. All while enabling online renting for your municipal facilities. Imagine saying "HeyGov" - and it's done.

3. **Your Public Communication Officer - Available 24x7**

Enjoy the peace of mind that comes with round-the-clock technical support. You can rely on us for any website-related query or issue, accessible via call, email, chat message, or even Facebook Messenger. We go the extra mile, assisting with no additional charges, including posting or editing on their behalf, saving you valuable time and resources.

4. **A No-Cost Website Homepage Refresh Every Three Years - reach out to us if you want this option!**

Before the third year of hosting expires, we initiate a meeting to explore fresh ideas for your site's redesign. Incorporating the latest design standards, we ensure your site remains modern, practical, and up-to-date, reflecting the evolution of design trends over the preceding three years.


SIGNATURE
Kim Banigan

Kim Banigan, Town of Cottage Grove, Clerk

To accept this quote, you can electronically sign it above, or sign and fax it to 321-600-9008. Once we have a signed copy, we will email you an invoice. Once the invoice is paid, your dedicated Account Manager Aleksandra will contact you to schedule the Onboarding meeting!

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MARCH 17, 2025

PUBLIC HEARING FOR ORDINANCE REVISIONS

- I. Notice of the public hearing was posted at the Town Hall, on the Town's web site and Facebook page. Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen and Deputy Eric Miller. Others present are listed on the sign-in sheet available in the Clerk's office.
- II. Hampton read the notice. Discussion centered on proposed revisions to section 9.05 Parking Restrictions. The revisions proposed by Highway Superintendent Dan Dresen were meant to specifically prohibit parking on the pavement during winter weather events. Tom Lehman, 2643 Bluebird Lane, asked for a definition of winter weather event, and questioned why cul-de-sacs have not been cleared of snow as well during recent years. Ed Gaudet, 4546 Sundance Ct, also expressed concern about snow removal on cul-de-sacs, stating that snow used to be pushed out of the way but has recently been left in front of driveways. There was also discussion about a possible alternative for the word Highway when referring to Town roads, and clarifying existing language about parking on the pavement.
- III. **MOTION** by Anders/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:09 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

- A. Notice of the meeting and attendance were as described above for the public hearing
- B. Hampton called the meeting to order at 7:09 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the March 3, 2025 meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Fonger to approve checks #37755-37798 and EFTs in the amount of \$642,390.95, **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of \$1,755.00 to General Engineering for February Building Permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review February Police Activities: The monthly report showed 328 calls for service and 97 citations issued in February. Deputy Miller said they continue to see excessive speeds in the 60-70+ mph range on Vilas and Gaston Roads. A "Kick it with a cop" event is planned for July 24th at Pheobe Bakken Park.
- B. Consider adoption of Ordinance 2025-03-17a adopting revisions to Chapters 8, 9 and 12 of the Town Code of Ordinances: **MOTION** by DuPlayee/Fonger to table this until April 7th to allow the Clerk-Treasurer to consult with the Town Attorney regarding questions about section 9.05 listed above. **MOTION CARRIED 5-0.**
- C. Consider adoption of Ordinance 2025-03-17b Reducing the Frequency of Fire Inspections: **MOTION** by Anders/Fonger to adopt the ordinance as presented. **MOTION CARRIED 5-0.**
- D. Consider adoption of Resolution 2025-03-17 Granting Conditional Approval of the Final Plat for Kennedy Hills First Addition: Ed Gaudet expressed concerns over the affect the new wells might have on existing wells in the American Heritage subdivision. Hampton read a letter

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MARCH 17, 2025

that the Town Engineer provided in response to an earlier similar inquiry (Exhibit A). Hampton also stated that the much deeper Village well to the west is probably much more likely to have an effect than wells for the new homes. Gaudet asked what recourse property owners would have if their wells were affected. Hampton could not recollect any well in the Town going dry in the past 30 years. **MOTION** by Anders/Williams to adopt the resolution with a revision to the date of the Town Engineer’s letter in item 1. k. to March 12, 2025 and the addition of item 1. l. to state “The Developer shall address all comments on the Town Planner’s letter dated March 11, 2025, to the satisfaction of the Town Planner.” It was also noted that the signature block for the Town Treasurer should be revised to indicate the Treasurer is appointed, not elected. **MOTION CARRIED 5-0.**

- E. Discuss/Consider proposal from Town Web for three year contract for Web Site Hosting, including upgrade to their new platform: A memo from the Clerk-Treasurer described the circumstances of the contract (attached as Exhibit B). There were questions about exactly what the ADA compliance option will add, and if the White Glove service is necessary. Banigan will see if she can get more information about the ADA compliance option, but she understands that is required by a DOJ ruling. She said the Town has not subscribed to the White Glove service before because staff is competent to make web site revisions themselves, however, the new platform is missing a critical function that would require assistance through this service. Town Web has indicated they will replace the service soon, and discounted the service for year one of the contract. She will attempt to reserve the right to cancel the White Glove service in years 2 and 3 of the contract. **MOTION** by Fonger/DuPlayee to approve the three-year contract including the update to the new platform but no re-design of the web site, and authorizing the Clerk-Treasurer to pay the bill that will be due on April 1st, before the next Town Board meeting. **MOTION CARRIED 5-0.**
- F. Set date for annual road and park inspection: Consensus was for board members to meet at 10:00 a.m. on Friday, April 11th to begin the inspection.
- G. Consider approval of closing the Town Office for electrical service upgrade, tentatively scheduled for May 12th: **MOTION** by Anders/DuPlayee to close the office for the electrical update, with pay for office staff scheduled to work whatever day it ends up being. **MOTION CARRIED 5-0.**
- H. Consider direction on digging in road right-of-way: Earlier this week, the Town crew struck a gas main when putting up a new sign on Vilas Road. They had not contacted Diggers Hotline in advance. Direction was given that Diggers Hotline should be contacted any time power tools will be used in the road right-of-way.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: No permits have been issued since the last meeting.
- B. New steps were installed on the play structure in American Heritage Park. The crew has been performing the required 10-year replacement of signs. Seasonal weight limits are still on but will probably be lifted soon. The yard waste site will be opened once weight limits are off. The replacement of the roof at 4091 CTH N is under way, and the salt shed roof is scheduled for next week. Dresen discussed the Bass Park zip line with the installers, who thought the plan to raise the seat up should be fine.
- C. Anders asked about getting a blind driveway or limited sight sign for a driveway across the road from his home. Fonger asked about putting up some kind of markers to make it easier to find the Town Hall driveway. Dresen will look into both of these.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MARCH 17, 2025

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that absentee voting in the Clerk's office for the April 1st Spring Election begins tomorrow. The annual e-waste drop-off event is scheduled for May 3-8.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that a feasibility study and plan set for the new Dane County landfill is available in the Town Office.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by Anders/DuPlayee to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:09 P.M.

Kim Banigan, Clerk-Treasurer
Approved 04-07-2025



EXHIBIT A

Kim Banigan <clerk@towncg.net>

Well info

1 message

Nickolas Bubolz <nbubolz@tcengineers.net>
To: Kim Banigan <clerk@tn.cottagegrove.wi.gov>

Tue, Nov 5, 2024 at 10:26 AM

Kim,

We looked at several well construction records from the existing subdivisions, they are cased through clay/sand/gravel and open to limestone and sandstone below with depths ranging from 140 to 200 feet. Static water levels vary depending on location but generally range from 15-75 ft below ground.

The location of the water table can change over time with periods of drought or high precipitation, but the specific capacity of the wells should not change much unless they become clogged/plugged with iron precipitates or bacteria. Lack of production could also be a pump issue – a worn out pump will obviously pump less.

We would expect the wells for the new subdivision to be similar in construction to the existing wells and the density of the lots appears to be similar to the lots just to the south. If the existing residences do not have issues with having enough water at the current density of wells, then I don't see lack of water or substantial drawdown being an issue with adding 22 new residential wells in the sandstone/limestone aquifer.

Nick Bubolz

Nick Bubolz, P.E.

nbubolz@tcengineers.net

Town & Country Engineering, Inc.

[6264 Nesbitt Road](#)

[Madison, WI 53719](#)

[\(608\) 273-3350](#)

Town of Cottage Grove
4058 County Road N
Cottage Grove, , 53527-9503

Dear Kim,

I just wanted to drop you a quick note about some updates at Town Web. I want to tell you about things that are changing that affect your service with us, including upcoming pricing changes.

But first, I felt it might be helpful to give some of the backstory into Town Web and how it all began. Some of you might not really know the origin story.

It goes back more than 20 years. Back in 2001, in rural Wisconsin, I gave a bid and won the project to my first municipal client. That was Sevastopol in Door County, right next to where I graduated from high school. They were the first municipality in the county to even get a website. Then, a couple of years later, Jacksonport followed suit. I built and hosted these sites as a side gig while I worked full-time at an engineering company. The internet was so new and intriguing in the early 2000s, but I was really interested in working with new technology. After a couple of years in the corporate world, I left to pursue a Master's degree in Business Administration. That allowed me to work for larger and larger companies. Even though I had the regular 9-to-5, I would spend my evenings and weekends handling the extra work needed by the handful of web design clients – two of which were municipalities. The corporate world even brought me to Suzhou, China. I had an amazing experience working in product management for a fast-growing company, which was relatively unknown in the US in 2005/6. Now those products I worked on (Worx) are sold in every Home Depot and Lowe's in the US.

After a full year working abroad, I returned to the US and completed my MBA from Thunderbird School of Global Management (now part of Arizona State University). I was ready to hit the job market in full steam. I was pleasantly surprised when I interviewed, and subsequently got hired to work at a new technology startup. This was the summer of 2007 and the company was based in Los Angeles. My career dream had come true! I was always interested in technology and was excited to be working for a fast-growing internet company in the heart of it all (Spot Runner). The office was on Wilshire Boulevard. The founders raised over \$50M from venture capital at the time. I was employee #200 and was going to get stock options as part of the incentive package.

I even rented an apartment on the top floor of a complex with a distant view of the Hollywood sign.

I felt I had made it. I went from rural Wisconsin to a hot new startup in Los Angeles!

I felt on top of the world... *for about four weeks.*

Then one morning after I got to work, my boss called me into an empty meeting room. He shut the door and said he was letting me go. And like that, my dream vanished.

I returned to Wisconsin. Journalled about my experience, and started writing down the things I wanted to do professionally and personally.

On that list was doing municipal website design.

So in Summer 2007, I filed paperwork to officially start Town Web Design. The side gig was to grow into a full-time endeavor. It started as a one-person shop. I was doing the sales, the web development, and handling all tech support calls. Each month I printed out all the invoices, stuffed them in envelopes, and dropped them off at the post office to be mailed.

Looking back, things were simpler. Technology was primitive compared to today. The sites needed to load quickly on a desktop computer over dial-up internet. Nobody asked about mobile friendly web design, because smartphones didn't exist.

Nobody knew anything about ADA 508 compliance for websites. Nobody considered getting a dot Gov domain name. Facebook was only used by students at Harvard at the time.

To show how basic things were back then, clerks used to fax me the signed copy of the web design proposals.

Eventually, we grew. More and more municipalities found they would benefit from having an official website. Now we're entering our 17th year of being an official business. Nearly 800 municipal clients across 40 states rely on our services and support. I have what I think is the best job. I get to work with all the talented people that I personally hired. I get to work with a creative team on building the cool technology that makes your job easier and more enjoyable.

And we now have nearly 20 people working on our team. Some of them are in the front lines (like Chris, Jelena, Megan, and Peter), working to help find the right solutions for each person.

Several of them are the ones handling your tech support questions, like Dado, Francine, and Nikita.

We have a team of others handling the launch and design of your website and other technical projects, including Angi, Jenny, Jerrica, and Marta.

And likely if you've been a client for several years, you've had conversations with Aleks, Cristina, or Ivan that required their expertise.

And there are several folks behind the scenes who build and maintain the code that powers your website service. Thanks to folks like Andrei, Marco, and Srdjan, we're doing R&D to build new solutions to serve the municipal industry.

As you can see, we have quite a large team working for you, with you, and supporting the technology from behind the scenes. We've been growing over the past 17 years, but we have really grown a lot since the pandemic.

Despite this growth, we retain a personal relationship with you. I personally want to keep things non-corporate. I also want to keep things fun and enjoyable...not just for our team, but for you as an end user! I want to make a difference in the daily lives of staff members, like you, who rely on our technology to keep your residents informed.

For 17 years and counting, we've been improving our systems so that you as a client can rely on our software and service to have an easier municipal life. Technology has changed so much since our early beginnings. And things have evolved even more in the past four years since the pandemic than they did in the four years leading up to it. More and more of your residents rely on the deliverability of the mass communications that are sent out to residents via email and text messages. Countless municipalities rely on the technology we have to crosspost their website content onto their Facebook.

Our servers need to power growing communities. Our support staff has to be responsive to handle requests from each one of our clients.

So, here's the scoop which brings us full circle. It's not something I take lightly, which is why I want to explain everything as best I can and be fully transparent.

The costs from our software & hardware vendors have increased in the past four years. Our office rent has increased. The cost of labor has increased. Heck, even the municipal associations have increased their marketing & advertising fees to us! We are at the point where we need to also re-adjust our pricing. We simply need to put it back in line with the level of service we provide.

As you will have noticed over the years, Town Web has always provided fixed pricing for our hosting & services. We never baked in annual price lifts. Most of our clients have not been affected by a pricing increase in over four or five years.

If you're currently in a hosting contract with us, your price is unaffected.

If you're not in a hosting contract or will be soon coming out of a hosting contract, then you will be getting a call and email from Jelena. She's going to provide you with some options for getting into a new hosting and support contract with us.

We understand how important it is to stick to an approved budget and not get hit with any unexpected or unbudgeted surprises. So Jelena is going to work with you. Our changes will go into effect from April 30th onward, or your next billing cycle, whichever is later.

If you've got any questions or want to chat about this, get in touch with Jelena. She's your Client Relations Manager and will do what is right to make you happy.

If you want to be proactive, you can reach her at jelena@townweb.com, otherwise, she'll get in touch with you.

So look for a call or email from her. She's looking forward to making this change smooth. As smooth as peanut butter.



Dustin Overbeck
President/Owner of Town Web

TOWN WEB IS HERE TO LISTEN AND HELP TOWN OF COTTAGE GROVE STREAMLINE ONLINE WORK

Municipalities' communication with their residents has drastically changed in the past two decades. Our team has interviewed dozens of city administrators and town clerks.

We learned that it was easier to communicate the happenings and official notices of a municipality in the late 90s. By publishing the official notices in the local newspaper and running the loop of the video recordings on the local cable access television station, everybody would know what was going on. However, things have changed.

Newspapers aren't the primary source of news like they were in the 20th century. Municipalities needed to stay current with modern methods of communication. This includes using newer technology, like text messaging, emails, and the various avenues of social media.

The channels of communication have multiplied. The demographics of your citizens have become more diverse. Millennials prefer to consume information differently from the Baby Boomer generation.

The challenge of local government is to provide information to **ALL** their constituents. Even if they're considered "*digital dinosaurs*" and want everything on paper and want to write checks. Or if they're "*digital natives*" and want the same information, but accessible on their phone and paying with a credit card.

Or somewhere in between for the rest.

This is exactly the challenge that your website vendor needs to solve for you. Town Web is uniquely positioned to solve this problem in a way that saves you and your staff time. Plus, it provides an online citizen portal that your citizens deserve.

The current challenge facing many local governments is the difficulty of effectively communicating with their constituents. Many existing municipal websites are outdated, difficult to navigate, and lack the necessary tools to keep the local residents informed and engaged.

We hear from countless others who also have problems maintaining a municipal website independently. It's cumbersome and overly complex. Still, many others do not get the type of support or assistance they expect to be successful in maintaining the website.

This problem is even more pressing in a post-pandemic world, where citizens are increasingly expecting digital services and communication from their government. The lack of an effective website and communication tool means that local governments are not able to effectively share news and notices, community and government events, and other department-related data. This has led to a decrease in the effectiveness of public services and an overall lack of engagement with local residents.

**THIS IS WHERE TOWN WEB'S ONLINE DIGITAL SOLUTION
HELPS YOU AND YOUR STAFF TREMENDOUSLY**

Your Public Information Officer



At Town Web, we understand the critical role technology plays in the success of municipal websites. Our "White-Glove" service extends beyond exceptional customer support, encompassing the technical aspects that ensure your municipal website is secure, reliable, and always accessible.

You don't have to worry about annual domain management - we handle it for you. We maintain your website on our servers ensuring optimal performance. Our in-house developed Content Management Service (CMS) comes with a 99.9% uptime guarantee, providing a robust foundation for your website - and making your website the fastest municipal website on the web.

Every municipal site hosted by Town Web comes with a Secure Socket Layer (SSL) for secure and encrypted communication. We proactively monitor unauthorized access, keeping your website safe from potential threats. On top of that, daily backups of your site are stored off-site, ensuring quick recovery in case of unforeseen events. In the unlikely event of a setback, we guarantee immediate restoration of your website, utilizing the latest backup.

However, the backbone of Town Web's success lies in our commitment to unparalleled customer service. Our "White-Glove" approach ensures that you not only have a technically sound website but also receive unmatched support for any queries or needs.

Our support team is at your service round the clock, ready to assist with any technical, billing, or sales questions. With a commitment to resolving issues within four hours, our team ensures a prompt and efficient service experience. The most recent analysis says that no support ticket's left unanswered for more than 4 hours. Depending on the needs of your municipality, we provide a toll-free number you can reach us at during normal business hours. If you are eager to speak with our support masters in the higher-tier support package, you can do that - and it will never make a dent in your wallet. It's all included.

You will also receive one-on-one training, empowering you to manage updates and content independently. Ongoing training is provided for new staff or as needed, ensuring you make the most of your website's capabilities. While our Admin section is designed for ease of use, we understand some prefer a hands-off approach. Send us your content, and we'll handle the updates for you!

Choose Town Web for a holistic approach that combines technical excellence with unrivaled customer service. Elevate your municipal experience with our "White-Glove" service - where technology meets customer-centric support.



The Platform - Themes, Timeline, Technology & Features

User-Centric Design - Customized for you

Town Web's design team intertwines modern aesthetics with user-centric functionality, ensuring your municipal website not only looks sleek but also offers a seamless experience. The design concept focuses on ease of use for all users, regardless of their technical background. A contemporary layout ensures that your website is both visually appealing and intuitively navigable, whether accessed via desktop, mobile device, or tablet. ADA compliance further guarantees accessibility for all.

Our website solutions provide a range of themes, each designed to marry aesthetics with functionality. While cost-effective, these themes are not just pre-designed; they are a canvas awaiting your municipality's personal touch. Choose a theme and collaborate with your Project Manager and Account Manager to customize it, applying a unique color scheme, icons, and assets that resonate with your community. On top of that - you will be able to additional add content of your liking to any page of your website.

Project Timeline

Embarking on a Town Web project is a breeze for you. We handle every aspect of the transition, ensuring minimal effort on your end. From transferring existing content to the new website to the meticulous design and development phases, our dedicated team manages it all. Your role is simple – guide us with your vision and wishes, and we'll transform them into a sophisticated and functional municipal website:

1. Designing the website layout and user interface
2. Integrating diverse content for a multimedia-rich experience
3. Configuring hosting, domain name, and new email addresses
4. Optimizing for enhanced search engine visibility
5. Implementing interactive features and contact forms
6. Ensuring security against malware and threats
7. Thorough testing, training, and a seamless Go-Live transition



Communication Platform - Only one place for all communication with the community

One of the main issues our customers faced ever since we started is the complexity of reaching out and communicating with as many members of the community as possible. Some regularly check out your municipal website. However, some only use their email and would like to get Newsletter updates on their emails. Over the last couple of years, there has been a significant increase in the number of constituents using Facebook for regular updates - and that's why we developed a set of tools that make communication extremely easy.

CALENDAR OF EVENTS

Facilitate transparent governance with a dedicated Calendar of Events. Specifically designed for Board and Council meetings, this feature ensures that residents stay informed about crucial municipal activities.

NEWS AND NOTICES WITH NEWS TICKER BAR

Keep your community engaged with a dynamic News and Notices section, complete with a News Ticker Bar. Timely updates and important announcements will be prominently featured, ensuring residents are always in the know.

EMERGENCY ALERTS AND NOTIFICATIONS

Prioritize community safety with an Emergency Alerts system. Urgent messages are displayed prominently on your homepage, simultaneously sent to all subscribers via email or text message, and posted to your Facebook page.

SUBSCRIBERS AND NOTIFICATIONS

Foster community engagement through subscriber management, allowing residents to subscribe to specific topics. Subscribers receive instant notifications via email and/or text messages, ensuring they stay informed on matters of interest.

CITIZENS' ENGAGEMENT AND REPORTING APP HEY311

Enhance citizen-city communication with Hey311, a dedicated app that streamlines service requests and non-emergency issue reporting. This user-friendly interface allows citizens to submit requests efficiently, and your city can manage and respond to them with ease.

Not-Yet-Seen Technology for Municipal Websites

Town Web's proprietary Content Management System (CMS), codenamed Juniper, is a state-of-the-art, cutting-edge web-based application coded with love in PHP and JavaScript that brings Municipal websites to a whole new level of simplicity, usability, speed, and security. Our team of developers worked for 12 months to bring to life the not-yet-seen technology in municipal websites which achieved 5 main key points:

1. **Stellar fast load times** - TTFB and first content paint do not exceed 500ms and are usually around 200ms. This translates to a "blink of an eye" once you type in the web address.
2. **Unbloated, static user side** - everything that loads after you type in the web address is loaded as static content super fast without encumbering your browser or device.
3. **Immutable and unhackable front end** - there is no direct connection to the database containing all the important stuff, the famous "below the kitchen sink stuff" that hackers love. Nothing is served directly from super-protected locations that we made untouchable from the internet. We value security so much that we rendered any potential hacking attempts useless because the server where your website is serves only what is public information, without any possibility of getting data stolen, lost, or manipulated. Guaranteed.
4. **Unparalleled experience** in managing your website content from our own proprietary Dashboard.



We guarantee that our new CMSv6 is a premium, hand-made, all-American Municipal CMS software designed and developed with the help of 15+ years of experience in serving over 800 US municipalities.

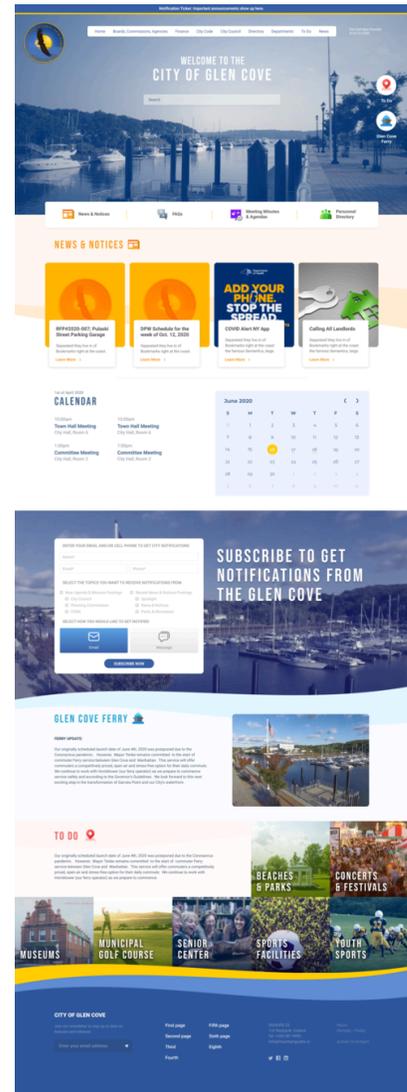
Make Your Municipal Website Unique

ON THE WHOLE-WIDE-WEB WITH THE ELITE WEB DESIGN PACKAGE

The Elite Web Design Package provides you with a "full-service" collaboration with our branding and design team, engaging your stakeholders in special meetings focused on design. These sessions, known for their enjoyable and interactive nature, include facilitated Discovery and Branding exercises that shape your custom UX/UI.

Opting for this exclusive package, you unlock a collaborative journey with our dedicated branding team, engaging in special meetings focused on design, Discovery, and Branding exercises.

These interactive sessions, far from the typical design experience, have been praised for their engaging and enjoyable nature. Attendees often find them surprisingly fun and beneficial. The collaborative efforts shape a unique User Experience/User Interface (UX/UI) for your website, ensuring it resonates with your municipality's personality.



The Elite Web Design Package extends the scope of work to encompass a wide array of branding and design services. From selecting premium typography and developing a UX/UI style guide for desktop and mobile to crafting custom illustrations and iconography, this package transforms your website into a visual masterpiece.

Embrace a visually enhanced website with a focus on personalized typography, custom illustrations, and a distinct UX/UI design that encapsulates your municipality's identity. The package includes the creation of a Style Guide, a versatile tool that extends its impact beyond your website to social media posts, letterheads, and other branding materials.

Immerse yourself in the design process, from Discovery and Branding exercises to the creation of appealing new designs for homepages and department pages. Our meticulous approach ensures that your municipality's online presence is not only functional but also visually striking, capturing the essence of your unique identity. Choose the Elite Web Design Package for a comprehensive and collaborative web design experience that goes beyond the ordinary.

Town Web's Online Digital Tools

Town Web's Online Digital Solution stands as an innovative cloud-based software platform, that connects seamlessly with your website. This comprehensive system, **aptly branded as "HeyGov,"** encompasses various modules designed to streamline municipal processes. The primary goal is to transition systems online, reducing workload and saving precious time for you.

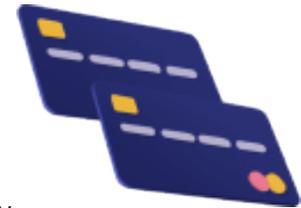


A key advantage of Town Web's Online Digital Solution lies in its ability to unite people, departments, and citizens on a single digital platform. At its core, the platform offers robust tools for drafting, editing, and managing documents. Notably, the forms, licenses, and applications created within this solution can seamlessly integrate into your website. These forms are intelligently linked to your payment system, ensuring effortless collection of fees with each form submission and simplifying your overall bookkeeping process.

HeyGov Pay

The era of checks and cumbersome payment methods is gone! Town Web brings you a state-of-the-art payment portal, featuring the HeyGov Pay Module, designed to redefine your municipal utility billing experience.

Connect effortlessly with HeyGov's payment portal to start collecting credit card payments. Enjoy the flexibility of accepting payments online, in person, or remotely. Plus, streamline reconciliation by directly syncing with your Utility Billing or Accounting software. HeyGov introduces a cutting-edge solution, sparing you from the nostalgia of handling checks. It's time to embrace technology that aligns with the fast-paced digital age.



You can offer your residents the convenience of online credit card payments. HeyGov's utility payment portal provides residents with a centralized hub for viewing invoices, storing payment methods, and setting up handy payment reminders – all at their fingertips. No more manual data entry or reconciliation headaches! HeyGov seamlessly integrates with your utility billing software, automating payment posting and reconciliation. Save valuable time and resources while ensuring accurate financial transactions. We have meticulously crafted a solution that anticipates your needs. And it's right at your fingertips.

HeyLicense

Town Web's HeyGov Modules redefine municipal processes, bringing efficiency and modernization to everyday tasks. With HeyGov's comprehensive HeyLicense Module, municipalities can seamlessly digitize and streamline their paperwork processes. This module allows for the effortless receipt and processing of various municipal forms, licenses, applications, and documents, such as dog licenses, building permits, operator licenses, boat launch permits, and land use applications. HeyGov facilitates the transition from traditional paper-based workflows to an agile and responsive digital platform. Citizens and local businesses can conveniently submit information, and the HeyGov solution ensures that paperwork becomes a fluid, digital asset, efficiently flowing through the entire organization with custom-built workflow rules.



Embrace a new era of licensing with HeyGov's user-friendly HeyLicense Module, offering a hassle-free online experience for tasks like dog licenses. Simplify the process with perfect payments—residents can easily manage their dog's license in just a few clicks. HeyGov is a powerful ally for local governments, designed to alleviate the burdens of daily tasks and save municipal staff up to five hours per week. Whether it's managing dog licenses or handling building permits, HeyGov offers modern solutions that transform traditional processes into streamlined, online experiences. Enjoy the convenience of online applications, tracking, workflow management, and secure payment processing—all in one comprehensive system. With HeyGov, municipal staff can effortlessly navigate the complexities of licensing and permitting in the 21st century.



HeyReserve

With HeyReserve's intuitive platform, your constituents and visitors can effortlessly book city amenities like park shelters and pavilions, streamlining the process for community or personal activities. It facilitates easy access to town rules, policies, and online fee payments, ensuring a seamless experience for all users.

Experience the convenience of HeyReserve in managing online park reservations, covering park pavilions, shelters, community centers, and more. Imagine having an online booking calendar embedded on your website, allowing residents to explore available dates, and times, and even make secure credit card payments for deposits and rental fees. It's like having an "Airbnb for parks & recs" at your fingertips, eliminating administrative overhead and providing a user-friendly booking calendar that enhances your community's engagement.

Our commitment to simplicity extends to the Simplified Short-Term Rental (STR) Applications feature. We understand the complexities involved in STR applications, and HeyGov is designed to streamline this process for you. The intuitive platform ensures that all applications are up to date and compliant with regulations, reducing errors and minimizing the need for applicants to seek clarification. With HeyReserve, you can easily track all applications, stay compliant, and provide efficient service to local property owners, saving both time and preventing unnecessary delays in the application process.



Make Yourself Accessible - Everywhere

Facebook Syndication

Integrating your municipality's website with its Facebook page has never been more straightforward. Thanks to Town Web's Facebook Syndication plugin, you can effortlessly sync your website updates with your social media presence. Picture this: a seamless process where posting on your website simultaneously updates your Facebook page. It's not just a time-saving feature; it's a game-changer for community engagement.

In an era where almost everyone is on Facebook, this plugin provides a powerful avenue to reach your residents effortlessly. No need for intricate technical maneuvers—our streamlined plugin ensures your municipality's web content harmoniously merges with your Facebook communications. Stay effortlessly connected with your residents, amplify your online footprint, and keep your community informed with just a click. With Town Web's Facebook Syndication plugin, bridging the gap between your website and social media is not just practical; it's an uncomplicated reality.

Advanced Business Directory

Introducing the Advanced Business Directory – an innovative feature tailored for municipalities to elevate the visibility of their local businesses. It allows you to meticulously categorize and showcase the diverse tapestry of businesses - from small to the big ones - in your community. Imagine an online hub where you can flaunt your community's diverse businesses, beautifully categorized and showcased.

Want to feature that cozy coffee shop or the local bookstore? No problem! Each listing is a mini-masterpiece – complete with snazzy images or logos, handy contact details, and killer descriptions. By seamlessly integrating this advanced directory into your website, you create a valuable resource for residents and visitors alike. Explore the potential of the Advanced Business Directory, where showcasing local businesses is not just a feature; it's a pathway to community enrichment and economic growth. Elevate your website with this tool and empower your local businesses to thrive!

Multi-Language Website

Improve your municipality's outreach efforts and foster community engagement with our Multi-Language feature. By embracing linguistic diversity, you open the doors to a more inclusive and connected community. Imagine the positive impact on resident engagement when your website effortlessly communicates in various languages, breaking down barriers and ensuring that every member of your community feels heard and valued. A multi-language website not only promotes inclusivity but also positions your municipality as responsive and considerate to the needs of a diverse population. Strengthen community bonds, encourage participation, and showcase your commitment to serving everyone in your locality effectively.



Embedded Livestream Video Feed

If you're looking to enhance transparency and engagement during board and council meetings, an Embedded Livestream Video Feed is a must on your website. With it your municipality can seamlessly embed live-streamed videos from YouTube directly onto your website, providing residents with an easy and centralized way to stay informed about ongoing discussions and decisions. The beauty of this plugin lies in its simplicity; it automatically detects when a video is being premiered, eliminating any additional effort on your part. Residents can conveniently tune into the live stream without navigating to external platforms, fostering a sense of community engagement and transparency right from your website. This user-friendly feature ensures that your residents are always in the loop, fostering a more informed and connected community.

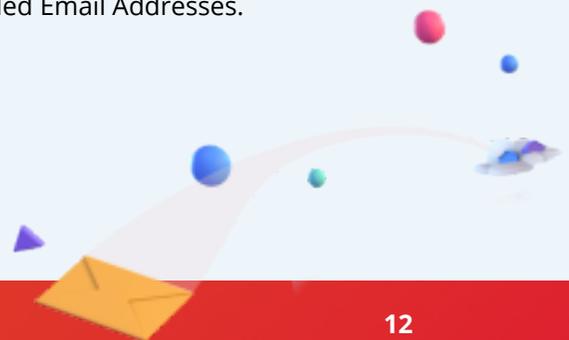
Advanced Search Option

Advanced Site Search is a dynamic solution designed to elevate user experience on your municipality's website. This powerful tool enhances user retention and satisfaction by optimizing the search functionality across your website, blog, and knowledge base. With lightning-fast results delivered in less than 50 milliseconds, it ensures that users find what they're looking for with unprecedented speed. The search engine supports all languages, automatically detecting and accommodating diverse linguistic needs. Town Web can tailor your search interface with custom filters and build a faceted search experience effortlessly. You can rest easy with sealed and signed API keys and tenant tokens that provide precise control over search access. Elevate your website's performance, increase user engagement, and offer a search experience that exceeds expectations—all with the user-focused "Advanced Site Search" feature.

Branded Email Addresses with FOIA Compliant Archiving System

Enhance your municipality's communication capabilities with our Branded Email Addresses, an optional feature powered by Google Workspace. As a Google Certified Partner, we offer a tailored email solution in collaboration with Jatheon, an established provider of email archiving solutions. This partnership ensures smooth communication, compliance with data retention regulations, and improved productivity for your municipality.

Benefit from the robust reliability of Google Workspace, an enterprise-level solution known for uninterrupted email access to millions of users worldwide. Trusted across various industries, including government bodies, Google Workspace delivers consistent, high-quality email services for your municipality. Experience unparalleled security features, including robust data protection, encryption, and advanced spam and phishing detection. Our partnership with Jatheon takes data retention compliance seriously by capturing, indexing, and securely storing all inbound and outbound emails, meeting the legal requirements of the Freedom of Information Act. Bid farewell to storage constraints, as our Branded Email Addresses provide ample space for your municipality's emails and files, allowing efficient storage, management, and access to business-related data. Stay connected and productive on the go with mobile accessibility, ensuring responsive communication from any device, be it a smartphone, tablet, or desktop. Improve your municipality's communication experience with the reliability, security, and productivity offered by our Branded Email Addresses.



