

Approved
7-17-14

TOWN OF WINDSOR
REGULAR BOARD MEETING

Minutes

June 19, 2014

1. Call Meeting To Order And Roll Call.

Meeting convened by Chairperson Wipperfurth at 5:00 p.m. Supervisors present: Alan Buchner, Monica Smith, Bruce Stravinski, and Bob Wipperfurth. Supervisor Don Madelung had an excused absence. Others present: Finance Director/Deputy Town Clerk Tina Butteris, Town Engineer Kevin Richardson, Town Planner Jamie Rybarczyk, and Town Attorney Connie Anderson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Supervisor Buchner.

3. Announcements.

- a. The Town Board will convene into closed session pursuant to Wisconsin Statutes sec. 19.85(1)(e) for purposes of 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. (Deliberation limited to DeForest/Windsor Area Fire District Facilities and Governance Structure.)

Chairperson Wipperfurth read the above announcement.

4. Approve Minutes.

- a. June 5, 2014.

Supervisor Stravinski asked for the addition of the word "sewer" preceding interceptor on page 9. A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve the Minutes of June 5, 2014, as amended. Motion carried with a 4-0 vote.

5. Finance.

a. Staff Report On Finances.

Finance Director/Deputy Town Clerk Butteris noted that there were additional invoices. The town is working with Ehlers on an investment plan. There was nothing out of the ordinary regarding receipts. The budget comparison is doing well. It is still a little weighted because of where we are in the year. It still looks good. Year-to-date there have been issued building permits for 22 single-family residences.

b. Consider Vouchers For Payment.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve the vouchers presented for payment. Motion carried with a 4-0 vote.

c. Treasurer's Report.

A motion was made by Supervisor Smith, seconded by Supervisor Buchner, to approve the Treasurer's Report as presented. Motion carried with a 4-0 vote.

d. Budget Report.

A motion was made by Supervisor Smith, seconded by Supervisor Stravinski, to approve the Budget Report as presented. Motion carried with a 4-0 vote.

6. Appearances Before The Board.

None.

7. Citizen Input On 2015 Budget.

None.

8. Future Governmental Structure Of Windsor.

Chairperson Wipperfurth added as a follow up to the press release that the town will be scheduling a series of Town Hall meetings in the month of July starting on July 9 which would focus on utilities. At the following meeting, the focus will be with the town's committees and commissions. The third meeting will focus on town residents, while the fourth meeting will focus on farming and ag. A town-wide mailing will be sent out.

9. Operator Licenses.

Chairperson Wipperfurth stated that there were two applications for Operator Licenses. Town Clerk Capstran recommended approval of both.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve the Operator Licenses for Katie M. Udelhoven and Taylor C. Harrell based on staff recommendation. Motion carried with a 4-0 vote.

10. Discussion/Action On Windsor Recycling Center Composting, Operations And Facility Improvements.

Jim Fredenberg, Windsor's Streets Superintendent, was present. Chairperson Wipperfurth indicated that this has become a bigger issue than pouring a concrete pad. The town may have to add hours or manpower to staff the Recycling Center to monitor what is being dropped off.

Town Engineer Richardson advised that Dane County's construction cost estimate for the concrete pad is \$37,300. The pad would be 85 by 60, with 6 inches of concrete and a 12-inch aggregate base.

Compost coming into the Recycling Center contains foreign material. A discussion needs to take place to decide what the town wants to accept.

Chairperson Wipperfurth was inclined to appoint a working committee. This is bigger than what the town can do at a Board meeting.

Supervisor Stravinski indicated he would work with Jim Fredenberg, with Jim working through office staff.

Supervisor Smith said she would like to look at a cost analysis for the town to charge for residential pick up.

Town Attorney Anderson indicated that when Act 32 went through there is a provision that says a town cannot use public workers to do private work, even if the town charges for it.

Supervisor Smith said there needed to be more pick-up days because of the recent storm. Chairperson Wipperfurth responded that the Recycling Center has been open extra days for residents to bring their brush from the storm damage.

The committee to address these issues will be Jim Fredenberg, Town Engineer Richardson, and Supervisor Stravinski, with input from Supervisor Buchner. This will be on the July 17 agenda.

11. Ordinance 2014-04 Rename Portion Of Old Hwy. 51 To North Towne Road.

Town Engineer Richardson provided background information. The existing U.S. Highway 51 will become North Towne Road. It will be a frontage road. The residents who live on either side of Gray Road will have their addresses changed from Highway 51 to North Towne Road. Doing the change now will allow those residents to start getting their mail with their new address. The section of road affected will be from the cemetery to several hundred feet north of Gray Road.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Ordinance No. 2014-04 Renaming A Portion Of Old Highway 51 To North Towne Road. Motion carried with a 4-0 vote.

