

Approved
6-19-14

TOWN OF WINDSOR
REGULAR BOARD MEETING

Minutes

June 5, 2014

1. Call Meeting To Order And Roll Call.

Meeting convened by Chairperson Wipperfurth at 5:00 p.m. Supervisors present: Alan Buchner, Don Madelung, Monica Smith, Bruce Stravinski, and Bob Wipperfurth. Others present: Town Clerk Christine Capstran, Town Finance Director Tina Butteris, and Town Engineer Kevin Richardson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Supervisor Stravinski.

3. Announcements.

None.

4. Approve Minutes.

- a. May 15, 2014.
- b. May 22, 2014.

A motion was made by Supervisor Smith, seconded by Supervisor Buchner, to approve the Minutes of May 15 and May 22, 2014, as presented. Motion carried with a 5-0 vote.

5. Consider Vouchers For Payment.

Chairperson Wipperfurth noted that additional invoices had been provided. Finance Director Butteris advised that there were invoices for the Dane County Sheriff's Department. The town is working with the Sheriff's Department to remove eight hours of Deputy Gnacinski's time in that he was on business other than town business. A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to approve the vouchers as presented. Motion carried with a 5-0 vote.

6. Appearances Before The Board.

None.

7. Report From Contract Deputy And Town Of Windsor Policing Monthly Report.

Deputy Heidi Finley provided the Law Enforcement Report for May. Deputy Gnacinski issued three citations and two warnings. Deputy Day issued five citations and one warning. Deputy Finley issued eight citations and two warnings.

Calls of interest included a theft of medications and a mock crash at DeForest High School for Deputy Gnacinski; a domestic DC arrest and domestic DC arrest/criminal damage to property arrest for Deputy Day; and two domestic DC arrests, a warrant arrest at Gold Road Apartments, and a juvenile disturbance at Windsor Elementary School for Deputy Finley.

There were two hit-and-run crashes: one at Lake Windsor Golf and one at Yahara/DM. There was a car/deer crash at Yahara Road and four property damage only crashes: three at Highway 19 and Lake Road and one at Yahara/Selje.

8. Future Governmental Structure of Windsor.

Chairperson Wipperfurth indicated that this is a place holder in that the town will be exploring its future structure.

9. Dr. Susan Borden, DeForest Area School District Superintendent, Framework Update.

Dr. Borden provided an update on some of the School District's successes and a quick update on planning for the future.

The School District is enhancing programs and asking the children to do more. They will be adding technical courses, such as computer science. They are also adding technology to enhance how teachers will do their job. Traffic safety around all school buildings is a concern. The School District has strong financial stability.

Planning for the future includes planning for facilities and budget planning.

10. DeForest Area Community And Senior Center Staffing And Facilities.

Linda Green from the DeForest Area Community and Senior Center explained that in 2006-2007 the Senior Center developed a staffing plan. They are working on those goals. The Center has

been growing. The services are getting challenging and much more complicated. They are looking at hiring an additional case manager for the Center. They are maxed out at the facility.

11. Ordinance 2014-02 Approving Change To Ordinance Chapter 6 Alcohol Beverages; Article II, Establishment Licenses; Division 3 Qualifications & Limitations; Section 6-86 Residency.

Town Clerk Capstran provided a brief overview. The town had an establishment that was changing ownership. The new owner has lived in the state for the past ten years. They are a permanent resident but not a U.S. citizen.

Added to the Ordinance was that the owner needed to be an American citizen or a person with permanent residency. The language was changed to reflect that.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, approving Ordinance 2014-02, Amending Chapter 6 – Alcohol Beverages; Article II, Establishment Licenses; Division 3 Qualifications & Limitations; Section 6-86 Residency. Motion carried with a 5-0 vote.

12. Ordinance 2014-03 Approving Addition To Ordinance Chapter 48 Traffic And Motor Vehicles; Article V, Parking; Section 48-220 Areas Restricted To No Parking At Any Time (Portage Road Near Windsor Hill Park Area).