Town Web Team and Portfolio/References

Collectively, our team has decades of web development and support experience, with a specific focus on creating engaging platforms for local governments to encourage communication and community involvement. Meet the key players:



Peter Stanko
New Client Coordinator
peter@townweb.com



Jerrica Wagner
Senior Project Manager
projects@townweb.com



Jelena Slavkovic
Customer Relations Manager
jelena@townweb.com



Marta Stankovic
Junior Project Manager
projects@townweb.com



Aleksandra Anastopoulos
Account Manager
projects@townweb.com



Francine Euniekrist
Junior Project Manager
projects@townweb.com

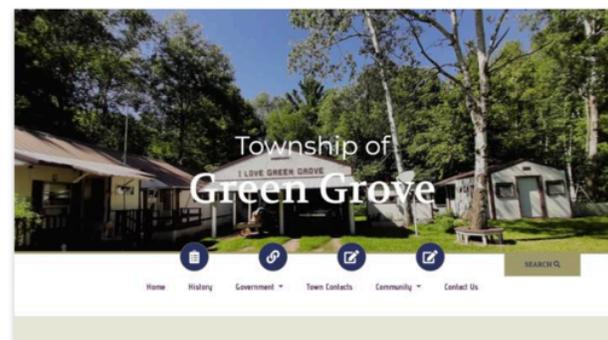
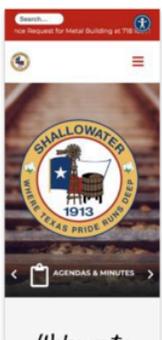


Flor Faustino
Customer Support Specialist
support@townweb.com



Nikita Sangweni
Customer Support Specialist
support@townweb.com

Town Web has developed more than 800 municipal websites in the previous 16 years while maintaining the average satisfaction level of customers above 97%. Here are some of the customers who have shared their love of working with us:



The Details of Our (Long-Lasting) Partnership

THE WEBSITE AND COMMUNICATION PLATFORM SETUP AND SUPPORT DETAILS

The setup is a one-time fee. It is the cost to build your website and transfer all the content from your existing website. You will work with a dedicated Account Manager (Angi or Jason) and Project Manager (Jerrica or Miranda) in real time for the design of your new municipal website. During the Onboarding Meeting, you will be shown all of our pre-built municipal themes from our design library. You get to select one, which we will completely customize for you and make it your own. We will customize the menu items, and the quick links and will custom design a banner based on the photographs you provide.

Included in your Website and Communication Platform setup fee:

- **We migrate all your old website content to Town Web's brand new TownCMS!**
Experience a much faster, unhackable website for your municipality! The transfer of all Town Web sites will occur by the end of 2025
- **Unlimited** number of pages and menu items
- **Unlimited** department pages with FAQs
- **Departmental-level** contact-us forms
- **Unlimited** Minutes & Agendas categories
- **Unlimited** Quick Links (theme dependent)
- **Unlimited** FAQs
- **Unlimited** calendars
- Agendas **linked to calendar**
- **Super menu** with dropdown (theme dependent)
- **Dedicated elections page**
- **Mobile-responsive** design
- Residents can **subscribe to emails and/or text messaging**
- Face-to-face meetings over Zoom, our easy-to-use video conferencing service

The following are included in Town Web's hosting, maintenance, and support:

- High-availability, reliable VPS (Amazon AWS or Google Cloud) website hosting and maintenance
- **Unlimited 24x7** technical support
- **24x7 website monitoring**
- **Guaranteed response time in less than 8 hours**
- **Technical and security updates** are applied automatically
- Nightly website **backups stored off-site**
- 12-month backup retention
- Immediate website restores (if ever needed)
- **Your login username and password** - you can make updates to the site on your own
- One-on-one training
- **Unlimited** training and re-training
- Access to our **free training and support library**
- **"White-Glove" Support** - send us content, and we will upload it for you - **if selected**
- **Phone support is available** Mon - Fri from 8 AM to 5 PM EST - **if selected**

Town of Cottage Grove Proposed Pricing

Description	Price	Qty	Total
<input checked="" type="checkbox"/> Website & Platform Upgrade (one-time fee) <i>please check one option</i>			\$1,600
<input checked="" type="checkbox"/> Platform Upgrade (one-time fee) <i>please check one option</i> Defer to 2026			\$1,000
<input type="checkbox"/> Advanced Business Directory			\$200
<input type="checkbox"/> Elite Web Design Package			\$10,000
Website Hosting and Website Maintenance			\$600/year
Customer Support Plan - Unlimited 24x7 Tech Support			\$600/year
<input checked="" type="checkbox"/> Customer Support Plan - "White-Glove" Service via email and phone <i>(discounted to \$100.00 in the first year's fee)</i>			\$300/year
<input type="checkbox"/> Branded Email Addresses	\$216/year	5	\$1,080/year
<input checked="" type="checkbox"/> Premium ADA-Compliance Solution			\$600/year
<input type="checkbox"/> Facebook Syndication			\$300/year
<input type="checkbox"/> Embedded Livestream Video Feed			\$150/year
<input type="checkbox"/> Multi-language Website - per language	\$50/year	1	\$50/year
Domain Name Management			\$20/year
TOTAL			\$3,120 \$3,720

\$1,920 due 4/1/2025

The Town would like to reserve the right to cancel white glove \$2,120 + \$1,000 = \$3,120 due 4/1/2026 service for years 2 and 3 since the only reason we need it is because \$2,120 due 4/1/2027 the new platform does not have a file replacement option, but we have been told it will be developed soon.

Town of Cottage Grove Signature Page

It is our commitment to ensure that the Town of Cottage Grove's online presence stands the test of time, making your website the ultimate tool for all your digital municipal needs today, and in the years to come. With our services, you can take pride in the fact that your residents, tourists, and visitors will never perceive your municipal services as outdated.

The duration of the contract is three years.

The 1st year's fee is \$3,720.00.

Customer Support Plan "White Glove Service" via email and phone will be discounted to \$100.00 in the 1st year's fee. In the 2nd and 3rd year's fee it will be invoiced in full amount.

The Website Upgrade fee is a one-time fee that will be invoiced with the 2nd year's fee, on 4/1/2026.

It is due 15 days after invoicing.

The Annual Hosting Maintenance and Support fee will be invoiced on 4/1/2025.

The 2nd year's fee of \$2,120.00 + the upgrade fee will be invoiced on 4/1/2026.

The 3rd year's fee of \$2,120.00 will be invoiced on 4/1/2027. The contract will end on 4/1/2028.

By endorsing this quote, you unlock a comprehensive package detailed in the previous sections of the proposal. Here are the three key benefits tailored to meet your needs:

1. **Town Web's Website and Communication Platform**

You will be providing your residents with unparalleled transparency in municipal decision-making. Keep them informed on vital topics, offering instant notifications about topics that interest them the most.

2. **Digital Transformation with Town Web**

Town Web's Online Digital Solution stands as the most advanced platform for local government - with many more features yet to come. It facilitates payments from any funding source through any device, efficiently reducing the administrative workload for busy staff while catering to the convenience citizens demand. Your Digital Transformation team creates digital workflows and enables your licenses and forms to be filled - and submitted online. All while enabling online renting for your municipal facilities. Imagine saying "HeyGov" - and it's done.

3. **Your Public Communication Officer - Available 24x7**

Enjoy the peace of mind that comes with round-the-clock technical support. You can rely on us for any website-related query or issue, accessible via call, email, chat message, or even Facebook Messenger. We go the extra mile, assisting with no additional charges, including posting or editing on their behalf, saving you valuable time and resources.

4. **A No-Cost Website Homepage Refresh Every Three Years - reach out to us if you want this option!**

Before the third year of hosting expires, we initiate a meeting to explore fresh ideas for your site's redesign. Incorporating the latest design standards, we ensure your site remains modern, practical, and up-to-date, reflecting the evolution of design trends over the preceding three years.


SIGNATURE
Kim Banigan

Kim Banigan, Town of Cottage Grove, Clerk

To accept this quote, you can electronically sign it above, or sign and fax it to 321-600-9008. Once we have a signed copy, we will email you an invoice. Once the invoice is paid, your dedicated Account Manager Aleksandra will contact you to schedule the Onboarding meeting!

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 07, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Deputy Clerk Jennifer Millage, Highway Superintendent Dan Dresen and Attorney Christopher Nelson. Clerk-Treasurer Kim Banigan 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 meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the March 17, 2025 public hearing and Town Board meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #37799-37836 and EFTs in the amount of \$36,843.88, **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of March per diems as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: Paula Severson, who was recently elected to the Village of Cottage Grove Board of Trustees, appeared to thank Hampton for his years of service to joint Town/Village services, and to congratulate Anders for his recent election as Town Board Chairperson. She said she ran on a platform of collaboration, and hopes to resurrect a joint Emergency Government Committee.

II. BUSINESS

- A. Consider adoption of Ordinance 2025-04-07 adopting revisions to Chapters 8, and 9 of the Town Code of Ordinances: **MOTION** by Williams/DuPlayee to adopt the ordinance as presented. **MOTION CARRIED 5-0.**
- B. Consider replacement of Police Squad Car #123 (2020 Model) with a 2025 model: Dane County Sheriff's Office projections were that the replacement squad would add \$5,746.96 to the 2025 contract price. **MOTION** by Anders/DuPlayee to approve replacing the squad car. **MOTION CARRIED 5-0.**
- C. Consider request for additional speed limit signage on Gaston Road: **MOTION** by Williams/Fonger to approve the additional signage as requested by Deputy Grafton's memo. **MOTION CARRIED 5-0.**
- D. Plan Commission Recommendations:
 - 1. Conditional Use Permit parcels 0711-073-8090-2 and 0711-073-8390-9 at 4311 Vilas Hope Road, Andy Meessmann, Snyder Associates, Applicant, Francis Wisniewski (Warm Belly Farms), Applicant. Includes revised relocation of an uninstalled storage building and a 5-year lease for 15 adjacent acres for parking and crops to be added to existing CUP for Agricultural Entertainment events more than 10 days per year: Francis Wisniewski was present. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve revising the CUP as proposed, including moving the location for the hoop building and adding 15 acres of leased land to be used for parking and crops. All 8 CUP approval standards were considered satisfied. The Town should review the CUP every two years. **MOTION CARRIED 5-0.**
- E. Wilmer A. Larson, applicant and landowner, parcel 0711-154-8001-0 near 2181 Uphoff Road: Seeking rezone of 2.22 acres from FP-35 to RR-2 to create a new residential lot, and 22.47 acres from FP-35 to FP-1 for the residual ag lot: Wilmer Larson was present. Hampton

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 07, 2025

noted that the Plan Commission allowed the lot size to exceed 2.0 acres due to a group of trees near the road. Larson said some of the trees will be moved for better sight distance at the driveway. **MOTION** by Williams/Fonger to accept the Plan Commission's recommendation to approve the rezone of 2.22 acres from FP-35 to RR-2 to create a new residential lot, and 22.47 acres from FP-35 to FP-1 for the residual ag lot. It may exceed the Town's 2 acre maximum so as to not leave an odd residual lot of trees near the road. **MOTION CARRIED 5-0.**

- F. Donald Viney, Petitioner, Viney Acres, LLC, property owner, parcels 0711-331-800-7 and 0711-331-9502-8 on North Star Road: Petition for Comprehensive Development Plan Review for a commercial subdivision: Don and Marilyn Viney were present. Discussion was that the entire plat would be zoned General Commercial, although potential buyers could petition for Heavy Commercial in the future. Hampton asked if Viney's had contacted the DOT about the land between their property and North Star Road and US Hwy 12/18, they had not. Hampton referred to memos from the Town Planner and Engineer that were reviewed at the Plan Commission meeting, and suggested they be incorporated into the Town Board's motion. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendation to approve the Comprehensive Development Plan, incorporating the memos from the Town Planner and Engineer. **MOTION CARRIED 5-0.**
- G. Consider approval of Agreement for Public Improvements and Other Matters Relating to the Plat of Kennedy Hills First Addition: (the agreement is attached as Exhibit A) Atty. Nelson said the agreement is based off of the Town's standard development agreement. Unique elements included provisions for a construction entrance, no parkland dedication fee will be required since that requirement was satisfied by parkland dedicated under the first phase (Recreational improvement fees will still be due from each lot at the time a building permit is issued), and rather than a letter of credit, the developer will be providing a performance bond. Atty. Nelson said the form of the bond has been approved, but he does not have the final bond yet. **MOTION** by Fonger/DuPlayee to approve the agreement as presented, contingent on satisfaction of the performance bond requirements. **MOTION CARRIED 5-0.**
- H. Consider approval of Declaration of Covenants, Restrictions, Conditions and Easements for the Plat of Kennedy Hills First Addition: (Covenants are attached as Exhibit B) Atty. Nelson said the developer has agreed to the redlined revisions he and the Town Planner suggested to section 3.6. Exhibit B will need to be developed and approved by the Town Engineer. Board members raised questions about restrictions on signage, asking if political signs would be prohibited, and about limits on solar facilities and allowing three years before requiring construction. Atty. Nelson said all of these provisions are also in the HOA for the first phase. A member of the Kennedy Hills first phase HOA was present and said that several of the original lots have political signs and solar arrays and no enforcement actions have been taken. **MOTION** by Fonger/Williams to approve the covenants as presented. **MOTION CARRIED 5-0.**
- I. Discuss/Consider use of Ravenwood Park on Sandpiper & Nightingale for baseball practices: This request was withdrawn prior to the meeting.
- J. Discuss/Consider Earth Day Park Clean-up Challenge: Williams suggested this after seeing that Madison is promoting such a challenge. Advice from the Town's insurance agent was that participants should sign a waiver. Hampton asked Dresen what cleanup is needed, Dresen said participants could pick up sticks and trash and pull weeds. The Highway crew would pick up any bags of trash or piles of sticks. **MOTION** by Anders/Williams to make the

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 07, 2025

volunteer form available for those who would like to participate in a cleanup of Town parks on Earth Day. The Clerk's office may choose to post an event on the Town's web site.

MOTION CARRIED 5-0.

- K. Consider TDS quotes for upgraded internet service for the Town and Flynn Halls: A memo from the Clerk-Treasurer explained that when she contacted TDS to renew a promotional rate for Flynn Hall, she was not offered a new promotional rate, but instead TDS proposed upgrades to service levels at both halls at slightly higher rates. Discussion was that additional bandwidth would be beneficial at the Town Hall, but not so much at Flynn Hall. **MOTION** by Williams/DuPlayee to approve the quote to update the Town Hall from 150M/40M to 500M/500M for \$129/month, and leave Flynn Hall at 250M/50M at \$119/month. **MOTION CARRIED 5-0.**
- L. Discuss/Consider public open house to recognize Kris Hampton for his service to the Town: Consensus was to hold an open house at the Town Hall from 1-3 p.m. on Saturday April 26th. The Town will provide cake and beverages. The Clerk's office will take care of public notice of the event.
- M. Consider WTA Town Advocacy Membership for 2025: **MOTION** by Fonger/DuPlayee to pay the fee for Town Advocacy Membership in 2025. **MOTION CARRIED 5-0.**
- N. Consider approval of attendance for WTA Capitol Day on April 30th: Williams said she found this event very educational in the past, and would like to attend. **MOTION** by DuPlayee/Fonger to approve one attendee. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: No permits have been issued since the last meeting.
- B. The salt shed roof is scheduled for replacement tomorrow, paving the way for the solar panels.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan said the Spring Election went well, with a 70% turnout, which was 40% by absentee ballot. She is working on figuring out the procedures to fill the Supervisor 2 seat that Anders will need to decline in order to accept the Chairperson seat.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams commended the Clerk's office for a well-organized election.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The Chief's father died suddenly No news on the situation in Cambridge.
- B. Natvig Landfill Monitoring Committee: Business as usual.
- C. Cottage Grove Fire Commission: Replacement garage door openers and pest control services were approved using ESB Repair funds.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:09 P.M.

Kim Banigan, Clerk-Treasurer

Approved 04-21-2025

EXHIBIT A

AGREEMENT FOR PUBLIC IMPROVEMENTS AND OTHER MATTERS RELATING TO PLAT OF KENNEDY HILLS FIRST ADDITION TOWN OF COTTAGE GROVE, DANE COUNTY, WISCONSIN

Executive Summary

1. **Real Estate Subject To Agreement:**
 - 1.1. **Recording Data for Plat:** _____
 - 1.2. **Total Number of Lots:** 20 Residential Lots and 1 Outlot
 - 1.3. **Phasing Plan:** N/A
2. **Contact Information for Owner/Developer (name/phone/email):**
 - 2.1. **Owner:** Dunroven Ridge, LLC
 - 2.2. **Developer:** Dunroven Ridge, LLC
 - 2.3. **Authorized Representative(s):** Dan O'Callaghan; Carlson, Black O'Callahan & Battenberg, LLP; 608-888-1685; dan.ocallaghan@carlsonblack.com
 - 2.4. **Developer Engineer:** Christine Pelto, MSA Professional Services, Inc.; 608-355-8859; cpelto@msa-ps.com
 - 2.5. **Developer Project Manager:** Cory Clemens, 608-212-7327; corykori5@yahoo.com
3. **Contact Information for Town (name/phone/email):**
 - 3.1. **Town Planner:** Mark Roffers, MDROffers Consulting LLC, 608-770-0338, mark@mdroffers.com
 - 3.2. **Town Engineer:** Nick Bubolz, Town & Country Engineering, Inc., 608-273-3350, nbubolz@tcengineers.net
 - 3.3. **Town Attorney:** William S. Cole, Axley Brynerson, LLP 608-283-6766, wcole@axley.com
 - 3.4. **Only the Town Board can bind the Town of Cottage Grove.**
4. **Public Improvements Required:** See Town Ordinances, Town Engineer, Agreement.
5. **Construction:**
 - 5.1. **Standards:** See Town Ordinances, Town Engineer, Agreement.
 - 5.2. **Commencement Date:** Town Engineer approval required. No early start approved.
 - 5.3. **Contractor List:** Required.
 - 5.4. **Proof of Insurance:** Required; Town as Additional Insured.
6. **Acceptance of Work:** Developer Engineer provides certification of completion of Public Improvements in accordance with approved plans; Developer provides complete lien waivers to Town Engineer; Town Engineer observes public improvement installation periodically and provides written comments to Town Board; Developer provides full lien waivers; Dedication process requires approval of resolution by Town Board; Developer shall provide maintenance and repair until dedication.
7. **Guarantee of Work:** Required for 14 months after substantial completion, unless extended due to defective work.
8. **Surety:** Unless otherwise requested by Developer and incorporated in Agreement, Developer agrees to provide a letter of credit or performance bond at 120% of cost; reductions possible during term of Development Agreement following substantial

completion; Town Engineer recommendation and Town Board approval required for reductions.

9. **Developer Reimbursement of Town Costs:** Reimbursement required per Development Agreement and Escrow Agreement.
10. **Development Documents:** All are subject to Town Attorney and Town Board approval; includes Development Agreement, Declaration of Covenants and Restrictions, Stormwater Management and Maintenance Agreement, Transfer Restrictions if Phased Development, other documents as specified; documents executed and submitted to Town for recording; all documents run with the land.
11. **Phasing:** Permitted with plan and Town Board approval; recording of Declaration Restricting Transfer required.
12. **Parkland Dedication or Fee in Lieu, and Fee for Initial Improvements:** There is no parkland dedication fee required for Kennedy Hills First Addition; A Recreational Improvement Impact Fee is required under Town Code § 15.03(4)(d) and shall be paid in accordance with Section 14 of the Development Agreement.
13. **Subdivision Signage:** Town Board design approval required; "A Cottage Grove Neighborhood" required on sign.
14. **Miscellaneous Provisions:** _____
 - 14.1. _____
 - 14.2. _____
 - 14.3. _____

The Executive Summary above is provided as a convenience to the parties. The requirements shall be as set forth in full in the Development Agreement itself.

DEVELOPMENT AGREEMENT

1 **THIS DEVELOPMENT AGREEMENT** (the “**Agreement**”) is made and entered into
2 by and between Dunroven Ridge, LLC, a Wisconsin limited liability company, with its principal
3 business office located at 7857 Dunroven Road, Dane, Wisconsin 53529 (“**Developer**”), and the
4 Town of Cottage Grove (“**Town**”), a body corporate and politic, with its principal business office
5 located at 4058 County Road N, Cottage Grove, Wisconsin 53527.

RECITALS

6
7
8
9 **WHEREAS**, the Developer has received approval from the Town as set forth in Town
10 Board Resolution No. 2025-03-17, of a development to be known as Kennedy Hills First Addition
11 (the “**Development**”) and located on the Plat of Kennedy Hills First Addition in the Town of
12 Cottage Grove, Dane County, Wisconsin (“**Plat**”), and Developer wishes to enter this Agreement
13 to satisfy conditions of the Town Board’s approval and shall thereafter promptly proceed with
14 recording of the Plat;

15
16 **WHEREAS**, the Town seeks to protect the health, safety, and general welfare of the
17 community by requiring the completion of various public improvements in the Development and
18 thereby to limit the harmful effects of substandard developments, including premature
19 development which leaves property undeveloped and unproductive;

20
21 **WHEREAS**, the Town Subdivision Ordinance requires, among other things, that
22 provisions be made for the grading of public lands, erosion and stormwater runoff control and
23 street and trail Public Improvements required to serve the Developer’s Development;

24
25 **WHEREAS**, the Developer now wishes to proceed with the installation of such Public
26 Improvements to serve in the Plat;

27
28 **WHEREAS**, the purpose of this Agreement includes, but is not limited to, the avoidance
29 of harmful consequences of land development prior to satisfactory completion of Public
30 Improvements, or prior to the payment of improvement costs and related fees;

31
32 **WHEREAS**, this Agreement is made for the mutual benefit of the Developer and the Town
33 in order to assure compliance with Town Ordinances and standards for Public Improvements;

34
35 **WHEREAS**, the Developer acknowledges that the Town will be injured in the event of
36 the Developer’s failure to fully and completely perform the requirements of this Agreement; and
37

38 **WHEREAS**, the parties acknowledge and agree that the mutual promises, covenants, and
39 obligations contained in this Agreement are authorized by state law and the Town Ordinances,
40 waive the right to contest the terms of the Agreement, and agree to be bound hereto, all as set forth
41 in the Agreement.
42
43

44 **AGREEMENT**

45
46 **NOW, THEREFORE**, in consideration of the above recitals, which are incorporated
47 herein by reference, and other good and valuable consideration, the sufficiency of which is hereby
48 acknowledged, the Town and Developer agree as follows:

49
50 **1. REQUIRED PUBLIC IMPROVEMENTS.**

51
52 1.1. **Agreements.** At a minimum, the Developer shall construct and install, at its
53 expense, all on-site and off-site general Public Improvements required by Town
54 Ordinances and this Agreement (collectively the “**Public Improvements**,” unless
55 otherwise noted) in order to provide public services to the Plat. Developer shall be
56 required to connect the Plat to existing utilities, which may include facilities outside
57 of the boundaries of the Plat. Construction of all such Public Improvements shall
58 be completed in accordance with this Agreement.

59
60 1.2. **Plans.** Following consultation with Town staff, the Developer shall present plans
61 for the Public Improvements, which plans shall be prepared under the seal of
62 Developer’s Engineer (the “**Plans**”). The Plans shall set forth the required Public
63 Improvements for each Phase with particularity and shall include, at a minimum,
64 the following: public stormwater management facilities; public streets; gas,
65 electric, telephone/internet; and lighting. The Public Improvements shall satisfy all
66 Town construction standards, as established by the **Town Ordinances**¹ and in
67 accordance with generally acceptable industry standards. The Town Engineer shall
68 have the authority to interpret and apply the ordinances and generally accepted
69 industry standards as to the Public Improvements.

70
71 1.3. **Town and Utility Engineer Review.** The Town Engineer shall be given an
72 adequate opportunity to review the Plans and may request such additional
73 information from the Developer as desired. Following the Town Engineer’s written
74 statement of “no objection” to the Plans, and subject to the other requirements and
75 conditions set forth herein, the Developer shall proceed with construction in
76 accordance with the Plans and on the timetable represented to the Town by the
77 Developer, which timetable has been reasonably relied upon by the Town.

78
79 **2. STANDARDS AND SPECIFICATIONS FOR PUBLIC IMPROVEMENTS.**

80
81 Developer’s construction of the Public Improvements and performance of this Agreement
82 shall be in accordance with the Town Ordinances, whether or not specifically referenced
83 in this Agreement; the Town’s standard specifications for public improvements, as
84 determined by the Town Engineer and highway superintendent; and, the Plans. For
85 convenience and reference, an overview of the Public Improvements for this Development
86 and information identifying the Plans is provided in **Exhibit 1**, which is attached hereto
87 and incorporated by reference as if set forth fully herein. The standards and specifications

¹ There is a QuickLink to the Town Ordinances at <http://www.tn.cottagegrove.wi.gov>.

88 for Public Improvements expressly include, but are not limited to, the following:
89

90 2.1. **During Construction: Grading, Erosion Control and Barricading.** The
91 Developer shall furnish, install, and maintain during construction, and until the
92 Public Improvements are accepted by the Town, all barricades and signs as are
93 prudent and necessary for public safety, particularly where new rights-of-way
94 extend or intersect existing streets and all street ends. The Town Engineer may also
95 require Developer to furnish, install, and maintain additional barricades and signs.
96 Developer shall maintain “road closed” barrier(s) in place to prevent
97 non-emergency access until such time as the binder layer of asphalt is installed on
98 all of the streets in the Phase under construction.
99

100 The Developer shall furnish, install prior to grading, utility installation or any other
101 land disturbance activity, and maintain during construction and until the
102 Improvements are accepted by the Town such stormwater runoff and erosion
103 control measures as are required by and included in the County-approved plans for
104 erosion control and stormwater runoff. The Developer shall obtain separate
105 approvals for each construction phase, as required. The Town Engineer may also
106 require Developer to furnish, install, and maintain additional erosion control and
107 stormwater-runoff measures, as the Town Engineer deems appropriate. The
108 Developer shall adhere to the requirements for erosion control and stormwater
109 runoff, and expressly grant the right of entry on the Development to the Town
110 Engineer, or designee, to observe the erosion control and stormwater runoff.
111

112 A construction entrance for the Development shall be a gravel driveway connected
113 to Kennedy Road. Developer shall not require or allow for construction vehicles
114 using roads within the adjacent plat of Kennedy Hills.
115

116 2.2. **Stormwater Management Facilities.** The Developer shall install adequate
117 ditches, drainageways, and stormwater management facilities (collectively,
118 **Stormwater Management Facilities**) based on generally-accepted industry
119 standards and as required by law. The Developer’s Engineer shall provide
120 necessary background data, including stormwater calculations, to the Town
121 Engineer along with a proposed plan for Stormwater Management Facilities
122 certified by the Developer’s Engineer. The Town Engineer may rely on the
123 background data and stormwater calculations provided when reviewing the
124 proposed plans. The Developer shall proceed with installation and construction of
125 the Stormwater Management Facilities in accordance with the plans for all such
126 matters for which a written statement of “no objection” has been issued by the
127 Town Engineer.
128

129 2.3. **Streets and Street Lighting.** Streets, curb and gutter, and street lighting shall be
130 installed and constructed in accordance with the Plans.
131

132 2.4. **Sidewalk and Trails.** All sidewalk and trails required to be constructed by
133 Developer shall be constructed in accordance with plans to be prepared by

134 Developer and for which a written statement of “no objection” has been issued by
135 the Town Engineer.
136

137 2.6. **Signage.** The entry sign for the Development shall be as required to meet all
138 applicable signage requirements and shall be subject to prior approval by the Town
139 Board, or designee. The signage shall include “A Cottage Grove Neighborhood.”
140

141 3. **CONTRACTORS ENGAGED BY DEVELOPER FOR PROJECT;**
142 **INDEMNIFICATION AND INSURANCE.**
143

144 3.1. **Approval of Contractor(s).** The Developer agrees to engage contractors for all
145 construction, who shall first be approved for such work by the Town Engineer and
146 who shall qualify with every applicable requirement of the Town and any
147 Ordinance, rule, or regulation thereof. Prior to the commencement of construction
148 of the Public Improvements, the Developer shall furnish to the Town Engineer the
149 names of all contractors and subcontractors, together with a classification of the
150 work performed by each, and copies of all construction documents relating to the
151 construction of the Public Improvements. Such submittal shall be prior to the
152 commencement of construction of any of the Public Improvements. All
153 construction documents for the Public Improvements are subject to the prior review
154 of the Town.
155

156 3.2. **Indemnification by Contractor(s).** The Developer shall require all contractors
157 engaged in the construction of the Public Improvements to indemnify and hold the
158 Town and its engineers and consultants harmless from and against any and all
159 claims, losses, damages, costs, and expenses which such contractors may or might
160 incur in connection with the construction of the Improvements. Such
161 indemnification and hold harmless clause shall be in form and content acceptable
162 to the Town Attorney and shall be included in each contract which the Developer
163 has with a contractor.
164

165 3.3. **Indemnification by Developer.** For a period of time commencing with the
166 execution of this Agreement and expiring fourteen (14) months from the date of
167 substantial completion², the Developer hereby expressly agrees to indemnify, save
168 and hold harmless the Town, its engineers, consultants, employees, officers and
169 agents from and against all claims, costs, suits, causes of actions, demands, and
170 liability of every kind and nature, for injury or damage received or sustained by any
171 person or persons or property, whomsoever and whatsoever, in connection with, or
172 on account of the performance of the work contemplated hereby and the

² See Wis. Stat. § 236.13, as amended, which applies to all preliminary and final plats as of August 1, 2014. Pursuant thereto, “substantial completion” is defined as follows: “(P)ublic improvements reasonably necessary for a project or a phase of a project are considered to be substantially completed at the time the binder course is installed on roads to be dedicated or, if the required public improvements do not include a road to be dedicated, at the time that 90% of the public improvements by costs are completed.”

173 construction of the Public Improvements, except where such claim is the exclusive
174 result of the willful or negligent acts of the Town.³ As requested by the Town, the
175 Developer further agrees to aid and defend the Town with legal counsel acceptable
176 to the Town in the event the Town is named as a defendant in any action concerning
177 the performance of the work pursuant to this Agreement, except where such suit is
178 brought by the Developer. The provision is not intended to and shall not be
179 interpreted to limit insurance coverage that may be available to the Town or
180 governmental immunity or other defenses that may be available to the Town, each
181 and all of which are expressly reserved by the Town. It is hereby agreed that the
182 Developer is not an agent or employee of the Town, and neither Developer nor its
183 contractors shall represent itself as an agent or employee of the Town.
184

185 3.4. **Insurance by Contractor(s).** The Developer shall also require all contractors
186 engaged in the construction of the Public Improvements to maintain such
187 reasonable insurance as shall be required by the Town Attorney and Engineer and,
188 upon demand, furnish to the Town Attorney and Engineer, a current certificate of
189 insurance to evidence such insurance. All such insurance shall comply with the
190 Town’s contract requirements pertaining to damage claims, indemnification of the
191 Town, and insurance. The Contractor(s) so engaged are required to furnish
192 comprehensive general liability insurance of not less than \$1,000,000.00 aggregate
193 for any such damage sustained by two or more persons in any one accident. The
194 Developer is responsible for confirming that such insurance is in place and that the
195 Town is named as an additional insured on such insurance.
196

197 **4. CONSTRUCTION RELATED ACTIVITIES FOR PUBLIC IMPROVEMENTS.**
198

199 In connection with the construction of the Public Improvements, it is hereby agreed as
200 follows:
201

202 4.1. **Scheduling.** The Developer agrees that no work shall be scheduled for construction
203 of the Improvements without the Town Engineer’s approval of the starting date(s)
204 and construction schedule. The construction of the Improvements shall be
205 completed on or before the completion date(s) set forth in the schedule, unless
206 otherwise extended in writing by the Town.
207

208 4.2. **Commencement.** The final plans and specifications, signed by the Developer’s
209 Engineer, shall be submitted to the Town Engineer prior to any land disturbance or
210 commencement of work. A starting date will not be approved until (1) a written
211 statement of “no objection” with respect to the final plans and specifications for the

³ The Town does not by this provision, or by any other provision in this Agreement, waive, reduce or in any way limit any governmental immunity (whether absolute, qualified, as to intentional torts or discretionary acts or other immunity) to which it may be entitled, and hereby expressly reaffirms its right to any and all such immunity, notice of injury, notice of claim, and limitation as to damages to the full extent provided by law.

212 Improvements has been issued by the Town Engineer, and (2) the Letter of Credit
213 or other security required by this Agreement has been furnished to the Town.

214
215 4.3. **Completion.** All work specified herein shall be completed within twelve (12)
216 months after the date of commencement, and time is of the essence as to
217 completion. The deadline for completion may be extended as to the laying of the
218 final layer of asphalt paving on streets in accordance with Town policy, as
219 recommended by the Town Engineer. Town policy also requires that Developer
220 furnish appropriate surety for the completion of such work as recommended by the
221 Town Engineer, and approved by resolution of the Town Board.

222
223 4.4. **Costs.** The Developer agrees that the Town shall not be responsible for any costs
224 or charges related to the construction of the Improvements, and that the Developer
225 is responsible for all such costs, except as otherwise expressly provided for in the
226 Agreement.

227
228 4.5. **Construction Related Activities; Inspection and Certification; Lien Waivers.**
229 The Town may periodically review construction progress, conduct inspections
230 and/or complete material testing of the Improvements, and is granted access to the
231 site for such purposes. The Developer shall have the obligation to provide such on-
232 site inspection as is necessary to obtain written certification from Developer's
233 Engineer that the Improvements as and when they are completed are in compliance
234 with the standards and specifications of the Town and this Agreement. The
235 Developer's Engineer's written certification shall be provided to the Town
236 Engineer before the Town Engineer recommends acceptance of the Improvements
237 to the Town Board. In addition, and also prior to recommendation of acceptance
238 of the Improvements, the Developer shall present to the Town valid lien waivers
239 from all persons providing materials and/or performing work on the Improvements
240 for which certification is sought. The Developer agrees that no occupancy permits
241 will be issued by the Town until the Improvements have been recommended for
242 acceptance by the Town Engineer; and until all outstanding engineering and
243 inspection fees (including engineering and inspection charges of the Town) have
244 been paid in full, and affidavits and lien waivers are received by the Town
245 indicating that the contractors, suppliers and subcontractors have been paid in full
246 for all work and materials furnished in order to construct the Improvements.

247
248 4.6. **Maintenance and Repair.** The Developer agrees to provide for maintenance and
249 repair of all Improvements and acknowledges that this obligation runs with the land.
250 The Town will endeavor to provide timely notice to the Developer whenever the
251 Town Engineer is not able to recommend acceptance of an Improvement, or
252 otherwise determines that an Improvement does not conform to the Town's adopted
253 standards and specifications or is otherwise defective. The Developer shall have
254 thirty (30) days from the issuance of such notice to correct or substantially correct
255 the defect. It is agreed that the Town shall not declare a default under the
256 Agreement during the aforesaid thirty (30) day correction period on account of any
257 such defect unless it is clear that the Developer does not intend to correct the defect

258 or unless the Town determines that immediate action is required in order to remedy
259 a situation which poses an imminent health or safety threat.

260
261 4.7. **Cost Breakdown.** The Developer shall, upon substantial completion of the
262 Improvements, provide to the Town a final cost for all of the costs associated with
263 the construction thereof. Such final cost breakdown shall be in such form and
264 content as the Town may reasonably require.

265
266 **5. DEDICATION OF PUBLIC IMPROVEMENTS.**

267
268 5.1 After substantial completion⁴ of the construction in accordance with the Town's
269 standards and specifications, as certified by the Developer's Engineer, and provided
270 there is a written statement of "no objection" from the Town Engineer, the
271 Developer shall dedicate the Public Improvements to the Town.

272
273 5.2 Acceptance of the dedication requires the approval of a resolution by the Town
274 Board.

275
276 **6. GUARANTEE OF THE WORK.** The Developer agrees to guarantee and warrant all
277 work performed under this Agreement against defects in workmanship or materials for a
278 period of *fourteen (14) months from the date of substantial completion*⁵ of the Public
279 Improvements. If any defect should appear during the guarantee period, as determined in
280 the reasonable discretion of the Town Engineer, the Developer agrees to make required
281 replacement or acceptable repairs of the defective work at the Developer's own expense.
282 Furthermore, following such notice to and repair by the Developer, the guarantee period
283 shall be extended for an additional fourteen (14) month period from the date of Developer's
284 completion of the repair. All guaranties or warranties for materials or workmanship which
285 extend beyond the guarantee period are hereby assigned by the Developer to the Town, and
286 confirmation of same shall be provided to the Town Engineer.

287
288 **7. COMPLIANCE WITH LAW.** When performing its obligations under this Agreement,
289 the Developer shall comply with all terms of this Agreement, relevant laws, ordinances,
290 and regulations in effect, as promulgated by all governmental bodies having jurisdiction
291 thereover. In the event of a conflict among the requirements, the stricter provisions shall
292 control.