12. Resolution 2014-32 Rick And Mary Herschleb (4389 County Highway DM) Request Consideration Of A Certified Survey Map And Rezone In Order To Separate An Existing Residence From The Remaining Agricultural Lot.

Town Planner Rybarczyk noted that the petitioner is requesting a two-lot CSM. Lot 1 would be 2.37 acres, while Lot 2 containing the remnant farm would be 29.43 acres. It is zoned A-2. Lot 1 will be for a daughter. It will be rezoned to A-2(2). A deed restriction will be placed on Lot 1 indicating no further land division. Lot 2 will be deed restricted such that if it is developed in the future payment of park fees will be made at that time.

A motion was made by Supervisor Stravinski, seconded by Supervisor Buchner, approving Resolution 2014-32 Approving Certified Survey Map And Supporting Rezone In Order To Separate An Existing Residence From The Remaining Agricultural Lot. Motion carried with a 4-0 vote.

13. Resolution 2014-33 James Belda (3840 County Highway V) Requests Consideration Of A Certified Survey Map To Adjust The Property Boundary To Accommodate An Attached Garage.

Town Planner Rybarczyk explained that the petitioner is proposing a two-lot CSM which is really a lot-line adjustment. Lot 1, the larger farmstead, has 37.48 acres. Lot 2, which has the farmhouse, is .73 acres. Lot 1 is A-1 EX, while Lot 2 is R-1. The reason for the request is that the petitioner has taken down a series of buildings and is adding an attached garage. If and when the petitioner wishes to put a house on the larger farmstead or develop it, park fees will be imposed. The legal descriptions will have to be amended on the driveway agreement.

Town Attorney Anderson advised that there were several additional documents attached to the Resolution. Lot 1 can be split; Lot 2 cannot be split.

Mr. Belda questioned whether he would have to pay the \$2,500. Town Attorney Anderson explained that those fees would be for the parkland if and when it is developed.

The town will need the legal description for both lots before it can proceed with final signing of the documents.

A motion was made by Supervisor Stravinski, seconded by Supervisor Smith, to approve Resolution 2014-33 Recommending Approval Of A Certified Survey Map To Adjust The Property Boundary Line To Accommodate An Attached Garage. Motion carried with a 4-0 vote.

14. Resolution 2014-34 Wolf Hollow Windsor LLC Requests Consideration Of A Certified Survey Map In Order To Adjust Lot Lines For Lots 71, 72, 73, 74, & 75 On Dusky Glen (Dusky Glen East CSM).

A staff report was provided by Town Planner Rybarczyk. Within the last couple of days, the town received two revised CSMs for Wolf Hollow. The only amendment was the numbering of the lots. The amendment will make it easier to follow in the future. The town has been provided with a new CSM with continued numbering of the old plat. They are proposing a four-lot CSM taking Lots 71 and 72 and combining them to be new Lot 272 and adjusting the boundary lines of Lots 73, 74, and 75. They will be renumbered 273, 274, and 275. This was necessitated by the fact that this land has been dormant for many years, and the wetland boundaries have shifted and had to be redelineated.

Town Attorney Anderson noted that the heading of the Resolution would be changed to reflect the lot numbers.

The petitioner has been working on various items since the Plan Commission meeting. That report is being used as a punch list.

Don Esposito, representing the petitioner, concurred. The lots were renumbered at the suggestion of the town.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2014-34 Approving A Certified Survey Map (Referred To As “Dusky Glen East CSM”) In Order To Adjust Lot Lines For Lots 71, 72, 73, 74 & 75 Of The Plat Of Wolf Hollow In The Town Of Windsor, Dane County, Wisconsin, with staff to reassign new lot numbers in the title of the Resolution. Motion carried with a 4-0 vote.

15. Resolution 2014-35 Wolf Hollow Windsor LLC Requests Consideration Of A Certified Survey Map In Order To Adjust Lot Lines For Lots 76, 77, 78 & 79 On Dusky Glen (Dusky Glen West CSM).

Town Planner Rybarczyk provided a staff report. This involves the west side of Dusky Glen. The lot numbers are being renumbered. They are adjusting the north and south property lines. The same staff comments apply as to renumbering the lots. The revision on the CSM will make for easier reference in the future.

A motion was made by Supervisor Smith, seconded by Supervisor Buchner, to approve Resolution 2014-35 Approving A Certified Survey Map (Referred To As “Dusky Glen West CSM”) In Order To Adjust Lot Lines For Lots 76, 77, 78 & 79 Of The Plat Of Wolf Hollow In The Town Of Windsor, Dane County, Wisconsin, with staff to reassign new lot numbers in the title of the Resolution. Motion carried with a 4-0 vote.