Deputy Finley had earlier indicated that the town should approve this Ordinance. With the DeForest Parks and Rec Program and Windsor's programs, people have been parking on the side of Portage Road. With the hill, that creates some dangerous situations. Deputy Day also commented that this was a significant problem last year and suggested "No Parking" signs.

Supervisor Buchner asked whether no parking on Portage Road would lead to trespassing on neighborhood property. It was felt that this would probably not be an issue.

A motion was made by Supervisor Madelung, seconded by Supervisor Smith, to approve Ordinance 2014-03 Approving Addition To Ordinance Chapter 48 Traffic and Motor Vehicles; Article V, Parking; Section 48-220 Areas Restricted To No Parking At Any Time. Motion carried with a 5-0 vote.

13. Resolution 2014-28 Approving Fireworks Sales Permit For Luis Rucobo Doing Business As Fireworks Unlimited LLC At 6351 Lake Road.

Town Clerk Capstran inquired of the Fire Inspector and Deputy in that this gentlemen sold fireworks last year. There were no problems last year. The permit will be for less than a month.

A motion was made by Supervisor Buchner, seconded by Supervisor Stravinski, to approve Resolution 2014-28 to Approve Fireworks Sales Permit For Luis Rucobo Doing Business As Fireworks Unlimited LLC At 6351 Lake Road. Motion carried with a 5-0 vote.

14. Resolution 2014-29 Approval Of Funding And Construction Of New Gravel Parking Lot At Windsor Sports Commons.

Town Engineer Richardson discussed this matter. During construction of Highway V the town has the opportunity to get its parking lot graveled and at the same price as the state is getting it done. There have been contributions from the Norski Soccer Club and Norski Lacrosse Club in the amount of \$1,700 each. It would cost the town more if it was done at a later date.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to approve Resolution 2014-29 Approving Funding And Construction Of New Gravel Parking Lot At Windsor Sports Commons. Motion carried with a 5-0 vote.

15. Resolution 2014-30 Subdivision Agreement For Holland Fields – Phase IX, First Addition To Holland Fields Subdivision – Lots 237 To 242 And 261 To 270 In The Town Of Windsor, Restriction On Sale And Transfer Of Lots And Amount Of Letter Of Credit.

Town Engineer Richardson discussed this matter. The town has been working through phases with Holland Fields. It is now in its ninth phase. The Development Agreement is before the Town Board. Finance Director Butteris indicated Town Attorney Anderson prepared the documents and has reviewed everything and has accepted it.

A motion was made by Supervisor Stravinski, seconded by Supervisor Buchner, to approve Resolution 2014-30 for Approval of Subdivision Agreement For Holland Fields—Phase IX, First Addition To Holland Fields Subdivision—Lots 237 To 242 And 261 To 270 In The Town Of Windsor, Restriction On Sale And Transfer Of Lots And Amount Of Letter Of Credit. Motion carried with a 5-0 vote.

16. Resolution 2014-31 Approving Third Amendment To Development Agreement For Phase 2B Of Prairie Creek Subdivision, Declaration Restricting Sale Or Transfer Of Certain Lots, Termination Document Related To Partial Releases Of Phase 2A Lots And Reduction In Letter Of Credit.

Town Engineer Richardson stated that this matter is similar to the last item. This is a continuation of construction of Prairie Creek. The town is reducing the letter of credit from the work that was done last summer and is rolling the letter of credit into the new phase.

Ron Henshue, representing State and Main Development, was present at the meeting.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2014-31 Approving Third Amendment To Development Agreement For Phase 2B Of Prairie Creek Subdivision, Declaration Restricting Sale Or Transfer Of Certain Lots, Termination Document Related To Partial Releases Of Phase 2A Lots And Reduction In Letter of Credit. Motion carried with a 5-0 vote.

17. New Operator Licenses.

Town Clerk Capstran provided a memo recommending approval of everyone.

- a. Expires 6/30/2014.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve the operator licenses that expire on June 30, 2014, based on staff recommendation. Motion carried with a 5-0 vote.

- b. 7/01/2014 – 6/30/2015.

A motion was made by Supervisor Smith, seconded by Supervisor Madelung, to approve the operator licenses from July 1, 2014, through June 30, 2015, based on staff recommendation. Motion carried with a 5-0 vote.