293
294 **8. FEES PAYABLE PRIOR TO CONSTRUCTION.** The Developer agrees to pay the
295 Town for all outstanding fees and assessments levied against the Property prior to the start

⁴ See Wis. Stat. § 236.13, as amended, which applies to all preliminary and final plats as of August 1, 2014. Pursuant thereto, "substantial completion" is defined as follows: "(P)ublic improvements reasonably necessary for a project or a phase of a project are considered to be substantially completed at the time the binder course is installed on roads to be dedicated or, if the required public improvements do not include a road to be dedicated, at the time that 90% of the public improvements by costs are completed."

⁵ See *Id.*

296 of construction of the Improvements.

297
298 **9. DEVELOPER TO REIMBURSE THE TOWN FOR COSTS SUSTAINED.** In
299 addition to any escrow arrangement required by the Town pursuant to its customary
300 practice for administering development projects, the Developer shall reimburse the Town
301 for its actual cost of design, inspection, testing, construction, and associated legal and other
302 fees associated with the Development. The Town's costs shall be determined as follows:
303

304 9.1. The cost of Town employees' time engaged in any way with the required
305 Improvements based on the hourly rate paid to the employee multiplied by a factor
306 determined by the Town representing the Town's cost for expenses, benefits,
307 insurance, sick leave, holidays, overtime, vacation and similar benefits.
308

309 9.2. The cost of Town equipment employed.
310

311 9.3. The cost of mileage reimbursed to Town employees and consultants that is
312 attributable to the Development.
313

314 9.4. The actual costs of Town materials incorporated into the work, including
315 transportation costs, plus a restocking and/or handling fee not to exceed ten percent
316 (10%) of the cost of the materials.
317

318 9.5. All costs and expenses incurred by Town in connection with the Development,
319 including, but not limited to, the cost of professional services incurred by the Town
320 for the review and preparation of required documents, attendance at meetings or
321 other related professional services. This includes but is not limited to the costs
322 incurred for the Town Attorney, Town Planner, and Town Engineer related to the
323 Development.
324

325 9.6. Unless the amount totals less than \$50.00, the Town shall bill the Developer
326 monthly for expenses incurred by the Town. Bills outstanding for more than thirty
327 (30) days shall accrue interest at the rate of one percent (1%) per month.
328

329 **10. SURETY.**
330

331 10.1. The Developer agrees to furnish the Town, prior to the commencement of any work
332 under this Agreement, with surety in the form of an irrevocable Letter of Credit, in
333 a form deemed acceptable by the Town Attorney, in the amount to be approved by
334 the Town Engineer, to secure performance of this contract in accordance with the
335 Town Subdivision Ordinance. The Letter of Credit shall be payable at sight to the
336 Town and will bear an expiration date not earlier than twelve (12) months after the
337 date of delivery to the Town. The Letter of Credit shall include a provision
338 requiring that the Town be given written notice not less than forty-five (45) days
339 and not more than sixty (60) days prior to the expiration of the letter. Developer
340 shall provide a new Letter of Credit satisfactory to the Town not less than ten (10)
341 days prior to the expiration of any earlier Letter of Credit sufficient to cover the

342 balance of any work to be performed by Developer hereunder and any sum required
343 to secure the guarantee of work required by this Agreement. The Letters of Credit
344 will be payable to the Town at any time upon presentation of: (i) a sight draft on
345 the issuing Bank in the amount to which the Town is entitled to draw pursuant to
346 the terms of this Agreement; (ii) an affidavit executed by an authorized Town
347 official stating that the Developer is in default under this Agreement; and (iii) the
348 original of the Letter of Credit.
349

350 Notwithstadning the foregoing, in lieu of a Letter of Credit, the Developer may
351 deliver to the Town, as surety for performance of this contract in accordance with
352 the Town Subdivision Ordinance, a performance bond provided by the Developer's
353 contractor that names the Town as an additional obligee, provided such bond is
354 consistent with a standard surety bond form used by a company that, on the date
355 the bond is obtained, is listed as an acceptable surety on federal bonds in the most
356 recent circular 570 published by the federal department of the treasury, as required
357 under 31 CFR 223.16, and the performance bond is issued by a surety company
358 licensed to do business in this state, and the form of the bond is otherwise
359 reasonably acceptable to the Town.
360

361 10.2. As work progresses on installation of Public Improvements constructed as part of
362 this contract, the Town Engineer, upon written request from the Developer from
363 time to time, is authorized to recommend a reduction in the amount of surety as
364 hereinafter provided. When portions of construction (street, stormwater or other
365 Improvements) are completed by the Developer, the Town Engineer is authorized,
366 upon submission of lien waivers by the Developer's contractors, to recommend
367 reduction in the amount of surety. Any reduction shall require approval by
368 resolution of the Town Board.
369

370 10.3. Upon acceptance by the Town of the Improvements, as approved by resolution of
371 the Town Board, the Town agrees to reduce the surety to an amount which does not
372 exceed ten percent (10%) of the cost of the Public Improvements, as estimated by
373 the Town Engineer, to secure performance of the guarantee described in this
374 Agreement, if such a reduction is requested by the Developer.
375

376 10.4. Developer agrees to provide written notice of the expiration of any Letter of Credit
377 or performance bond (or replacement Letter of Credit or performance bond)
378 provided for herein not less than forty-five (45) days nor more than sixty (60) days
379 prior to its expiration, by sending notice to the following address:
380

381 Town Clerk
382 Town of Cottage Grove
383 4058 County Road N
384 Cottage Grove, WI 53527
385

386 **11. COVENANTS AND RESTRICTIONS; STORMWATER MANAGEMENT**
387 **AGREEMENT; TRANSFER RESTRICTIONS ON SALES; OTHER LEGAL**

388 **DOCUMENTS.**

389
390 11.1. **Declaration of Covenants, Conditions and Restrictions.** Prior to
391 commencement of construction of Improvements under this Agreement, Developer
392 shall submit the Declaration of Covenants, Conditions and Restrictions to the Town
393 Attorney and Town Board for review and approval as to conformity with the Town
394 Subdivision Ordinance and any conditions of approval. The Covenants, Conditions
395 and Restrictions shall contain provisions that provide for site plan and architectural
396 review procedures for all Lots to insure that the represented quality of the
397 Improvements is maintained.
398

399 11.2. **Stormwater Management and Maintenance Agreement.** Developer shall also
400 enter into the Town’s Stormwater Management and Maintenance Agreement, in
401 recordable form satisfactory to the Town Engineer and Town Attorney, prior to the
402 commencement of construction, which agreement shall provide that the Developer
403 shall maintain the Stormwater Management Facilities, at the expense of Developer,
404 until the Town accepts the Improvements, and that after acceptance of the
405 Improvements by the Town, the homeowner association formed by Developer shall
406 maintain the Stormwater Management Facilities at the expense of the association.
407 In the event the association fails to properly maintain the Stormwater Management
408 Facilities, then the Town’s Stormwater Management and Maintenance Agreement
409 shall provide that the Town may enter the property and maintain the Stormwater
410 Management Facilities, with the cost thereof to be charged back as a special charge
411 to the owners of Lots within the Development. The foregoing instruments shall be
412 recorded prior to the commencement of any work under this Agreement. As part of
413 this requirement, the Developer shall obtain all required Dane County Stormwater
414 Permits and Reviews and provide proof of County review and approval to the
415 Town.
416

417 11.3. **Restrictions on Transfer Of Lots Outside Current Phase.** Developer agrees to
418 execute and record, in a form approved by the Town Attorney, an instrument
419 prohibiting the conveyance to third parties of Lots outside of such Phase of the
420 Development on which Improvements are being constructed (other than to a bona
421 fide financial institution as a mortgagee for the costs of development and
422 construction of the project by Developer), without the consent of the Town, or until
423 the execution of a development agreement between Developer and the Town for
424 particular Lots outside of such Phase as to which this prohibition would not then
425 apply.
426

427 12. **SURVEY MONUMENTS.** Developer agrees to install all survey monuments for the final
428 Plat in the manner required by law and Town Ordinance, except that pursuant to the
429 provisions of Wis. Stat. § 236.15(1)(h), Developer shall have a period of up to five (5)
430 years after the date of execution of this Agreement by all parties, or the start of construction
431 of the final Phase of the Development, whichever comes first, within which to complete
432 installation of all required monuments in the entire Development as required by law and
433 Town Ordinance. Notwithstanding the foregoing, Developer agrees to complete all such

434 survey work for each phase of the Plat by the time of completion of Improvements for such
435 phase of the Plat. Developer will provide security in the amount and manner reasonably
436 required by the Town Engineer at the time of commencement of construction of the first
437 Phase of the Plat based on estimates from responsible surveying firms, to secure the full
438 costs of such survey monumentation work within such time period. No construction shall
439 be commenced until the Town Engineer has approved the adequacy of the security for the
440 surveying costs.
441

442 13. **PARKLAND DEDICATION OR FEE IN LIEU OF DEDICATION.** The Town
443 acknowledges that all requirements of the Town Subdivision Ordinance with regard to the
444 dedication of park lands or the payment of fees in lieu of dedication of park lands for the
445 Development were satisfied upon recording of the the Plat of Kennedy Hills.
446

447 14. **FEE FOR INITIAL IMPROVEMENTS TO PARKLAND PER WIS. STAT.**
448 **§ 236.45(6).** The Town acknowledges that no fee for initial improvements to parkland is
449 currently due. Rather, each lot owner in the Plat shall be obligated to pay a recreational
450 improvement impact fee to the Town of Cottage Grove in the amount specified by Town
451 ordinance at the time the lot owner applies for a residential building permit.
452

453 15. **ANNEXATION.** Developer agrees that at no time will the Developer petition to annex or
454 attach all or any part of the Property to any city of village under applicable annexation or
455 boundary agreement laws, without the consent of the Town. Developer further
456 acknowledges that any such annexation by Developer shall result in damages to the Town,
457 which damages shall be substantial and difficult to quantify. Developer and Town agree
458 to quantify such damages by applying to this Development the terms and calculations used
459 to calculate Tax Increment in Tax Increment Districts formed under Wis. Stat. § 66.1105.
460 The Town's liquidated damages shall be equal to the Tax Increment that would be
461 calculated and paid to the Town over a 27-year period at the value of the Development
462 upon complete buildout.
463

464 16. **GENERAL CONDITIONS.**
465

466 16.1. **No Vested Rights Granted.** Except as provided by law, or as expressly provided
467 in this Agreement, no vested right in connection with this project shall inure to the
468 Developer. Nor does the Town warrant by this Agreement that the Developer is
469 entitled to any other required approvals.
470

471 16.2. **No Waiver.** No waiver of any provision of this Agreement shall be deemed or
472 constitute a waiver of any other provision, nor shall it be deemed or constitute a
473 continuing waiver unless expressly provided for by a written amendment to this
474 Agreement signed by both Town and Developer; nor shall the waiver of any default
475 under this Agreement be deemed a waiver of any subsequent default or defaults of
476 the same type. The Town's failure to exercise any right under this Agreement shall
477 not constitute the approval of any wrongful act by the Developer or the acceptance
478 of any Improvement.
479

- 480 16.3. **Town Rights Retained.** The Town does not hereby waive, and expressly retains,
481 its right to governmental immunity and other defenses that may be available to the
482 Town. The obligations set forth herein are not intended to, and shall not be
483 interpreted to, limit the Town's insurance coverage or other similar protections. To
484 the extent not expressly contracted in this Agreement, the Town retains and
485 expressly reserves its legislative discretion.
486
- 487 16.4. **Amendment/Modification.** This Agreement may be amended or modified only
488 by a written amendment approved and executed by the Town and the Developer.
489
- 490 16.5. **Default.** A default is defined herein as the Developer's breach of, or failure to
491 comply with, the terms of this Agreement. The Town reserves to itself all remedies
492 available at law or equity as necessary to cure any default. The Town also reserves
493 to itself the right to draw on a Letter of Credit or other surety provided hereunder
494 in addition to pursuing any other available remedies. Remedies shall include, but
495 not be limited to, stopping all construction in the approved final Plat and prohibiting
496 the transfer or sale of Lots. Remedies shall be cumulative, and the exercise of one
497 shall not preclude the exercise of others.
498
- 499 16.6. **Entire Agreement.** This written Agreement, and written amendments, and any
500 referenced attachments thereto, shall constitute the entire Agreement between the
501 Developer and the Town.
502
- 503 16.7. **Attorney Fees.** If either party resorts to litigation or arbitration to enforce the terms
504 of this Agreement, the prevailing party in the litigation or arbitration shall pay the
505 other party's costs, including reasonable attorney fees and expert witness fees. If
506 the court or arbitrator awards relief to both parties, each will bear its own costs in
507 their entirety.
508
- 509 16.8. **Time.** For the purpose of computing the commencement, abandonment and
510 completion periods, and time periods for Town or Developer action, such times in
511 which war, civil disasters, acts of God, or extreme weather conditions occur or exist
512 shall not be included if such times prevent the Developer or Town from performing
513 their/its obligations under the Agreement.
514
- 515 16.9. **Severability.** If any part, term or provision of this Agreement is held by the courts
516 to be illegal or otherwise unenforceable, such illegality or unenforceability shall
517 not affect the validity of any other part, term or provision, and the rights of the
518 parties will be construed as if the part, term or provision was never part of the
519 Agreement.
520
- 521 16.10. **Benefits.** The benefits of this Agreement to the Developer are personal and shall
522 not be assigned without the express written approval of the Town. Such approval
523 may not be unreasonably withheld, but any unapproved assignment is void.
524 Notwithstanding the foregoing, the burdens of this Agreement are personal
525 obligations of the Developer and also shall be binding on the heirs, successors and

526 assigns of the Developer.

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16.11. **Notice.** Any notice required or permitted by this Agreement shall be deemed effective when personally delivered in writing or three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified mail and return receipt requested, and addressed as follows:

If to Developer:	Cory K. Clemens Dunroven Ridge, LLC 7857 Dunroven Road Dane, WI 53529
If to Town:	Town of Cottage Grove Attn: Town Clerk 4058 County Road N Cottage Grove, WI 53527

16.12. **Recordation.** The Town may record this Agreement or a memorandum of this Agreement in the Register of Deeds Office. All costs of recording shall be paid by the Developer.

16.13. **Effective Date.** This Agreement shall be effective as of the date and year executed by both parties.

*[SIGNATURES ON FOLLOWING TWO PAGES]
[EXHIBITS INCORPORATED BY REFERENCE]*

555 Executed in Dane County, Wisconsin, on this _____ day of _____, 20____.

556

557

558 **TOWN OF COTTAGE GROVE**

559

560

561 By: _____
562 Kris Hampton, Town Chairperson

563

564

565 Attest: _____
566 Kim Banigan, Town Clerk

567

568

569 **ACKNOWLEDGMENT**

570

571 STATE OF WISCONSIN)
572) ss.
573 COUNTY OF DANE)

574

575 Personally came before me this _____ day of _____, 20__, the above-named Kris
576 Hampton and Kim Banigan, Chairperson and Clerk of the Town of Cottage Grove, respectively,
577 to me known to be the persons and officers who executed the foregoing instrument and
578 acknowledged the same as such officers by the Town's authority.

579

580 _____

581

582 Notary Public, State of Wisconsin
583 My Commission Expires: _____

584

619 **EXHIBIT 1**
620 **IDENTIFICATION OF PLANS AND SUMMARY OF IMPROVEMENTS**
621

622 **Overall:**

623 **PLANS:** The Town Engineer has no objection to the final OVERALL plans presented by the
624 Developer’s Engineer, which plans are dated and marked as follows:
625 Kennedy Hills First Addition Plat Plans, dated March 4, 2025.
626 _____
627 _____

628 **SUMMARY:**

- 629 1. Well & Septic: Approval required for well; Approval required for septic by Dane County
630 Sanitarian.
631 2. Public roads:
632 a. Right-of-way width: Scenic Oak Drive is 66 ft, Quercus Drive is 66 ft, and Wooded
633 Ridge Trail is 70 ft.
634 b. Paved width: Scenic Oak Drive is 24 ft, Quercus Drive is 24 ft, and Wooded Ridge
635 Trail is 30 ft.
636 c. Pavement: asphalt.
637 d. Curb and gutter: None required by the Town.
638 e. Driveway aprons: May be gravel, asphalt, or concrete; owner shall be required to
639 installs culverts in accordance with the grading plans.
640 f. Town road construction standards: Set by Town Engineer.
641 3. Grading Requirements: The lowest exposed building elevation shall in all cases be a
642 minimum of two (2) feet above the lowest lot corner elevation at the time of initial
643 development, which grade shall be as established in the approved grading and stormwater
644 plans.
645 4. Stormwater Management and Erosion Control: Approval by Dane County’s Land & Water
646 Resources Department (“LWRD”) REQUIRED; for more information contact the Water
647 Resource Engineering (“WRE”) staff.
648 a. Drainageways: Shall be marked on Plat. The Developer shall execute a Drainage
649 Easement and Maintenance Agreement with the Town that is satisfactory to the
650 Town prior to commencement of work on the site. The easement shall include the
651 following, as well as standard provisions:
652 i. Property Owners shall be prohibited from filling or planting or placing
653 obstructions in the drainage easements.
654 ii. Drainage easements shall not overlap with septic areas or septic
655 replacement areas.
656 iii. Drainage easements shall be adequate to provide Town equipment/vehicles
657 to access for maintenance purposes.
658 iv. Property Owners shall keep drainage easements in mowed grass condition.
659 b. Stormwater Management Facilities: Shall be required by Dane County Land &
660 Water Resources Department (LWRD).
661 c. Erosion Control: As required by Dane County Permit.
662 5. Sidewalk: not required.
663 6. Trees: No public terrace trees required; private tree preservation as set forth in the
664 covenants.

- 665 7. Trails: As set forth in the plans.
- 666 8. Landscaping and restoration: As set forth in the plans and covenants.
- 667 9. Parks:
- 668 a. Park Improvements: Trail accessing park in original plat between Lots 28/29 and
- 669 30, to be installed by Developer per the approved plans.
- 670 b. Open space: No public or common open space in Development, except access
- 671 easement over aforementioned trail.
- 672 10. Signage: as required by Town Board at Developer's cost.
- 673 a. Fire numbers/addresses: As required by Fire Department and EMS at Developer's
- 674 cost.
- 675 b. Street signs: Provided and installed at Developer's cost in accordance with Town
- 676 standards.
- 677 11. Maintenance Agreement: As required by Town Attorney and Dane County Land & Water
- 678 Resources Department.
- 679 12. Transfer Restriction: Subject to review/approval by Town and Town Attorney.
- 680 13. Covenants: Subject to review/approval by Town and Town Attorney.
- 681 14. Easements: Subject to review/approval by Town and Town Attorney
- 682 15. Other: _____
- 683 _____

EXHIBIT B

**PLAT OF KENNEDY HILLS FIRST ADDITION,
TOWN OF COTTAGE GROVE,
DANE COUNTY, WISCONSIN:**

**DECLARATION OF COVENANTS, RESTRICTIONS,
CONDITIONS AND EASEMENTS**

("Declaration")

Legal Description of Affected Property:
Lots 17-36, Outlot 1, Plat of Kennedy Hills First Addition, Town of
Cottage Grove, Dane County, Wisconsin.

Recording information above

Return To:

Kim Banigan, Town Clerk
Town of Cottage Grove
4058 County Road N
Cottage Grove, WI 53527

Parcel Identification Number(s):

See attached Exhibit A

Dunroven Ridge, LLC, is a Wisconsin limited liability company, and is the owner and developer of property in the Town of Cottage Grove, County of Dane, State of Wisconsin, platted as Lots through 17 through 36, inclusive, and Outlot 1, Plat of Kennedy Hills First Addition, Town of Cottage Grove, Dane County, Wisconsin (the "Property") and hereby declares that the Property is and shall remain subject to the following restrictions, covenants, conditions and easements, and that all of such lots are and shall be held, sold, occupied, conveyed and transferred subject to the covenants, restrictions, conditions and easements set forth in this Declaration.

The Property is adjacent to the Plat of Kennedy Hills, a 16-lot subdivision also located in the Town of Cottage Grove (the "Initial Phase"), which was developed by Kennedy Hills, LLC (the "Initial Developer"), several years prior to the recording of the Plat of Kennedy Hills First Addition. The restrictions, covenants, conditions and easements set forth in this Declaration are modeled on, and are intended to be harmonious with, the covenants governing the Initial Phase.

PLEASE NOTE: This Declaration creates certain private rights and obligations among the parties identified herein that may be enforced in a court of law or equity. (See, *for example*, Article 3, paragraph 3.25). State law, County ordinances and/or Town ordinances also establish requirements with respect to the subject matter of this Declaration. Governmental authorities are not obligated to enforce this Declaration even where public rights are implicated, and may not have jurisdiction to the extent that the Declaration creates a private rights or obligations between private parties.

ARTICLE 1

Definitions

For purposes of this Declaration, the following terms shall be defined in the following manner:

1.1. "Developer" shall refer collectively to Dunroven Ridge, LLC, a Wisconsin limited liability company, and its representatives, successors and assigns.

1.2. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to a platted lot (exclusive of outlots) within the Property, except that as to any such lot which is the subject of a land contract wherein the purchaser is in possession, the term "Owner" shall refer to said purchaser instead of the land contract vendor.

1.3. "Property" shall mean and refer to the Plat of Kennedy Hills First Addition, Town of Cottage Grove, Dane County, Wisconsin.

1.4. "Town" shall mean the Town of Cottage Grove, Dane County, Wisconsin, or its successor in interest.

1.5. "County" shall mean Dane County, Wisconsin.

1.6. "Lot" shall refer to a platted lot on the Property, and does not include Outlot 1 unless said outlot is expressly included.

1.7. "Structure" means all buildings or improvements on the Property, including play structures, fences, patios, decks and swimming pools.

ARTICLE 2

Property Subject to This Declaration

The real property which is and shall be held, transferred, sold, conveyed and occupied subject to this Declaration is located in the Town of Cottage Grove, Dane County, Wisconsin, and is known as the Plat of Kennedy Hills First Addition, Town of Cottage Grove, Dane County, Wisconsin. The real property includes Lots 17-36, inclusive and Outlot 1 (collectively, the "Property").

ARTICLE 3

Architectural Control and Protective Covenants and Restrictions

3.1. Plan Review Required for all Buildings and Structures. For all buildings and structures to be erected or placed on any lot subject to this Declaration, the plans, specifications, site, grading and landscaping plans for all such buildings or structures must be submitted to the Developer or the Architectural Control Committee, whichever is then applicable, for written approval as to appearance, the quality of workmanship and materials, harmony of exterior design, including exterior colors, size, location with respect to topography and finish grade elevation, site layout, roof pitch, location of improvements and amount, quality and nature of landscaping, prior to commencement of any construction on any lot.

The roof pitch must be a minimum of 5/12 for gable roofs and 4.5/12 for hip roofs, provided however, that the Developer may approve roofs having a minimum of 4/12 roof pitch if the Developer determines, in its sole judgment and discretion, that the overall architecture of the subject building will be attractive and will not adversely affect other lots within the Property. 30-year (or more) architectural dimensional shingles are required, provided however, that the Developer may approve the use of other roofing materials, if the Developer determines, in its sole judgment and discretion, that the use of other roofing materials will be attractive and will not adversely affect other lots within the Property. Vinyl and

aluminum siding are restricted to the rear and side elevations and up to 80% of the front elevation of the residence (garage openings shall be excluded from this calculation). Materials that may be used on the front elevation of the residence in the portion of such elevation that is not vinyl or aluminum siding shall include, but not be limited to, the following: brick, stone, stucco, EIFS, glass, natural wood, engineered wood siding, horizontal lap concrete siding or any other materials that have the same effect or appearance. Brick, stucco, stone or other materials shall be required to terminate at an interior corner of the front facade, or other significant architectural transition, where a change in materials is logical and aesthetically appropriate.

3.2. Architectural Control Committee. After the Developer and its representatives, successors and assigns, cease to have any title to any lot subject to this Declaration, the plans, specifications, site, grading and landscaping plans, and all other matters to be submitted to the Developer under this Declaration, must be submitted to the Architectural Control Committee ("Committee") for approval in writing by a majority of the members of said Committee. The Committee shall consist of the members of the Board of Directors of the Kennedy Hills First Addition Homeowners Association, Inc., or in the alternative, if the Directors of the Association so elect, three persons elected by a majority of the members of the Board of Directors of the Association. A copy of all site, grading and landscaping plans shall be kept by the Developer or the Committee for the benefit of other Owners and enforcement of this Declaration.

3.3. Contractor Approval Required. For each building erected or placed on any lot subject to this Declaration, the prime contractor or builder to be hired for construction of such building shall be approved in writing by the Developer or the Committee, whichever is then applicable, prior to commencement of construction. The approval of the Developer or the Committee shall not be unreasonably withheld. Such approval may be withheld for reasons such as the proposed contractor's or builder's financial status, business history and prospects, building reputation or any other reason which would be similarly relied upon by a reasonably prudent businessperson then developing a neighborhood of quality single family residences.

3.4. Alterations of Exterior Appearance Require Approval. No alteration in the exterior appearance of existing buildings or structures, including but not limited to, exterior remodeling and the construction of play structures, fences, patios, decks, and swimming pools, shall be made without the prior written approval of the Developer or the Committee, whichever is then applicable.

3.5. Best Efforts Required for Preservation of Trees and Vegetation; Approval Required for Removal. On each Lot subject to this Declaration, trees with a trunk diameter at breast height of four (4) inches or greater but excluding those listed as an invasive species under regulations promulgated by the Wisconsin Department of Natural Resources, shall not be destroyed or removed except where dead, or where such removal is determined essential and approved in writing by the Developer or the Committee, whichever is then applicable. The Owner shall also use best efforts to preserve such trees on its Lot, including limiting grading, soil compaction, and hard surfacing in their driplines; not burying the root ball; not exposing or significantly cutting roots; for oaks not pruning or removing limbs outside of December-February, and other best practices. Such practices are required for and around the 36"-40" oak trees on Lot 28 and near the line between Lots 26 and 27, and any proposal to remove either such tree (unless dead) is restricted except by approval of the Town Plan Commission. If any non-invasive tree with a diameter of four (4) inches or greater, is removed or destroyed without approval, the Developer or Committee may require the replanting or replacement with non-invasive tree species beyond the landscaping requirements in Sec. 3.26, the cost thereof to be borne by the Owner. This paragraph does not apply to the Developer, which instead is governed with regard to tree removal and preservation via other means.

3.6. Building Elevations Set; ~~Certified As-Built Grading and Stormwater Plans Required; Violations and Enforcement~~. ~~The lowest exposed building elevation on any lot within the Property shall in all cases be a minimum of two (2) feet above the lowest lot corner elevation at time of initial development, which grade is established in the approved grading plans. The Grading Plan applicable to this Plat overall is described on Exhibit A, which is incorporated herein by reference as if set forth fully herein. The~~

~~elevation of a lot shall not be changed so as to materially affect the surface elevation, the projected stormwater flows per the approved grading plans, or the grade of the surrounding lots. A copy of all approved site, grading and stormwater plans shall be kept by the Developer or the Committee and may otherwise be on file with the Town of Cottage Grove or Dane County.~~

~~FOLLOWING CONSTRUCTION OF A RESIDENCE ON A LOT, THE CURRENT OWNER OF RECORD SHALL PROVIDE THE TOWN BUILDING INSPECTOR WITH AS-BUILT GRADING DOCUMENTS CERTIFYING THAT GRADING AS BUILT ON THE LOT IS CONSISTENT WITH THE GRADE ESTABLISHED BY THE APPROVED AS-BUILT GRADING AND STORMWATER PLANS FOR THE PLAT. THE TOWN BUILDING INSPECTOR SHALL NEITHER SIGN OFF ON THE FINAL INSPECTIONS REQUIRED UNDER THE BUILDING PERMIT NOR ISSUE AN OCCUPANCY PERMIT UNTIL THE CURRENT OWNER OF RECORD PROVIDES CERTIFICATION BY A QUALIFIED CONSULTANT THAT THE AS-BUILTS FOR THE LOT COMPLY WITH THE APPROVED AS-BUILT GRADING AND STORMWATER PLANS FOR THE PLAT. IF THE AS-BUILTS FOR THE LOT DO NOT COMPLY WITH APPROVED AS-BUILT GRADING AND STORMWATER PLANS, THEN THE CURRENT OWNER OF RECORD SHALL BE OBLIGATED TO BRING THE LOT INTO COMPLIANCE BEFORE OCCUPANCY IS PERMITTED.~~

~~No earth, rock, gravel, or clay shall be excavated or removed from any Lot within the Property without the approval of the Developer or the Committee, whichever is then applicable. Violations of this provision or the approved grading and stormwater plans shall give either the Developer or Committee, whichever is then applicable, any adjacent or affected Owner, and/or the Town of Cottage Grove a cause of action for injunctive relief or damages as appropriate against the Owner and others violating such grading and stormwater plans.~~

~~No portion of any outside door, window, vent, or other opening to the outside that is part of any dwelling unit on any Lot within the Property shall be at an elevation which is less than the minimum opening elevation set forth on the table found on Exhibit B.~~

~~A copy of all approved site and stormwater plans shall be kept by the Developer or the Committee and may otherwise be on file with the Town of Cottage Grove or Dane County. The construction of all improvements on any Lot shall be consistent with the approved site and stormwater plans.~~

~~No earth, rock, gravel, or clay shall be excavated or removed from any Lot within the Property without the approval for the Developer or the Committee, which ever is then applicable.~~

~~Violations of Paragraph 3.6 shall give either the Developer or the Committee, which ever is then applicable, any adjacent or affected Owner, and/or the Town of Cottage Grove cause for injunctive relief and/or damages as appropriate against the Owner and others violating the building elevation provision or the stormwater management plans.~~

3.7. Single Family Residential Only; Square Footage Requirements. All lots within the Property (other than Outlot 1) shall be used only for single family residential purposes and for such accessory uses as may be permitted by zoning, except that, prior to commencement of construction of public improvements on the Property, Developer may continue to use lands owned by Developer for existing agricultural purposes and uses including Outlot 1.

The following minimum floor area requirements shall apply to all single-family residential buildings erected on any lots subject to this Declaration:

- (a) No single-story building shall have less than 1,500 square feet.
- (b) No two-story building shall have less than 1,600 square feet.

(c) No raised ranch, bi-level, or trilevel building, or other building style not covered by paragraphs (a) or (b), or this paragraph (c), shall have less than 1,600 square feet on the main two floors.

For the purposes of determining floor area, stair openings shall be included, but open porches, screened porches, attached garages, and basements, even if the basements are finished, shall be excluded.

The above minimum requirements may not be waived by the Developer or the Committee, whichever is then applicable, without approval of the Town.

Violations of the approved square footage requirements shall give either the Developer or Committee, whichever is then applicable, any adjacent or affected Owner, and/or the Town of Cottage Grove a cause of action for injunctive relief or damages as appropriate against the Owner and others for violating such square footage requirements.

3.8. Attached Garage; Requirements. All single-family residential buildings must have an attached garage and such garage must contain not less than two (2) nor more than four (4) garage stalls for automobiles or other vehicles (tandem stalls are encouraged), and must be enclosed. Garages shall be directly attached or connected to the residence. Carports, which are defined as garages not enclosed on all four (4) sides, are prohibited. Side load garages are allowable and encouraged throughout the Property. Except for side loading garages which shall not be limited by this sentence, the width of the garage facing a public street shall be limited to no more than 50% of the overall width of the front facade, unless one or more garage stalls is recessed behind the front facade by at least 4 feet.

3.9. Buildings Not to be Moved to or Relocated to a Lot. No building previously erected elsewhere may be moved onto any lot subject to this Declaration, unless approved by the Developer or the Committee, whichever is then applicable, in their discretion.

3.10. Driveway and Culvert Requirements. All driveways must be concrete, except where otherwise required by the Town of Cottage Grove. There shall be at least three feet of a two-inch thick bituminous mixture (hot mix) of asphalt placed between the end of the concrete driveway (or over the concrete) so that the end of the driveway matches street grade in the main traveled portion of the road. The Owner shall be responsible for selection of an appropriately sized culvert and proper installation and maintenance of the driveway culvert in a manner that does not interfere with the approved drainage plans for the Property. The Owner shall be responsible for obtaining a driveway, culvert or right-of-way permit from the Town of Cottage Grove, as required by Town ordinances.

Violations of the approved driveway and culvert requirements shall give either the Developer or Committee, whichever is then applicable, any adjacent or affected Owner, and/or the Town of Cottage Grove a cause of action for injunctive relief and/or damages as appropriate against the Owner and others violating such driveway and culvert requirements.

3.11. Accessory Buildings and Structures. Accessory buildings or structures, including, but not limited to, storage sheds, detached garages and above ground swimming pools, are expressly prohibited within the Property except where approved in writing in advance by the Developer or Committee, whichever is then applicable.

Violations of the accessory buildings and structures requirements shall give either the Developer or Committee, whichever is then applicable, any adjacent or affected Owner, and/or the Town of Cottage Grove a cause of action against the Owner and others violating such accessory buildings and structures requirements for injunctive relief and/or damages as appropriate.

3.12. Public Sidewalk. Where public sidewalks exist, and for the path between Lots 28/29 and Lot 30, it is the responsibility of the abutting lot Owner(s) to maintain same in a safe and passable condition, reasonably free from snow, ice or obstruction.

3.13. Limitations on Certain Structures as Residence. No trailer, basement, tent, shack, garage, barn, or any part thereof, shall ever be used as a residence, temporary or permanent, nor shall any residence be of a temporary character.

3.14. Parking and Storage. Parking of commercial or service vehicles owned or operated by residents within the Property is prohibited unless such vehicles are kept in garages. Parking or storage of boats, travel trailers, mobile homes, campers, and other recreational vehicles within the Property is prohibited unless kept inside garages. Parking of more than three (3) vehicles in the driveway or on the street within the Property of any size, by the residents or owners of any one lot in the Property, shall be prohibited, except for vehicles of guests, invitees or contractors of the residents or owners of such lot. This section shall not prohibit the temporary parking of any vehicles otherwise prohibited, if such parking is for the sole purpose of loading or unloading such vehicles at the lot at which parked, or for a period not to exceed twenty-four (24) hours. No cars or other vehicles shall be parked on lawns, yards or ditch areas at any time. All garage doors shall be closed when the garage is not being actively used. Trash or recycling containers may not be located, stored or placed in the front yard of the residence, except during the period of 12 hours before or after the time of collection of trash or recyclables by the Town of Cottage Grove or a trash collection contractor.

3.15. Mowing and Yard Maintenance Required. All areas of lots (excluding outlets) not used as a building site or lawn or under cultivation as a garden shall have a cover crop and be kept free from noxious weeds. All lawns and unoccupied lots are to be mowed to grass length of 6" or less and maintained in a manner consistent with neighboring lots on the Property. The Owner shall keep each Lot , and all improvements, in good order and repair and free of debris, including, but not limited to, the mowing of all lawns, the pruning of all trees and shrubbery (consistent with Sec. 3.5) and the painting (or other external care) of all buildings and other improvements, all in a manner and with such frequency as is consistent with good property management. This paragraph shall not be construed to prevent a family garden or orchard, provided that all family gardens and orchards shall be located in the back yards, shall not require existing tree removal in violation of Sec. 3.5, and shall be located no closer than ten (10') feet from the lot line, and the garden area on any lot may not exceed twenty (20%) percent of the lot area not covered by residence, garage and driveway.

