

**VILLAGE OF COTTAGE GROVE  
VILLAGE BOARD OF TRUSTEES  
Monday, May 17, 2021**

**MINUTES**

**1. Call to order**

Village President John Williams called the Village Board of Trustees to order at 6:30 pm. this was a Zoom 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. Village Board members present were: John Williams, Troy Allen, Heidi Murphy, David Peterson, Melissa Ratcliff, Sarah Valencia. Paul VanderVelde 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 and Forestry Director Sean Brusegar, Village Engineer Kevin Lord, Police Chief Dan Layber, Lt. Matt Wagner, Fire Chief Nick Archibald, Village Attorney Larry Konopacki.

**3. Pledge of Allegiance.**

**4. PUBLIC APPEARANCES – *Public’s opportunity to speak.***

None

**5. Discuss and Consider the Minutes of The Regular Village Board Meeting on May 3, 2021.**

**Motion** by Peterson to approve the minutes from May 3, 2021, seconded by Allen. **Motion** carried with a voice vote of 6-0-0.

**6. Unfinished Business**

**a. Discuss and consider Agreement with Dane County for the Reconstruction of CTH BB from Damascus Trail to Buss Road.**

**Motion** by Murphy to approve the agreement with Dane County for the Reconstruction of CTH BB from Damascus Trail to Buss Road, seconded by Allen. **Motion** carried with a voice vote of 6-0-0.

**b. Discuss and consider Development Agreement with AVID Real Estate Holdings, LLC to undertake development of Kollege Town Biodome property.**

**Motion** by Allen to approve the development agreement with AVID Real Estate Holdings, LLC to undertake development of Kollege Town Biodome property, seconded by Peterson. **Motion** carried with a voice vote of 6-0-0.

**c. Discuss and consider Development Agreement with JEK CRE, LLC to undertake development of JEK property.**

**Motion** by Ratcliff to approve the development agreement with JEK CRE, LLC to undertake development of JEK property, seconded by Peterson. **Motion** carried with a voice vote of 6-0-0.

**d. Discuss and consider Development Agreement with Patten Real Estate, LLC to undertake development of Patten property.**

**Motion** by Murphy to approve development agreement with Patten Real Estate, LLC to undertake development of Patten property, seconded by Allen. **Motion** carried with a voice vote of 6-0-0.

**e. Discuss and consider Development Agreement with RGH Cottage Grove, LLC to undertake development of Grand Appliance property.**

**Motion** by Allen to approve development agreement with RGH Cottage Grove, LLC to undertake development of Grand Appliance property, seconded by Valencia. **Motion** carried with a voice vote of 6-0-0.

**f. Discuss and consider Development Agreement with MC Swanson Properties, LLC to undertake development of Atlantis Valley Foods property.**

**Motion** by Valencia to approve development agreement with MC Swanson Properties, LLC to undertake development of Atlantis Valley Foods property with a tax agreement until January 1, 2038, seconded by Allen.

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

**7. New Business**

**a. Discuss and consider Escrow Agreement to assure distribution of expended funds regarding TID #5 CTH N/Main Street Bike Path Extension project.**

**Motion** by Ratcliff to approve the Escrow Agreement to assure distribution of expended funds regarding TID #5 CTH N/Main Street Bike Path Extension project with staff filling in the minor blanks of the agreement, seconded by Peterson. **Motion** carried with a voice vote 6-0-0.

**b. Discuss annual Village Board Prioritization process.**

Giese explained the process and asked the Village Board to submit their lists of priorities with a description by May 28<sup>th</sup>.

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

**8.I. Library Planning Committee**

Ratcliff reported they had the President of the Friends of the Library to discuss fundraiser opportunities and they continue to work on the presentation for the Village Board later this year.

**8.II. Ad-Hoc Sustainability Committee**

Murphy reported they had a presentation from Peter Fiala, Legacy Solar Co-op, they worked on the solar ordinances that will go to Plan Commission and they are working on Facebook posts on rain gardens. They also discussed bike friendly community certification.

**8.III. Public Works & Properties Committee**

**a. Discuss and consider award of the Glacial Drumlin Trail project to RG Huston subject to WisDot approval.**

**Motion** by Allen to approve the award of the Glacial Drumlin Trail project to RG Huston subject to WisDot approval, seconded by Ratcliff. **Motion** carried with a voice vote of 6-0-0.

**8.IV. Plan Commission**

**a. Discuss and Consider A Request for Approval of An ETJ Certified Survey Map from Christopher And Angela Brantner Located At 4890 Pierceville Road in The Town of Sun Prairie.**

**Motion** by Murphy to approve the request for an ETJ Certified Survey Map from Christopher and Angela Brantner located at 4890 Pierceville Road in the Town of Sun Prairie, seconded by Valencia. **Motion** carried with a voice vote of 6-0-0.

**b. Discuss and Consider A Proposed Precise Implementation Plan from Continental Properties for A 288-Unit Multi-Family Residential Development Located on Parcels #0711-091-9310-1, #0711-094-8501-0, And #0711-094-8100-4 At the Southeast Corner of N. Main Street and E. Cottage Grove Road.**

**Motion** by Valencia to approve the Precise Implementation Plan from Continental Properties for a 288-Unit Multi-Family Residential Development located on parcels #0711-091-9310-1, #0711-094-8501-0, and #0711-094-8100-4 at the Southeast Corner of N. Main Street and E. Cottage Grove Road with conditions in staff reports, seconded by Peterson. **Motion** carried with a voice vote of 6-0-0.