18. “Class A” Fermented Malt Beverage And Intoxicating Liquor Licenses.

- a. Mousehouse Cheesehaus, Inc, D/B/A Mousehouse Cheesehaus; Anthony G. Sobczak, Agent.
- b. Begowal, LLC, D/B/A Windsor Travel Plaza; Satwinder Kaur, Agent.

Town Clerk Capstran reported that everyone has complied with all of the different checks – Health Department, Building Inspector – and all passed with no issues.

A motion was made by Supervisor Stravinski, seconded by Supervisor Buchner, to approve Class A Fermented Malt Beverage and Intoxicating Liquor Licenses for Mousehouse Cheesehaus, Inc., d/b/a Mousehouse Cheehaus; Anthony G. Sobczak, Agent; and Begowal, LLC, d/b/a Windsor Travel Plaza; Satwinder Kaur, Agent. Motion carried with a 5-0 vote.

19. Class “A” Fermented Malt Beverage.

- a. Speedway LLC, D/B/A Speedway #4202; Jeffrey Peper, Agent.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to approve the Class “A” Fermented Malt Beverage license for Speedway LLC, d/b/a Speedway #4202, Jeffrey Peper, Agent. Motion carried with a 5-0 vote.

20. “Class B” Fermented Malt Beverage And Intoxicating Liquor Licenses.

- a. Tamarack Pizza, Inc., D/B/A Tamarack II; William Noll, Agent.
b. Topp’s Hideaway LLC, D/B/A Topp’s Hideaway; Jonathan Stevens, Agent.
c. Windsor Golf Ventures, LLC, D/B/A Lake Windsor Golf Club; Jennifer Nicole Anderson, Agent.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve the “Class B” Fermented Malt Beverage and Intoxicating Liquor Licenses for Tamarack Pizza, Inc., d/b/a Tamarack II; William Noll, Agent; Topp’s Hideaway LLC, d/b/a Topp’s Hideaway; Jonathan Stevens, Agent; and Windsor Golf Ventures, LLC, d/b/a Lake Windsor Golf Club; Jennifer Nicole Anderson, Agent. Motion carried with a 5-0 vote.

21. “Class B” Fermented Malt Beverage And “Class C” Wine Licenses.

- a. Papino’s Pizza & Pasta LLC, D/B/A Papino’s Pizza & Pasta; Guiseppe Pipitone, Agent.

A motion was made by Supervisor Madelung, seconded by Supervisor Smith, to approve the “Class B” Fermented Malt Beverage and “Class C” Wine Licenses for Papino’s Pizza & Pasta LLC, d/b/a Papino’s Pizza & Pasta, Guiseppe Pipitone, Agent. Motion carried with a 5-0 vote.

22. Renewal Operator Licenses – 7/01/2014 – 6/30/2015.

Town Clerk Capstran indicated that the town reruns everyone’s background check each year. Everyone on the list has been rerun, and at this point everyone was fine.

A motion was made by Supervisor Madelung, seconded by Supervisor Stravinski, to approve the Renewal Operator Licenses, 7/1/14 through 6/30/15. Motion carried with a 5-0 vote.

23. Cigarette Licenses.

- a. Windsor Golf Ventures, LLC, D/B/A Lake Windsor Golf Club.
- b. Begowal, LLC, D/B/A Windsor Travel Plaza.
- c. Speedway LLC, D/B/A Speedway #4202.

Town Clerk Capstran had no issues and recommended approval. A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, for the approval of Cigarette Licenses for Windsor Golf Ventures, LLC, d/b/a Lake Windsor Golf Club; Begowal, LLC, d/b/a Windsor Travel Plaza; and Speedway LLC, d/b/a Speedway #4202, based upon staff recommendation. Motion carried with a 5-0 vote.

24. Position On Status Of DaneCom.

Chairperson Wipperfurth discussed a letter received from Blue Mounds asking other towns to take a position. The town has been paying fees for a couple of years but still there is no service available. Supervisor Buchner agreed that these people should be held accountable. This has drag on way too long. Is there enough funding to finish the project?