3.16. Land Contracts. On any lot conveyed by land contract or deed from the Developer, construction shall be commenced within three (3) years from the date of such land contract or deed. Upon violation of this restriction, the Developer shall have the option, exercisable by written notice to the lot owner within ninety (90) days after the expiration of such three (3) year period, to have said lot conveyed to the Developer at the original sales price, free and clear of any liens and encumbrances created by act or default of the Owner of such lot, with taxes and installments on assessments for the year in which conveyance occurs being prorated as of date of such conveyance. Developer may waive its rights under this section in writing, in its discretion.

3.17. Time for Completion of Construction. Construction of all buildings shall be completed within twelve (12) months after issuance of a building permit for the respective building. Landscaping (including grading, sodding, and seeding) and pouring of driveway shall be completed within one hundred eighty (180) days of completion of construction, provided weather conditions so allow. If such construction or landscaping is delayed due to matters beyond the control of the Lot owner, the time for completion shall be extended by the period of such delay. **NOTE:** State law, County ordinances and/or Town ordinances may provide a different time period for completion of construction and/or include other requirements with respect to construction. The Owner is required to meet the more restrictive requirements.

3.18. Limits on Antennas, Satellite Dishes, Solar Facilities, and Wind Facilities. Except to the extent preempted by federal or state law, no exterior antennas, satellite dishes over one (1) meter in diameter, solar panels, wind mills, walls or fences of any kind shall be permitted within the Property unless approved in writing in advance by the Developer or the Committee, whichever is then applicable, including approval of the location, material, height and color thereof. Satellite dishes of one (1) meter or

less in diameter shall be permitted without Developer or Committee approval, but shall be installed so that they are not visible from the street unless such requirement is preempted by state or federal law.

3.19. No Noxious or Offensive Trade. No noxious or offensive trade or activity shall be carried on, nor shall anything be done which may be or will become a nuisance to the neighborhood. This shall not be construed to prevent a home occupation as allowed under applicable zoning regulations or a family garden or orchard, provided that all family gardens and orchards shall be located in back yards, shall not be established in violation of Sec. 3.5, and shall be located no closer than ten (10') feet from the lot line, and the garden area on any Lot may not exceed twenty (20%) percent of the lot area not covered by the residence, garage and driveway. No burning barrels shall be allowed on any Lot.

3.20. Limits on Domestic Animals; No Commercial Animal Boarding. No more than three (3) domestic animals may be kept on any Lot subject to this Declaration. Commercial animal boarding, kenneling or treatment is expressly prohibited, whether for free or not, within the Property. Outdoor kennels are not allowed except with written approval from Developer or Association.

3.21. No Change in Elevations. The Owner of any Lot subject to this Declaration shall not change the elevation of any public utility or drainage easement, as shown on the final plat or otherwise recorded, in excess of six (6) inches without the permission of the Town and all of the applicable utilities and shall be responsible for any damages caused to underground utilities based on any changes in grade of more than six (6) inches. Costs associated with obtaining permission from the Town (such as the costs the Town incurs for engineering and legal review) shall be paid by the Owner.

3.22. No Re-Subdivision. No Lot as platted shall be re-subdivided. No boundary line within the Property shall be changed, except with the approval of the Developer or the Committee, whichever is then applicable, and approval of governmental authorities. This paragraph shall not be construed to prevent the use of one lot and part or all of another lot or lots as one building site.

3.23. Signage. No signs of any type shall be displayed to public view on any lot without the prior written consent of the Developer or the Committee, whichever is then applicable, except for (a) lawn signs of not more than eight (8) square feet in size advertising the property where located for sale, (b) signs erected by Developer, or its agents, advertising lots within the Property for sale, and (c) any entry sign for the Property erected by Developer pursuant to Sec. 2.6 of the Development Agreement for the Property.

3.24. Local Requirements. All buildings constructed on any lots subject to this Declaration shall conform to all governmental zoning, building code, and other ordinance requirements including all dimensional and other requirements (including minimum setbacks) imposed by governmental ordinance and the recorded final plat, whichever is more restrictive.

3.25. Interference with Drainage and Stormwater Prohibited. No Owner of any Lot shall regrade or obstruct any swale, drainage way, drainage ditches or stormwater detention area, whether established by easement or not, which is in existence at the time of development on such Lot, so as to impede the flow of surface water across such swale, ditches or drainage way, or interfere with the proper functioning of any such swale, ditches, drainage way or storm water detention area, and no structure, planting or other materials shall be placed or permitted to remain within any such swale, ditches, drainage way or stormwater detention area. The road ditch area directly adjacent to an Owner's Lot shall be maintained and mowed as lawn by the Owner. An Owner who violates this provision may be liable for damages that said violation causes to third parties.

3.26. Landscaping Requirements. The following landscaping requirements apply to all Lots (other than Outlot 1) within the Property:

(a) All yards must be either (i) sodded or (ii) seeded, fertilized and crimp mulched or covered with an erosion mat, including street terraces. The Lot Owner shall comply with all Town and Dane County erosion control requirements.

(b) Landscape plantings and maintenance of the premises and adjoining street terrace (area between public street pavement and Lot line) shall be the responsibility of the Lot Owner. Complete visual screening of the front, rear and side boundaries of the premises is prohibited without approval of the Developer or the Committee, whichever is then applicable, except as may be provided by existing trees and other vegetation that is retained.

(c) The landscaping plan for each Lot shall achieve a minimum of 500 landscaping points as determined by the following point schedule:

Point Value

Landscaping Element	Point Value
Canopy Tree (2"-3" caliper at 18 inches above root ball)	125
Canopy Tree (3"-4" caliper at 18 inches above root ball)	150
Canopy Tree (greater than 4" at 18 inches above root ball)	200
Canopy Tree or Small Tree (1 "-1-1 /2" caliper at 18 inches above root ball, i.e., Crab, Hawthorn)	100
Evergreen Tree (4 to 6 feet in height)	100
Large Deciduous Shrub (3-yr. transplant, 36" min.)	20
Small Deciduous Shrub (3-yr. transplant, 18" min.)	10
Decorative Wall (per face foot)	5

Each Lot Owner that has existing, non-invasive trees with trunk diameter at breast height of four (4) inches or greater may request to the Developer or Committee (and such entity may grant) credit against the landscaping requirements in this paragraph for the preservation of such trees, provided that the landscaping, Lot grading, and home building plans include approaches and best practices for their preservation, and subject to the replacement requirement in Sec. 3.5 in the event such preservation fails.

3.27. Committee's Right to Review Plans. The Developer, after a period of ten (10) years from the date of recording the final plat or after the Developer and its representatives, successors and assigns, cease to have any title to any lot subject to this Declaration, whichever comes first, hereby assigns to the Committee all of Developer's rights to approve the plans, specifications, site, grading and landscaping plans, and all of the items set forth in Article 3 hereof.

3.28. Review of Plans. In the event the Developer or the Committee, whichever is then applicable, does not affirmatively approve or reject the plans, specifications and site, grading and landscaping plans, the prime contractor or builder, alterations, or any other matters which must be submitted to the Developer or Committee, within thirty (30) calendar days after the same have been submitted to the approving authority in writing, then such approval shall not be required in that instance. However, even though approval shall not be required, the standards established by this Article 3 shall continue to apply.

3.29. Stormwater Management Facilities. Lots within the Property are served by certain stormwater management facilities located within the Initial Phase. The homeowners association for the Initial Plat (Kennedy Hills Homeowners Association, Inc.) is responsible for maintaining such storm water management facilities in accordance with best management practices, the terms of the Dane County

stormwater management permit and erosion control permits issued with respect to the Property, the plans for the stormwater management facilities approved by Dane County and the *Agreement for Maintenance of Stormwater Management Measures* recorded in the Dane County Register of Deeds Office and applicable to the Initial Phase. Each Lot Owner within the Property subject to this Declaration shall be responsible for a proportionate share of the costs incurred by the Kennedy Hills Homeowners Association, Inc. in maintaining such shared stormwater facilities. Annually, the Kennedy Hills Homeowners Association, Inc. may send the Kennedy Hills First Addition Homeowners Association, Inc. a request for reimbursement of a proportionate share of the costs, together with copies of paid invoices reasonable substantiating the requested reimbursement. The proportionate share shall be a fraction, the numerator of which is the 20 (being the number of lots in the First Addition) and the denominator of which is 36 (being the total number of lots in the First Addition plus the total number of lots in the Initial Plat).

3.30. Exterior Lighting Standards.

(a) *Purpose.* The purpose of this section is to regulate the spillover of light and glare on adjacent lots (whether inside or outside the Property), operators of motor vehicles, and pedestrians in the vicinity of a light source in order to promote traffic safety and prevent the creation of nuisances. A further purpose of this section is to regulate outdoor night lighting fixtures to preserve and enhance the area's dark sky while promoting safety, conserving energy and preserving the environment for astronomy.

(b) *Applicability.* The requirements of this section apply to all exterior lighting located on a Lot. For the purpose of this section:

(1) "*Exterior lighting*" means an outdoor artificial illuminating device, whether permanent or portable, used for illumination or advertisement, including general lighting fixtures, searchlights, spotlights and floodlights, whether for architectural lighting, parking lot lighting, landscape lighting, signage or other purposes.

(2) "*Shielded*" means a fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected at least fifteen degrees below a horizontal plane running through the lowest point on the fixture where light is emitted.

(c) *Requirements.*

(1) *Orientation of fixture.* All exterior lighting shall be shielded, except for fixtures with light output of 2600 lumens or less, . so that the lighting element (or a transparent shield) is not visible beyond the Lot line. The use of shielded lighting and careful fixture placement is required so as to facilitate compliance with this requirement.

(2) *Intensity of illumination and filtering.* In no instance shall the amount of illumination attributable to any exterior lighting, as measured at the Lot line, exceed 0.50 footcandles above ambient lighting conditions on a cloudless night. In addition to this requirement, all exterior lighting fixtures shall not exceed the illumination levels recommended by the Illuminating Engineering Society of North America (IES) as may be amended from time to time. All metal halide fixtures shall be filtered by a glass or acrylic enclosure. Quartz glass shall not be considered as meeting this requirement.

(3) *Location and quantity.* No light fixtures shall be located within five (5) feet of any lot line, and in no case shall a Lot have greater than fifteen (15) exterior light fixtures except between November 20 and January 20.

(4) *Flashing, flickering and other distracting lighting.* Flashing, flickering and/or other lighting which may distract motorists are prohibited.

(5) *Architectural lighting.* Under no circumstances shall the illumination of exterior architecture be permitted between 11:00 p.m. and 7:00 a.m. All exterior lighting during the permitted time period shall have a minimum of 90% of their light fall onto the illuminated structure rather than into sky or space beyond the structure.

(6) *Use of mercury vapor fixtures.* No mercury vapor exterior lighting fixtures shall be installed on a Lot.

3.31. Binding; Run with the Land. All of the covenants and conditions set forth in this Declaration shall run with the land and shall be binding upon and inure to the benefit of all persons having an interest in the Property for a period of thirty (30) years after the Plat is recorded, after which time this Declaration shall automatically stand renewed for successive five (5) year periods unless the same is cancelled as provided herein. If any person, or his/her heirs, successors or assigns, shall violate or attempt to violate any of the covenants and restrictions contained in herein, the Developer, the Committee or any person or persons owning any lot or lots within the Property, shall have standing to bring proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions, and the prevailing party shall be awarded reasonable attorney fees and costs, and any person violating any of these covenants or restrictions shall be liable for all costs of removing any such violation.

3.32. General Standards. In exercising any authority under Article 3 of this Declaration, the Developer or Committee, as appropriate, shall act in accordance with the following standards:

(a) to assure the most appropriate development and improvement of the Property;

(b) to protect each Owner of a lot against improper uses by other lot owners;

(c) to preserve the beauty of the Property;

(d) to guard against the erection of poorly designed or poorly proportioned structures, or structures built of improper or unsuitable material;

(e) to encourage and secure the erection of attractive, adequate sized homes, which conform and harmonize in external design with other structures within the Property and which are properly located upon the lot in accordance with its topography and finished grade elevation; and (f) to provide for high quality improvements which will protect the investments of purchasers of lots on the Property and on adjacent lands.

3.33. Severability. Invalidation of any one of these covenants or any severable part of any covenant, by judgment or court order, shall not affect any of the other provisions, which shall remain in full force and effect.

3.34. Limits on Liability. The Developer and the Committees shall not be liable for any loss suffered by any person on the basis of the approval or disapproval of any proposed use, plans, specifications, site, grading or landscaping plan or other matter, including any loss arising out of the negligence of the Developer or Committee.

3.35. Violations; Standing. If any Owner shall violate or attempt to violate any covenant or restriction with regard to drainage swales, ditches, drainage ways or easements, stormwater detention areas, use of public outlets or rights-of-way, maintenance or landscaping, or exterior lighting, or if any lot Owner responsible for specific duties with regard thereto shall fail to perform such duties, the Developer, the Committee, other Owners of Lots within the Plat and/or the Association (see Article 4) shall have standing to bring proceedings at law or in equity against the person or persons violating or attempting to violate such covenant or restriction or failing to perform such duties, and shall be awarded appropriate relief, including reasonable attorney fees and costs, to remedy said violation.

With respect to violations of any covenant or restriction contained in sections 3.6, 3.7, 3.10, 3.21, 3.24, 3.25, 3.28, 3.29, 3.30, 3.35, 3.36 and 3.37 or if any person responsible for specific duties with regard thereto shall fail to perform such duties, the Town of Cottage Grove shall have standing to bring proceedings at law or in equity against the person or persons violating or attempting to violate such covenant or restriction or failing to perform such duties, and shall be awarded appropriate relief, including reasonable attorney fees and costs, to remedy said violation.

3.36. Cancellation, Release, Amendment and/or Waiver of Article 3. Article 3 hereof, or any part thereof, may be cancelled, released, amended, or waived in writing as to some or all of the lots subject to this Declaration by an instrument signed by the Developer and the Owners of a majority of the lots (other than Outlot 1) subject to this Declaration, or if the Developer has released or assigned the Developers rights under Article 3 of this Declaration as provided, then by an instrument in writing signed by the Owners of a majority of the lots (other than Outlot 1) subject to this Declaration. Notwithstanding the foregoing, sections 3.6, 3.7, 3.10, 3.21, 3.24, 3.25, 3.28, 3.29, 3.30, 3.35, 3.36 and 3.37 hereof may not be cancelled, released, amended, or waived without the consent of the Town of Cottage Grove.

3.37. Notice of Right to Farm. NOTICE IS HEREBY GIVEN TO ALL OWNERS OF LOTS WITHIN THE SUBDIVISION THAT THE SUBDIVISION IS IN THE VICINITY OF LANDS WHICH ARE USED FOR AGRICULTURAL PURPOSES, WHICH MAY INVOLVE CROP AND ANIMAL PRODUCTION ACTIVITIES, THE USE OF MACHINERY AND EQUIPMENT, AND THE USE OF AGRICULTURAL FERTILIZERS AND PESTICIDES. AGRICULTURAL ACTIVITIES MAY INVOLVE THE CREATION OF DUST AND NOISE, AND THE PRESENCE OF STRONG ODORS. THE SUBDIVISION IS LOCATED IN AN AGRICULTURAL AREA AND RESIDENTS MUST EXPECT THAT CONDITIONS WHICH OCCUR IN AGRICULTURAL AREAS MAY OCCUR IN OR NEAR THE SUBDIVISION. WISCONSIN HAS ADOPTED A "RIGHT TO FARM" LAW WHICH PROVIDES LEGAL PROTECTION FOR AGRICULTURAL ACTIVITIES AGAINST LEGAL ACTIONS CLAIMING NUISANCE. ALL LOT BUYERS BY PURCHASING A LOT ACKNOWLEDGE THIS NOTICE AND CONSENT TO SUCH ACTIVITIES.

ARTICLE 4

Kennedy Hills First Addition Homeowners Association, Inc.

Definitions

For purposes of Article 4 of this Declaration, the following terms shall be defined in the following manner:

4.1. "Association" shall mean and refer to Kennedy Hills First Addition Homeowners Association, Inc., its successors and assigns.

4.2. "Board" shall mean and refer to the Board of Directors of the Association.

4.3. "Declaration" shall mean the Declaration of Covenants, Restrictions, Conditions and Easements for the Plat of Kennedy Hills First Addition, as it may from time to time be amended.

Association Membership and Board of Directors

4.4. Members. The Owner of each platted Lot (exclusive of Outlot 1) within the Plat of Kennedy Hills First Addition, Town of Cottage Grove, Dane County, Wisconsin, shall be a member of the Association. Where more than one person holds an ownership interest in any lot, all persons holding such interest shall be members. The members shall have such rights as are set forth herein, in the Articles and By-Laws of the Association, as amended from time to time, and as may be provided by the laws of the State of Wisconsin.

4.5. Board of Directors. The affairs of the Association shall be managed by the Board. The Board shall be selected in the manner, and shall have such duties, powers and responsibilities as are set

forth herein, in the Articles and Bylaws of the Association, as amended from time to time, and as may be provided by the laws of the State of Wisconsin, subject to the rights of Developer as set forth in such instruments. A current list of the members of the Board, with addresses and contact information, shall be provided to the Town Clerk annually on or before October 1st of each year.

Common Areas

4.6. Acquisition of Common Areas. The Association may take title from time to time to real property within the Plat of Kennedy Hills First Addition, Town of Cottage Grove, Dane County, Wisconsin, for the purpose of providing common areas for the use and benefit of the members. The Association shall have the right to exclusive management and control of all such common areas and all improvements thereon.

4.7. Obligations of Association. The Association shall have the duty to maintain common areas, and all stormwater management areas in good, clean, attractive and sanitary condition, order and repair, and to make such improvements and perform such maintenance as shall further the interests of the members.

4.8. Easement of Enjoyment. Subject to the provisions of this Declaration, all common areas shall be held by the Association for the benefit of the members. Each of said members shall have an equal, undivided right to use and enjoyment of such common areas, subject to the right of the Association to manage such lands for the benefit of the members of the Association and to establish reasonable rules for the use of such common areas.

4.9. Entrance Sign. The Developer may install an entrance sign for the plat. All signage will be subject to review and approval by the Town of Cottage Grove and subject to Dane County's signage requirements, as applicable.

Association Assessments

4.10. Creation of Lien and Personal Obligation of Assessments. The Developer hereby covenants, and each Owner of any lot within the Property (other than Outlot 1) by acceptance of a deed thereof, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association all assessments in the amount and manner hereinafter provided. All such assessments, together with interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on the land and a continuing lien upon the Lot (but not Outlot 1) against which each such assessment is made. Each such assessment, together with interest thereon and costs of collection thereof, shall also be the personal obligation of the person who was the Owner of such lot (other than Outlot 1) at the time when the assessment became due and payable.

4.11 Creation of Assessments. Assessments shall be determined, established and collected each year, starting with the calendar year 2027 in the following manner:

(a) *Budget.* In December of each year, starting in December 2026, the Board shall determine a budget for the following calendar year, which shall include the costs to be incurred by the Association in connection with the maintenance, improvement and operation of common areas, payment of taxes and insurance, and other costs connected therewith, including a reasonable reserve for depreciation and reimbursement of any storm water maintenance costs owed to the Kennedy Hills Homeowners Association, Inc. as contemplated in Section 3.29 above. Such budget shall be approved by a vote of two thirds (2/3) of the Board on or before the last day of December each year. For the calendar years of 2025 and 2026, the Developer shall be responsible for all typical costs.

(b) *Limitation on Assessments.* The maximum annual assessment which may be authorized under this Article shall be \$100.00 for each lot to which the Association has the power to make assessments hereunder or under other comparable instruments (excluding outlets), until the actual annual costs of maintenance, improvement and operation of common areas, and payment of taxes,

insurance and other costs associated therewith, including a reasonable reserve for depreciation and reimbursement of shared stormwater maintenance costs, shall exceed the annual revenue generated by an assessment of \$100.00 per Lot, in which event the maximum assessment per Lot shall be such actual costs of maintenance, improvement and operation of common areas, and payment of taxes, insurance and other costs associated therewith, including a reasonable reserve for depreciation, and reimbursement of shared stormwater maintenance costs, divided equally among all Lots as to which the Association has the power to make assessments hereunder or under other comparable instruments (excluding Outlot 1). In determining the annual costs of maintenance, improvement and operation of common areas, the Board shall review competing bids for the cost of such work prior to determining the budget and level of assessments.

(c) Declaration of Assessments. The Board shall declare assessments so levied due and payable thirty (30) days from the date of such levy. The Board shall notify each Owner of the action taken by the Board, the amount of the assessment against the lot owned by such Owner and the date such assessment becomes due and payable. Such notice shall be mailed to the Owner at the last known post office address by United States mail, with postage prepaid, or be personally delivered to the Owner.

(d) Collection of Assessments. In the event any assessment levied against any lot remains unpaid for a period of sixty (60) days from the date of the levy, the Board may, in its discretion, file a claim for a maintenance lien against the lot for which payment is not made, and upon compliance with the provisions of Section 779.70, Wisconsin Statutes, or other applicable authority, such claim shall be and become a lien against such lot. The claim shall thereafter accrue interest at the rate of interest payable upon legal judgments in the State of Wisconsin, and the Board may exercise such remedies to collect such claim as may be afforded by law. The Owner of the subject lot shall be responsible for all costs of collection incurred by the Association in connection therewith. No Owner may waive or otherwise escape liability for the assessment provided for herein by nonuse of any common areas or abandonment of his or her lot.

(e) Joint and Several Liability of Granter and Grantee. Upon a voluntary conveyance, the grantee of a lot shall be jointly and severally liable with the granter for all unpaid assessments as provided in this Article up to the time of the conveyance, without prejudice to the grantee's right to recover from the granter the amount paid by the grantee therefor. However, any such grantee shall be entitled to a statement from the Association setting forth the amount of such unpaid assessments and any such grantee shall not be liable for, nor shall the lot conveyed be subject to a lien for, any unpaid assessment against the granter pursuant to this Article in excess of the amount therein set forth. If the Association does not provide such a statement within ten (10) business days after the grantee's request, it is barred from claiming any lien which is not filed prior to the request for assessments owed by the granter.

4.12. Term. Article 4 hereof shall run with the land and shall be binding upon and inure to the benefit of all persons having an interest in the Property for a period of thirty (30) years after the Plat of Kennedy Hills is recorded, after which Article 4 of this Declaration shall automatically stand renewed for successive five (5) year periods unless the same is cancelled as provided in Section 4.13 below.

4.13. Cancellation, Release, Amendment or Waiver. Article 4 hereof, or any part thereof, may be cancelled, released, amended or waived in writing as to some or all of the lots subject to this Declaration by an instrument signed by the Developer and the Owners of a majority of the Developer's rights under Article 3 of this Declaration as provided herein, then by an instrument in writing signed by both (a) the Owners of a majority of the lots (other than Outlot 1) subject to this Declaration, and (b) a majority of the Board of the Association. Notwithstanding the foregoing, sections 3.6, 3.7, 3.10, 3.21, 3.24, 3.25, 3.28, 3.29, 3.30, 3.35, 3.36 and 3.37 hereof may not be cancelled, released, amended, or waived without the consent of the Town of Cottage Grove.

4.14. Severability. Invalidation of any one of these covenants or any severable part of any covenant, by judgment or court order, shall not affect any of the other provisions, which shall remain in full force and effect.

[Signature pages follow.]

Executed in Dane County, Wisconsin, on this ____ day of _____, 2025.

**DEVELOPER
DUNROVEN RIDGE, LLC**

By: _____
Cory K. Clemens
Its: Manager

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me this ____ day of _____, 2025, the above-named Cory K. Clemens, to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of _____.

Notary Public, State of Wisconsin
My Commission Expires: _____

This document was drafted by:
Atty. Daniel A. O'Callaghan
Carlson Black O'Callaghan & Battenberg LLP

Approved by the Town Board of the Town of Cottage Grove on the ____ day of _____, 2025, and hereby acknowledged as to sections 3.6, 3.7, 3.10, 3.21, 3.24, 3.25, 3.28, 3.29, 3.30, 3.35, 3.36, 3.37 and 4.5, which shall not be cancelled, released, amended, or waived without the consent of the Town of Cottage Grove.

Executed in Dane County, Wisconsin, on this _____ day of _____, 20____.

TOWN OF COTTAGE GROVE

By: _____
Kris Hampton, Town Chairperson

Attest: _____
Kim Banigan, Town Clerk

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me this _____ day of _____, 2025, the above-named Kris Hampton and Kim Banigan, Chairperson and Clerk of the Town of Cottage Grove, respectively, to me known to be the persons and officers who executed the foregoing instrument and acknowledged the same as such officers by the Town's authority.

Notary Public, State of Wisconsin
My Commission Expires: _____

Exhibit A

Legal Description of Property

Lots 17-36, Outlot 1, Plat of Kennedy Hills First Addition, Town of Cottage Grove, Dane County, Wisconsin.

Parcel Identification Number(s):

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

Title: Ordinance 2025-04-07 adopting revisions to the Town Code of Ordinances

Code Section(s) created, amended, or repealed	<u>08.02, 08.03, 09.05</u>
Presented to Board by	<u>Highway Superintendent, Clerk-Treasurer, Town Engineer (08.02) Town Attorney (09.05)</u>
Committee Review by	<u>None</u>
Date(s) Public Hearing(s) held (if required)	<u>March 17, 2025</u>
Date adopted	<u>April 7, 2025</u>
Vote	<u>April 7, 2025</u>
Date of posting of adoption of ordinance	<u>April 9, 2025</u>
Date of publication of adoption of ordinance	<u>April 12, 2025</u>

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

TCG Ord. subsection 08.02 (2)(b) and (c) are hereby amended and Figure 1 is added to read as follows:

(b) Each driveway which serves a dwelling, commercial building, agricultural building, swimming pool, garage or other outbuilding, which is more than 100 feet but less than 200 feet in length shall be constructed and maintained with:

1. A stabilized base of compacted rock, 6 inches or more in depth;
2. An all-weather roadway of compacted road gravel, asphalt or concrete, 2 inches or more in depth and 16 feet or more in width;
3. An area 8 feet or more from each side of the ~~centerline~~ edge of the driveway, and a full-width overhead clearance of 14 feet or more in height, free of encroachments, as described in § 86.04, Wis. Stats.;
4. Adequate drainage, including side ditches as necessary; and
5. A grade of 12 percent or less.

~~(c) In addition to the requirements of (b), e~~Each driveway which serves a dwelling, commercial building, agricultural building, swimming pool, garage or other outbuilding, which is 200 feet or more in length shall be constructed and maintained ~~with~~ in accordance with the design standards, as described in § 82.50(1)(b), Wis. Stats., with the exception that the driveway need not be dedicated to the town. Driveways 200 feet or more in length shall have an area of 6 feet or more from each side of the edge of the driveway free of encroachments, as described in § 86.04, Wis. Stats. See Figure 1 for cross-section details.

1. A stabilized base of compacted 12 inches or Breaker Run and 6 inches or more in depth of 3/4 " aggregate;
2. An all-weather roadway of compacted road gravel, asphalt or concrete, 2 inches or more in depth and 18 feet or more in width;
3. An area 6 feet or more from each side of the edge of the driveway, and a full-width overhead clearance of 14 feet or more in height, free of encroachments, as described in § 86.04, Wis. Stats.;
4. Adequate drainage, including side ditches as necessary; and
5. A grade of 11 percent or less.

Explanation: To clarify specifications for driveways over 100 feet in length.

TCG Ord. Section 08.03 Exhibit A is hereby created/amended to read as follows:

08.03 RIGHT-OF-WAY PERMITS EXHIBIT A RIGHT-OF-WAY PERMIT FEES, DEPOSITS AND STANDARDS		
CALCULATION OF PERMIT FEES:	QUANTITY @ \$ PER	AMOUNT
A base fee for permit to work in Town road right-of-way is to be paid per permit prior to commencement of work.	\$55	\$ _____
Borings, trenching (small trenching projects) or plowing fees apply to all borings, whether under the Town roadway or parallel to the Town road (such as a boring in the drainage ditch). The Town will need to review and monitor all boring, trenching or plowing to determine that the proposed location(s) are the best available locations in terms of the public interest in the project.	_____ @ \$45 per boring/trenching/plowing	\$ _____
An open cut pavement fee applies any time roadway pavement is impacted. If the opening is not large enough for a roller compactor to be used, then a Type II patch shall be applied. (Type II patch detail drawings are available from the Town.) If the Applicant wishes to use an alternate patch type, the alternate must be approved by the Town Engineer. The Applicant shall pay the costs incurred for the Town Engineer's review of patches other than the Type II patch.	_____ @ \$220 per open cut	\$ _____
A trenching fee is required for any trench in excess of 1,320 feet (large trenching projects)	_____ @ \$110 X # of lineal feet/1,000	\$ _____
A construction of vault or other structure fee is required for vaults or other structures placed in the right-of-way. It does not apply to utility pedestals that are not installed on a concrete base. All structures should be placed at the right-of-way line and/or adjacent to existing structures, and have a 4' above ground marking stake attached.	_____ @ \$110 per vault/structure	\$ _____
Subtotal		\$ _____
For use by Permitting Authority Only		
Engineering fees: When Town Engineer review is needed, as requested by the Highway Superintendent, and approved by either the Town Board or the Town Chair, the Applicant shall pay all such fees incurred within 30 days of the invoice to the Applicant. Prepayment may be required in an amount and as determined by the Town Clerk, following consultation with the Town Chair.	All fees incurred by Town; prepayment of estimate may be required. Actual amount will be billed to the applicant if it exceeds the estimate, any excess deposit will be refunded	Pre-payment required \$ _____
DEPOSIT TO ASSURE PROPER CONSTRUCTION, COMPLETION, RESTORATION AND ABSENCE OF DAMAGES (see TCG s. Error! Reference source not found.)		\$ _____
TOTAL FEES AND DEPOSIT DUE PRIOR TO COMMENCEMENT OF WORK		\$ _____
Notes regarding restoration: All affected areas must be restored to a condition as good or better than existed prior to disruption. Restoration of trench walls shall be sloped (rather than vertical) and trench compaction shall be as good as prior to disruption. The Permit Holder shall re-use native fill materials below the pavement to the full extent possible to avoid possible differential frost heave. The Permit Holder shall notify the Highway Superintendent upon completion of work. If restoration is not complete to the satisfaction to the Highway Superintendent or Town Engineer within 5 days of the completion of work, the Town may cause such restoration to occur and use the Permit Holder's deposit to pay for any costs incurred by the Town to complete the restoration.		

Explanation: To provide a visual to mower and snowplow operators

TCG Ord. subsection 09.05(1) shall hereby be revised to read as follows:

(1) PARKING WITHIN THE RIGHT-OF-WAY

(a) No person shall park a vehicle, including, but not limited to: motor vehicles, agricultural equipment, busses, recreational vehicles, mobile and modular homes, trucks and trailers, on the pavement of any ~~highway~~ public road within the Town limits, for any period of time that would create a hazard to other persons using the ~~highway~~ public road; without obtaining prior written authority to do so, from the police department.

(b) No person shall park any vehicle within the right-of-way of any ~~highway~~ public road within the Town limits, for more than 24 consecutive hours; without written authorization from the police department.

(e) Snow emergency declarations. The Town Board hereby declares that a snow emergency exists in the Town whenever a snowfall during any period of 24 hours or less reaches a depth of three inches or more. Such emergency is declared to be a serious public hazard impairing transportation and public health, safety, and welfare for a period until such time as snow removal operations have been completed. No person shall park any vehicle on any public road during a snow emergency and for a period of 24 hours thereafter (ie. from the time three inches of snow accumulates within a 24 hour period and for the next 24 hours).

All other provisions of the Code of Ordinances not specifically amended herein shall remain unmodified and in full force and effect. This Ordinance shall take effect upon passage and publication as provided by law.

Adopted this 7th day of April, 2025, by a vote of 5 for, 0 against, with 0 abstentions.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chair

ATTEST:



Jennifer Millage, Deputy Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 07, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Deputy Clerk Jennifer Millage, Highway Superintendent Dan Dresen and Attorney Christopher Nelson. Clerk-Treasurer Kim Banigan 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 meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the March 17, 2025 public hearing and Town Board meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #37799-37836 and EFTs in the amount of \$36,843.88, **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of March per diems as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: Paula Severson, who was recently elected to the Village of Cottage Grove Board of Trustees, appeared to thank Hampton for his years of service to joint Town/Village services, and to congratulate Anders for his recent election as Town Board Chairperson. She said she ran on a platform of collaboration, and hopes to resurrect a joint Emergency Government Committee.

II. BUSINESS

- A. Consider adoption of Ordinance 2025-04-07 adopting revisions to Chapters 8, and 9 of the Town Code of Ordinances: **MOTION** by Williams/DuPlayee to adopt the ordinance as presented. **MOTION CARRIED 5-0.**
- B. Consider replacement of Police Squad Car #123 (2020 Model) with a 2025 model: Dane County Sheriff's Office projections were that the replacement squad would add \$5,746.96 to the 2025 contract price. **MOTION** by Anders/DuPlayee to approve replacing the squad car. **MOTION CARRIED 5-0.**
- C. Consider request for additional speed limit signage on Gaston Road: **MOTION** by Williams/Fonger to approve the additional signage as requested by Deputy Grafton's memo. **MOTION CARRIED 5-0.**
- D. Plan Commission Recommendations:
 - 1. Conditional Use Permit parcels 0711-073-8090-2 and 0711-073-8390-9 at 4311 Vilas Hope Road, Andy Meessmann, Snyder Associates, Applicant, Francis Wisniewski (Warm Belly Farms), Applicant. Includes revised relocation of an uninstalled storage building and a 5-year lease for 15 adjacent acres for parking and crops to be added to existing CUP for Agricultural Entertainment events more than 10 days per year: Francis Wisniewski was present. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve revising the CUP as proposed, including moving the location for the hoop building and adding 15 acres of leased land to be used for parking and crops. All 8 CUP approval standards were considered satisfied. The Town should review the CUP every two years. **MOTION CARRIED 5-0.**
- E. Wilmer A. Larson, applicant and landowner, parcel 0711-154-8001-0 near 2181 Uphoff Road: Seeking rezone of 2.22 acres from FP-35 to RR-2 to create a new residential lot, and 22.47 acres from FP-35 to FP-1 for the residual ag lot: Wilmer Larson was present. Hampton

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 07, 2025

noted that the Plan Commission allowed the lot size to exceed 2.0 acres due to a group of trees near the road. Larson said some of the trees will be moved for better sight distance at the driveway. **MOTION** by Williams/Fonger to accept the Plan Commission's recommendation to approve the rezone of 2.22 acres from FP-35 to RR-2 to create a new residential lot, and 22.47 acres from FP-35 to FP-1 for the residual ag lot. It may exceed the Town's 2 acre maximum so as to not leave an odd residual lot of trees near the road. **MOTION CARRIED 5-0.**

- F. Donald Viney, Petitioner, Viney Acres, LLC, property owner, parcels 0711-331-800-7 and 0711-331-9502-8 on North Star Road: Petition for Comprehensive Development Plan Review for a commercial subdivision: Don and Marilyn Viney were present. Discussion was that the entire plat would be zoned General Commercial, although potential buyers could petition for Heavy Commercial in the future. Hampton asked if Viney's had contacted the DOT about the land between their property and North Star Road and US Hwy 12/18, they had not. Hampton referred to memos from the Town Planner and Engineer that were reviewed at the Plan Commission meeting, and suggested they be incorporated into the Town Board's motion. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendation to approve the Comprehensive Development Plan, incorporating the memos from the Town Planner and Engineer. **MOTION CARRIED 5-0.**
- G. Consider approval of Agreement for Public Improvements and Other Matters Relating to the Plat of Kennedy Hills First Addition: (the agreement is attached as Exhibit A) Atty. Nelson said the agreement is based off of the Town's standard development agreement. Unique elements included provisions for a construction entrance, no parkland dedication fee will be required since that requirement was satisfied by parkland dedicated under the first phase (Recreational improvement fees will still be due from each lot at the time a building permit is issued), and rather than a letter of credit, the developer will be providing a performance bond. Atty. Nelson said the form of the bond has been approved, but he does not have the final bond yet. **MOTION** by Fonger/DuPlayee to approve the agreement as presented, contingent on satisfaction of the performance bond requirements. **MOTION CARRIED 5-0.**
- H. Consider approval of Declaration of Covenants, Restrictions, Conditions and Easements for the Plat of Kennedy Hills First Addition: (Covenants are attached as Exhibit B) Atty. Nelson said the developer has agreed to the redlined revisions he and the Town Planner suggested to section 3.6. Exhibit B will need to be developed and approved by the Town Engineer. Board members raised questions about restrictions on signage, asking if political signs would be prohibited, and about limits on solar facilities and allowing three years before requiring construction. Atty. Nelson said all of these provisions are also in the HOA for the first phase. A member of the Kennedy Hills first phase HOA was present and said that several of the original lots have political signs and solar arrays and no enforcement actions have been taken. **MOTION** by Fonger/Williams to approve the covenants as presented. **MOTION CARRIED 5-0.**
- I. Discuss/Consider use of Ravenwood Park on Sandpiper & Nightingale for baseball practices: This request was withdrawn prior to the meeting.
- J. Discuss/Consider Earth Day Park Clean-up Challenge: Williams suggested this after seeing that Madison is promoting such a challenge. Advice from the Town's insurance agent was that participants should sign a waiver. Hampton asked Dresen what cleanup is needed, Dresen said participants could pick up sticks and trash and pull weeds. The Highway crew would pick up any bags of trash or piles of sticks. **MOTION** by Anders/Williams to make the

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 07, 2025

volunteer form available for those who would like to participate in a cleanup of Town parks on Earth Day. The Clerk's office may choose to post an event on the Town's web site.

