

Approved 7-16-15

TOWN OF WINDSOR
REGULAR BOARD MEETING

Minutes

June 18, 2015

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 Finance Director Tina Butteris, Town Attorney Connie Anderson, Town Engineer Kevin Richardson, and Town Planner Jamie Rybarczyk.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Supervisor Madelung.

3. Announcements.

Chairperson Wipperfurth noted that the Town Board had an extremely large agenda. Regarding Item 20 concerning reconsideration of Town Board action taken on the Hoffman quarry at its May 21, 2015, meeting, if there is a motion for reconsideration, there will not be a revote on the quarry at this meeting.

4. Approve Minutes.

- a. May 18, 2015.
- b. May 21, 2015.

A motion was made by Supervisor Madelung, seconded by Supervisor Stravinski, to approve the Minutes of May 18, 2015, and May 21, 2015.

Regarding the May 21, 2015, Minutes, Supervisor Stravinski asked that the reference to the comments of Mr. Roffers and Ms. Andros being incorporated into the final document be stricken in that it was repetitive of comments made during the Board discussion. He also wanted it specifically noted that the motion to approve Resolution 2015-18 denied the request of the petitioners.

The motion maker accepted the amendments. Motion carried with a 5-0 vote.

5. Finance.

a. Staff Report On Finances.

Finance Director Butteris noted that additional invoices and additional invoices for prepaids were before the Town Board. She provided some budget comparisons. The town is at 60 percent revenues and 47 percent expenditures. Building permits were at 6 vs. 5 for May 2014. Year-to-date permits were 29 vs. 22 for 2014. There is one account receivable over 30 days which has been invoiced and charged interest.

The groomer broke down, which the town had to replace. A donation of \$6,000 was received from the Windsor Boys Baseball League. Franchise fees of \$17,000 were received. Fees will be coming for parks in the amount of \$57,000 regarding the Blue Addition to Lake Windsor.

b. Consider Vouchers For Payment.

A motion was made by Supervisor Smith, seconded by Supervisor Buchner, to approve the vouchers as presented. Motion carried with a 5-0 vote.

c. Treasurer's Report.

A motion was made by Supervisor Smith, seconded by Supervisor Stravinski, to approve the Treasurer's Report as presented. Motion carried with a 5-0 vote.

d. Budget Report.

A motion was made by Supervisor Smith, seconded by Supervisor Madelung, to approve the Budget Report as presented. Motion carried with a 5-0 vote.

6. Appearances Before The Board.

Chairperson Wipperfurth stated that the town received a status report regarding the School District's projects from Dr. Sue Borden from the DeForest Area School District.

a. Guy Gryphan, Executive Director, DeForest Area Chamber Of Commerce.

Mr. Gryphan was not present.

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

Deputy Heidi Studnicka provided the May 2015 Law Enforcement Report, together with the results of the speed board. May was a busy month. The deputies averaged 2,014 miles. There

were only two crashes. There were 27 citations issued which varied in offense. She and Deputy Gnacinski participated in the DeForest Mock Crash.

Calls of interest included domestic arrest, resisting arrest, fraud, domestic battery, a warrant arrest, sexual assault arrest, bail jumping arrest, OWI arrest, and drone citation. There have been multiple thefts from unlocked cars in the Memorial Circle area. iPads were stolen, and complaints were received regarding the drone.

- a. Ordinance 2015-04 An Ordinance Amending Section 36-2 Of The Windsor Municipal Code To Prohibit The Unlawful Use Of Drones.

Deputy Studnicka explained that the drone issues have been going on for over a year. There is a five-mile no-fly zone from the airport. Drones are not to fly at night and have to be in eyesight.

Supervisor Madelung indicated he was neighbor to one who has complained about the drone. The owner of the drone refuses to answer his door.

Town Attorney Anderson indicated she talked to Deputy Gnacinski when this issue first arose. It is likely to arise in the future. She strongly recommended that the Town Board adopt the Ordinance. There is a certain amount of discretion in issuing a citation. Later additions can be made to the proposed ordinance, which follows DeForest's model.

Dave Roscoe, 6601 Prairie Hill Drive, asked about laws concerning air space above one's property.

Town Attorney Anderson responded that it is a more complicated question than one would think. There is a limit as to what one has control of above their house.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Ordinance 2015-04 Amending Section 36-2 Of The Windsor Municipal Code To Prohibit The Unlawful Use Of Drones. Motion carried with a 5-0 vote.

8. Incorporation Update.

Chairperson Wipperfurth indicated that this is a placeholder. He had nothing new to report.

9. Resolution 2015-33 Authorizing The Issuance And Sale Of \$2,175,000 General Obligation Promissory Notes, Series 2015A.

James Mann of Ehlers indicated they conducted a sale on Windsor's behalf for \$2,160,000 of promissory notes. It went out for bid earlier in the day. Banker's Bank out of Madison working with the DMB was the low bidder. This would be for general town projects.

Mr. Mann indicated it may be possible in the near future for Windsor to upgrade from an AA- rating to an AA rating.

A motion was made by Supervisor Stravinski, seconded by Supervisor Smith, to approve Resolution 2015-33 Authorizing The Issuance And Sale Of \$2,160,000 General Obligation Promissory Notes, Series 2015A. Mr. Mann indicated that the resolution would be updated as to amount.

Roll call vote:

Supervisor Stravinski:	Yes
Supervisor Buchner:	Yes
Supervisor Smith:	Yes
Supervisor Madelung:	Yes
Chairperson Wipperfurth:	Yes

Motion carried with a 5-0 vote.

