

**VILLAGE OF COTTAGE GROVE
VILLAGE BOARD OF TRUSTEES
Monday, July 1, 2019**

MINUTES

1. Call to order

The July 1, 2019 regular meeting of the Village Board of Trustees was called to order at 6:30 p.m. by Village President John Williams.

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: Jeff Lennberg, Heidi Murphy, Melissa Ratcliff, Jon Russell, Sarah Valencia and John Williams. Troy Allen was absent and excused. Staff present were Village Administrator Matt Giese, Village Clerk Lisa Kalata, Village Planner Erin Ruth, Public Works Director JJ Larson, Parks, Recreation & Forestry Director Sean Brusegar and Village Attorney Leighton Boushea.

3. Pledge of Allegiance.

4. PUBLIC APPEARANCES – *Public's opportunity to speak about any subject that is not a specific agenda item.*
None

5. Discuss and consider the minutes of the regular Village Board meeting of June 17, 2019.

Motion by Valencia to approve the minutes from June 17, 2019, seconded by Murphy. **Motion** carried with a voice vote of 6-0-0.

6. Presentations to The Board

a. Presentation by Ehlers Investment Partners.

Ken Herdeman from Ehlers Investment Partners was present to give an overview of investments for the Village. The investment policy for the Village should be reviewed every 3 years. The Village has little credit risk as over half of the investments are insured by FDIC.

7. Unfinished Business

a. Discuss draft of the Village Board's list of priorities.

Giese explained the information provided in the packet and how the points were allocated to each item. Giese suggested talking about the top 3 to 5 items and try to further define the descriptions. Williams commented that it is helpful in the budget process as well.

b. Discuss and consider approval of developer agreement with KTW Enterprises LLC (Madison Window Cleaning Co., Inc.).

Attorney Boushea explained that the transaction will happen on August 31, 2019 and they would like the developer agreement ahead of the closing and the Village Action report will be added as Exhibit A. **Motion** by Murphy to approve the developer agreement with KTW Enterprises LLC (Madison Window Cleaning Co., Inc.) with Village action report as Exhibit A, seconded by Ratcliff. **Motion** carried with a voice vote of 6-0-0.

8. New Business

a. Discuss and consider contracting with Ehlers to pursue RFP for banking services.

Ken Herdeman from Ehlers Investment Partners was present to discuss the proposal to pursue an RFP for banking services. They would write the RFP, send it out to respondents and then do the analysis to make a recommendation. The new banking service would go through implementation needs and Ehlers would attend those interviews as well. Winter explained that the Village has been with Wisconsin Bank and Trust for many years and it would be in the best interest of the Village to branch out and see what others can provide. We are looking for more of an electronic banking and online services. Valencia asked if there would be a benefit to having multiple banking relationships? Herdeman did not recommend that as the Village is not large enough for that many. Local banks will be sent the RFP as well. Lennberg questioned if credit unions would be included. Herdeman would not suggest the use of credit unions because they are not setup for local municipalities. Valencia ask about the timeline for this RFP. Herdeman indicated that it would take approximately three months to complete and it would take up to six months to implement the change. **Motion** by Ratcliff to approve the contract with Ehlers to pursue RFP for banking services, seconded by Lennberg. **Motion** carried with a voice vote of 6-0-0.

b. Discuss and consider Operator License permit applications for licensing year July 2019-June 2020 for Alison Houge, Jade Washburn Kystosek, Miguel Chestnut, Jordan Hosking, Madison Easker, Trisha OConnell, Crystal Yelk, and Elisabeth Koopmans.

Motion by Lennberg to approve operator licenses for the licensing year July 2019 – June 2020 for Alison Houge, Jade Washburn Kystosek, Miguel Chestnut, Jordan Hosking, Madison Easker, Trisha O’Connell, Crystal Yelk and Elisabeth Koopmans, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

c. Discuss and consider Sound Permit for Caitlin Gunderson at 301 Heather Dr.

Motion by Murphy to approve the sound Permit for Caitlin Gunderson at 301 Heather Dr, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

d. Discuss and consider Block Party Application for Betsy Woerth at 209 Melissa Ln.

Motion by Lennberg to approve Block Party Application for Betsy Woerth at 209 Melissa Ln, seconded by Valencia. **Motion** carried with a voice vote of 6-0-0.

9. Reports from Village Boards, Commissions & Committees

9.I. Deer-Grove EMS Commission

Valencia reported that it was a quick meeting and they will be doing the Chief performance review at the next meeting.

9.II. Parks, Recreation & Forestry Committee

a. Discuss and consider Resolution 2019-07 Re: Resolution authorizing Village to participate in a Wisconsin Department of Natural Resources Grant; Urban Forestry Grant and Urban Forestry Catastrophic Storm Grant Program.

Murphy reported they discussed the MG soccer club reservation process, the tree inventory which the last inventory was done in 2007. The new inventory would give GIS data location and it could help with EBS plan of action. Brusegar added that it would be a tool for the Forester and would help to manage EBS as the Village has been hit hard this year. This would be a budget commitment for 2020. Valencia asked if this is once done could it be maintained going forward, which Brusegar indicated that would be the goal. Williams indicated that it would help the Forester to be more efficient. **Motion** by Ratcliff to approve Resolution 2019-07 authorizing Village to participate in a Wisconsin Department of Natural Resources Grant; Urban Forestry Grant and Urban Forestry Catastrophic Storm Grant Program to be budgeted for 2020, seconded by Lennberg. **Motion** carried with a voice vote of 6-0-0.