MOTION CARRIED 5-0.

- K. Consider TDS quotes for upgraded internet service for the Town and Flynn Halls: A memo from the Clerk-Treasurer explained that when she contacted TDS to renew a promotional rate for Flynn Hall, she was not offered a new promotional rate, but instead TDS proposed upgrades to service levels at both halls at slightly higher rates. Discussion was that additional bandwidth would be beneficial at the Town Hall, but not so much at Flynn Hall. **MOTION** by Williams/DuPlayee to approve the quote to update the Town Hall from 150M/40M to 500M/500M for \$129/month, and leave Flynn Hall at 250M/50M at \$119/month. **MOTION CARRIED 5-0.**
- L. Discuss/Consider public open house to recognize Kris Hampton for his service to the Town: Consensus was to hold an open house at the Town Hall from 1-3 p.m. on Saturday April 26th. The Town will provide cake and beverages. The Clerk's office will take care of public notice of the event.
- M. Consider WTA Town Advocacy Membership for 2025: **MOTION** by Fonger/DuPlayee to pay the fee for Town Advocacy Membership in 2025. **MOTION CARRIED 5-0.**
- N. Consider approval of attendance for WTA Capitol Day on April 30th: Williams said she found this event very educational in the past, and would like to attend. **MOTION** by DuPlayee/Fonger to approve one attendee. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: No permits have been issued since the last meeting.
- B. The salt shed roof is scheduled for replacement tomorrow, paving the way for the solar panels.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan said the Spring Election went well, with a 70% turnout, which was 40% by absentee ballot. She is working on figuring out the procedures to fill the Supervisor 2 seat that Anders will need to decline in order to accept the Chairperson seat.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams commended the Clerk's office for a well-organized election.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The Chief's father died suddenly No news on the situation in Cambridge.
- B. Natvig Landfill Monitoring Committee: Business as usual.
- C. Cottage Grove Fire Commission: Replacement garage door openers and pest control services were approved using ESB Repair funds.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:09 P.M.

Kim Banigan, Clerk-Treasurer

Approved 04-21-2025

TOWN OF COTTAGE GROVE
ROAD AND PARK INSPECTION MINUTES
APRIL 11, 2025

- I. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Highway Superintendent Dan Dresen and Troy Eickhoff.
- II. Hampton called the meeting to order at 10:00 A.M. and the group toured to inspect Town Roads and Parks until 11:45 A.M. They also looked at the project in progress to replace the large culvert on Vilas Road.
- III. Roads were inspected with the planned maintenance activities provided by Dresen in mind (Exhibit A).
- IV. A pool without a fence was noted at 4733 Buss Road.
- V. There was no motion for adjournment.

Typed by Clerk-Treasurer Kim Banigan from notes taken by Kris Hampton

Approved 04-21-2025

EXHIBIT A

2025 TCG Road Work

Crack Filling \$25,000

- ✓ Vilas Rd (coffeytown-bass)
- Vilas Rd (sime-12&18)
- ✓ Nora Rd and Uphoff Rd intersection
- Ridge Rd and W. Jargo Rd intersection
- W. Jargo Rd

Spot Seal \$7,000

- ✓ Vilas Rd (south of 12&18)
- ✓ Vilas Rd (sime -12&18)
- ✓ Vilas Hope Rd

ChipSeal \$80,000

- ✓ Vilas Hope Rd (s curve area to AB)
- ✓ Vilas Rd areas getting Crack filled and Spot sealed

Hotmix Overlay \$350,000

- ✓ Gaston Rd (TRIP) Buss to Town line
- ✓ Kristy Rd (TRIP)
- ✓ Buss Rd (TRIP)
- ✓ Lane Street
- ✓ Hope Rd (vilas to s hope)

Restripe Centerlines

White on all curve areas in the town

Gaston Rd

Vilas Rd

Vilas Hope Rd

Hope Rd

TCG 2025 ROAD WORK

STATE OF WISCONSIN
WISCONSIN DEPARTMENT OF TRANSPORTATION
TOWN PLAT RECORD

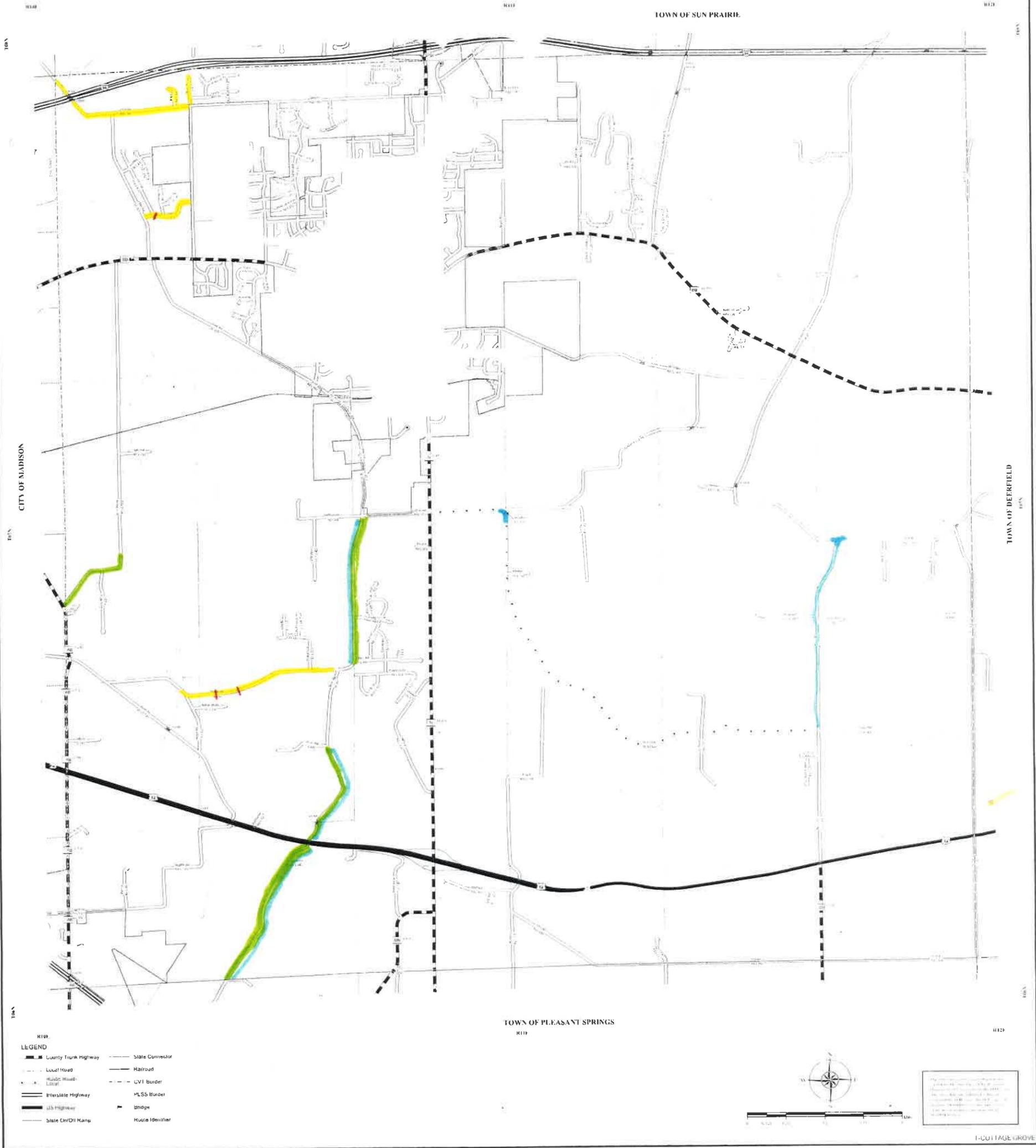
13-018

TOWN OF
COTTAGE GROVE
COUNTY: DANE

DATE	MILEAGE FOR LOCAL ROADS/STREETS	LOCAL ROADS/STREETS <small>Certified in accordance with sec. 88.30 Wis. Stat.</small>
(1) 4-1-24	64.31	
(2) 1-1-24		
(3) 4-1-24		

PRECEDING COUNTY TRUNKS	THIS SECTION
10.30	00.00

- (1) THIS DATA REPRESENTS THE LAST CERTIFIED MILEAGE AS CORRECTED BY WISDOT WHICH MAY HAVE BEEN USED FOR PAST TRANSPORTATION AIDS
- (2) THE TOWN CHAIRMAN OR CITY/VILLAGE CLERK IS TO FILL IN THE MILEAGE TO BE CERTIFIED AS OPEN TO THE PUBLIC AS OF THE FOLLOWING JANUARY INCLUDING THE NEW CHANGES THAT ARE MADE ON THE PLAT
- (3) THIS DATA REPRESENTS MILEAGE ADJUSTMENTS MADE BY WISDOT DUE TO FIELD VERIFICATION, INVENTORY, ANNEXATION, ETC. TRANSPORTATION AID PAYMENTS MAY BE MADE BASED ON THIS FIGURE



(3) 1- Culverts Need Replacing

Hotmix Overlay

Chip Seal

Crack Fill & Spot Seal

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 21, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website. Town Chair Steve Anders and Supervisors Mike Fonger and Mike DuPlayee were present, along with Clerk Kim Banigan, Deputy Clerk Jennifer Millage, Highway Superintendent Dan Dresen and Deputy Eric Miller.
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by DuPlayee/Fonger to approve the minutes of the April 7, 2025 meeting as presented. **MOTION CARRIED 3-0.** **MOTION** by DuPlayee/Fonger to approve the minutes of the April 11, 2025 Road and Park Inspection as presented. **MOTION CARRIED 3-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #37837-37877 and EFTs in the amount of \$14,844.24. **MOTION CARRIED 3-0.**
 - 2. **MOTION** by Fonger/DuPlayee to approve payment of \$3,808.80 to General Engineering Company for March Building Permits. **MOTION CARRIED 3-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review March Police Activities: Deputy Miller said with the warmer weather, speeding is becoming more of an issue. There have also been serious crashes on US Hwy 12/18. The monthly report showed 330 calls for service and 19 citations issued in March, mostly for speeding and traffic related violations.
- B. CARPC Stream Inventory presentation: Melissa Michaud and Prachi Mehendale from CARPC presented the results of the inventory they performed last year. (See Exhibit A. The full report is available from the Clerk's office). They assessed 21 structures in the Town for overall flood resilience and aquatic passage. Over half of the structures are in good condition, however over half of them may restrict aquatic passage, especially at high flows. Of the 6 structures with highest priority for attention, two are already scheduled for replacement by Dane County. Recommended next steps were to provide the results to Dane County Emergency Management for inclusion in hazard mitigation plans, apply for funding to replace flood prone crossings, and develop a plan for proactive crossings replacements. The results of the inventory provide just what potential funding organizations are looking for. Anders asked what typical funding ratios they are seeing in grants. They did not have that information with them, but will get back to the Town with it.
- C. Discuss/Consider RFQ for 2025 Highway Maintenance projects: **MOTION** by Fonger/DuPlayee to approve the RFQ as presented. **MOTION CARRIED 3-0.**
- D. Discuss/Consider approval of the Town paying for a portrait photo of Kris and Faye Hampton: Deputy Clerk Amber Steele had gotten prices from two local photographers. **MOTION** by Fonger/DuPlayee to have Stutz Photography take the photos and provide the digital images. The Town will get two 8 x 10 prints made, one for the Town and one for the Hamptons, at a total cost not to exceed \$225. **MOTION CARRIED 3-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
APRIL 21, 2025

- A. Report of Road Right-of-Way permits: Two permits were issued to Alliant Energy since the last meeting: 1) To upgrade underground power on Sunset Ridge, Circle High, and Rathert Rd. and 2) for an emergency repair to gas lines on Damascus Trl.
 - B. Dresen reported that Deputy Shotliff has been cleaning out the Police station, including some lockers that Public Works took to the Emergency Services Building, and some filing cabinets they will bring to the Town Hall. He mentioned that the garage floor is getting very pitted, and wondered if the Town wants to seal them with epoxy. He will get a price together for the next agenda.
 - C. They have a few more patching projects left, and are half done with spring shouldering of roads already.
- IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that a Public Information Meeting for the County's replacement of the CTH N Bridge near Natvig Road will be here on May 14th. Anders said the Town should lobby for closing only one side of the road at once, with stop lights to control traffic. Dresen suggested that if they post local traffic only and traffic will be on Natvig, it should be shut down to truck traffic due to the narrow bridge. He said cars and pickups would be OK but they would have to yield to traffic in the opposite direction as there is not room to pass. Discussion was to inform local businesses with heavy truck use of CTH N of the meeting.
- V. BOARD REPORTS AND COMMUNICATIONS: None.
- VI. COMMITTEE REPORTS: None.
- VII. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 3-0**. The meeting ended at 7:52 P.M.

Kim Banigan, Clerk-Treasurer

Approved 05/05/2025

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MAY 5, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website. Town Chair Steve Anders and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan and Highway Superintendent Dan Dresen, and Troy Eickhoff. DGEMS Chief Eric Lang was present virtually.
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by DuPlayee/Fonger to approve the minutes of the April 21, 2025 meeting as presented. **MOTION CARRIED 3-0-1** (Williams Abstained). **MOTION** by DuPlayee/Fonger to approve the minutes of the April 11, 2025 Road and Park Inspection as presented. **MOTION CARRIED 4-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #37878-37905 and EFTs in the amount of \$24,776.23. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by Fonger/DuPlayee to approve payment of April per diems as presented. **MOTION CARRIED 4-0.**
- F. Public Concerns: DuPlayee expressed concern that ditches in his neighborhood are still flooding due to outflow from the nearby Village stormwater pond, even though promises were made by the County 2 years ago that the builder would need to remedy the problem. Anders will follow up with the County.

II. BUSINESS

- A. Discuss/Consider filling of Supervisor 2 vacancy: Anders noted that Troy Eickhoff made the effort to run for the position, even though he was defeated, and has been a valued member of the Plan Commission for 6 years. Banigan noted that he received 670 votes in the Spring Election. Williams stated that he has knowledge of a portion of the Town that is not currently well represented on the Town Board. **MOTION** by Williams/Fonger to appoint Troy Eickhoff to Town Board Supervisor 2 effective immediately. The term will run through April 19, 2027. **MOTION CARRIED 4-0.** The Clerk Treasurer swore Mr. Eickhoff in, and he took his seat at the Board table.
- B. Plan Commission Recommendations:
 - 1. Rezone parcel 0711-273-9600-0 east of 3436 N. Star Road from RM-16 to FP-1 and transfer the development right to parcel 0711-144-8011-0 on Ridge Road. (DCPREZ-12159): Property owner Kirk Eilenfeldt was present, and stated they would be submitting a revised request for the size of the residential lot on Ridge Road that is a counterpart to this petition. **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to rezone the parcel to FP-1 and transfer the development right to the proposed new lot to be created on parcel 0711-144-8001-0. **MOTION CARRIED 5-0.**
- C. Review Non-metallic mining permit renewal applications and set date for a public hearing: Applications were all considered complete as submitted, and Banigan stated she has no records of any complaints over the past year. **MOTION** by Williams/DuPlayee to schedule the public hearing for June 2nd at 7 pm. **MOTION CARRIED 5-0.**
- D. Consideration of Revised Declaration of Covenants, Conditions and Restrictions for the Plat of Swalheim Business Park: Duane Swalheim was present. Banigan stated that the difference

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MAY 5, 2025

- between the revised covenants and those approved by the Town Board last November is who is responsible for the cost of maintaining the stormwater facilities. Swalheim was unable to obtain signatures from the owners of the original 3 CSM lots, so the cost will be borne by the owners of the 4 lots in the plat only. **MOTION** by Williams/DuPlayee to approve the revised Covenants, Conditions and Restrictions as presented. **MOTION CARRIED 5-0.**
- E. Consideration of epoxy repairs to Police Station garage floor: Dresen said this has been requested by the deputies. Having it professionally done is quite expensive, so he had provided a cost to purchase the materials and have his crew do the work. There were questions about whether this is something the lessor of the building should do or consent to. **MOTION** by Fonger/DuPlayee to table until May 5th to check with the Hustons. **MOTION CARRIED 5-0.**
- F. Consideration of 2025-26 Committee Appointments: Anders had provided his recommendations for filling the expiring positions. All citizen committee members have agreed to continue. DuPlayee requested that Board committee appointments be changed up next year. **MOTION** by DuPlayee/Williams to approve the appointments as recommended by Anders. **MOTION CARRIED 5-0.** Banigan said she recently learned that the Town Chair is supposed to also recommend the Chair for the Plan Commission. (In the past, the Commission has elected its own Chair). Anders indicated he would like to be the Chair. There was a suggestion that Kris Hampton remain the Chair, but discussion was it can be challenging to have a citizen chair due to agenda development and preliminary meetings with developers, etc. **MOTION** by Fonger/Williams to appoint Steve Anders as Plan Commission Chair. **MOTION CARRIED 5-0.**
- G. Consideration of creating an Assigned General Fund Balance for future recognition expenses: Banigan said that a donation of \$100 has been received to be used toward future events that might be questionable use of Town funds, such as retirement parties, funeral or get well flowers, etc. She suggested that they be placed in an assigned fund under the General Fund, and that the Board think about what types of expenses would be eligible, especially those that might come up and need funding before the Board meets next. **MOTION** by Williams/Fonger to create the Awards and Recognition assigned fund under the General Fund. **MOTION CARRIED 5-0.** The Board will discuss eligible uses on May 19th.
- H. Discuss possible uses of Unassigned Funds in 2025: Banigan had provided the amounts of Unassigned Funds as per the 2024 audited financial statements that could be utilized while maintaining 20-25% of the 2025 budgeted expenditures. She suggested excess could be used to outright purchase something that was planned for borrowing, or to fund new projects. One new project she suggested was to upgrade computers which will be obsolete with the retirement of Windows 10 this fall. Consensus was to direct her to proceed with getting quotes to update computers. Other potential uses of unassigned funds will be considered at a later time.
- I. Consideration of purchasing iPads for the Town Board Members' use: Anders said that he would like an iPad for his use with official Town Business. Banigan said she thinks it is a good idea for all of the Board members to have a Town owned device rather than using their personal devices, which could then be subject to an open records request. Current cost of an iPad and case is about \$350.00. **MOTION** by Fonger/Williams to approve the purchase of five iPads for use by the Town Board, cost not to exceed \$1,850.00, using Unassigned Funds. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MAY 5, 2025

- J. Consideration of check signers and online banking users: Banigan explained that State Statute says checks should be signed by the Clerk and Treasurer. Town Ordinance adds the Town Chair. Practice has been to have one Town Board member as an alternate signer. Since the Clerk and Treasurer positions have been combined, The Clerk-Treasurer, Deputy Clerk Amber Steele and former Town Chair Kris Hampton have been signers. Steve Anders was the alternate board member. With Hampton's retirement and Anders' election as Town Chair, an alternate Board member is needed. Banigan also asked that Deputy Clerk Jennifer Millage be an alternate for the Clerk-Treasurer or Steele in their absence. Banigan said that there are only three signers on the One Community Bank account, which is used to service the loan there, not for disbursements. Current signers are Banigan, Anders and Hampton. A Board member is needed to replace Hampton. **MOTION** by Williams/Eickhoff to approve Banigan, Steele, Millage, Anders and Fonger as check signers for the Lake Ridge Bank accounts, and Banigan, Anders and Fonger for the One Community Bank account. **MOTION CARRIED 5-0.**
- K. Consideration of attendees for WTA New and Continuing Officials Workshops: **MOTION** by Williams/Fonger to approve Eickhoff to attend the virtual sessions on June 2-5. **MOTION CARRIED 5-0.**
- L. Consideration of SRM and USSS education opportunities: **MOTION** by Anders/Williams to allow 3 board members to collect a per diem for attending the July 16th SRP/SRM training in Waunakee. **MOTION CARRIED 5-0.** Fonger suggested that Emergency Government Committee members should be offered the opportunity to attend as well. **MOTION** by Fonger/DuPlayee to allow Emergency Government Committee members to collect a per diem for attending the July 16th SRP/SRM training in Waunakee. **MOTION CARRIED 5-0.**
- M. Consideration of ICS training: Banigan had provided a matrix showing ICS training completed by staff and elected/appointed officials. **MOTION** by DuPlayee/Williams to allow Town Board and Emergency Government Committee members to collect 1 per diem for completion of the three mandatory courses. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: Two permits were issued to Alliant Energy for underground power at Vilas/Sime Roads and Vilas Hope/Jahnke Roads.
- B. Some Girl Scouts picked up sticks, pine cones, etc. in the Meadow Grove, Ravenwood and Cedar Knolls parks. The crew is almost finished shouldering roads. Contractors have contacted him in regards to 2025 re-paving and seal coating quotes. Solar brackets were installed on the salt shed roof today.

IV. CLERK-TREASURER'S OFFICE UPDATE: The Assessor is proposing to hold Open Book by phone only. Consensus was to allow them to try it that way this year. (Clerk's note: subsequent to this meeting it was decided to hold open book in person after all.) The annual impact fee for the Rockdale-Middleton transmission line arrived today with a letter stating it is not restricted as to purpose. Previous years' fees have been allocated to a fund, but the Auditors advised Banigan that based on this letter, they no longer need to be restricted.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams reported that she found the DCTA Capitol Day worthwhile, although it had a significantly smaller turnout than other times she has attended. Priorities included local transportation/roads, Fire/EMS, and encouragement for Intergovernmental Agreements.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MAY 5, 2025

- B. Anders reported that a pre-application meeting was held with Hustons for proposed commercial development at CTH N and US Hwy 12/18. Banigan, Dresen, Town Planner Mark Roffers and Engineer Nick Bubolz were in attendance. The Hustons have negotiated with the owner of Redline Boats and Banovetz to utilize the easement there to extend Natvig Road to North Star Road. Their next step is to meet with the County Highway Department about requirements for the CTH N/Natvig Road intersection.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that the union initiated contract bargaining, and the Commission appointed a bargaining committee. Chief Lang reported that per the 2024 audit, the fund balance grew and reimbursements were good for the year. Call numbers are up from last year.
- B. Cottage Grove Fire Commission: Anders is the new chair, Rene Buenzow is secretary, Heidi Murphy is Vice Chair. The Chief is working on a five-year plan, and may need to pull in a consultant to help. Garage door openers have all been replaced.

VII. Adjournment: **MOTION** by DuPlayee/Eickhoff to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:18 P.M.

Kim Banigan, Clerk-Treasurer

Approved 05/19/2025

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MAY 19, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website. Town Chair Steve Anders and Supervisors Mike Fonger, Troy Eickhoff, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Highway Superintendent Dan Dresen and Deputy Eric Miller.
- B. Anders called the meeting to order at 7:00 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 5, 2025 meeting, correcting the motion in item 1.D. to 4-0. **MOTION CARRIED 4-0-1** (Eickhoff Abstained).
- E. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Fonger to approve checks #37906-37928 and EFTs in the amount of \$14,746.24. **MOTION CARRIED 5-0.**
 2. **MOTION** by Williams/DuPlayee to approve payment of \$4,863.40 to General Engineering for April building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: Willams noted that Open Book will be held in person from 11:00 a.m. to 1:00 p.m. on May 27th, rather than by phone as was discussed at the last meeting.

II. BUSINESS

- A. Review April Police Activities: Deputy Miller reported that the speed board that was on Sandpiper Trl. was moved to Uphoff Rd. on May 1st in response to speed complaints there. Speed violations are picking up with the warmer weather.
- B. Discuss/Consider awarding of bids for 2025 Sealcoating and Repaving projects:
- The following bids were received for sealcoating projects: Scott Construction for \$16,696/20' mile, totaling \$70,120 for all projects, and Fahrner Asphalt Sealers, LLC for \$18,986/20' mile, totaling \$87,1791 for all projects. Dresen expressed concerns over poor quality of seal coating done by Scott Construction when they were last awarded the bid in 2019 and refused to warranty, and recommended that Scott do something about those roads if they are awarded the bid this year. A Scott Construction representative in the audience said he was not employed there in 2019, but knew that the product used that year was problematic and gave assurance that the product proposed for this year would be better. **MOTION** by Fonger/Williams to award the sealcoating bid to Scott Construction, noting that a 1-year warranty is included. **MOTION CARRIED 5-0.**
 - The following bids were received for repaving projects: Payne & Dolan, Inc. for \$279,932 and Wolf Paving Co., Inc. for \$305,592. **MOTION** by Fonger/DuPlayee to award the re-paving bid to Payne & Dolan, Inc. **MOTION CARRIED 5-0.**
- C. Discuss/Consider request to open all Town Roads as ATV Routes: Mike Northouse, 3882 Laudon Rd and member of the Quad County Runners Club, said that the routes approved about a year ago are working out well. Now the Town of Pleasant Springs has adopted routes on all of their roads, and there is interest in connecting to the Town of Cottage Grove. It appears that the County will approve routes on CTH BN and CTH MN. He acknowledged that portions of Vilas, Gaston and Coffeytown that are shared with the Village of Cottage Grove would need to be posted as closed, although the club plans to approach the Village about opening routes in those areas. DuPlayee expressed concerns about narrow roads being able to handle the additional traffic, and enforcement challenges. Fonger asked about Vilas

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Hope Road and Northouse agreed that it would be landlocked since the County will not consider opening routes on AB or BB. The Ravenwood area would also be landlocked. Matt Haugen, 3784 W. Jargo and also a club member, provided language suggested by the Club to amend the Town's ordinance (Exhibit A). Mike Anderson and Kim Haefner, 4582 Lotus Lane, spoke in favor of the proposal. Northouse said the club will provide and install the signs at no cost to the Town. Deputy Miller said there have been a handful of minor enforcement issues, but he does have concerns about blind spots, especially in the South Vilas and Hope Road areas, which also are plagued with excessive speeders. He suggested starting with just the area south of Coffeytown Road and then consider the rest based on how that goes. Williams agreed with his suggested approach. **MOTION** by Fonger/Eickhoff to draft an amendment to the ordinance that would include ALL Town Roads, as posted, as ATV/UTV routes, and schedule a public hearing for June 2nd. Approval should be clear that the Club will provide and install all signage, and that the routes can be reviewed at any time, including at least once at 6 months after approval. **MOTION CARRIED 3-2** (Williams and DuPlayee opposed).

- D. Consideration of quotes for computer upgrades: The Clerk had solicited quotes from Dell and Vanguard (HP) under state contract pricing, as well as from Horstman Networks. A summary prepared by the Clerk is attached as Exhibit B. Discussion was that all inclusive of hardware and MS Office software, the quotes from Dell and Horstman were very close, and it would be advantageous to purchase from Horstman since they are the Town's IT consultant. **MOTION** by DuPlayee/Eickhoff to accept the quote from Horstman Networks, total cost not to exceed \$12,000 to be funded using Unassigned Funds. **MOTION CARRIED 5-0.**
- E. Consideration of eligible uses of Awards and Recognition funds: **MOTION** by Fonger/DuPlayee to authorize use of the funds for planned events as approved by the Town Board as well as funeral/get well cards & flowers/cards at the discretion of the Town Board Chair. **MOTION CARRIED 5-0.**
- F. Consideration of epoxy repairs to Police Station garage floor (tabled from May 5): Anders reported that the Hustons (the building owners) have agreed to epoxy the garage floor as well as repair some interior cabinets.
- G. Consider attendees for the DCTA Annual Meeting on May 21st: **MOTION** by DuPlayee/Anders to approve three attendees. **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 retire/replace a gas line at 3254 Vilas Road.
- B. A storm last week brought down trees in the Door Creek Cemetery, Elmargo area and on Ridge Road. Crews have begun mowing operations.

IV. CLERK-TREASURER'S OFFICE UPDATE: iPads have been ordered. The Clerk-Treasurer met with the Fire and EMS Chiefs and the Village Finance Director to discuss what department requests might be in store for the 2026 budget.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Anders reported that he attended a recent meeting of the Pleasant Springs Town Board and noted some of the differences in their procedures compared to ours. He intends to attend a Town of Deerfield meeting on June 9th. The PIM for the CTH N bridge replacement scheduled for 2027 was well attended. Anders suggested sending a letter to the vested businesses and organizations suggesting they urge the County not to close the whole road

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TOWN BOARD MINUTES
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during construction. There was a suggestion to post no left turn onto Vilas from US Hwy 12/18 during construction, and to post Town Roads at 10 Tons to prevent heavy traffic from using them as a bypass.

- B. Williams reported that Travel Wisconsin presented at the recent Chamber meeting and would be interested in posting our local events. She wondered if they would make good presenters for the next Annual Meeting.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that the annual election of officers resulted in Peter Doll as Chair and Kerri Hewitt as Vice Chair. The commission decided against bidding on a contract with the Village of Marshall and the Towns of Medina and York. Calls are up from last years. The Chief's request to promote 2 lieutenants was accepted (one replacement and one new one). She noted that water was coming in through the ESB meeting room windows during a recent storm.
- B. Emergency Government committee: Fonger reported that the regular meeting date needs to be changed due to unavailability of two committee members.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:35 P.M.

Kim Banigan, Clerk-Treasurer

Approved 06/02/2025

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.

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- 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.**

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- 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.**

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- 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.

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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

TOWN OF COTTAGE GROVE - CODE OF ORDINANCES

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

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.~~

TOWN OF COTTAGE GROVE - CODE OF ORDINANCES

(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 - CODE OF ORDINANCES

TOWN OF COTTAGE GROVE



Steven Anders, Town Chair

ATTEST:



Kim Banigan, Town Clerk-Treasurer

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 7, 2025

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.
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the June 2, 2025 public hearings and Town Board meeting as presented. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 1. Because the June 16th meeting was cancelled, and as permitted by Town Ordinance, checks 37951-37978 were issued in the interim to meet payment due dates. Checks 37979-38014 issued today were mis-printed and will need to be voided and re-printed. **MOTION** by DuPlayee/Fonger to approve the payments shown on the report as checks 37951-38014, but to void checks 37979-38014 and issue replacements. The total amount of all the checks issued since the June 2nd Town Board meeting is \$205,124.64. The motion was to also approve EFT payments in the amount of \$42,595.08. **MOTION CARRIED 5-0.**
 2. **MOTION** by DuPlayee/Williams to approve payment of June per diems as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Discuss/Consider approval of Parade or Procession permits for:
 1. Utica Community Benefit Tractor Ride on July 12th, to include Schadel and North Star Roads: Richard Kapral represented the applicant and requested that all fees and the mailed notification requirement be waived, stating that all proceeds will go to victims of the Abundant Life school shooting earlier this year. He said they will not stop traffic. The Clerk-Treasurer noted that no concerns were expressed from the Contract Deputies or Fire and EMS Chiefs. **MOTION** by Williams/Fonger to approve the permit and waive all fees and the mailed notification requirement. (The Clerk-Treasurer said that notice through the website and social media can still be made). **MOTION CARRIED 5-0.**
 2. Holy Hustle on September 13, 2025, to include Damascus Trail and Vilas Road: The applicant was not present. The Clerk-Treasurer stated that the Contract Deputies or the Fire Chief, and the EMS Chief have indicated they have made contact for coverage arrangements. **MOTION** by Williams/DuPlayee to approve the permit, noting that mailed notification is required. **MOTION CARRIED 5-0.**
 3. Badger Challenge on September 21, 2025, to include Gaston, Vilas, Coffeytown, Uphoff, W. Ridge, Nora, S. Jargo and Deerfield Roads: The applicant was not present. The Clerk-Treasurer stated that the Contract Deputies or the Fire Chief, and the EMS Chief have indicated they have made contact for coverage arrangements. **MOTION** by Williams/DuPlayee to approve the permit, noting that mailed notification is required. **MOTION CARRIED 5-0.**
- B. Discuss/Consider plans to fill Contract Deputy vacancy: Contract Deputy Eric Miller has left to fulfill a 2-year military commitment. Discussion was that two years is too long to fill the position with a temporary replacement. DCSO Lt. Moore is ready to advertise the position at the Town's go ahead. The DCSO would screen applicants and the Town could interview the ones that made

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 7, 2025

the cut. Anders suggested that he and Fonger conduct the interviews. **MOTION** by Fonger/Williams to move forward with a permanent replacement, designating Anders and Fonger to conduct the interviews. **MOTION CARRIED 5-0.**

- C. Complete Annexation Review Questionnaire for petition #14768 Hoekstra & Fredenberg: The Clerk-Treasurer had pre-filled the questionnaire with the relevant facts. **MOTION** by Williams/DuPlayee to approve the responses as provided by the Clerk-Treasurer. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of the Electronic Communications Policy (tabled from June 2nd): **MOTION** by Fonger/Williams to approve the policy as drafted. **MOTION CARRIED 5-0.**
- E. Discuss/Consider going out for bid for assessor services in 2026: Discussion was that it has been a long time since the Town has gone out to bid. However, there are a limited number of assessors working in Dane County, with Associated Appraisal, the Town's current assessor, doing the majority of the municipalities by far. The Town has been satisfied with their performance. That was not the case several years ago when the Town contracted with the second biggest player in the Dane County market. There were also thoughts that with the Town's assessment being in year 3 of falling below 90% of market value, it may be an awkward time for a new assessor to come in without a revaluation, which the Town Board was hoping not to pay for next year. **MOTION** by Fonger/DuPlayee to get a renewal price from Associated Appraisal rather than going out for bid at this time. **MOTION CARRIED 3-2** (Anders and Williams opposed).
- F. MS4 Stormwater Permit Compliance Update: Anders reported that a WDNR audit of the Town's annual report prepared by Nahn & Associates for the MS4 Stormwater permit found areas of non-compliance. Nahn & Associates has addressed these and submitted a response to the audit. The cost to draft the response will put the Stormwater Management expense line over budget this year.
- G. Discuss/Consider repurposing of old computers: The Clerk-Treasurer said any re-purposed computers will be removed from the Town's network and allowed only internet access on the guest network. She suggested that the Court could use the former office laptop for virtual court, and a former office desktop could be useful for public works employees to have internet access to look up parts, etc. She also suggested turning a former office all-in-one touchscreen into an internet browser kiosk in the Town Hall lobby, to be used by visitors to make payments online, register to vote, or just generally look things up. It would require the purchase of a standard wall mount. Williams asked if there had been any thought of donating the others, and suggested the Goodman Center as a possible recipient. Fonger suggested the local food pantry. See H. for the motion on both G. and H.
- H. Discuss/Consider installing a security gate on the Town Hall lobby area: With the addition of a computer in the lobby, and also because during early voting in the Clerk's office ExpressVotes are setup there, the Clerk-Treasurer suggested installing an accordion gate that could secure the lobby when the hall is rented or used outside of office hours. Dresen had provided a cost of \$189.74 from the Grainger website.
MOTION by Fonger/Williams to approve the re-purposing of old computers as discussed, and the purchase of a wall mount and security gate using the Town Hall Supplies expense account. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: Four permits were issued since the last meeting: 1) MCI Metro for fiber installation on Gaston Road, 2) Alliant Energy for gas in Kennedy Hills First Addition, 3) TDS at 2727 Nightingale and 4) Alliant for gas at 3734 Oakwood.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 7, 2025

- B. Pee Wee football coaches contacted him about practicing in Cedar Knolls Park again, and possibly also in Meadow Grove Park. He will advise them to put in a written request for a Town Board agenda item.
- C. Re-paving projects are now pushed back to the week of July 14th or 21st. He has not heard from Scott Construction about when they plan to do the sealcoating projects.