**c. Discuss and Consider A Request for Site Plan Approval from AVID for An Approximately 19,600 Sq. Ft. Office/Light Industrial Facility on Lot 1 Of CSM 15197 In the Commerce Park (SE Corner of Commerce Parkway and Landmark Drive).**

**Motion** by Ratcliff to approve a request for Site Plan from AVID for an approximately 19,600 Sq. Ft. Office/Light Industrial Facility on Lot 1 of CSM 15197 in the Commerce Park (SE Corner of Commerce Parkway and Landmark Drive) with conditions in staff reports, seconded by Valencia. **Motion** carried with a voice vote of 6-0-0.

**d. Discuss and Consider A Request for Approval of a Site Plan Approval from Atlantis Valley Foods for An Approximately 45,600 Sq. Ft. Light Industrial Facility on Lot 3 Of CSM 11263 In the Commerce Park (Immediately E. Of Stihl On Commerce Parkway).**

**Motion** by Murphy to approve a request for Site Plan from Atlantis Valley Foods for an Approximately 45,600 Sq. Ft. Light Industrial Facility of Lot 3 of CSM 11263 in the Commerce park (Immediately E. of Stihl on Commerce Parkway) with conditions in staff reports, seconded by Allen. **Motion** carried with a voice vote of 6-0-0.

**e. Discuss and Consider Ordinance 05-2021 Regarding Pools and Related Safety Measures.**

**John- the Plan commission did not recommend changing the ordinance.**

**Motion** by Allen to approve Ordinance 05-2021 regarding pools and related safety measures, seconded by Valencia. **Motion** failed with a roll call vote of Allen Aye, Murphy No, Peterson No, Ratcliff No, Valencia Aye, Williams No.

**8.V. Emergency Preparedness Committee**

Williams reported they discussed the ICS training for all the members and received an update on the locations of the Emergency Preparedness Kits that will be located at the Fire Station and Municipal Services Building. They also received a \$2,000 donation from Hydrite that will be used to do exercises.

#### **8.VI. Ad Hoc Architectural Review Committee**

Williams reported they approved two plans, one for Atlantis Valley Foods and AVID.

#### **8.VII. Reports from Village Officers**

##### **a. John Williams**

**i. Discuss and consider nomination of David Peterson to Joint Fire Department Committee, Natvig Landfill Monitoring Review Committee, Peer Court Steering Committee and Community Development Committee.**

**Motion** by Ratcliff to approve the nomination of David Peterson to Joint Fire Department Committee, Natvig Landfill Monitoring Review Committee, Peer Court Steering Committee and Community Development Authority, seconded by Murphy. **Motion** carried with a voice vote of 6-0-0.

##### **b. Stafford Rosenbaum**

**i. Legal briefings/status updates-** No report

##### **c. COVID-19 update**

Giese reported that they are working on the hybrid meeting with the cable staff.

Lt. Wagner reported that the updates from Dane County are expected this Wednesday, which will change the current order.

**i. Discuss and consider return to in-person meetings, subject to CDC and Dane County Public Health orders/guidelines.**

The Village Board is in agreement to not move to fast on returning to all in-person meetings at this time.

#### **9. Communications and Miscellaneous Business**

##### **a. Consider approval of vouchers.**

**Motion** by Allen to approve the Village portion of the vouchers in the amount of \$123,148.31 seconded by Murphy. The check sequence goes from check #48530 to #48579. **Motion** carried with a voice vote of 6-0-0.

**b. Correspondence-** Williams reported they received emails on support for a library. Giese reported we received a complaint on a fence location and the Village does not get involved in locating property lines as this is a private matter. The fence ordinance has been sent to the Ordinance Review Committee to look at.

**c. Upcoming Community Events-**American Legion Post 248 Memorial Day ceremony May 29<sup>th</sup> @ 10:00 am at the Veteran memorial located in front of the Town Hall. Grand opening of the Splash Pad at Bakken park will be June 5<sup>th</sup> at 10:00 am. June 9<sup>th</sup> is the opening of Miracle League Field. Fireman's Festival and Lions Pancake breakfast will be June 20<sup>th</sup> at the shelter.

**d. Future agenda items-** Engineer services, Village Board priorities, and license renewals for 2021-2022 year.

#### **10. Closed Session: This Closed Session Is for Negotiation of Terms and Conditions of Development Agreements in TID #5. 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**

Village Board did not enter into closed session for this item.

#### **11. Closed Session: This Closed Session Is for Background Check from An Operator's License Application (Alcohol Beverage License) Denial from The Police Department.**

The Village of Cottage Grove Village Board will enter into Closed Session pursuant to Wisconsin State Statute §19.85(1)(f) considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par (b) applies which, if discussed in public would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data or involved in such problems or investigations.

**Motion** by Williams to enter into closed session at 10:05 p.m. for Background Check from An Operator's License Application (Alcohol Beverage License) Denial from The Police Department.

The Village of Cottage Grove Village Board will enter into Closed Session pursuant to Wisconsin State Statute §19.85(1)(f) considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par (b) applies which, if discussed in public would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data or involved in such problems or investigations, seconded by Allen **Motion** carried with a roll call vote Allen AYE, Murphy AYE, Peterson AYE, Williams AYE, Ratcliff AYE, Valencia AYE.

**12. Reconvene into Open Session and Possible Consideration of Closed Session Items**

**Motion** by Allen to reconvene into open session at 10:22 p.m. seconded by Ratcliff. **Motion** carried with a roll call vote Allen AYE, Murphy AYE, Peterson AYE, Williams AYE, Ratcliff AYE, Valencia AYE.

The applicant is going to withdraw the application for an operator's license.

**13. Adjournment**

**Motion** by Allen to adjourn at 10:38 p.m., seconded by Ratcliff. **Motion** carried with a voice vote of 6-0-0.

**Lisa Kalata, Clerk**  
**Village of Cottage Grove**  
**Approved:**

**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.**