9.III. Law Enforcement Committee

Williams reported they discussed traffic and radar signs and the cost, which the committee approved for the budget process. They discussed signage for the 4th of July regarding fireworks, they also discussed a grant from the DOT which will purchase a computer for a squad car. They also reviewed the normal reports and discussed increasing the training budget line item for next year.

9.IV. Ordinance Review Committee

a. Discuss and consider recommendation from Ordinance Review Committee to approve the use of the Ordinance Review Submittal Form.

Murphy reported that discussed how to prioritize ordinances, the ordinance review submittal form, and how they plan to review the chapters by each committee member. Attorney Boushea indicated that the form was used previously, and it is helpful to understand what is being asked to change. Ratcliff questioned if committees have a change then it would need to go through the Ordinance Review Committee and this would be doing double work? Attorney Boushea indicated that if the committee works on it then it would not go to ordinance review. Russell indicated that they already have 7 or 8 ordinances that need review and the longer they wait the longer the list will become. Ratcliff commented that she would be more comfortable with the ordinances that have a committee that they start at that committee level. Murphy indicated that they may have a better idea of the process after the next meeting. **Motion** by Lennberg to approve the use of the Ordinance Review Submittal Form, seconded by Russell. **Motion** carried with a voice vote of 6-0-0.

9.V. Joint Town of Cottage Grove Board of Supervisors and Village of Cottage Grove Board of Trustees

a. Discuss and consider the proposed modifications to the Flynn Hall Agreement.

Williams reported that they discussed the Flynn Hall agreement at the joint meeting and was provided expense and revenue information. The Town is willing to share the revenue if the Village is willing to share all expenses. More information is needed of the Village portion of expenses. **Motion** by Lennberg to table until the next meeting, seconded by Ratcliff. **Motion** carried with a voice vote of 6-0-0.

10. Reports from Village Officers:

a. John Williams

i. Discuss board members seating arrangement.

Williams asked for input about moving seating for each meeting. Murphy indicated that it is helpful when watching the YouTube video to know where the person is seated to know who is speaking. Ratcliff indicated that she is fine with moving just not every meeting. Lennberg indicated that he would like it to stay the same in alphabetical order.

ii. Update on Village gear and name badges for Village Board.

Information was given on name badges and shirts, if you would like to order let Matt, John or Sean know what you would like to order.

b. Attorney Lee Boushea

i. Legal briefings/status updates

ii. Elements of Impartial Decision Making

Attorney Boushea reported that a revision to Act 67 and Act 43 there is a section that the State has taken away for conditional use permit and that there are times when you need to be very careful what you do as a trustee when it comes to decision making. Board members need to be impartial and unbiased decision makers, it is recommended the best practice that a decision maker does not have contact with developer or applicants. So, if a board member gets outside information that is not fair and if there are questions they should go to staff to get the information. There has not had staff that will not get the information or hold anything back. You may get a developer calling you, and scripts can be provided as to what to say, and not get into it with the developer. Attorney Boushea does not recommend that you have a private conversation. The board members have a quasi-judicial role in the decision-making process and this becomes the permanent record. Staff is not trying to cut your sources of information, they are trying to protect the interest of the Village. The law is a new standard and Attorney Boushea can see it being expanded in the future. Valencia questioned for example the School, they should not have conversations outside the Plan Commission meeting or Village Board meetings, which Attorney Boushea indicated that was a very good example and yes, they should not have conversations. Giese also commented that previously the burden of proof was on the applicant, not the burden is on the municipality to prove with the law change. Attorney Boushea indicated that the law is tilting heavily toward the developers and confidentiality is very limited. Murphy questioned how neighborhood meetings work with this situation? Attorney Boushea indicated that there is not an issue with going and listening to gather information. If there is a conflict the board is advised to contact Attorney Boushea to work through the issue.

11. Communications and Miscellaneous Business

a. Consider approval of vouchers.

Motion by Murphy to approve the Village portion of the vouchers in the amount of \$81,068.85 seconded by Russell. The check sequence goes from check #45512 to check #45521 and check #45523 to check #45595. **Motion** carried with a voice vote of 6-0-0.

b. Correspondence-None

c. Upcoming community events- Marketplace Dayz on July 20, 2019.

d. Future agenda items-Flynn Hall agreement, borrowing will be finalized and priorities list.

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

Motion by Williams to enter into closed session at 8:25 p.m., seconded by Lennberg. **Motion** carried with a roll call vote of Lennberg AYE, Murphy AYE, Ratcliff AYE, Russell AYE, Valencia AYE, Williams AYE.

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

Motion by Ratcliff to reconvene into open session at 8:51 p.m., seconded by Lennberg. **Motion** carried with a roll call vote of Lennberg AYE, Murphy AYE, Ratcliff AYE, Russell AYE, Valencia AYE, Williams AYE. No action was taken from the closed session.

14. Adjournment

Motion by Murphy to adjourn at 8:51 p.m., seconded by Ratcliff. **Motion** carried with a voice vote of 6-0-0.

Lisa Kalata, Clerk
Village of Cottage Grove
Approved: August 15, 2019

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.