IV. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams reported that CGFD Assistant Chief April Hammond and DGEMS Chief Eric Lang presented at the recent Chamber of Commerce meeting. They talked about growth in the number of calls, and Assistant Chief Hammond made a pitch for volunteers. Taste of Cottage Grove will be held at Drumlin Reserve on August 21st, and Marketplace Dayz is July 19th at the Cottage Grove Shopping Center.
- B. Anders reported that a pre-application meeting was held with the developer and his engineer regarding the final stage of Kennedy Hills. It was made clear that the Town will want the developer to improve the portion of Kennedy Road affected by the entire Kennedy Hills development, including a walking path. Plans also include a parking area for the adjacent Sr. Airman Dan Johnson Memorial Park.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that calls are up by 9% compared to last year. The new ambulance box is on the way. The commission discussed how to utilize the portion of the unassigned funds balance that exceeds 25% of the annual budget. Union contract negotiations start next week.
- B. Cottage Grove Fire Commission: Discussion about length of service (LOSA) awards included whether or not to include prior years of service. Estimates for the cost of prior year service were not available. DGEMS may want to offer this for their volunteers as well. Pay per call was also discussed. The department is developing rules for payment qualification. A preliminary budget estimated 2026 pay per call at \$58,000 and LOSA at \$15,700. The Commission will start working on the 2026 budget at their July meeting.

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 07/21/2025

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 21, 2025

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. DGEMS Chief Eric Lang and CGFD Chief Nick Archibald were present virtually.
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the July 7, 2025 Town Board meeting with a correction to the person in attendance for item II. A. 1. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks 38051-38070 and EFTs in the amount of \$13,664.79, and void check #37994, which was a duplicate payment. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Williams/DuPlayee to approve payments to General Engineering for \$4,589.60 for May building permits and \$9,215.98 for June building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review May and June Police Activities: There was not a deputy in attendance. The May report showed 333 calls for service and 143 citations issued. The June report showed 264 calls for service and 126 citations issued.
- B. Discuss/Consider requests to use Cedar Knolls and Meadow Grove parks for Monona Grove Youth Football practices: Neither of the applicants were present, this item was held off until the end in case they arrived. **MOTION** by Fonger/Williams to approve both requests, stipulating that all cars must park on the park side of the road for Meadow Grove, and allowing for an equipment trailer to be left at Cedar Knolls. **MOTION CARRIED 5-0.**
- C. Discuss/Consider request to use Bass, Ravenwood & American Heritage Parks, along with the Town Hall, for Monona Grove Football (Soccer) Club practices/games for the Fall 25 – Spring 26 season. Also requesting use of Ravenwood Park for summer training sessions: Marissa Anders represented the club. She stated that they would like to start using the Ravenwood field for summer training sessions in mid-August. Once the season starts, the American Heritage (Sr. Airman Johnson portion) would be used for practices from 5 -7 pm Monday-Thursday, Ravenwood would be used for practices from 5-7 p.m. Monday-Friday. She did not state usage days or times for Bass Park. The Town Hall will be used mostly games, and she will share the schedule when it is ready. **MOTION** by Williams/DuPlayee to approve the use of the Bass, Ravenwood, American Heritage (Sr. Airman Johnson) parks and Town Hall fields for practice and games during the Fall 25 – Spring 26 season. Porti-potties are permissible at the Town Hall and Sr. Airman Johnson fields as previously approved. **MOTION CARRIED 5-0.**
- D. Discuss/Consider RFP for Emergency Services Study: Fonger stated he is opposed to another study so soon after the 2022 study. Anders said he would be interested in hearing where a third-party would say the services should be in 5-10 years, as long as they don't re-hash what the 2022 study already told us. He felt that language under Facilities in the Town of Cottage

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 21, 2025

Grove should add that the current facility is at the southern border of the Village (as opposed to out in the middle of the Town somewhere). On the top of page three, there is mention of analyzing a current facility improvement plan. He has learned that the only plan is for maintenance items, not for any new facilities. He mentioned the review of feasibility and potential of a public safety impact fee to new development, and discussion was positive about this. There is also language regarding cooperative efforts with new municipal partners, and Anders wondered who that might be?

Chief Lang said the Village Board approved the RFP as written. He noted that the underlined and italicized items are the focus of the study, much of the rest is copied and pasted from the prior two studies. Williams thought that was done to give background and get everyone on the same page, especially given that many of the Village Board members are new. Chief Lang said the study will provide answers to when additional facilities will be needed and where the best location would be based on the impact of future development.

It was thought the cost sharing of the study in 2026 would be based on the Fire Department funding formula (equalized value).

MOTION by Fonger/Williams to move forward with the RFP, with the following suggested language changes:

- Under Facilities in the Town of Cottage Grove, clarify that the current facilities are at the southern border of the Village.
- Under Governance, Service Agreements, and Contracts, correct Fire Committee to Commission
- Under Study Methodology, Proposed Time Line and Finished Project, remove extra word “study”.
- Add Town Clerk-Treasurer Kim Banigan to the list of who to submit proposals to.

MOTION CARRIED 5-0.

E. Discuss/Consider quote from Associated Appraisal Consultants and/or reconsider July 7th motion not to go out for bid for assessor in 2026: The quote from Associated Appraisal has in increase of \$15,000 from 2025 to 2026. An email from Associated Appraisal said the increase is unavoidable because of software, labor and insurance cost increases. **MOTION** by DuPlayee/Fonger to reconsider the July 7th motion. **MOTION CARRIED 5-0.** **MOTION** by Williams/DuPlayee send requests for proposals to the five most used assessors in Dane County, as well as publishing and posting the RFP. Responses to be due by August 13th. The Board will review and choose interview candidates at their meeting on August 18th. **MOTION CARRIED 5-0.**

F. Revisit prior discussion regarding Town Board representative for the Cottage Grove Chamber of Commerce: On June 3, 2023, the Board voted unanimously to appoint Williams to represent the Town at Chamber meetings, with DuPlayee as a backup. DuPlayee has been denied access to Chamber meetings that he has wanted to attend because he is not the designated representative. Anders said he sees value to the continuity of having the same representative as much as possible. No action was taken, but Anders will contact the Chamber to make it clear that DuPlayee is the backup when Williams cannot attend.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

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

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 21, 2025

- B. Mowing and storm damage cleanup have been keeping the crew busy. The kiosk computer and gate have been installed in the Town Hall lobby. Chip sealing projects started today.

IV. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Anders reported that he plans to attend the Village Police Commission meeting tomorrow night because they have ATV/UTV routes on shared roads on their agenda. He also provided an update from the DCTA Executive Committee meeting about a data farm proposed for the Town of Vienna.
- B. Williams reported that she attended a recent open house for Dane County Waste and Renewables, and was impressed with an exercise gathering input on priorities. She suggested that they bring it to the Town, possibly at the Annual meeting. The SRP/SRM training on July 16th in Waunakee was directed mostly toward schools and not really worth attending.

VI. COMMITTEE REPORTS:

- A. Emergency Government Committee: Fonger said Lt. Wagner from the Village of Cottage Grove is coming to the July meeting to talk about the feasibility of combining the two committees.
- B. Deer-Grove EMS Commission: Williams reported that calls are still up by 9% compared to last year. The new ambulance is being wrapped. A second meeting for union contract negotiations will be held this Thursday.
- C. Cottage Grove Fire Commission: Anders said the DGEMS Chief has recommended not including EMS volunteers in Length of Service Awards since most don't stick around long enough to be vested, but rather putting an equivalent amount into a scholarship toward paramedic school.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:32 P.M.

Kim Banigan, Clerk-Treasurer

Approved 08-04-2025

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 4, 2025

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, and Kristi Williams were present, along with Clerk-Treasurer Kim Banigan. DGEMS Chief Eric Lang was present virtually.
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/Fonger to approve the minutes of the July 21, 2025 Town Board meeting as presented. **MOTION CARRIED 4-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by Fonger/Eickhoff to approve checks 38071-38094 and EFTs in the amount of \$25,062.52. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by Williams/Fonger to approve payments to July per diems as presented. **MOTION CARRIED 4-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Discuss/Consider approval for 2-lot Certified Survey Map for rezone #12152 – Wilmer Larson, owner, East of 2177 Uphoff Road: **MOTION** by Williams/Fonger to approve the CSM identified as Office Map #240716 dated 07/17/2025, conditional on moving the public road dedication language from the Village of Cottage Grove's certificate to the Town's certificate. **MOTION CARRIED 4-0.**
- B. Discuss/Consider allowing Pee Wee Football to park an equipment trailer at Meadow Grove Park during practice season: No one was present to represent the football club. Banigan said that the proposed trailer is 6' x 9'. **MOTION** by Fonger/Williams to approve an equipment trailer to be left at the park during practice season, at a location to be determined by the Highway Superintendent. **MOTION CARRIED 4-0.**
- C. Discuss/Consider quotes to strip and wax floors at the Emergency Service Building and Police Station: Quotes were not ready, no action taken.
- D. Report on plans for Traffic Impact Analysis for development in the North Star Road/CTH N area: Anders reported that he, Banigan and Mark Roffers represented the Town in a meeting that also included Don and Marilyn Viney, and staff from R.G. Huston Company, Snyder & Associates, Inc., Dane County Planning and Highway Departments, and WDOT. R.G. Huston Company has contracted with Synders to perform the study that will include the traffic impact of all potential development in the area of North Star Road west to CTH N on intersections at Natvig and CTH N, US Hwy 12/18 and North Star Road, and CTH MN. Roffers will assist with identifying what the actual development potential is.
- E. Set date for first Town Board Meeting in September: **MOTION** by Williams/Fonger to hold the meeting on Tuesday, September 2nd due to the holiday. **MOTION CARRIED 4-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: Banigan reported that there is one ROW permit application pending Dresen's return from vacation.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 4, 2025

- IV. CLERK-TREASURER'S OFFICE UPDATE: As per a discussion with Anders today, and input from the WTA Attorney, Banigan is looking for an example of a policy or resolution to delegate authority to another Town Board member if the Chair were to be incapacitated.
- V. BOARD REPORTS AND COMMUNICATIONS:
- A. Williams reported that DGEMS has reached a tentative agreement on a 3-year union contract. They believe wage increases are necessary to be competitive with other Dane County area services for employee retention. There was discussion about building loyalty by assisting with the cost of paramedic training, although Chief Lang noted that the paramedic program at MATC does not have room for very many students.
- VI. COMMITTEE REPORTS:
- A. Emergency Government Committee: Fonger reported that Village Lt. Wagner did not attend the July meeting, and has not returned his calls since then. In addition to committee members, Village Trustee Paula Severson and the Fire Chief were there. There was still a good conversation about what could be done with a combined Emergency Government.
- B. Natvig Landfill Monitoring Committee: Anders reported that the Committee approved the bills as usual, and that the 2026 Agreement for Services from Strand will be on the September agenda.
- C. Cottage Grove Fire Commission: Fonger said he learned a lot at the meeting, in particular that a majority of the calls are not actually fires. Anders reported that they looked at a preliminary budget for the Fire Department, and approved moving forward with pay per call but tabled Length of Service Awards for consideration in 2026 for the 2027 budget. They discussed maintenance needs at the Emergency Services Building, including a proposal for mold remediation in the lower level. Consensus was the remediation should be performed asap and not wait for Commission approval. This led to Board discussion about who should be responsible for making sure annual maintenance tasks are performed. Eickhoff suggested a shared calendar among the Town Clerk-Treasurer, Hwy. Superintendent and the Chiefs so everyone is aware of the schedule. Other ESB maintenance items included lighting upgrades, floor stripping/waxing, and carpet replacement. Quotes for these are expected for the next Commission meeting.
- VII. Adjournment: **MOTION** by Williams/Eickhoff to adjourn. **MOTION CARRIED 40**. The meeting ended at 8:03 P.M.

Kim Banigan, Clerk-Treasurer
Approved 08/18/2025

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 and Kristi Williams were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen and Fire Chief Nick Archibald. DGEMS Chief Eric Lang was present virtually. Assistant Fire Chief April Hammond arrived toward the end of the meeting
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/Fonger to approve the minutes of the August 4, 2025 Town Board meeting as presented. **MOTION CARRIED 4-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by Fonger/Eickhoff to approve checks 38095-38120 and EFTs in the amount of \$14,355.04. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by Williams/Fonger to approve payment of \$5,926.40 to General Engineering for July Building Permits. **MOTION CARRIED 4-0.**
- F. Public Concerns: Donald Klongland, 3108 Gaston Road, was present with Steve Leahy, prospective buyer for the Klongland property. Mr. Klongland asked if consideration of a variance to the 66' driveway requirement could be considered for a proposed new lot on his property. Banigan reported that she attended a virtual meeting on this proposal last week that was also attended by Klongland, Leahy, City of Madison Planner Tim Parks and Dane County Planner Rachel Halloway. She said the gist of the meeting was that this property is in the Potential Madison Expansion area under the IGA between the City and Town. Parks stated that under that agreement, the only land division not considered development is to create one additional residential lot that conforms with Town policy (maximum 2 acres, contiguous to current lot, with a RDU available). Any other land division would be considered development and would require annexation to the City to proceed. A proposed rezone map shows the portion of the property north of I-94 divided into two lots, an 11-acre lot containing the current house and outbuildings, and a 7-acre lot to the east that Leahy hopes to use along with adjacent lands in the Town of Sun Prairie for a Christmas Tree farm. The rezone map would also create a third 15-acre lot south of the interstate. None of these lots are proposed to be residential. The parties were advised that until there is a definitive answer from the City of Madison as to whether this would be allowed to proceed without annexation, there is no point in the Town weighing in on the driveway or any other issues.

II. BUSINESS

- A. Review July Police Activities: The monthly report showed 189 calls for service and 52 citations issued. No Deputy was in attendance. Anders reported that interviews to fill the vacant position are scheduled for August 25th.
- B. Consider approval of Certified Survey Map for rezone #12160, dividing a new residential lot from parcel 0711-144-8001-0 on Ridge Road: **MOTION** by Fonger/Anders to approve the CSM identified as drawing #6334-24 dated July 25, 2025. **MOTION CARRIED 4-0.**
- C. Discuss/Consider granting permission for the Monona Grove Football (soccer) club to place a porta-potty at Ravenwood Park during spring and fall soccer seasons: Marissa Anders was online. **MOTION** by Fonger/Williams to approve the request, with Dresen to determine the placement. **MOTION CARRIED 4-0.**

- D. Discuss/Consider proposals for 2026-28 Assessor Services: Only one proposal was received, From Associated Appraisal Consultants. Maintenance assessment service rates for 2026, 2027 and 2028 were quoted at \$23,000, \$24,000 and \$25,000 respectively. Revaluation rates were quoted at \$25,000 for an interim market update, \$85,000 for exterior only inspection and \$100,000 for a full interior and exterior inspection. **MOTION** by Williams/Fonger to accept Associated Appraisal Consultants' proposal. **MOTION CARRIED 4-0.**
 - E. Discuss/Consider recommendation to the Fire Commission regarding pay-per call staffing in 2026: **MOTION** by Williams/Fonger to support pay-per-call staffing in 2026. **MOTION CARRIED 4-0.**
 - F. Discuss/Consider using a vendor to file for Direct Pay Clean Energy Credits for the 2025 solar panel projects: Banigan said she could probably muddle through the filing process, but what concerned her was the report from the Dane County office of Energy and Climate Change representative that paper applications are being processed very slowly, with no opportunity to track the filing. Two quotes were received, one from Energy Tax Savers for \$2,000 and one from Giraffe Financial for \$7,500. **MOTION** by Williams/Fonger to accept the quote from Energy Tax Savers for \$2,000. **MOTION CARRIED 4-0.**
 - G. Consider quotes to strip and wax Police Station tile floors: Three quotes were received: Crystal Cleaners for \$2,580, KleenMark for \$2,164.35, and Reliable Floor Care with options ranging from \$1,506.00 to \$4,020.00. **MOTION** by Williams/Fonger to accept Reliable Floor Care's proposal for the New Look Protection package for tile floors for \$2,206 and the Clean & Protect option for the restrooms for \$423.00, for a total cost of \$2,629.00. **MOTION CARRIED 4-0.**
 - H. Discuss/Consider contracted services go out for bid for 2026 budget: Banigan said that the 2024 audit year was the last one contracted with Johnson & Block, and she has asked them for a renewal quote. The multi-function copier lease will be up at the end of the year, and she will get quotes for a replacement. Other contracted services she suggested considering going out for bid for were HVAC maintenance and Janitorial. **MOTION** by Fonger/Eickhoff to get renewal quotes from High-Tech Heating and Crystal Cleaners, and not go out to bid at this time. **MOTION CARRIED 4-0.**
 - I. Consider approval of attendees for WTA Fall Workshops: No one is interested in attending.
 - J. Consider approval of attendees for WTA Annual Convention: No one is interested in attending.
- III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:
- A. Report of Road Right-of-Way permits: Dresen reported that one permit was issued since his last report to the Board, to Alliant for gas line updates to multiple homes on Bonnie Ave. There is another one pending. All paving and sealcoating projects are complete and the crew has been busy shouldering and mowing parks.
- IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that she ran the following language past the Town Attorney: *In the event of the unexpected incapacitation of the Town Chair, the senior most Town Supervisor shall be responsible for proper posting or publication of meeting notices and agendas. If two Supervisors have the same tenure, the one with the lowest Supervisor number will be responsible.* He said that would be fine to add to the Governing Body ordinance. Anders said he quizzed others on the DCTA Executive Committee, and one person said they have a provision that two board members can call a meeting in the absence of the Chair. This will be an agenda item next time for discussion and consideration.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams reported that the Chamber of Commerce is sponsoring a community night out this Wednesday night at Bakken Park, and the Lions Club's Taste of Cottage Grove will be at Drumlin Reserve on Thursday night.
- B. Fonger reported that there was some confusion on the part of the Village's Emergency Director about his expected attendance at the last Town Emergency Government Committee meeting.

VI. COMMITTEE REPORTS:

- A. Parks Committee: Anders reported that there was one citizen request, for a zip line at Nondahl Park South. The Committee plans to tour all of the parks on September 4th, followed by a meeting to make 2026 budget recommendations. Replacement of park signs was discussed, and a committee member is working on designs. A committee member suggested updating the map of park locations on the Town's website, which Banigan has since done using Google Maps based on a tip discussed at the meeting.

VII. Adjournment: **MOTION** by Williams/Fonger to adjourn. **MOTION CARRIED 4-0**. The meeting ended at 8:19 P.M.

Kim Banigan, Clerk-Treasurer

Approved 09/02/2025

- I. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Deputy Sheriff candidate interview results and recommendations: **MOTION** by Williams/Fonger to move into closed session for the reason stated above. **Anders, Fonger, Eickhoff and Williams all voted aye by roll call vote.** Everyone except the Board and Clerk-Treasurer Kim Banigan left, the door and virtual meeting were locked, and recording was paused. The closed session began at 9:10 P.M.
- II. Anders reported that he and Fonger, along with a Sergeant from the Sheriff's office, conducted interviews of 8 candidates. Lt. Moore moderated. Anders said there were excellent candidates to choose from, and the three interviewers all had the same top four. Of the top two, one was road-ready, the other was not. Josh Mirenda is the recommended candidate. He has been with the DCSO for four years, and is currently serving on the North East Precinct task force. He is already familiar with the Town, and is multi-lingual. Anders said he does not have official word just yet that he will accept, but he expects to hear that soon.
- III. Consider/Adopt motion to reconvene to open session to take any action necessary from closed Session: **MOTION** by Fonger/Williams to reconvene to open session. **MOTION CARRIED 4-0** by roll call vote. The closed session ended at 9:21 P.M.

Kim Banigan, Clerk-Treasurer

Approved 10/06/2025 and made an open record.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 2, 2025

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 and Kristi Williams were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen and DGEMS Chief Eric Lang
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/Fonger to approve the minutes of the August 18, 2025 Town Board meeting, correcting the motion in item II. D. to 4-0. **MOTION CARRIED 4-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by Fonger/Eickhoff to approve checks 38121-38142 and EFTs in the amount of \$25,833.65. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by Williams/Fonger to approve payment of August per diems as presented. **MOTION CARRIED 4-0.**
- F. Public Concerns: None.

II. BUSINESS

(Note that items D. and E. were taken first to allow Chief Lang to also get to the Village Board meeting tonight.)

A. Plan Commission Recommendations

- 1) Kyle R Herritz, petitioner and property owner, 2001 Rathert Road – seeking Conditional Use Permit for accessory building over 12 feet in average height (DCPCUP-02678): Mr. Herritz was present virtually, and said he plans to use the building for personal storage, which the loft area will give him more of. The Board reviewed the standards of approval for a CUP and found them all satisfied. **MOTION** by Williams/Fonger to accept the Plan Commission's recommendation to approve the CUP, noting that all standards for approval have been considered satisfied. **MOTION CARRIED 4-0.**
 - 2) Discuss/Consider revisions to Conditional Use Permit Process: The Clerk-Treasurer explained that revisions to Chapter 15 of the Town Code were drafted by Town Planner Mark Roffers to align the ordinance with a recent change to the County's CUP approval process, along with clarifying the Town's requirements for acceptance of rezone petitions. Revisions to the Town's Petition for Change of Land Use form are also proposed to matchup with the ordinance amendment. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendation to approve the revisions to the ordinance and form. A public hearing will be scheduled for 7:00 P.M. on October 7th for the ordinance amendment, and the form revisions will go into effect once the ordinance amendment is adopted. **MOTION CARRIED 4-0.**
- B. Discuss/Consider request to prohibit parking on Ridge Road at the Glacial Drumlin Trail: Several residents were present to support this request. Cheryl Uphoff, 2063 W. Ridge Road, said that the combination of the dip in the road at the trail and bikers and pedestrians on the trail not stopping at the road crossing makes for a very dangerous situation. Cars parked at the crossing make the situation even worse. Kirk Eilenfeldt, 3710 Ridge Road, provided photos showing several cars parked on either side of the road at the crossing. He stated that the Town of Deerfield has prohibited parking on all of their roads where the trail crosses, which he thinks

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 2, 2025

has driven more of them to Ridge Road. He also said that parked cars cause snowmobiles to stick their noses out before crossing to see if cars are coming. Others present for this issue were Kim and Kae Hubred, 1889 Hubred Ln, Stan Schmnidt, 3800 W. Jargo Rd, Mariellen Scholbohm, 1714 N. Jargo Rd., and Roanna Brazier, 1900 Hubred Ln. **MOTION** by Fonger/Eickhoff to approve putting up no parking signs, and directing Dresen to make a recommendation at the next meeting about their placement. **MOTION CARRIED 4-0.**

- C. Discuss/Consider Village request for shared sidewalk and road connections between the Town and the Westlawn area of the Village: Written correspondence from Town resident Elizabeth Burtman in support of increased connectivity for pedestrians and bicyclists in the Town and surrounding area, including the proposed connections in the Westlawn area. Written correspondence from Town Supervisor Mike DuPlayee, who was unable to attend tonight, expressed his opposition to any connections between Town and Village sidewalks or roads. Discussion was that there are a lot of kids already cutting through on Pheasant Run and Mourning Dove. Dresen said the Town crew has trimmed trees to try to keep a path open. Anders said that before Westlawn was fully developed, he recalled a discussion between the developer and the Town Board about road connections, and the developer was not willing to put in the connections. Anders said he personally is opposed to connecting the roads, but would be open to looking at a more formal walking path. Dresen didn't know where they would put the snow if a wider path is created, and was not in favor of removing any trees because it would invite through traffic. There is no opportunity to make the road wider or construct a roadside path because the ditch is needed to drain water, some of which comes from the Village. The Village Board is also discussing this tonight. **MOTION** by Williams/Anders to table for more information about what the Village is looking for **MOTION CARRIED 3-1** (Fonger opposed).
- D. Discuss and consider Deer-Grove EMS Resolution 2025-02-0821: Response Vehicle Purchase from Unassigned Funds: Chief Lang said the vehicle replacement was originally planned for 2023 but was unfunded. Deer-Grove EMS currently has an unassigned fund balance of over \$700,000, and this is an opportunity to purchase a vehicle for a known price using fund balance and FAP funds. He said the current response vehicle is a 2013 Ford Interceptor SUV that is challenging to fit all of the training and medical supplies they haul around for training and call responses. The cost difference between a SUV and a pickup truck is minimal, and Chief Lang said a truck would better serve the needs of the service. Vehicle ordering through the State contract is closed for the year, so he has done a nationwide search of vendors, and recommends purchasing a Dodge RAM SSV from Utilitac. Cost of the truck and upfitting would come to \$66,000. Williams asked if he knows of other services that had purchased from Utilitac, he did not. Correspondence from Fire Chief Nick Archibald questioned whether there is room to store the truck in the same space occupied by the current response vehicle, noting that all bays in the station are filled with front line fire apparatus. Chief Lang said it will fit. There was discussion about how the truck will be used. Kris Hampton, 3310 CTH N, suggested that a smaller vehicle could accomplish the same thing. He also suggested that funds could be used to hire a paramedic to staff it. Chief Lang said that fund balance cannot be used for ongoing expenses. **MOTION** by Williams/Fonger to approve Deer-Grove EMS Resolution 2025-02-0821: Response Vehicle Purchase from Unassigned Funds. **MOTION CARRIED 3-0-1** (Eickhoff abstained.)
- E. Discuss and consider 2026-2028 Collective Bargaining Agreement between the Deer Grove EMS District and Local 311-Deer Grove Paramedics: Chief Lang highlighted the changes in

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 2, 2025

the contract. **MOTION** by Fonger/Williams to approve the 2026-2028 Collective Bargaining Agreement between the Deer Grove EMS District and Local 311-Deer Grove Paramedics. **MOTION CARRIED 4-0.**

F. Discuss/Consider proposals for short-term loan to finance 2025 road maintenance projects: Three proposals were received for \$350,000 of principal with a single payment on March 16, 2026:

- Lake Ridge Bank: 4.79% interest, with all fees waived.
- One Community Bank: 5.5% interest, with a \$250 documentation fee.
- Bank of Sun Prairie proposal: 6.32% interest, with a \$199 documentation fee.

MOTION by Fonger/Williams to accept Lake Ridge Bank's proposal. **MOTION CARRIED 4-0.**

G. Discuss/Consider approval of 5-year contract (2026-2030) with Associated Appraisal Consults, Inc for assessor services: The Clerk-Treasurer stated that while their proposal was for three years, the contract they sent was for five years. When she inquired about that, they asked wouldn't the Town want to lock in rates for a longer term? **MOTION** by Williams/Fonger to approve the 5-year contract as presented. **MOTION CARRIED 4-0.**

H. Consider adoption of Resolution 2025-09-02 Approving Participation in the Dane County Urban County Consortium (DCUCC): This would be a renewal of a prior agreement. Discussion was that participation could open doors to funding opportunities. **MOTION** by Williams/Fonger to adopt Resolution 2025-09-02 as presented. **MOTION CARRIED 4-0.**

I. Discuss/Consider a succession policy in the event of an unexpected incapacitation of the Town Chair: The Clerk-Treasurer had drafted two alternative suggestions for this policy. Consensus was to hold a public hearing on September 15th at 7:00 P.M. for an ordinance amendment using the first alternative (making the senior most Town Supervisor responsible for meeting notices and agendas should the Town Chair become incapacitated).

J. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: Dresen reported that two permits were issued since his last report to the Board: 1) to A&R Pipeline, to work on a high-pressure gas line on Hope Road, and 2) to Alliant Energy to run gas to a new building for RG Huston Company on Coffeytown Road.
- B. The crew has been working on new centerlines, fog lines and shouldering touchups on the roads re-surfaced this year. Fall mow-out of ditches will begin soon.

III. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Anders reported that a revised plan for detour routes while the new 911 center is under construction on Luds Lane has been received, and it raises concerns over heavy use of Femrite Drive, which the Town just resurfaced, as well as traffic turning onto US Hwy 12/18 from Femrite. Discussion also included concerns over truck traffic on Vilas Hope and Vilas, with thoughts of posting weight limits on Femrite, Vilas Hope and Vilas, along with no left turn onto US Hwy 12/18 from Femrite. This will be put on the next agenda for action.
- B. Anders also reported that Skaar Pit LLC presented a comprehensive development plan for a commercial development on their property at the corner of CTH N and US Hwy 12/18. The

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 2, 2025

Plan Commission recommended moving forward with applying for Heavy Commercial zoning with deed restrictions on individual lots rather than conditional use permits.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that the Commission acted on the union contract and approved the response vehicle purchase using unassigned and FAP funds. They looked at the 2026 preliminary budget, and will look again next time.
- B. Cottage Grove Fire Commission: Anders reported they looked at the 2026 preliminary budget, and approved plumbing upgrades. Quotes for electrical and HVAC upgrades were tabled for more information.

- VI. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Deputy Sheriff candidate interview results and recommendations: **MOTION** by Williams/Fonger to move into closed session for the reason stated above. **MOTION CARRIED 4-0** by roll call vote. Everyone except the Board and Clerk-Treasurer left, the door and virtual meeting were locked, and recording was paused. The closed session began at 9:10 P.M.
- VII. Consider/Adopt motion to reconvene to open session to take any action necessary from closed Session: **MOTION** by Fonger/Williams to reconvene to open session. **MOTION CARRIED 4-0** by roll call vote. The closed session ended at 9:21 P.M. The door and virtual meeting were opened, and recording was resumed. There was no action taken as a result of the closed session.
- VIII. Adjournment: **MOTION** by Williams/Eickhoff to adjourn. **MOTION CARRIED 4-0**. The meeting ended at 9:23 P.M.

Kim Banigan, Clerk-Treasurer

Approved 09-15-2025

TOWN OF COTTAGE GROVE

RESOLUTION 2025-09-02

**APPROVING PARTICIPATION IN THE
DANE COUNTY URBAN COUNTY CONSORTIUM (DCUCC)**

WHEREAS, the TOWN OF COTTAGE GROVE has participated as a member of the Dane County Urban County Consortium since 2022 (year); and

WHEREAS, the TOWN OF COTTAGE GROVE supports efforts to provide accessible and affordable housing for its citizens; and

WHEREAS, the TOWN OF COTTAGE GROVE supports efforts to provide public services and economic assistance to its citizens; and

WHEREAS, the TOWN OF COTTAGE GROVE wishes to continue to participate in a Consortium that administers programs and provides funding for affordable housing and public services to low- to moderate-income persons; and

WHEREAS, the TOWN OF COTTAGE GROVE has determined that joining the Dane County Urban County Consortium will be advantageous to TOWN OF COTTAGE GROVE residents.

NOW, THEREFORE, BE IT RESOLVED, that the TOWN OF COTTAGE GROVE shall participate in the Dane County Urban County Consortium. TOWN OF COTTAGE GROVE staff are hereby authorized to execute all necessary documents to participate in the DCUCC.

The above and foregoing Resolution was duly adopted at a meeting of the Board of the TOWN OF COTTAGE GROVE on September 2, 2025.

Motion by: *Kristi Williams*

Seconded by: *Mike Fonger*

Vote
Roll Call: Yeas: *4* Noes: *0*

ATTEST:
By: *Steven Anders*
Steven Anders, Town Board Chairperson
TOWN OF COTTAGE GROVE

9/2/2025
Date

By: *Kim Banigan*
Kim Banigan, Clerk-Treasurer
TOWN OF COTTAGE GROVE

9/2/2025
Date

- I. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Deputy Sheriff candidate interview results and recommendations: **MOTION** by Williams/Fonger to move into closed session for the reason stated above. **Anders, Fonger, Eickhoff and Williams all voted aye by roll call vote.** Everyone except the Board and Clerk-Treasurer Kim Banigan left, the door and virtual meeting were locked, and recording was paused. The closed session began at 9:10 P.M.
- II. Anders reported that he and Fonger, along with a Sergeant from the Sheriff's office, conducted interviews of 8 candidates. Lt. Moore moderated. Anders said there were excellent candidates to choose from, and the three interviewers all had the same top four. Of the top two, one was road-ready, the other was not. Josh Mirenda is the recommended candidate. He has been with the DCSO for four years, and is currently serving on the North East Precinct task force. He is already familiar with the Town, and is multi-lingual. Anders said he does not have official word just yet that he will accept, but he expects to hear that soon.
- III. Consider/Adopt motion to reconvene to open session to take any action necessary from closed Session: **MOTION** by Fonger/Williams to reconvene to open session. **MOTION CARRIED 4-0** by roll call vote. The closed session ended at 9:21 P.M.

Kim Banigan, Clerk-Treasurer

Approved 10/06/2025 and made an open record.



Dane County Department of Human Services

Director – John Schlueter
Housing Access & Affordability Division – Casey Becker

1202 Northport Drive, Madison, WI 53704-2092
PHONE: 608-242-6200 FAX: 608-242-6294

TO: Dane County Urban County Consortium Members

FROM: Cindy Grady, Dane County CDBG Administrator

DATE: August 1, 2025

SUBJECT: Urban County Consortium Cooperation Agreements

Your membership for the Dane County Urban County Consortium (UCC) has been renewed for another 3-year period (October 1, 2025 – September 30, 2028). Thank you for your continued involvement, and we look forward to strengthening our partnership with all of our members!

As you know, the Dane County UCC was formed in 1999 with several municipalities and their residents eager to experience the benefits of the federal Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) grant funds. Over the years, more cities, towns and villages joined the Dane County UCC, and we are happy to announce that ALL municipalities are now members effective October 1st! This allows the CDBG and HOME funds to benefit all residents in Dane County outside the City of Madison.

We now have a time-sensitive request: the Department of Housing and Urban Development (HUD) requires that they maintain up-to-date copies of the Cooperation Agreements of all of the Dane County UCC members. Due to changes in HUD policies and federal regulations over the years, HUD has directed Dane County to ensure that all Cooperation Agreements use consistent contract language. As a result, Dane County must collect updated Cooperation Agreements from all municipalities within the Dane County Urban County Consortium.