Chairperson Wipperfurth indicated the town could not opt out until December 2015. He would anticipate it would be in service by then.

Supervisor Madelung commented how this has not been well-handled. He agrees with Supervisor Buchner. The town should voice its dissatisfaction.

Supervisor Stravinski asked about the amount of Windsor's monthly payment.

Finance Director/Deputy Clerk Tina Butteris responded that it is a semi-annual payment; one has already been paid for this year. The radios should be up and running by the next payment. Windsor does not have its radios because they cannot be programmed. The town has not paid for the radios.

Chairperson Wipperfurth indicated there was nothing the town could do other than to send a letter stating the town's disappointment. The town may have some say in negotiations for renewal of the contract.

Supervisor Buchner suggested not taking any action at this time. Supervisor Stravinski agreed.

With the radios, the town would be able to communicate with our fire, EMS, and first responders. The town could listen to, but not talk with, the sheriff and other communities, unless those communities have given approval for Windsor to do so.

Chairperson Wipperfurth stated the town would take no action and give the matter another month or so.

25. Overview Of Tax Increment Financing/District.

a. Discussion And Action On Tax Increment Financing/District.

Chairperson Wipperfurth authorized town staff to explore uses of TIF in Windsor. Finance Director Tina Butteris discussed the memo that was submitted. Windsor Crossing would be the most beneficial area. The town has spoken with a couple of consultants and discussed costs of consulting services.

Supervisor Madelung asked, with Windsor Crossing being the focal point, does the town want to move forward or wait until someone makes an inquiry?

Supervisor Stravinski thought now was the time to do this.

It will cost the town \$5,000 for Ehlers to do an initial evaluation.

Supervisor Buchner agreed that Windsor Crossing would be a prime candidate.

Discussion followed regarding eligibility.

A motion was made by Supervisor Buchner. Seconded by Supervisor Madelung, concurring with the staff recommendation that the town start the process to create a TID and/or TIF based on what the Town Board has before it and authorize the execution of an agreement. Motion carried with a 5-0 vote.

26. Authorization To Execute Letter To Graef.

Chairperson Wipperfurth reminded that this was discussed at the last meeting, and the Town Board indicated it wanted to send a letter to Graef. A motion was made by Supervisor Madelung, seconded by Supervisor Smith, to have Chairperson Wipperfurth execute the letter as proposed and as written. Motion carried with a 5-0 vote.

27. Extra Territorial Zoning Ordinance With Village Of DeForest.

Chairperson Wipperfurth advised that this is a follow up to a meeting a week or so ago. Supervisor Stravinski and Chairperson Wipperfurth reviewed the ordinance. Windsor could be granted some zoning authority by the village. Supervisor Madelung asked whether the town would be able to do this under its umbrella. Windsor would be implementing DeForest zoning. DeForest has the ability to give Windsor zoning through the Cooperative Plan. It would be worthwhile having the discussion with DeForest.

This type of zoning concept has worked well with Sun Prairie since 1993. Discussion followed.

28. Discussion And Action On Support Letter To Capital Area Regional Plan Commission (CARPC) For Fox Hills Development, Village Of DeForest (Dwight Ziegler And Steve Pederson).

Applicant Steve Pederson and Attorney Michael Lawton were present and explained the project and its location.

Chairperson Wipperfurth stated the town could offer conceptual support, as it has no objections to the concept. He did, however, have a concern regarding the multi-family. If the multi-family is looked at, which is his major concern, and unless it changes dramatically from this concept, it would not have to come back to Windsor.

Supervisor Stravinski agreed. He thought this was good. The linkage between this and Revere Trails would be good. He did, however, question the name “Fox Hills” in that there is a “Fox Run” nearby.

He also questioned the Highway 19 sewer interceptor and its capacity. Discussion followed.

A motion was made by Chairperson Wipperfurth, seconded by Supervisor Buchner, that the town conceptually agree with what is being proposed and that Windsor offers this in support of cooperation with its neighbors in DeForest, asking that DeForest review the amount of multi-family. Motion carried with a 5-0 vote.