16. Review Of The DeForest Comprehensive Plan Amendments To Chapter 6 Land Use.

Town Planner Rybarczyk stated that the village of DeForest has been working on its comprehensive plan updates. The schedule has been somewhat delayed. DeForest wants to move forward with Chapter 6 because it is holding up development opportunities for the village.

Town Planner Rybarczyk went through the changes. Windsor is not comfortable with DeForest using Dane County’s existing zoning because it is out of date, *i.e.*, Revere Trails. If DeForest does not want to use Windsor’s Land Use Plan, it should leave the designation blank. While Windsor understands that there were concept discussions, until signed it should not be shown on a land use plan. DeForest designates Wolf Hollow as single-family. Windsor designates Wolf Hollow as multi-family.

Regarding the housing analysis, there are some points that Windsor would like to take back to DeForest. The housing analysis is still a work in progress.

A motion was made by Supervisor Smith, seconded by Supervisor Buchner, authorizing Town Planner Rybarczyk to communicate as per his staff report and that the housing analysis will follow. Motion carried with a 4-0 vote.

17. Resolution 2014-38 Approval Of Revere Trails Reduction Of Letter Of Credit.

Town Engineer Richardson and Town Planner Rybarczyk indicated that the base coat of asphalt has been completed, as well as storm water management. The surface course is needed, along with the trail. The developer is looking for a reduction in the letter of credit.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2014-38 for Approval Of Revere Trails Reduction Of Letter Of Credit. Motion carried with a 4-0 vote.

18. Standard Development Agreement Form.

Town Attorney Anderson provided the Town Board members with a draft Development Agreement form. This is before the Town Board to get a sense of what the town is trying to do with the Development Agreement. Each developer has questions when they come before the town. This will allow developers to see the town's policies and will be a reliable approach to these issues. This will be helpful information for anyone who is looking at these documents. This will be recorded. It sets forth standards that should be in each of the town's agreements.

Chairperson Wipperfurth indicated that he asked staff to work on this for some time. One of his frustrations as a Board member was looking at the Development Agreement. They were never consistent.

Supervisor Smith thought this was a great concept. Supervisor Buchner indicated it would be good to have a standardized format. Supervisor Stravinski agreed.

19. Proposed Cuba Valley Or Windsor Road Interchange At Interstate 39/90/94.

Chairperson Wipperfurth provided a history indicating that this request stems from the developers of Conservancy Place in the village of DeForest at the Cuba Valley Road intersection. In January Windsor was asked to comment on this proposal. The Windsor Town Board went on record approving the gathering of more information and thought there may be an economic benefit for the town of Windsor. Toward the end of April, the town was asked to attend a meeting in the village of DeForest with the Department of Transportation. Plans were shown for the first time. The DOT wanted a response from Windsor within 30 days.

Vienna is opposed to the project. Westport had questions on the Cuba Valley Road interchange and Windsor Road interchange.

Chairperson Wipperfurth has been in communication with the village of DeForest president. DeForest is not pursuing this. They aren't going to act upon it.

A motion was made by Chairperson Wipperfurth to not support either the Windsor Road or the Cuba Valley Road interchange at the Interstate based upon the following reasons:

1. There would be increased traffic on Windsor Road with no ability to have any further development to pay for it.
2. It would be disruptive to the neighborhoods in Windsor and the town of Vienna.
3. The cost of the interchange – with no revenue source to help pay for it. The cost of the Windsor Road interchange would be \$10 million.
4. There would be negative effects on the town of Vienna and town of Windsor residents.

5. Windsor has a limited growth area in this part of the town due to its Cooperative Plan.

The motion was approved by Supervisor Smith. Supervisors Stravinski and Buchner agreed with Chairperson Wipperfurth. Motion carried with a 4-0 vote.

20. DeForest/Windsor Area Fire District Facilities And Governance Structure.

Chairperson Wipperfurth put this on the agenda in the event there were people from the public that wanted to comment on this.

There are two components. The town has heard a presentation on the Fire District. There is also the governance structure. DeForest and Windsor comprise 90 percent of the Fire District. The remaining municipalities would be Vienna, Leeds, and Hampden. There have been discussions that DeForest and Windsor would comprise the Fire District with Vienna, Leeds, and Hampden contracting for services.

21. County Highway C Improvements (State Highway 19 To Egge Road).

This is a follow up to the last Town Board meeting. There was debate over the five-foot wide sidewalk – whether it was appropriate to build it or not as part of this project. There was talk with the county asking it to go back and look if a sidewalk was appropriate or whether there should be a path. A multi-use path would be a significant cost in that right-of-way would need to be acquired.

Town Engineer Richardson stated that a sidewalk would be \$37,000. Constructing a multi-use path would necessitate acquiring a one-half acre right-of-way at a cost of \$25,000. Any savings on the sidewalk would be eaten up in the acquisition of land.