Next Steps:

- If your municipality *has a copy* of the original signed Dane County Urban County Cooperation Agreement, please forward a copy to CDBG@danecounty.gov, **no later than August 11, 2025**.
 - We will review the agreement and determine what updates are needed.
- If you *do not have a copy* of the agreement:
 - Let us know if you do not have a copy, and email CDBG@danecounty.gov, **no later than August 11, 2025**.

- Review the Dane County Urban County Consortium Cooperation Agreement template and Resolution sample attached. The updated agreement may need to go through your municipality's legislative or approval process by resolution.
- Present Cooperation Agreement and Resolution to your municipality's governing body.
 - Note: The Cooperation Agreement is provided as a template. Insert your municipality's information.
 - Note: The Resolution is a sample. You may utilize your municipality's resolution style or template.
- Once the new Cooperation Agreement and Resolution are signed and dated by your highest elected official and clerk, please forward to CDBG@danecounty.gov, **no later than September 15, 2025**.

We are here to assist you in this process, if needed. Please contact Cindy Grady if you would like to discuss the next steps at grady.cindy@danecounty.gov or (608) 896-0710.

We are excited for the next three years of the Dane County UCC, and look forward to your continued partnership.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Grady".

Cindy Grady
CDBG Administrator

1 **COOPERATION AGREEMENT**
2 **Urban County Program**
3

4 THIS AGREEMENT entered into this ____ day of _____, 2025, by and
5 between the County of Dane, Wisconsin (hereinafter referred to as "COUNTY" OR
6 "Urban County") and the TOWN OF COTTAGE GROVE (hereinafter referred to as
7 "MUNICIPALITY");
8
9

10 WITNESSETH:
11

12 WHEREAS the United States Congress enacted the Housing and Community
13 Development Act of 1974 (P.L. 93-383) as amended (hereinafter referred to as "the
14 HCD Act"), providing federal assistance for the support of community development
15 activities which are directed toward the specific objectives identified in Section 101 of
16 the Act; and
17

18 WHEREAS, the United States Congress also enacted the Cranston-Gonzalez National
19 Affordable Housing Act (P.L. 100-625) as amended, (hereinafter referred to as "the
20 NAH Act") providing Federal assistance for, among other things, the HOME Investment
21 Partnership program (hereinafter referred to as "HOME") which is intended to increase
22 the number of families served with decent, safe, sanitary, and affordable housing and
23 expand the long-term supply of affordable housing; and
24

25 WHEREAS the HCD Act and the NAH Act make possible the allocation of funds to
26 COUNTY for the purpose of undertaking only community development and housing
27 program activities identified in Section 105 of the HCD Act and housing activities
28 identified in the NAH Act; and
29

30 WHEREAS COUNTY is applying to be qualified by the United States Department of
31 Housing as an Urban County eligible to receive Community Development Block Grant
32 (hereinafter referred to as "CDBG") for federal fiscal years 2026, 2027 and 2028; and
33

34 WHEREAS the HCD Act recognizes that MUNICIPALITY may enter into a cooperation
35 agreement with COUNTY in order to undertake housing and community development
36 activities as authorized in the HCD Act and in the NAH Act; and
37

38 WHEREAS COUNTY and MUNICIPALITY have determined that joint action is an
39 effective way to accomplish the purposes of the HCD Act and the NAH Act; and
40

41 WHEREAS counties in Wisconsin, pursuant to Section 59.01 of the Wisconsin
42 Statutes, and municipalities in Wisconsin, pursuant to Section 66.0301 of the
43 Wisconsin Statutes, have the necessary authority to enter into contracts of the type
44 herein contemplated;
45

46 NOW THEREFORE, upon the consideration of the mutual promises contained herein,
47 it is agreed between COUNTY and MUNICIPALITY as follows:
48
49

PURPOSE

50
 51 The purpose of this Agreement is to establish the mutual desire to cooperate to
 52 undertake, or assist in undertaking, essential community renewal and lower income
 53 housing assistance activities, specifically urban renewal and publicly assisted housing,
 54 by means of implementing a Consolidated Plan and Annual Action Plan for both HUD
 55 CDBG funds as an Urban County for Federal fiscal years 2026, 2027, and 2028
 56 appropriations and from any program income generated from the expenditure of such
 57 funds, and HUD HOME funds, if received, from appropriations in the same federal
 58 fiscal year and from any program income generated from the expenditure of such
 59 funds.

60
61 **CONSIDERATION**

62
 63 MUNICIPALITY, by the execution of this Cooperation Agreement, agrees to have its
 64 population, its number of impoverished residents, its extent of housing over-crowding,
 65 its age of housing and other applicable statistics, all as defined in the HCD Act and the
 66 NAH Act, included in the formula allocations set forth in the HCD Act and in the NAH
 67 Act for the purpose of determining the allocation of funds to COUNTY as an Urban
 68 County, as defined in the HCD Act and the NAH Act, as amended. COUNTY agrees
 69 to include MUNICIPALITY as part of its Annual Action Plan, to be submitted to HUD
 70 under the terms and conditions of the HCD Act and the NAH Act.

71
72
73 **RESTRICTIONS**

74
 75 Neither COUNTY nor MUNICIPALITY shall have a veto or other restrictive power which
 76 would in any way limit the cooperation of the parties to this Agreement or any other
 77 cooperating units of government in achieving the activities set forth in the Consolidated
 78 Plan, the Annual Action Plan, and any other CDBG submissions or HOME submissions
 79 for the program years covered by this Agreement.

80
81 **TERM**

82
 83 The term of this Agreement shall be three (3) years commencing October 1, 2025 and
 84 continuing through the 2028 federal fiscal year, and for such additional time as may be
 85 established under the automatic renewal terms of this section or as may be required
 86 for the expenditure of the CDBG and HOME funds granted to COUNTY for such period
 87 and the related program income, as defined by HUD regulations and all activities are
 88 completed. Neither the COUNTY nor the MUNICIPALITY executing this Agreement
 89 shall have the opportunity to opt out of the Urban County Program during the period
 90 that this Agreement is in effect.

91
 92 This Agreement shall be automatically renewed for participation in future three-year
 93 qualification periods, unless COUNTY or MUNICIPALITY provides written notice to the
 94 other party that it elects not to participate in a new qualification period by the date
 95 specified in HUD's urban county qualification notice for the next qualification period.
 96 The terminating party shall send a copy of the notice of termination to the HUD field
 97 office by the date specified in HUD's Urban County Qualification Notice. By the date
 98 specified in HUD's urban county qualification notice for the next qualification period,

99 COUNTY shall notify MUNICIPALITY of its right not to participate in the next
100 qualification period. A copy of the County's notification must be sent to the HUD field
101 office by the date specified in the Urban County Qualification Notice.
102

103 Both COUNTY and MUNICIPALITY shall adopt any amendment to the Agreement
104 incorporating changes necessary to meet the requirements for cooperation
105 agreements set forth in HUD's urban county qualification notice for a future three-year
106 urban county qualification period. COUNTY shall submit such amended Agreement to
107 HUD as provided in the urban county qualification notice. Failure to comply shall void
108 the automatic renewal of such subsequent qualification period.
109

110 PROVISIONS
111

112 COUNTY and MUNICIPALITY agree to cooperate to undertake, or assist in
113 undertaking, essential community renewal and lower-income housing assistance
114 activities. COUNTY and MUNICIPALITY further agree to undertake all actions
115 necessary to assure compliance with Dane County's certification required by Section
116 104(b) of Title I of the Housing and Community Development Act of 1974, as amended.
117 The grant will be conducted and administered in conformity with Title VI of the Civil
118 Rights Act of 1964, and the implementing regulations at 24 CFR part 1, and the Fair
119 Housing Act and the implementing regulations at 24 CFR part 100, and will affirmatively
120 further fair housing. See 24 CFR § 91.225(a) and Affirmatively Furthering Fair Housing
121 Definitions and Certifications (86 FR 30779, June 10, 2021), to be codified at 24 CFR
122 5.151 and 5.152.
123

124 COUNTY and MUNICIPALITY further agree to comply with section 109 of Title I of the
125 Housing and Community Development Act of 1974 and the implementing regulations
126 at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973,
127 and the implementing regulations at 24 CFR part 8, Title II of the Americans with
128 Disabilities Act of 1974, and the implementing regulation at 28 CFR part 35, the Age
129 Discrimination Act of 1975, and the implementing regulations at 24 CFR part 146, and
130 Section 3 of the Housing and Urban Development Act of 1968 and other applicable
131 laws.
132

133 Urban County funding is prohibited for activities in, or in support of, any cooperating
134 unit of local government that does not affirmatively further fair housing within its own
135 jurisdiction or that impedes COUNTY's actions to comply with its fair housing
136 certification.
137

138 COUNTY and MUNICIPALITY acknowledge that a unit of general local government
139 may not sell, trade, or otherwise transfer all or any portion of CDBG funds covered by
140 this agreement to another such metropolitan city, urban county, unit of general local
141 government, or Indian tribe, or insular area that directly or indirectly receives CDBG
142 funds in exchange for any other funds, credits or non-Federal considerations, but must
143 use such funds for activities eligible under title I of the Housing and Community
144 Development Act of 1974, as amended.
145

146 MUNICIPALITY understands that by executing this Cooperation Agreement, it may not
147 apply for grants from appropriations under the State Small Cities or State CDBG
148 programs for fiscal years during the period in which it participates in COUNTY's CDBG
149 program, and

150
151 MUNICIPALITY may receive a formula allocation under the HOME program only
152 through COUNTY, and even if COUNTY does not receive a HOME formula allocation,
153 MUNICIPALITY cannot form a HOME consortium with other local governments.

154
155 This does not preclude COUNTY or MUNICIPALITY from applying for HOME funds
156 from the State, if the State allows.

157
158 Non-compliance by MUNICIPALITY with any of the provisions above may constitute
159 non-compliance by COUNTY which may provide cause for funding sanctions or other
160 remedial actions by HUD.

161
162 Nothing contained in this Agreement shall deprive MUNICIPALITY of any power of
163 zoning, development control or other lawful authority which it presently possesses.

164
165 MUNICIPALITY must inform COUNTY of any income generated by the expenditure of
166 CDBG or HOME funds received by MUNICIPALITY. Any such program income must
167 be paid to COUNTY, or, if the completion of an approved activity should require the
168 use of program income, MUNICIPALITY may retain said income upon mutual
169 agreement of COUNTY and MUNICIPALITY. Any program income MUNICIPALITY is
170 authorized to retain may only be used for eligible activities in accordance with all CDBG
171 and HOME requirements as may then apply.

172
173 MUNICIPALITY must establish and maintain appropriate record-keeping and reporting
174 of any retained program income and make such available to COUNTY in order that
175 COUNTY can meet its monitoring and reporting responsibilities to HUD.

176
177 Pursuant to 24 CFR 570.501(b), MUNICIPALITY is subject to the same requirements
178 applicable to subrecipients, including the requirement of a written agreement set forth
179 in 24 CFR 570.503.

180
181 If the Dane County Urban County Program is, at some future date, closed out, or if the
182 status of MUNICIPALITY's participation in the Dane County Urban County Program
183 changes, any program income retained by MUNICIPALITY, or received subsequent to
184 the close-out or change in status, shall be paid to COUNTY.

185
186 MUNICIPALITY attests that it has adopted and is enforcing:

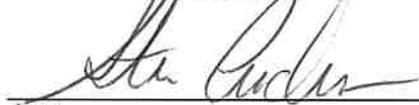
- 187
188 1. A policy prohibiting the use of excessive force by law enforcement agencies
189 within its jurisdiction against any individuals engaged in non-violent civil rights
190 demonstrations, and
191
192 2. A policy of enforcing applicable State and local laws against physically barring
193 entrance to or exit from a facility or location which is the subject of such nonviolent civil
194 rights demonstrations within its jurisdiction.

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If MUNICIPALITY utilizes, in whole or in part, funds covered by this Agreement to acquire or improve real property that is or will be within the control of MUNICIPALITY, then the following standards shall apply:

1. MUNICIPALITY will notify COUNTY of any modification or change in the use of the real property from that planned at the time of the acquisition or improvement, including disposition, and,
2. MUNICIPALITY will, if acquired or improved property is sold or transferred for a use which is not an eligible CDBG or HOME activity, as applicable, reimburse COUNTY in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG or HOME funds); and,
3. Program income generated from the disposition or transfer of property acquired or improved in whole or in part with CDBG or HOME funds prior to or subsequent to the close-out, change of status, or termination of this Agreement shall be treated under the provisions of this Agreement concerning program income.

The above Cooperation Agreement has been authorized by the governing body of the TOWN OF COTTAGE GROVE by resolution dated 9/2/2025 and is executed this 2nd day of Sept, 2025, by the Town Chair and the Clerk of the TOWN OF COTTAGE GROVE



Chief Executive Officer/Town Chair



TOWN OF COTTAGE GROVE Clerk

The above Cooperation Agreement has been authorized by the Dane County Board of Supervisors, by resolution, dated _____ (copy attached), and is executed this _____ by the County Executive of Dane County.

Melissa Agard
County Executive

The terms and provisions of the above Cooperation Agreement are fully authorized under State and local law and the Cooperation Agreement provides full legal authority for the County of Dane to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and lower income housing activities. The above Cooperation Agreement includes the language required by 24 CFR 570 and CPD Notice 25-04.

Dated this _____ day of _____, 2025.

Susan Rauti
Assistant Corporation Counsel
State Bar # 1037944

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
SEPTEMBER 15, 2025

Public Hearing for proposed revisions to section 02.03 of the Town Code – Town Board Meeting

- 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 Jennifer Millage, Highway Superintendent Dan Dresen and Deputy Sean Shotliff. DGEMS Chief Eric Lang was present virtually. Anders read the notice and called the public hearing to order at 7:00 P.M. There were no public comments on the proposed ordinance revisions.
- II. **MOTION** by Williams/DuPlayee to close the public hearing at 7:04 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 for the public hearing above.
 - B. Anders called the meeting to order at 7:04 P.M.
 - C. Flag Pledge.
 - D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/Fonger to approve the minutes of the September 4, 2025 Town Board meeting as presented. **MOTION CARRIED 4-0-1** (DuPlayee abstained).
 - E. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Fonger to approve checks 38143-38170 and EFTs in the amount of \$13,884.15. **MOTION CARRIED 5-0.**
 2. **MOTION** by Williams/DuPlayee to approve payment of \$2,875.00 to General Engineering for September building permits. **MOTION CARRIED 5-0.**
 - F. Public Concerns: Richard Wood, 1965 Ridge Road, thanked the Highway Department for clearing trees on Uphoff Road at the Glacial Drumlin trail, stating it is better but could use more work.
- II. BUSINESS
 - A. Review August Police Activities: The monthly report showed 226 calls for service and 74 citations issued. Anders reported that Deputy Joshua Miranda is scheduled to start on September 21st.
 - B. Discuss/Consider request to prohibit parking on Ridge Road at the Glacial Drumlin Trail (tabled from September 2nd meeting): Richard Wood said that bad behavior by all parties contributes with poor visibility to make for a dangerous situation at the trail crossing on Ridge Road. He thought parking on the top of the hills on either side of the trail would be safer, but added that prohibiting parking was going to push more trail users to park at Uphoff Road, which is unsafe as well. Deputy Shotliff said that if you don’t give them a place to park, they will find one. He has not dealt with any problems at the trail crossing and noted that there are stop signs on the trail, Recreation Trail signs with 35 mph recommended speed signs on Ridge Road before the trail from both directions. He suggested putting a speed board out there to see how much traffic there is. Dresen had drawn up a diagram recommending a total of 10 no parking signs over an 800-foot zone centered on the trail crossing. **MOTION** by DuPlayee/Fonger to approve Dresen’s recommendation for no parking signs. **MOTION CARRIED 5-0.**
 - C. Discuss/Consider Village request for shared sidewalk and road connections between the Town and the Westlawn area of the Village (tabled from September 2nd meeting): DuPlayee stated

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
SEPTEMBER 15, 2025

that he is opposed to any street or path connections. He said area residents had contacted him to say they live there because they like the dead-end road. He wondered how this topic came up, whether Village residents had asked the Village Board for it. Dresen said he observed 2 kids on Pheasant Run and 5 on Mourning Dove use the make-shift paths between 7:15 A.M. and 8:00 A.M. one recent morning. Williams had also visited the sites but had not seen much activity on the paths, and said it is not just kids using them. Millage, who lives near there in the Village, said she knows that a lot of kids do use the paths, and not always just before and after school. She also knows owners of residences on the Village side of the path who are not in favor of the roads being connected. Anders said there is no question that nobody wants the roads to go through, but seemed open to connecting the Village sidewalks to the Town Roads as long as the Village foots the bill and keeps the paths free of snow. There were concerns that the paths would be low on the Village's snow removal priority list. Anders said that unless someone is willing to pay for storm sewers, widening the road and sidewalks, it is not likely to happen. Dimitria Van Straten, 4591 Lotus Ln, Mike Anderson, 4582 Lotus Lane, and Deborah Feiner, 2760 Mourning Dove Dr. were also opposed to road or path connections. Feiner lives right next to one of the paths and said she sees more adults than kids cutting through, has not had any vandalism but has seen a bit of trash left behind. Williams said she likes to encourage people to walk more and made a motion that was not seconded to allow one of the two paths to be connected in exchange for the Village to address the stormwater issues on Nightingale Ln. **MOTION** by Fonger/DuPlayee to take no action. **MOTION CARRIED 4-1** (Williams opposed).

- D. Discuss resident concern over the intersection of Vilas Road and CTH BB: Everyone agreed this is a difficult intersection due to the offset crossroads and heavy traffic, which is getting heavier with development in the Village. Banigan said she heard that the County is doing a corridor study, which the Village is also involved with. Deputy Shotliff suggested allowing right turns only during busy hours. **MOTION** by Williams/DuPlayee to ask Dane County to include this intersection in their corridor study, and the Town in their discussions. Right turns only should be on the next agenda. **MOTION CARRIED 5-0.**
- E. Discuss/Consider Luds Lane Traffic Control Plans during construction of the new Dane County 911 center: The southbound detour route provided by the project contractor shows traffic routed from CTH AB to Femrite Drive as the access point to US Hwy 12/18. Discussion was this is already a dangerous intersection much like the old CTH AB/US Hwy 12/18 intersection was where there were frequent accidents and multiple fatalities. Anders has spoken with the City of Madison Dept of Transportation, the County Highway Department and the WDOT. The WDOT took it under advisement. Dresen said the Town Engineer has advised that the Town can deny the use of any Town roads for a detour route. There was discussion about posting Femrite Drive, Vilas Road and Vilas Hope Road with a 10-ton weight limit, and prohibiting left turns from Femrite Drive onto US Hwy 12/18. Deputy Shotliff added that left turns from US Hwy 12/18 to Femrite Drive are equally as dangerous, and suggested a barricade be placed in the median. This would be in the WDOT's jurisdiction. **MOTION** by Fonger/Williams to deny the request to use any Town Roads as detour routes for the CTH AB utility project. **MOTION CARRIED 5-0.** Anders will contact the WDOT about prohibiting left turns at the Femrite/US Hwy 12/18 intersection.
- F. Discuss/Consider adoption of Ordinance 2025-09-15 amending Chapter 02 of the Town Code of Ordinances – The Governing Body: **MOTION** by DuPlayee/Williams to adopt the ordinance amendment as presented. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
SEPTEMBER 15, 2025

- G. Consider adoption of Resolution 2025-09-15 approving borrowing: **MOTION** by Williams/DuPlayee to approve the resolution as drafted. **MOTION CARRIED 5-0.** (Note the bank identifies this as Resolution NO. 1).
 - H. Discuss LRB-2907/1 relating to exempting certain farm owners from campground licensing: Anders said he included this proposed legislation on the agenda for discussion only. It would allow up to three campsites on non-licensed farms to promote Agri-tourism and provide supplemental farm income. Mixed feelings were expressed.
 - I. Accept resignation of Deputy Clerk Amber Steele: **MOTION** by Williams/DuPlayee to accept Amber Steele's resignation with regrets. **MOTION CARRIED 5-0.**
 - J. Consideration of attendees for the September 17th DCTA Membership Meeting: **MOTION** by Williams/DuPlayee to allow two attendees (Anders and Eickhoff). **MOTION CARRIED 5-0.**
 - K. Set dates for 2026 Budget Workshops: Consensus was to schedule budget workshops for October 28th and 30th at 6:30 P.M.
- II. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:
- A. Report of Road Right-of-Way permits: Dresen reported that one permit was issued since his last report to the Board, to Alliant Energy for gas and electric installation on Luds Lane.
 - B. The crew has started mowing out ditches and getting equipment ready for winter.
- III. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that her credit card had fraudulent charges again. The card number has been cancelled and she is working on getting a replacement.
- IV. BOARD REPORTS AND COMMUNICATIONS: Nothing to report.
- V. COMMITTEE REPORTS:
- A. Town Parks Committee: Anders reported that the committee toured the parks, then came back to discuss updating signs and other possible improvements. Pickle ball courts were suggested for the park on Lane Street, but Anders said he has since had reservations due to parking limitations. He also said the parks were originally designed as neighborhood parks for mostly local use, and pickle ball may have a larger draw. Dimitria Van Straten pleaded to the Board to not put pickle ball courts there, saying they are loud and the open area is used for kite flying and other activities. She said no one even wanted the trees that were recently planted there for the same reason.
- VI. CONSIDER/ADOPT MOTION TO MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATUTE 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Discuss Deputy Clerk hours, compensation and plans for filling vacancy: **MOTION** by DuPlayee/Fonger to move into closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.** The Board, Banigan and Millage stayed for the closed session, everyone else left or was dismissed from the virtual meeting, the door and virtual meeting were locked and recording was suspended. The closed session began at 8:53 P.M.
- VII. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION** by Williams/DuPlayee to reconvene to open session. **MOTION CARRIED 5-0 by roll call vote.** The door and virtual meeting were unlocked, recording was resumed and the open session reconvened at 9:27 P.M. **MOTION** by

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
SEPTEMBER 15, 2025

Williams/DuPlayee directing the Clerk's office to post the vacancy as discussed, especially locally and on Indeed.com, until a new hire is made. In addition, Jennifer Millage's wage is to be increased to \$28.00/hour immediately. **MOTION CARRIED 5-0.**

VIII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:20 P.M.

Kim Banigan, Clerk-Treasurer

Approved 10/06/2025

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 06, 2025

Public Hearing for proposed revisions to Chapter 15 of the Town Code – Land Division and Planning Code

- I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on September 22 and 29, 2025, and 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, Highway Superintendent Dan Dresen, Fire Chief Nick Archibald, Assistant Fire Chief April Hammond and DGEMS Chief Eric Lang.
- II. Anders read the notice and called the public hearing to order at 7:00 P.M. There were no public comments on the proposed ordinance revisions.
- 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 for the public hearing above.
 - 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 September 15, 2025 Public Hearing and Town Board meeting as presented. **MOTION CARRIED 5-0.** **MOTION** by Fonger/Williams to approve the closed session minutes from September 2, 2025, correcting a misspelling of Williams, and to make them an open record. **MOTION CARRIED 5-0.** **MOTION** by DuPlayee/Williams to approve the minutes of the September 15, 2025 closed session, and keep them closed. **MOTION CARRIED 5-0.**
 - E. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Fonger to approve checks 38171-38199 and EFTs in the amount of \$36,367.33. **MOTION CARRIED 5-0.**
 2. **MOTION** by Fonger/DuPlayee to approve payment of September per diems as presented. **MOTION CARRIED 5-0.**
 - F. Public Concerns:
 1. Ann Wiest, 2432 Nondahl Circle, had heard that pickle ball courts and a zip line were proposed for the park on Lane Street, and came to express her opposition. Anders informed her that based on overwhelming opposition at a recent Parks Committee meeting, the idea of pickle ball courts was dismissed, and a zip line is not planned in the near future.
 2. Don Klongland, 3108 Gaston Road, was back for more clarification about options for selling his property, which is in the Madison Expansion Area under the Town’s IGA with the City of Madison. He wondered about splitting the area south of I-94 between a new residential lot and an agricultural lot. The Clerk-Treasurer said that the complicating factor of this property is that it split by the interstate. The IGA would allow for creation of a residential lot, however it should be contiguous to the existing residential lot. Discussion was that the Town would probably consider his proposal due to the special circumstances, but that he will need to consult with City planning staff for their interpretation.
- II. BUSINESS

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OCTOBER 06, 2025

- A. Discuss/Consider adoption of Ordinance 2025-10-06 Amending Chapter 15 – Land Division and Planning Code: **MOTION** by DuPlayee/Williams to adopt the ordinance amendment as presented. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of locations for ATV Route signage: The Board reviewed the map as prepared by the Highway Superintendent. **MOTION** by Fonger/Williams to approve the map as presented. **MOTION CARRIED 4-0-1** (DuPlayee abstained).
- C. Discuss concerns about the recent Badger Challenge ride: A memo from the Town’s contracted deputies described bicyclists causing traffic hazards including taking up the entire lane and not stopping at stop signs. Event organizer Abbey VanValkenburg was present and apologized for the problems caused. She said next year they will use stronger language to encourage participants to follow the rules of the road, add signage reminding them to stay single file or risk citations, and hire more traffic enforcement officers if necessary. Chief Lang asked how the route is chosen, noting that previous routes that did not include Vilas Road did not have as much conflict with vehicular traffic. Ms. VanValkenburg said they will take that under advisement as well.
- D. Discuss potential Eagle Scout projects: Chief Archibald and Assistant Chief Hammond said the Fire Department has already been in contact with project ideas.
- E. Discuss/Consider prohibiting left turns from Vilas Road onto County Highway BB, and from Femrite Drive onto US Hwy 12/18: Amy Fosdick, 2797 Ruffian Circle, stated her opposition to prohibiting left turns from Vilas Rd. because she was concerned that it would create more traffic on Damascus Trl. She said the light at Damascus and CTH BB is short because of the school traffic, and there would be a backup on Damascus. Gordon Bischell, 2838 Busston Road, echoed Fosdick’s concerns. Fonger said he counted 28 northbound cars waiting to turn left from Vilas on a recent morning. Anders said the County agrees the Vilas/CTH BB intersection is an issue, but is out of money to study it at this time. He suggested that the no left turn sign would only be from 7 – 9 a.m. Anders said he has not received a response to his inquiry to the WDOT about a no left turn sign at Femrite Drive and US Hwy 12/18. **MOTION** by Fonger/Anders to table for more information. **MOTION CARRIED 5-0.**
- F. Discuss/Consider posting permanent 10-ton weight limits on selected Town Roads: Dresen said permanent weight limits must be adopted by ordinance, and suggested designating some roads as Class B highways is another option. Class B highways have weight limits at 60% of Class A highways, which fluctuates during the year. Local deliveries and Implements of Husbandry are exempt, however construction vehicles would need to apply for a permit. **MOTION** by Williams/Anders to begin the process of designating Gaston, Vilas, Vilas Hope, and Hope Roads, and Femrite Drive as Class B highways. **MOTION CARRIED 4-1** (Fonger opposed).
- G. Consider approval of the 2026 Deer-Grove EMS Budget: There was a discussion about the proposed new Administrative Services Manager position. Anders said the DGEMS Commission was unable to act on creation of the position since there was not an actionable item on their agenda, however the budget approved by the Commission does include funding for it. It is expected to be an action item on the October Commission agenda. Chief Lang noted that there are no capital purchases planned for 2026, and he expects that any capital purchases in the next five years will be funded with unassigned rather than by the municipal contributions. **MOTION** by Fonger/Williams to approve the 2026 DGEMS Budget, with total expenses/revenues of \$2,491,400.00, with municipal contributions of \$1,144,122.59, of

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 06, 2025

which the Town's share is \$281,830.08 (24.03%). The Town's share is down by \$32,217.44 compared to 2025. **MOTION CARRIED 5-0.**

- H. Consider approval of the 2026 Cottage Grove Fire Department Budget: Chief Archibald explained that the \$96,800.00 increase compared to 2025 is mostly due to moving to a paid-on-call model and paying the officers a bit more. Insurance is up due to increasing equipment to replacement values. **MOTION** by Fonger/Williams to approve the 2026 CGFD Budget as presented, with total operating expenses of \$325,525.00 and capital expenses of \$24,000.00. **MOTION CARRIED 5-0.** (The Town's share based in equalized value will be 34.07%)
- I. Consider approval of the 2026 Emergency Services Building Budget: Banigan noted that the budget recommended by the Fire Commission does not include any contributions to the ESB Repair Fund. **MOTION** by Fonger/DuPlayee to approve the 2026 ESB Budget with total operating expenses of \$56,000.00 and zero capital expenses. **MOTION CARRIED 5-0.** (The Town's share will be 50%).
- J. Discuss/Consider next steps for a Fire - EMS Organizational Review With Future Needs Analysis: A memo from the Village President (Exhibit A) offered four options for moving forward, suggested a joint meeting between the Town and Village Boards be held to confirm the selection, and three options for funding the cost of the analysis. Kris Hampton, 3310 CTH N, was present virtually and asked if there is anything in the study to look at whether it is time for the Town and Village to have separate fire departments since the Village's needs are so much greater. Discussion was that there is nothing in the RFP and separating the department would pose significant challenges. **MOTION** by Williams/Fonger to support re-opening the RFP to PAA and the WI Policy Forum, with a November 17th deadline for proposals, holding a joint meeting of the Town and Village Boards to confirm the selection, and split the cost of the analysis based on the Fire Agreement funding formula. **MOTION CARRIED 5-0.**
- K. Discuss/Consider approval of Agreement with Strand Associates for 2026 Services for the Natvig Road Landfill: Anders noted that the agreement has a zero increase from 2025. **MOTION** by Williams/DuPlayee to approve the agreement as presented. **MOTION CARRIED 5-0.**
- L. Discuss/Consider Johnson Block cost proposal for audit services of years 2025, 2026, 2027: **MOTION** by DuPlayee/Williams to approve the audit costs for 2025, 2026 and 2027 at \$17,400, \$18,000 and \$18,650 respectively. **MOTION CARRIED 5-0.**
- M. Discuss/Consider moving the Court Clerk office to the Police Station: A memo from the Judge requested this due to security concerns, stating that roughly 10% of defendants give some reason for concern. He recommended eliminating all in person contact with the Court Clerk. Banigan said office staff is in support of this because defendants often come in when the Court Clerk is not on duty looking for answers they do not have. Anders has had preliminary discussion with DCSO staff and it appears that space could be made available with some adjustments. There was discussion about how much contact to allow and how payments could be made. **MOTION** by DuPlayee/Williams to move the Court Clerk office to the Police Station with no face-to-face contact with defendants, and further study how to accept payments. **MOTION CARRIED 5-0.**
- N. Discuss/Consider starting wage for Court Clerk new hire: **MOTION** by DuPlayee/Fonger to set a starting wage range of \$22-25/hour. **MOTION CARRIED 5-0.**
- O. Discuss/Consider requiring two rather than three signatures on checks: Banigan said the Town Ordinance has not been updated since the Clerk and Treasurer positions were

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 06, 2025

combined, and requires three signatures (Town Chair, Clerk and Treasurer). Practice has been to have the Clerk-Treasurer sign as Treasurer and a Deputy Clerk sign as Clerk, however now that the office is at least temporarily down to just the Clerk-Treasurer and one Deputy Clerk-Treasurer, checks cannot be issued if one of them is away. **MOTION** by Williams/DuPlayee to require just two signatures on checks, the Chair/Town Board alternate and the Clerk-Treasurer or Deputy Clerk-Treasurer. **MOTION CARRIED 5-0.** (An ordinance amendment will be required to put this into effect).

- P. Discuss/Consider quotes for new multi-function copier lease: Three vendors provided quotes (See Exhibit B). Banigan asked the board to consider the Gordon Flesch quote for a Canon machine, even though it is the highest cost, because of her concerns over the comparative reliability of the machines quoted by the other vendors, and the exemplary performance and service by Gordon Flesch of the current Canon machine. She stated that her inquiries on the Wisconsin Municipal Clerk network were answered with praise for Canon machines and Gordon Flesch as well. **MOTION** by DuPlayee/Williams to accept the quote for a 60-month lease from Gordon Flesch of a Canon C3900 machine, monthly lease price of \$205.00 to include 2,200 B&W and 400 color impressions, with overages at \$.0167/.0730 per image, estimated at \$12.53 per month. **MOTION CARRIED 5-0.**
- Q. Discuss/Consider the purchase of a desktop printer for the Town Office: Banigan said with the Town Chair's computer being isolated from the network due to not being upgraded to Windows 11, he is unable to print. She proposed a Brother wireless monochrome laser printer that could be used from the Town Chair's computer as well as other wireless devices. **MOTION** by Williams/DuPlayee to approve the purchase of the Brother wireless printer at a cost of \$179.00. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: Dresen reported that four permits were issued since his last report to the Board: three to Alliant Energy for service to new homes at 2552 Gaston Rd, 3489 Skarstinden Rd, and 2155 Wooded Ridge Trail, and one to TDS to service Kennedy Hills First Addition.
- B. They are still mowing ditches, and will begin trimming trees soon.
- C. Anders said that the fog lines on curves are making a difference on the amount of gravel on the roads.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that while there have been a lot of applicants for the Deputy Clerk position, none stand out as ideal candidates yet.

V. BOARD REPORTS AND COMMUNICATIONS: None.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Chief Lang reported that updates on the budget, collective bargaining agreement and vehicle purchase were discussed, along with appreciative correspondence from patients and family members about the care and compassion provided by DGEMS.
- B. Natvig Landfill Monitoring Committee: Anders reported that the committee recommended approval of the 2026 Strand contract, and approved the bills. Tina Sebold gave a presentation of what Strand does, and an overview of the test results, which are looking as good as possible with no unexpected exceedances for gas or water.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 06, 2025

- C. Cottage Grove Fire Commission: 2026 CGFD and ESB budget recommendation were approved.
 - D. Emergency Government Committee: The 2026 budget recommendation was approved.
 - E. Flynn Hall Committee: The committee recommended moving the internet bill to the Utilities expense account, which is split between the Town/Village and Lions under the Flynn Hall Agreement. A cap for that account was set at \$7,500 for 2026 (any overage will be borne by the Town alone). The expiring Flynn Hall agreement was reviewed, and will be discussed further at the next meeting on November 10th.
- VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 10:00 P.M.

Kim Banigan, Clerk-Treasurer

Approved 10/20/2025



Trustee Memo

Meeting Date: 10-6-2025

Memo Date: 9-29-2025

To: Village Board

From: Cindi Kelm-Nelson, Village President

Subject: Review of Fire/EMS RFP Outcome and Direction to Staff

Background/Overview

The Village and Town of Cottage Grove sought proposals for consulting services to update and connect the *2022 Fire and EMS Comprehensive Service Studies*. The goal was to provide an unbiased review of the prior work, with targeted updates if new data or conditions warranted, and to highlight decision-making triggers for future service expansion, facility planning, and municipal changes. The RFP opened on August 7 and closed on September 18 but received no submissions. Administrator Giese followed up with the distribution list for feedback on timing, scope, or other reasons for non-response. Below is their feedback:

- 1. Feedback from PAA:** *“The primary reason PAA did not respond to your RFP is that we had difficulty securing an architectural firm to team up with on the space needs and fire station location analyses requested. The firms we typically partner with are extremely busy and could not commit to working with us at this time. Another secondary reason is that we believe you could benefit from having a fresh set of eyes review your current situation. With that said, we would be open to submitting a proposal in the future if the Village would open this up again and if the Village would be open to working with our firm again.”*
- 2. Feedback from Wi Policy Forum:** *“I just wanted to write and let you know that I've been unable to do this RFP - my car was rear-ended during the summer and I was concussed for a period of time and it made it more difficult to take on projects like this one. Thankfully, I'm now better but will have some items I am unable to do. My apologies and let me know if you don't end up going the RFP route as we are still interested in the project and would be willing to do it for a reasonable amount.”*
- 3. Feedback from Healthcare Strategists:** *“We would definitely be interested. We completed a countywide fire and ems assessment for Washington County a few months ago”*

Trustee Request/Recommendation

A. Provide Village staff with clear direction on the Fire/EMS Study. Options include:

1. Re-open the RFP to PAA and Wi Policy Forum with a deadline of November 17 for proposals to be submitted.
2. Re-release the RFP in its entirety in Q1 2026.
3. Re-draft the scope to separate facilities (not recommended).
4. Take no action.



