

**VILLAGE OF COTTAGE GROVE  
VILLAGE BOARD OF TRUSTEES  
Monday, April 4, 2016**

**MINUTES**

**1. Call to order**

Clerk Treasurer Deb Winter called the April 4, 2016 meeting of the Village Trustees to order at 6:31 p.m.

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

It was determined that there was a quorum of members present and that the agenda was properly posted. Village Board members present were: Kyle Broom, Jack Henrich, Alex Jushchyshyn, Jennifer Pickel, Harvey Potter and John Williams. Staff present were Clerk Treasurer Deb Winter, Administrator Matt Giese, Director of Public Works and Properties JJ Larson, Director of Parks, Recreation & Forestry Sean Brusegar, Village Engineer Mike Maloney and Village Attorney Leighton Boushea.

**3. Pledge of Allegiance.**

**4. Nominations for Chairman Pro Tem for the April 4, 2016 Village Board meeting.**

**Motion** by Williams to nominate Jack Henrich as Chairman Pro Tem for the April 4, 2016 Village Board meeting, seconded by Jushchyshyn. **Motion** carried with a voice vote of 6-0-0.

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

Kendall Uphoff of 4142 Ridge Road approached the Board. Mr. Uphoff asked about the Urban Services Area Agreement. He has some land east on Taylor Rd and has heard that the urban services would be taken away from his property. Giese stated that Mr. Uphoff should talk to Erin Ruth the Village Planner. Giese explained that the discussion is part of gaining urban service area in the Homburg/Jensen property. CARPC is suggesting that the Village give up some rights in other areas where development is not as likely to happen soon.

**6. Discuss and consider the minutes of the regular Village Board meeting of March 21, 2016.**

**Motion** by Potter to approve the minutes of the regular Village Board meeting of March 21, 2016 as read, seconded by Williams. **Motion** carried with a voice vote of 4-0-2 with Pickel and Williams abstaining.

**7. Presentations to the Board**

None

**8. Unfinished Business**

**a. Update on Gaston Road ROW permit.**

Boushea reported that this is still pending before the Public Service Commission (PSC) and gave some background of the proceedings so far. In 2015, the Town of Cottage Grove gave 8 to 10 right of way (ROW) permits and none of them had any exceptions or conditions except for the one the Village of Cottage Grove applied for. The Village had negotiated an agreement, in which Chairman Hampton was present, at the January Utility Commission meeting. After this meeting, the Town with Town Counsel, met in closed session and added several concessions to the ROW permit that the Village had never agreed to. Due to this, the Village decided to forego Town approval and petition the PSC directly. At this point, we are waiting for next steps from the PSC.

**b. Identify, Discuss and Prioritize Village Ordinances requiring updating and revising.**

None have been reported to staff. Boushea stated that there will be some needed changes coming probably in May. There are some required changes to Chapter 163 and the records retention needs to be brought back to life. Pickel and Henrich asked about the Social Host Ordinance to which Boushea stated that Chief Layber has requested samples and background from the previous discussions a couple years ago.

**9. New Business**

**a. Discuss and consider award for the 2016 Commerce Park Improvements project to Badgerland Excavating Corp. in the amount of \$117,506.00.**

Maloney reported that Badgerland had the lowest bid for the project. Badgerland was the general contractor for the Dublin Park project and there were quite a few issues, however the issues were mainly with the concrete subcontractor. They have a different concrete subcontractor listed for this job. Pickel stated that she does not feel comfortable using Badgerland again after the fiasco at Dublin Park. After some discussion, it was decided to have Badgerland sign an agreement to reimburse in order to cover the

expense if there are issues and more review and rework is needed. **Motion** by Henrich to approve the award for the 2016 Commerce Park Improvements project to Badgerland Excavating Corp. in the amount of \$117,506.00 with the condition that Badgerland sign an agreement of services, seconded by Williams. **Motion** carried with a voice vote of 4-2-0 with Broom and Pickel voting nay.

- b. Discuss and consider approval of the professional services agreement by MSA Professional Services for construction and Safe Drinking Water Loan Program services for the Gaston Road Water Main Extension project in the amount of \$120,000.00.**

Maloney explained that this agreement is needed as an administrative step with the Safe Drinking Water Loan (SDWL). The Village is taking advantage of the rates with the SDWL for the Gaston Road Main Extension project. **Motion** by Henrich to approve the professional services agreement by MSA Professional Services for construction and Safe Drinking Water Loan Program services for the Gaston Road Water Main Extension project in the amount of \$120,000.00, seconded by Pickel. **Motion** carried with a voice vote of 6-0-0.

- c. Discuss and consider request to meet with the Cottage Grove Chamber of Commerce and the Town of Cottage Grove on April 26, 2016 at 6:30 p.m. at Village Hall.**

Pickel asked if we have an agenda for this meeting and does everyone think this should happen prior to the Spring Election. Broom responded that the Chamber is going to be putting the agenda together with general topic points on future plans and development for each party. Pickel then responded that she would really like to see the agenda before going into the meeting blind, there are a lot of possible topics to discuss and there needs to be some direction. Broom responded that he feels personally that we should all meet more often, however for this meeting I would think there would be one or two items to start discussions and the Chamber could put the agenda together prior to the meeting. Boushea added that he feels in order for the meeting to be productive there needs to be predetermined discussion points to which Potter added that we as a group need to have a concept of what direction we would like to go. Pickel again asked if there is a reason the meeting has to be in April and why it couldn't wait another month to which Broom responded asking how are we to move forward together if we never meet? Henrich suggested that instead of a joint meeting, why doesn't the Chamber hold a forum and invite each municipality. The Board and staff all seemed more comfortable with this idea. **Motion** by Henrich to convert this meeting to a Chamber event with the Chamber hosting a forum and inviting the two municipalities, seconded by Jushchyshyn. **Motion** carried with a voice vote of 6-0-0.