Chairperson Wipperfurth felt it would be appropriate to have a sidewalk for connectivity to Sun Prairie. Discussion followed.

The Town Board suggested a crosswalk at St. Albert Drive.

Supervisor Smith said she could see heavy traffic and that Sun Prairie would need a bridge walk that goes over the road.

Chairperson Wipperfurth indicated he has heard no support for the sidewalk and that it is premature at this point.

Discussion followed regarding the Egge Road intersection.

Chairperson Wipperfurth said the town was looking for a motion that the town is willing to accept the numbers and parameters in Section 3 without the sidewalk. The town needed more information from the county on the Egge Road intersection. Section 3 would be \$250,000 to \$300,000. Section 4 will be a rural section, so there is no cost to the town.

A motion was made by Chairperson Wipperfurth, seconded by Supervisor Stravinski, that the town go on record conceptually approving the urbanized area in Section 3 without the sidewalk, but it would also need its other questions answered, *i.e.*, clarification regarding the retaining wall. Before the town can comment on the Egge Road intersection, it would need more information on the intersection and what some of the numbers mean. Motion carried with a 4-0 vote.

22. Fees In Lieu Of Land And Fee For Initial Improvement Of Parkland Ordinances; Fee Expenditure Policy.

Finance Director Butteris explained that before the Town Board was the existing ordinance and a draft form for requesting the use of park funds. This is for informational purposes only. No action will be taken.

23. Resolution 2014-40 Designation Of Windsor Community Development Authority To Perform Tax Increment District Acts Of The Plan Commission.

Town Attorney Anderson explained there is a section in the tax increment district that allows it to designate a local housing authority to take actions usually done by a plan commission. The Windsor Community Development Authority would be the commission designated to take those actions.

A motion was made by Supervisor Stravinski, seconded by Supervisor Smith, to approve Resolution 2014-40 Designating Windsor Community Development Authority (CDA) To Perform Tax Increment District Acts Of The Plan Commission. Motion carried with a 4-0 vote.

24. Resolution 2014-41 Wolf Hollow Phase 3 – Environmental Corridor Amendment.

There is confusion with the CSMs that were approved. CARPC is asking that Windsor amend the environmental corridor that runs through this area. Amended would be only two areas at this time. CARPC is asking that this now be part of the environmental corridor. It will be wetlands inside the corridor.

Town Attorney Anderson explained the significance of this amendment. Until CARPC has the amendment approved, it will not extend Section 208 letters. The town will be accepting the DNR's conclusion that these are now wetlands.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2014-41 Approving Amendment Of Environmental Corridor For Phase 3 Of The Plat Of Wolf Hollow In The Town Of Windsor, Dane County, Wisconsin. Motion carried with a 4-0 vote.

25. Update On US Hwy. 51 Expansion Project.

Town Engineer Richardson advised that starting on June 23 Mueller Road will be closed for five days in connection with the Highway V work. They are behind in construction because of the weather. They will be working 12-hour days when the weather permits and 8 hours on Saturdays.

Discussion followed regarding stabilization of the soccer fields.

Mueller Road will be closed for two months in the fall.

26. Convene Into Closed Session And Roll Call.

At 7:00 p.m. a motion was made by Supervisor Buchner, seconded by Supervisor Stravinski, to convene into closed session. Roll call vote taken, with everyone present except Supervisor Madelung, who had an excused absence.

27. Reconvene Into Open Session.

A motion was made and seconded to reconvene into open session. Motion carried with a 4-0 vote.

28. Action From Closed Session.

- a. DeForest/Windsor Area Fire District Facilities And Governance Structure.

29. Adjournment.

A motion was made and seconded to adjourn the meeting. Motion carried with a 4-0 vote.

Respectfully submitted,

Ellen G. Teed
Recording Secretary

Approved
7-17-14

TOWN OF WINDSOR - BOARD MEETING
Thursday, June 19th, 2014 at 5 p.m.
Windsor Town Hall / Meeting Room, 4084 Mueller Rd, DeForest, WI

SUPPLEMENTAL MINUTES

26) Convene into Closed Session and Roll Call

Supervisor Buchner moved to convene into closed session at 7:00 p.m., second by Supervisor Stravinski. Motion carried 4 – 0 with a roll call vote.

27) Reconvene into Open Session

Supervisor Smith moved to reconvene into open session at 7:40 p.m., second by Supervisor Buchner. Motion carried with a 4 – 0 vote.

28) Action from Closed Session

- a) DeForest/Windsor Area Fire District Facilities and Governance Structure

No action was taken from closed session.

29) Adjournment

Supervisor Smith moved to adjourn at 7:41 p.m., second by Supervisor Buchner. Motion carried with a 5 – 0 vote.

Respectfully submitted,



Tina Butteris
Finance Director/Office Manger
Treasurer/Deputy Clerk