Trustee Memo

B. Confirm selection process.

Interviews followed by a majority vote from the Village and Town of Cottage Grove Boards (at a joint meeting).

C. Confirm preferred funding option.

1. Village funding in total via recommended source (GF 410)
2. 50:50 split with the Town
3. 65.93:34.07 split with the Town, which is the current Fire Agreement formula cost share.

D. Confirm stakeholder and communication plan.

Here is the contact list from the RFP; Administrator Giese would be responsible for initiating and forwarding documents to this list:

Matt Giese, Cottage Grove Village Administrator: mgiese@villageofcottagegrove.gov
Cindi Kelm-Nelson, Cottage Grove Village President: ckelm@villageofcottagegrove.gov
Steve Anders, Town of Cottage Grove Chairperson: sanders@tn.cottagegrove.wi.gov
Kim Banigan, Town of Cottage Grove Clerk-Treasurer: clerk@tn.cottagegrove.wi.gov
Nick Archibald, CGFD Chief: narchibald@cottagegrovefire.org
Eric Lang, DGEMS Chief: elang@deergroveems.com

I recommend requesting qualifications and statements of intent from PAA and the Wisconsin Policy Forum, and scheduling interviews as a joint Village Board and Town Board special meeting with both the Fire Chief and EMS Chief (option A1). I propose holding this meeting on December 8 at 5:30 PM at Village Hall, maintaining the previously established schedule.

Attachments

1. n/a

	Gordon Flesch	Dimax	Corporate Business Systems
Canon C3900	\$217.53/month for 60 mos = \$13,057.80 less \$224 discount offered = \$12,833.80		
Notes	Very similar machine to the one we have. 35 PPM Includes 2200 B/W and 400 Color. Overages are .0167/.0730		
HP E78625dn		\$163/month for 63 months = \$10,269	
Notes		25 PPM Includes 2200 B/W and 400 color. Overages are .008/.045	
Lexmark XC9525		\$134/month for 63 Months = \$8,442.00	
Notes		25 PPM Includes 2200 B/W and 400 color. Overages are .0072/.0600	
HP E786Z			\$140.28/month for 60 months = \$8,416.80
Notes			30 PPM Includes 2000 B/W B/W overages are .0075 All color are .0390
Ricoh IMC3010-RS			\$211/month for 60 months = \$12,260
Notes			We had 2 Ricoh's prior to our Canon. It was OK but the Canon is much better. 30 PPM Includes 2000 B/W B/W overages are .0075 All color are .0390

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 20, 2025

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, Highway Superintendent Dan Dresen, DCSO Deputies Sean Shotliff and Joshua Miranda. DGEMS Chief Eric Lang arrived at 7:45 PM.
- B. Anders called the meeting to order at 7:00 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 6, 2025 Public Hearing and Town Board meeting with a correction to the acronym DCSO on page 3. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks 27100-38228, voided check #38181, and EFTs in the amount of \$13,662.91. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Fonger/DuPlayee to approve payment of \$6,650.50 to General Engineering for September building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: State Representative Joan Fitzgerald (46th Assembly District) presented highlights of the 2025-27 State Budget.

II. BUSINESS

- A. Review September Police Activities: Deputy Miranda introduced himself and said he is glad to be working in the Town. The monthly report showed 272 calls for service and 134 citations issued. Deputy Shotliff said their emphasis continues to be on traffic and property checks. He noted that the State Troopers were on Femrite issuing overweight permits today based on the 10-ton weight limits posted there for the duration of the County's CTH AB utility project.
- B. Discuss/Consider approval of a Parade or Race Permit Cruzin for a Cause to hold an ATV/UTV benefit ride on October 25th to include Baxter, Ridge, W. Jargo ad Nora Roads: Chad Chadwick represented the UTV Club, Debbie Stueber represented Doubledays where the event will begin and end. Chadwick apologized for the late application, stating that he was unaware of the Town's permit requirement. He explained that the ride will benefit a local woman, and will not require any road closures or impede traffic in any way. The application requested waiver of the fee and deposit. The Clerk-Treasurer suggested the Board consider also waiving the requirement to waive notice to residents along the route due to the short notice. **MOTION** by Fonger/Eickhoff to approve the permit, waiving the fee, deposit and mailed notice requirement. The Clerk's office will provide notice via the website/email notices and on Facebook. **MOTION CARRIED 4-0-1** (DuPlayee abstained.) Chadwick said he would like to hold more rides to benefit local businesses on the ATV/UTV routes, but the permit requirement may interfere with their ability to do that. Discussion was for the Board to take a look at the ordinance. After the applicants left, Deputy Shotliff expressed concerns over 50 ATV/UTVs crossing US Hwy 12/18 at Deerfield Road. Thoughts were that it is not much different than snowmobiles crossing in the winter, that diligence by riders would be required.
- C. Consider adoption of Resolution 2025-10-20 Classifying Certain Town-Maintained Highways as Class "B" Highways: Dresen said Class "B" Highways have weight limits at 60% of Class "A" highways, which would cut down on heavy truck traffic on the affected roads. **MOTION** by Williams/DuPlayee to adopt the resolution as drafted. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 20, 2025

- D. Reconsider plans for Natvig Road and Bridge replacement: Anders said that the results of the County's inspection of the bridge have classified it as fair (6/10) condition. Based on this and the little use it gets, he did not think it makes sense to pay Jewell to apply for LRIP funds to replace it. Dresen said that he has already applied for 2025 LRIP for other projects, and LRIP would only be a 50% match anyway. If the bridge does need to be rebuilt, a better funding option would be under the bridge aid program, which would pay 90%, including design costs. **MOTION** by Fonger/DuPlayee to cease any efforts to replace the Natvig Road bridge at this time. **MOTION CARRIED 5-0.**
- E. Discuss proposed revisions to Chapter 22 Administrative Policies and Procedures and set date for public hearing: Revisions to reflect the combined Clerk-Treasurer position, and to reduce the number of required signatures on checks from 3 to 2. (The Town Chair or Alternate and Clerk-Treasurer or Deputy-Clerk/Treasurer.). **MOTION** by DuPlayee/Williams to schedule a public hearing for November 3rd, and include possible adoption of the revisions on the Town Board agenda for that same evening. **MOTION CARRIED 5-0.**
- F. Consider approval of lease for multi-function copier: **MOTION** by DuPlayee/Williams to approve the lease as presented. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of quote for a New Holland T5.130 Dynamic Command Tractor: Dresen said this new tractor would replace the 2016 John Deere tractor, which he said is underpowered and does not keep up with the other New Holland when mowing ditches. The new tractor would also have a front-end loader to allow for the use of attachments. He prefers the cab of New Hollands to John Deere tractors for ease of use and comfort. The quote was for \$110,000, including a \$35,000 trade in value for the 2016 John Deere. He thought the John Deere might bring more if offered for sale. **MOTION** by DuPlayee/Fonger to table until the October 28th Budget Workshop. **MOTION CARRIED 5-0.**
- H. Consider quotes to either replace inducer motor and wheel or entire furnace in Town Garage: Dresen said this would replace the oldest furnace, which does take a lot longer to start up than the others, but it is still working and he suggested running it until it stops working. **MOTION** by DuPlayee/Eickhoff to table until the October 28th Budget Workshop. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: Dresen reported that one permit was issued to Spectrum to replace a fiber ped and booster on Gaston at Raven Way.
- B. Two of the speed board batteries are failing. They are the ones that came with the speed boards in 2023. He will get quotes, including lithium battery alternatives, for future consideration.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that the office has been plagued with computer problems related to operating system updates. There are some promising candidates for the Court Clerk opening, staff is working with the Judge to coordinate the hiring process for that. There are still no stand-out candidates for the Deputy Clerk vacancy.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams reported that the Village of Cottage Grove Administrator made a presentation at the recent Chamber of Commerce meeting highlighting changes since his arrival at the Village, stating that it is the only municipality consistently listed as in the top for growth over the past five years.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 20, 2025

- B. Anders reported that it appears the Witte farm is coming up for sale, and he wondered how much of it could be developed due to the portion in conversancy. The portion south of Hope Road is already planned as Neighborhood Development.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that the Commission approved the new full-time Administrative Service Manager Position, which will replace the current part-time Office Manager position. She was impressed to see several members of the DGEMS Staff at the meeting in support of the new position. Anders asked if the 2026 DGEMS budget should be reconsidered since the top salary of the range approved is \$90,000, but the budget has \$102,000 allocated. Chief Lang said the overage will flow to Unassigned Funds and discounted from the 2027 municipal contributions requested. He said until it is known whether the new hire will be looking for single vs. family health insurance, he would not suggest reducing the budgeted amount. He also said that the federal government shutdown is affecting Medicare/Medicaid reimbursements.

- VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:35 P.M.

Kim Banigan, Clerk-Treasurer

Approved 11-03-2025

TOWN OF COTTAGE GROVE
TOWN BOARD 2026 BUDGET WORKSHOP
OCTOBER 28, 2025

1. Notice of the meeting was properly 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, as well as Clerk-Treasurer Kim Banigan, Deputy Clerk-Treasurer Jennifer Millage, and Highway Superintendent Dan Dresen. Public Works Employees Dan Anderson and Justin Madsen were present through item 4.
2. Anders called the meeting to order at 6:32 P.M.
3. CONSIDER/ADOPT MOTION TO MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATUTE 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: 2026 Employee Compensation: **MOTION** by DuPlayee/Williams to move into closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.** The door and virtual meeting were locked, and recording was paused. The closed session began at 6:32 PM.
4. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION** by DuPlayee/Williams to reconvene in open session. **MOTION CARRIED 5-0 by roll call vote.** The closed session ended at 6:53 P.M the door and virtual meeting were unlocked, and recording was resumed. The Budget Worksheet supported what was discussed in closed session.
5. Review of Town Fees as per TCG Ord. Sec. TCG Ord. sec. 07.01(2)(a): Discussion regarding hall rental resident vs non-resident usage, and potential increase of rental fees for the Town Hall and Flynn Hall. It was determined that this should be added to the agenda for an upcoming Town Board Meeting for further discussion. It was noted that Special Meeting fees for both the Plan Commission and Town Board should be increased in May of 2026 to cover updated per diem rates at that time. Recommendation was to increase Plan Commission Special Meeting fee to \$400 and Town Board Special Meeting fee to \$500, which will be revisited next year.
6. Discuss/Consider Town budget for Fiscal Year 2026: Banigan had prepared a proposed budget in preparation for tonight's meeting.
 - a. Revenue Estimates: The IRA Clean Energy Incentives budgeted for 2025 will not be received until 2026.
 - 40710 · Driveway Permits: currently at \$1,000, increased to \$1,500 due to roughly 10 new homes anticipated in 2026
 - 40740 · Zoning Permits: currently at \$3,500, increased to \$5,000 due to current 2025 revenue
 - 40750 · Right-of-Way Permits: currently at \$4,000, increased to \$5,000 due to increased 2025 activity anticipated to continue into 2026
 - 40760 · Dog License Revenue: currently at \$1,200, increased to \$1,300 due to anticipated 2025 final revenue
 - 41910 · Town Hall Rent: currently at \$800, increased to \$1,000 due to anticipated 2025 final revenue
 - 41920 · Flynn Hall Rent: currently at \$3,000, increased to \$3,500 due to anticipated 2025 final revenue
 - 42010 · Sale of Highway Equip & Prop: after discussion later in the meeting decided against the purchase of a New Holland Tractor, the \$35,000 Revenue that was

TOWN OF COTTAGE GROVE
TOWN BOARD 2026 BUDGET WORKSHOP
OCTOBER 28, 2025

estimated in 2026 for the sale of the current 2016 John Deere Tractor was removed.

b. Expenditure Estimates:

- Discussion regarding updating current election equipment vs purchasing new equipment. Banigan shared that it would cost at least \$14,000 to upgrade to new DS300 machines, and \$10,000 to update the two ExpressVotes, or \$1,304 to update the Town's current (2) DS200 machines and (2) ExpressVote machines. After researching the options, Banigan recommended moving forward with the update this year, and considering a purchase of new machines in a future year with fewer election expenses. Cost for upgrade is included in 50410 Election Supplies for 2026.
- A quote from Prairie Glass Company for a new security window for Town Hall Office was reviewed. Banigan mentioned that the window would need two bottom slots for election time in order to assist multiple residents at once. 50720 Town Hall Equipment was increased from \$1,000 to \$3,000 for 2026 security window purchase.
- Discussion regarding Flynn Hall Expenses (50750) and Flynn Hall Utilities (50760): Per the Cooperative Agreement Regarding Flynn Hall, the Town, Village & Lion's Club are to each pay 1/3 of the Utilities, up to a total of \$7,500. The Town must pay the remainder. Banigan had estimated 2026 utilities at \$9,800, which would leave \$4,800 for the Town to pay. The Town does keep all the rent, which is \$3,500 ytd. The Town also pays all of the Expenses, which are estimated at \$2,600 for 2026, and provides all the labor to administer and monitor the renters. The agreement expires at the end of this year and is scheduled for discussion by the Flynn Hall Committee on November 10th. This will be added to the next Town Board meeting on 11/3 for further discussion prior to the committee's discussion about a new agreement.
- 50790 · 4091 CTH N Maintenance: currently at \$1,500, increased to \$3,000 due to unexpected expenses that continue to arise
- 51130 · Police – Fuel: currently at \$12,000, decreased to \$10,000 after discussion surrounding current gas prices and the actual amount spent on gas over the past few years
- 51160 · Police – Communications: currently at \$1,350, increased to \$1,400 based on 2024 expense since 2025 expense reflects trade in discount received this year
- 51830 · Bridge Expense: currently at \$6,000, decreased to \$2,500 after looking back on prior year inspection history
- 51890 · Fuel & Oil: currently at \$34,000, decreased to \$30,000 after discussion surrounding current gas prices and the actual amount spent on gas in 2025.
- Discussion about creating an official Town Hwy Map. Banigan has researched this, and it would cost the Town around \$500 for the creation of an online map, with the cost allocated for in 51980 GIS Mapping ArcGIS for 2026. Once the map is created, Dresen would be able to easily maintain this as he adds new signs in the Town going forward.
- Discussion regarding the decreasing usage of Colonial Club as a whole and by Town residents. Only 10 residents received Colonial Club services in 2024 and 2025. Town Board directed the Clerk's Office to reach out to Colonial Club for resources to promote offerings with residents. Next year, the Town Board will revisit if there should be a change made to the \$7,000 annual contribution (52220) based on the number of residents served after upcoming marketing efforts.

TOWN OF COTTAGE GROVE
TOWN BOARD 2026 BUDGET WORKSHOP
OCTOBER 28, 2025

c. Capital Outlay:

- Discussion regarding proposed New Holland Tractor. Anders shared that he would prefer to keep equipment longer than we have been historically, as long as the maintenance costs are low, with Fonger concurring. The tractor purchase was denied and 52550 Highway Equipment Capital Outlay was reduced to \$0 for 2026.
- Due to recent computer issues in the Town Hall office, Banigan received a quote from Horstman for an IT upgrade that includes a new server, router, switch, panel & rack. This would allow QuickBooks and all user profiles and data to exist on one domain environment, and would implement a new backup system. Discussion by Town Board to move forward with the IT upgrade in 2025 using Unassigned Funds, and not include it in 52580 Other Capital Outlay for 2026.
- Use of Fund Balances: Discussion surrounding how to use remaining funds for 2025. Dresen mentioned that he will be working on Nora Rd and could put any additional funds towards improving Town roads. Anders also proposed new lighting and fixture options for the Town Hall. Dresen will gather pricing information to present at 11/3 Town Board meeting. Anders additionally brought up purchasing branded shirts for the Town Board. He will look into this further, and directed Banigan to put \$1,200 into 50170 Other Board Expenses for 2026.

7. Discuss/Consider approval of:

- a. Quote for a New Holland T5.130 Dynamic Command Tractor (tabled from October 20th): :No action taken on the purchase of a new tractor at this time.
- b. Garage Furnace replacement quote (tabled from October 20th): **MOTION** Williams/DuPlayee to approve the \$4,374 High Tech quote for a furnace replacement and use Unassigned Funds for the new furnace in 2025. **MOTION CARRIED 5-0.**
- c. Quote for office server computer and replacements for router and switch: **MOTION** DuPlayee/Williams to approve the \$6,225.89 Horstman quote and use Unassigned Funds for the upgrade in 2025. **MOTION CARRIED 5-0.**
- d. Quote for glass for customer service window: **MOTION** Williams/DuPlayee to table the quote for the customer service window until 11/3 Town Board Meeting. **MOTION CARRIED 5-0.**

8. Set the date for:

- a. A Public Hearing for the Town of Cottage Grove Budget for Fiscal Year 2026. **MOTION** by Williams/DuPlayee to set Public Hearing for Monday, December 1st, beginning at 7:00 P.M. **MOTION CARRIED 5-0.**
- b. A Special Meeting of the Electors, pursuant to s.60.12(1)(c), Wis. Stat., to adopt the 2025 town tax levy to be paid in 2026 pursuant to s.60.10(1)(a), Wis. Stat. **MOTION** by Williams/DuPlayee to set Special Meeting of the Electors for Monday, December 1st, immediately following the Public Hearing. **MOTION CARRIED 5-0.**

9. Adjournment: **MOTION** by DuPlayee/Eickhoff to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:41 P.M.

Jen Millage, Deputy Clerk-Treasurer

Approved 11-03-2025 (Closed session minutes approved and kept closed until the 2026 Budget is adopted)

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.**

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

- 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.**

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

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

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-electors 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-Treasurer 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
Steven Anders, Town Chair

ATTEST:

Kim Banigan
Kim Banigan, Town Clerk-Treasurer

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 17, 2025

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 Deputy Clerk-Treasurer Jen Millage and Highway Superintendent Dan Dresen.
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/DuPlayee to approve the minutes of the November 3, 2025 Public Hearing and Town Board meeting. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks 38255-38276 and EFTs in the amount of \$13,099.64. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Williams/DuPlayee to approve payment of \$3,451.00 to General Engineering for October building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review October Police Activities: Dresen shared that he is getting quotes for solar panels on Town speed boards to use in lieu of batteries that don't seem to last long.
- B. Consider request to install temporary dog fence across drainage/utility easement behind 2529 Bass Road: Discussion regarding whether to set the precedent to allow fences on easements. Anders made a recommendation that the Board rely on the advice of our engineer, Nick Bubolz, who stated that no structures are allowed in the drainage easement. **MOTION** by DuPlayee/Anders to deny request to place fence across drainage easement behind 2529 Bass Road. **MOTION CARRIED 4-1** (Fonger opposed).
- C. Consider approval of quotes for a security/transaction window for the Town Office (tabled from 11/03). **MOTION** by DuPlayee/Fonger to approve Martin Glass quote with the addition of a speaker box, not to exceed \$1,100. **MOTION CARRIED 5-0.**
- D. Discuss/Consider Flynn Hall Committee recommendations regarding renewal of Lease and Cooperative Use Agreement Regarding Flynn Hall. **MOTION** by Williams/DuPlayee to approve amended Flynn Hall Agreement with updated text. **MOTION CARRIED 5-0.**
- E. Complete Insurance Renewal Questionnaire (tabled from 11/03): Discussion was that premises limits based on Insurance Agent per square foot recommendations should be accepted for those that fall into the categories of Municipal Building, Garage/Service & Shed. For those that fall in the others, the Board determined that the new limit for the Salt Shed should be set at \$300,000, the new limit for the Storage Bunker should be set at \$65,000, the new limit for the Town Hall Solar Panels should be set at \$50,000 & the new limit for the Garage Solar Panels should be set at \$40,000. Clerk-Treasurer will submit the updates to the insurance company.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: None since the last meeting.
- B. The last day of the Town Yard Waste Drop Off Site was November 16, so they have closed that up for the season. They are starting to outfit vehicles for the winter months, and will be working on

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 17, 2025

replacing the Town Hall light fixtures in the coming weeks. The 2010 International patrol truck is now listed on Wisconsin Surplus, and there has been some interest shown already from other municipalities.

- IV. CLERK-TREASURER'S OFFICE UPDATE: Millage reported that a new Court Clerk, Shari Heiser, has been hired, and today was her first day. She will be training over the next weeks alongside Danielle King, who has agreed to stay on through December to train her. The Clerk's Office is starting to get busy with year-end tasks, and also put out a request for new poll workers for the 2026-2027 election cycle for interested Town residents.
- V. BOARD REPORTS AND COMMUNICATIONS: DuPlayee shared that he has now moved to Sun Prairie, and will be vacating his position as Town Supervisor immediately. This is his final meeting after 16 years serving on the Town Board. Discussion was held regarding if DuPlayee's seat will be appointed or left vacant until the April 2026 election, when DuPlayee's seat is up for re-election. Consensus was that his seat should be left vacant until April election.
- VI. COMMITTEE REPORTS: Williams shared that she attended the recent Dane County Consortium meeting. While she found the meeting interesting, she did not believe it was a fit for the Town and sees no need to attend further meetings.
- VII. Adjournment: **MOTION** by DuPlayee/Eickhoff to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:10 P.M.

Jen Millage, Deputy Clerk-Treasurer
Approved 12/01/2025

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
December 1, 2025

PUBLIC HEARING FOR THE 2026 TOWN BUDGET

- I. On November 15, 2025, notice of the public hearing was published in the Wisconsin State Journal and posted, along with a summary of the proposed budget, at the Town Hall, Doubledays, Nora's Tavern, and on the Town's internet site and Facebook page. Town Chair Steve Anders and Supervisors Mike Fonger, Troy Eickhoff and Kristi Williams were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. Town residents Chris and Collin Larsh, and Patrick Buchholz were also present.
- II. Anders called the public hearing to order at 7:00 P.M. The Clerk-Treasurer explained slight adjustments she made since the posting of the proposed budget to accommodate actual amounts for special charges.
- III. Patrick Buchholz asked about the Emergency Services Building Repair Fund. Banigan said that there are still funds remaining that can be used as allocated by the Fire Commission, however both the Town and Village have decided not to contribute to it in 2026. The Emergency Services Building expense item was increased to cover the expected expenses that have used the fund balance in the past. Buchholz also asked if the amount that Pleasant Springs pays for fire protection services reflects increases in department expenses. He was told that the amount is as per the current contract between the Fire District and Pleasant Springs. Buchholz also asked if the 2010 patrol truck has been sold, Dresen confirmed that it has been.
- IV. **MOTION** by Williams/Fonger to close the public hearing. **MOTION CARRIED 4-0.** The public hearing ended at 7:04 P.M.

SPECIAL MEETING OF THE ELECTORS TO ADOPT THE 2025 TOWN TAX LEVY

- I. Notice of the Special Town Meeting of the Electors was published and posted along with the Public Hearing Notice for the 2026 Budget, as stated above. Attendance was also as stated above for the 2026 Budget Public Hearing. Including Town officials and staff, there were 10 Town Electors present, attendance sheet available in the Clerk's Office.
- II. Anders called the Special Meeting of the Electors to order at 7:05 P.M.
- III. Discuss/Consider adoption of the 2025 town tax levy, to be paid in 2026 pursuant to s.60.10(1)(a), Wis. Stat. **MOTION** by Williams/Fonger to adopt the 2025 town tax levy at \$1,929,903, which will result in a Town mill rate of 3.5012 (this was stated as 3.5246 at the time of the meeting because the report did not account for assessed value of manufacturing properties assessed by the State). **MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.**
- IV. **MOTION** by Eickhoff/Williams to adjourn. **MOTION CARRIED UNANIMOUSLY BY VOICE VOTE.** The meeting ended at 7:08 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting was posted at the Town Hall and on the Town's website. Attendance was as stated for the public hearing and elector meeting above.
 - B. Anders called the meeting to order at 7:08 P.M.
 - C. Flag Pledge.
 - D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/Eickhoff to approve the minutes of the November 17, 2025 Town Board meeting as presented. **MOTION CARRIED 4-0.**
 - E. Finance Report and Approval of Bills:

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
December 1, 2025

1. **MOTION** by Fonger/Eickhoff to approve checks 38277-32896, voided check #38255, and EFTs in the amount of \$29,367.29. **MOTION CARRIED 4-0.**
2. **MOTION** by Fonger/Williams to approve payment of November per diems as presented. **MOTION CARRIED 4-0.**

F. Public Concerns: None.

II. BUSINESS

- A. Consider approval of 2026 Town Budget: **MOTION** by Eickhoff/Williams to approve the 2026 Budget as presented, with total expenditures of \$3,845,128.00. **MOTION CARRIED 4-0.**
- B. Reconsider request to install temporary dog fence across drainage/utility easement behind 2539 Bass Road: **MOTION** by Williams/Fonger to reconsider this request. **MOTION CARRIED 4-0.** Homeowner Chris Larsch was present and said he missed the last meeting because he never received the notification email. He described the temporary fencing he would like to use in the easement area to connect his dog fence to the existing line fence rather than installing a parallel fence within 20 feet. **MOTION** by Fonger/Williams to approve the fencing plan as shown tonight, stipulating that no stakes may be put in the easement area and any debris caught by the fence must be removed promptly. **MOTION CARRIED 4-0.**
- C. Consider adoption of Resolution 2025-12-01 Recognizing Mike DuPlayee for Service on the Town Board: **MOTION** by Fonger/Williams to adopt the resolution as presented. **MOTION CARRIED 4-0.**
- D. Discuss/Consider whether to fill vacant Supervisor 4 seat prior to the April 2026 election: **MOTION** by Williams/Anders to not fill the vacancy prior to April 2026 election, but look forward to welcoming whoever wins the election. **MOTION CARRIED 4-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits: None since the last meeting.
- B. Dresen reported that the 2010 patrol truck sold for \$50,500, which was not quite as much as was hoped for, but relisting on Wisconsin Surplus would require a lower contingency that would not be much higher than the sales price. He used the new truck for the snowfall over the weekend, and was happy with it other than the rear tires. He has contacted a tire supplier to see about trading them in for more suitable ones. The concrete pad for the compost site has been poured and turned out well.

IV. CLERK-TREASURER'S OFFICE UPDATE: The new server and router upgrade has been installed and is working well. The mill rate will be submitted as soon as the County is ready for it, and tax bills should be coming out shortly after that.

V. BOARD REPORTS AND COMMUNICATIONS: Anders shared a notice received regarding a cooperative plan between the Town of Westport, cities of Madison and Middleton and villages of DeForest and Waunakee.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams said the commission reduced the annual vacation days for the new Administrative Services Manager position, and the opening has been advertised. The interview committee will consist of one board member each from the Town of Cottage Grove and Villages of Cottage Grove and Deerfield. A request was received from

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
December 1, 2025

the Village of Cambridge to provide EMS coverage. Chief Lang was present virtually and noted that it was not a formal RFP, but a simple request to cover the remainder of their district that includes Cambridge, all of the towns of Rockdale and Christiana, and part of the Town of Lake Mills. No decision was made; the requestor was told to submit a formal RFP.

- B. Natvig Landfill Monitoring Committee: The committee approved payment of the bills. It appears expenses will stay within budget for 2025.
- C. Cottage Grove Fire Commission: Anders reported that a good amount of time was spent discussing the false alarm ordinance. The Fire Chief and Village Police Chief were directed to come up with modifications to the ordinance to make things easier for the Fire Department.

VII. Adjournment: **MOTION** by Fonger/Eickhoff to adjourn. **MOTION CARRIED 4-0**. The meeting ended at 8:01 P.M.

Kim Banigan, Clerk-Treasurer
Approved 12-15-2025

VILLAGE OF COTTAGE GROVE & TOWN OF COTTAGE GROVE
VILLAGE BOARD OF TRUSTEES & TOWN BOARD OF SUPERVISORS
Monday, December 8, 2025

MINUTES

1. Call to Order

a. Cottage Grove Town Board of Supervisors- Chairperson Anders called the Town Board of Supervisors meeting to order at 5:31 pm

b. Cottage Grove Village Board of Trustees- President Kelm-Nelson called the Village Board of Trustees to order at 5:31 pm. This was a hybrid meeting.

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. The Village Board members present were Cindi Kelm-Nelson, Heidi Murphy, Chris Stoa, Paula Severson, Pete Doll and Dr. Rene Buenzow. Town Board members present were Steve Anders, Mike Fonger, Kristi Williams, Troy Eickhoff who arrived at 5:37 pm. Staff present were Village Administrator Matt Giese, Assistant Administrator/Finance Director Cameron Sawyer, Director of Planning & Development Erin Ruth, Police Chief Mark Garry, Clerk, Lisa Kalata, EMS Director Eric Lang, Fire Chief Nick Archibald and Village Attorney Larry Konopacki. Town Staff present was Kim Banigan.

3. Pledge of Allegiance.

4. PUBLIC APPEARANCES – *Public's opportunity to speak-* Gavin Kramer-500 Killian Tl. expressed his interest in the Town and Village becoming a Class III City. Mark Spahos-242 Chateau expressed his concern about municipalities collaborating and not to continue to do more studies.

5. New Business

a. Presentations and interviews of consultants regarding Fire/EMS study.

Wisconsin Policy Forum and Public Administration Associates were present to give a presentation of their proposals.

Motion by Williams to contract with PAA and remove the IGA from the scope of work, seconded by Anders. **Motion** carried with a roll call vote of Anders Aye, Williams Aye, Fonger No, Eickhoff Aye.

Motion by Murphy to contract with PAA and remove the IGA from the scope of work, seconded by Stoa. **Motion** carried with roll call vote of Buenzow Aye, Doll Aye, Kelm-Nelson Aye, Murphy Aye, Severson Aye, Stoa Aye.

6. Discuss and consider entering into closed session to establish negotiating parameters and terms of a contract for services regarding Fire/EMS study.

The Village of Cottage Grove Village Board and the Town of Cottage Grove Board of Supervisors 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.

The boards did not go into closed session.

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

The board did not go into closed session.

8. Adjournment-Town

Motion by Williams to adjourn at 8:48 pm, seconded by Fonger. **Motion** carried with a voice vote of 4-0-0.

9. Discuss and consider amendment to development agreement and municipal revenue obligation with Hensiak Holdings, LLC.

Motion by Murphy to approve the amendment to development agreement and municipal revenue obligation with Hensiak Holdings, LLC., seconded by Doll. **Motion** carried with a voice vote of 6-0-0.

10. Discuss and consider agreement to terminate lease with New Tech Painting, LLC at 123 East Cottage Grove Road.

Motion by Severson to approve agreement to terminate lease with New Tech Painting, LLC at 123 E. Cottage Grove Road, seconded by Doll. **Motion** carried with a voice vote of 6-0-0.

11. Adjournment-Village

Motion by Murphy to adjourn at 8:50 p.m., seconded by Severson. **Motion** carried with a voice vote of 6-0-0.

Lisa Kalata, Clerk

Village of Cottage Grove

Approved: 12-15-2025 by the Town Board, 01-05-2026 by the Village Board

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

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
December 15, 2025

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website. Town Chair Steve Anders and Supervisors Mike Fonger, Troy Eickhoff and Kristi Williams were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen.
- B. Anders called the meeting to order at 7:00 P.M.
- C. Flag Pledge led by Dale Huston.
- D. Discuss/Consider approval of minutes of previous meetings: **MOTION** by Williams/Fonger to approve the minutes of the December 1, 2025 Public Hearing, Special Meeting of the Electors and Town Board as presented. **MOTION CARRIED 4-0.** **MOTION** by Williams/Fonger approve the minutes of the December 8, 2025 Joint Town/Village meeting as printed. **MOTION CARRIED 4-0.**
- E. Finance Report and Approval of Bills:
 - 1. The Clerk-Treasurer asked to add payment of an invoice that Dresen just submitted tonight to those to be approved for payment. **MOTION** by Fonger/Eickhoff to approve checks 38277-32838, plus the addition of check 38839 for \$657.90 to Peak Garage Doors, and EFTs in the amount of \$26,258.32. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by Fonger/Williams to approve payment of \$2,835.00 to General Engineering for November building permits. **MOTION CARRIED 4-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review November Police Activities: No deputy was present. The written report showed 2024 calls for service and 98 citations issued in November.
- B. Plan Commission Recommendations:
 - 1. Wade Huston, applicant, Everson Properties, LLC, property owner, parcels 0711-284-8500-0 and 0711-284-9000-3, rezone of 12.76 acres from FP-35 and RM-16 to NRC for the stormwater management area for to accommodate the proposed commercial subdivision to the south. Remaining 35 acres to remain in the FP-35 zoning district. (DCPREZ 12237): Developer representatives Wade, Dale, Dwight and Brad Huston were all present, and Dennis Richardson was online. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendations to approve approval of rezoning 12.76 acres to NRC south of Little Door Creek for a stormwater management area for the proposed commercial subdivision to the south. The remaining acreage to remain as FP-35. **MOTION CARRIED 4-0.**
 - 2. Wade Huston, petitioner, Skaar Pit LLC, property owner, parcels 0711-284-9210-0, 0711-284-7511-0, 0711-331-8580-6, 0711-331-8501-1, 0711-331-9001-4, and 0711-331-8012-0 at the northeast quadrant of C.T.H. N and USH 12/18: Rezone of from RM-16, GC and LC to create 72.5 acres of Heavy Commercial, 4.0 acres of General Commercial, 3 acres of UTR and 11.9 acres of NRC to support a commercial subdivision. (DCPREZ 12238): **MOTION** by Anders/Eickhoff to accept the Plan Commission's recommendation to approve the rezone from RM-16, GC and LC to create 72.5 acres of Heavy Commercial, 4.0 acres of General Commercial, 3 acres of UTR and 11.9 acres of NRC, as indicated on the rezoning map exhibit, to support a commercial subdivision, with deed restrictions as shown in Exhibit A. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
December 15, 2025

3. Consider adoption of Resolution 2025-12-15a Granting Conditional Approval to the Preliminary Plat of Ironstone Commercial Park: **MOTION** by Williams/Eickhoff to adopt the resolution as presented. **MOTION CARRIED 4-0.**

C. Consider adoption of Resolution 2025-12-15 Conditionally accepting the Public Improvements at Kennedy Hills First Addition and Authorizing the Reduction of the Surtey Required by the Development Agreement: Developer Cory Clemens was present. **MOTION** by Anders/Williams to adopt the resolution as presented. **MOTION CARRIED 4-0.**

D. Discuss/Consider Election Inspector appointments for 2026-27: **MOTION** by Fonger/Eickhoff to approve all of the Election Inspector appointments as listed. **MOTION CARRIED 3-0-1** (Williams Abstained).

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Report of Road Right-of-Way permits: One has been issued since the last meeting, to Alliant Energy for 4185 Ridge Road.

B. Dresen reported that they have been busy plowing snow. He had the rear tires on the new patrol truck replaced and is much happier with them. They plan to start the Town Hall lighting upgrades tomorrow.

IV. CLERK-TREASURER'S OFFICE UPDATE: Tax bills and dog license renewals are in the mail.

V. BOARD REPORTS AND COMMUNICATIONS: Anders reported that Town of Dunkirk Supervisor Ted Olson has passed away, as has Deputy Miranda's father. He authorized the other deputies to cover Miranda's shifts as needed for bereavement.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by Williams/Eickhoff to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 7:35 P.M.

Kim Banigan, Clerk-Treasurer

Approved 01/05/2026