- d. Discuss and consider Picnic Alcohol License application from Ryan Hastings with the American Parkinson Disease Association for the 2016 Run for Parkinson's to be held on April 16, 2016 at the Glacial Drumlin Trail Head Parking Lot.**

Winter stated that they are looking to serve beer after the run via a ticket system. They have obtained approval from the DNR, since it is DNR property and Mr. Hastings has applied for an Operator License and will be the person in charge of the servers. Pickel asked if Winter would get the approval from DNR in writing. **Motion** by Pickel to approve a Picnic Alcohol License application from Ryan Hastings with the American Parkinson Disease Association for the 2016 Run for Parkinson's to be held on April 16, 2016 at the Glacial Drumlin Trail Head Parking Lot with the condition that proof of DNR approval is seen, seconded by Broom. **Motion** carried with a voice vote of 6-0-0.

- e. Discuss and consider waiving alcohol in the parks requirements for Music In The Grove events for 2016 season.**

Brusegar explained to the Board that the Village is not looking to serve alcohol or make it a money making event, we would just like to allow patrons to bring their own alcohol in to the parks while enjoying Music In The Grove events. Potter stated that the application has beer and wine only and how are you going to monitor that. It was then suggested that that statement is just removed and all alcohol be allowed. **Motion** by Henrich to approve waiving alcohol in the parks requirements for Music In The Grove events for 2016 season with the condition of removing the stipulation of beer and wine only, seconded by Broom. **Motion** carried with a voice vote of 6-0-0.

- f. Discuss and consider approval of noise application for Music In The Grove events for 2016 season.**

**Motion** by Potter to approve the noise application for Music In The Grove events for 2016 season, seconded by Pickel. **Motion** carried with a voice vote of 6-0-0.

- g. Discuss and consider 2016 Tree City USA Proclamation.**

Pickel read the Proclamation. **Motion** by Potter to approve the 2016 Tree City USA Proclamation, seconded by Pickel. **Motion** carried with a voice vote of 6-0-0.

**h. Discuss and consider operator license application for:**

- i. Ryan Hastings**
- ii. Nicole Priebe; Stop N Go – Cty Hwy BB**
- iii. Cailene Zarecki; Stop N Go – Cty Hwy BB**
- iv. Dominick DeRosa; Black Bear Inn**
- v. Rebecca Polar; Black Bear Inn**

Winter explained that Nicole Priebe should not be addressed at this meeting, she will be on the next agenda. **Motion** by Henrich to approve applicants i, iii, iv and v, seconded by Pickel.

**Motion** carried with a voice vote of 5-0-1 with Potter abstaining.

**10. Reports from Village Boards, Commissions & Committees**

**a. Law Enforcement Committee**

Henrich reported that the committee approved having the North and South flashing lights at Hwy N and BB flash red instead of yellow just as the East and West lights currently are during the slow use night hours. Jushchyshyn asked why don't we just have the lights switch like normal 24 hours a day instead of changing to flashing lights. Pickel stated she would like to get the Chief's input on that. Henrich reported that the committee also discussed the Social Host Ordinance.

**i. Discuss adding timers to the school speed zone signs for operation during school hours only.**

Henrich reported that the committee would like to look into having the slow school zone sign be set on a time frame. Larson will look into this request.

**b. Natvig Landfill Committee**

Broom reported that the committee approved the minutes, the bills and the results.

**11. Reports from Village Officers:**

**a. Kyle Broom**

No Report

**b. Jack Henrich**

No Report

**c. Alex Jushchyshyn**

Tomorrow is voting day. Remember to bring your Photo ID.

**d. Jennifer Pickel**

**i. Update of current activities involving the Monona Grove School District.**

Thursday night is the first night of "Legally Blonde". I would also like to give a shout out to all the spring sports starting out, good luck to them.

**e. Harvey Potter**

No Report

**f. John Williams**

The EMS Joint Commission meeting is on April 21<sup>st</sup>. Giese added as a reminder we do still owe about \$50K on the last ambulance as well as we should be entitled to our share of any revenue from a trade in.

**g. Attorney Lee Boushea**

I am just finishing up on the Colonial Club Agreement

**h. Administrator Matt Giese**

Chief Larson and Erin Ruth were both excused from tonight's meeting. I did touch base with Mr. Uphoff before he left regarding the Urban Service Area Agreement.

**i. Director of Planning and Development Erin Ruth**

No Report

**12. Communications and Miscellaneous Business**

**a. Consider approval of vouchers**

**Motion** by Potter to approve the Village portion of the vouchers in the amount of \$159,047.53, seconded by Pickel. The check sequence goes from check #40329 through check #40379. **Motion** carried with a voice vote of 6-0-0.

**b. Correspondence**

None

**c. Future agenda items**

Social Host Ordinance, Traffic Lights, School Zone Flashing Sign, Direction on Bonnie Road Property,  
Agenda for Chamber Forum, Report from CARPC Public Hearing

**13. Adjournment**

**Motion** by Pickel to adjourn at 8:47 p.m., seconded by Jushchyshyn. **Motion** carried with a voice vote of 6-0-0.

**Respectfully Submitted,  
Deb Winter, Clerk Treasurer  
Village of Cottage Grove  
Approved: April 18, 2016**

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