29. Schedule Town Hall Meeting Dates, Times And Locations For The Exploration Of Future Government Structure.

Chairperson Wipperfurth discussed the schedule of upcoming meetings at 5:30 p.m. at the Town Hall:

- July 9 – meeting with Windsor utilities and sanitary district.
- July 16 – meeting with Windsor’s committees and commissions.
- July 23 – meeting with Windsor’s town residents.

July 30 – meeting with Windsor’s farmers with an AG focus and the impact on farmers; however this is open to any residents.

Finance Director Tina Butteris advised that the town will be doing a mass mailing letter listing the dates and the focus of the meetings. The town has not done a financial analysis of any of the scenarios. It needs feedback from its residents.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, setting the dates for the Town Hall Meetings at 5:30 p.m. on July 9, 16, 23, and 30, 2014. Motion carried with a 5-0 vote.

30. Consider Cancellation Of July 3, 2014, Town Board Meeting.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to cancel the July 3, 2014, Town Board Meeting. Motion carried with a 5-0 vote.

31. County Highway C Improvements (State Highway 19 To Egge Rd.).

Chairperson Wipperfurth and Town Engineer Richardson have met twice in the last three months regarding this project. The county wants to redo part of Highway C. Some of the cost is charged back to the municipalities.

Town Engineer Richardson explained that if the county builds two lanes for a county road it is on the county. Anything outside the two lanes of travel, Windsor would have to participate in. Windsor will not be asked to participate in the portions in Sun Prairie or Burke. Windsor’s cost for Section 3 would be approximately \$300,000 to construct a four-lane road instead of two-lane. Regarding Section 4, our cost went up to over \$1 million for four lanes with a sidewalk all the way to Egge Road.

Section 3 would be \$300,000 that Windsor would be responsible for. Planning and design would occur in 2015 with construction in 2016 and Dane County doing most of the work.

Supervisor Smith asked why is there a sidewalk that goes to nowhere. There are then maintenance issues. She did not agree with the sidewalk.

Chairperson Wipperfurth asked whether a five-foot wide sidewalk was appropriate or would a 10-foot asphalt path be better? Discussion followed.

32. Update On USH 51 Expansion Project.

Town Engineer Richardson advised that currently County Highway V is closed. The plan is to open it on June 21. If that happens on June 21, then Mueller Road will be closed for five days.

Due to the recent weather, the state does not know if it can meet the June 21 deadline. If not, it will open on June 30, with Mueller Road closing on June 30.

33. Committee/Board/Staff Reports.

a. Plan Commission.

Supervisor Stravinski advised regarding the Plan Commission.

b. Community Development Authority.

Chairperson Wipperfurth advised there was no meeting last month.

c. Park Commission.

Finance Director/Deputy Clerk Tina Butteris advised regarding the Park Commission.

d. Token Creek Conservancy Committee.

Supervisor Stravinski advised regarding the Token Creek Conservancy Committee.

e. Sun Prairie Extra-Territorial Zoning Committee.

Supervisor Madelung advised regarding the Sun Prairie Extra-Territorial Zoning Committee.

f. DeForest Area Community And Senior Center/Half-Century Club.

Supervisor Stravinski advised there had been no meeting yet this month.

g. DeForest Area Fire Department.

Chairperson Wipperfurth advised regarding the DeForest Area Fire Department.

h. Windsor/DeForest Task Force.

Chairperson Wipperfurth advised regarding the Windsor/DeForest Task Force.

i. DeForest Area Chamber Of Commerce.

Supervisor Smith advised she had nothing to report.

j. DeForest Area Tourism Commission.

Supervisor Stravinski advised regarding the DeForest Area Tourism Commission.

k. Madison Beltline Planning Corridor Study.

Supervisor Stravinski advised that they had not yet had their meeting.

l. Dane County Towns Association.

Supervisor Madelung advised regarding the Dane County Towns Association.

m. Town Chair Report.

Chairperson Wipperfurth provided his report.

n. Town Staff Report.

Town Clerk Capstran and Town Engineer Richardson provided a staff report.

34. Adjournment.

At 8:50 p.m. a motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to adjourn the meeting. Motion carried with a 5-0 vote.

Respectfully submitted,



Ellen G. Teed, Recording Secretary