10. Resolution 2015-34 Authorizing The Issuance And Sale Of \$2,075,000 Taxable Bond Anticipation Notes, Series 2015B.

Mr. Mann indicated that the dollar amount is different. This one is for Windsor projects. Bids came in higher than anticipated. They put out an addendum earlier in the day for \$2,615,000. Three bids were received, with Bankers Bank working with DMB being the low provider.

Mr. Mann indicated that the town will need to look at development incentive dollars for future projects.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2015-34 Authorizing The Issuance And Sale Of \$2,075,000 Taxable Bond Anticipation Notes, Series 2015B.

Roll call vote:

Supervisor Stravinski:	Yes
Supervisor Buchner:	Yes
Supervisor Smith:	Yes
Supervisor Madelung:	Yes
Chairperson Wipperfurth:	Yes

Motion carried with a 5-0 vote.

11. Resolution 2015-35 Approving Direct Sellers Permit For Joe Wells, Doing Business As Red And White Barn Painting, A Barn Repair And Painting Service.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2015-35 Approving Direct Sellers Permit For Joe Wells, Doing Business As Red And White Barn Painting, A Barn Repair And Painting Service. Motion carried with a 5-0 vote.

12. Resolution 2015-36 Approving Direct Sellers Permit For Frank Merlino, Doing Business As Tru Green, A Residential Lawn Care Service.

A motion was made by Supervisor Stravinski, seconded by Supervisor Madelung, to approve Resolution 2015-36 Approving Direct Sellers Permit For Frank Merlino, Doing Business As Tru Green, A Residential Lawn Care Service. Motion carried with a 5-0 vote.

13. Resolution 2015-37 Approving The Release Of A Bike Path Easement Located Within Lots 23 And 24 Holland Fields.

Town Engineer Richardson advised that the bike path easement is no longer the route where it is going to go. This is an easement for no use at all. The developers have asked to release the easement because it will never be used as a bike path. A motion was made by Supervisor Madelung, seconded by Supervisor Smith, to approve Resolution 2015-37 Approving The Release Of A Bike Path Easement Located Within Lots 23 And 24 Holland Fields. Motion carried with a 5-0 vote.

14. Resolution 2015-38 ZARN Properties, LLC (DBA Gingerbread House) Request Approval Of A Conditional Use Permit In Order To Continue To Operate A Daycare Business Located At The Intersection Of Windsor Road And Windsor Ridge Lane. (Address: 6722 Windsor Ridge Lane, Windsor).

Town Planner Rybarczyk provided a staff report. The petitioner is looking to operate an existing daycare facility and call it the Gingerbread House. There is an offer to purchase the facility. The transaction has been delayed for approval by the town of Windsor and Dane County. The site will operate as it has in the past. Petitioner has provided an operational plan. They will be open Monday through Friday from 6:30 a.m. to 6:00 p.m. There will be 12 full-time employees. There will not be any noise, odors, or dust. There will be no storage of outdoor materials. It is an existing building with an existing use. Daily traffic will be the drop-off and pick-up by parents and guardians. There will be no hazardous materials stored at the site. External lighting is over the entrances and exits. They may be adding some additional lighting over the ramps which would be downward lighting.

A wall-mounted and advertising sign are proposed. Windsor does not approve signage. Town Planner Rybarczyk has worked with the county. In the county's ordinance, wall-mounted signs

are prohibited in R-1. With the required setbacks, the on-premises sign would be in the middle of the parking lot. The sign at Windsor Road and Windsor Ridge Lane is outside of the vision triangle. It will not be a nuisance at that corner. If the town approves the signs, Dane County would take that into consideration.

Originally this was in the village of DeForest which is the reason why the town could not find any building permit or conditional use because it was issued in the village of DeForest.

Attorney Joshua Kindkeppel was present on behalf of the petitioner.

There will be 4-K.

Supervisor Stravinski advised that the Plan Commission gave its unanimous approval.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2015-38 ZARN Properties, LLC (DBA Gingerbread House) Request Approval Of A Conditional Use Permit In Order To Continue To Operate A Daycare Business Located At The Intersection Of Windsor Road And Windsor Ridge Lane. Motion carried with a 5-0 vote.

15. Resolution 2015-39 Susan Clack Requests Approval Of A Certified Survey Map And Rezone In Order To Adjust Property Lines Between Adjacent Property Owner. (Address: 6679 Highland Drive, Windsor).

Town Planner Rybarczyk provided a staff report. The petitioner has requested a rear lot line adjustment through a CSM in order to include an existing fence. Typically the town requires a one-foot setback from any property line. No negative comments have been received from Tim Gotzion. The lot line is to include the fence so it is on the petitioner's property. Technical comments have been explained to the petitioner, and they will have to be addressed by the petitioner.

Supervisor Buchner asked whether the petitioner was purchasing the land.

Town Engineer Richardson knows that Tim Gotzion came to agreement with the petitioner. He did not know whether the petitioner purchased the land.

Supervisor Smith noted that Lake Windsor has a committee that does not allow fencing.

Town Planner Rybarczyk responded that this fence has been up for a long time – five or 10 years.

Supervisor Smith asked whether the petitioner has come before Lake Windsor's deed restriction committee.

It was responded that the building inspector is aware of that committee.

A motion was made by Supervisor Madelung, seconded by Supervisor Stravinski, to approve Resolution 2015-38 Susan Clack Requests Approval Of A Certified Survey Map And Rezone In Order To Adjust Property Lines Between Adjacent Property Owner. Motion carried with a 5-0 vote.

16. Resolution 2015-40 Windsor Properties II, LLC Requests Approval Of A Certified Survey Map And A Site Plan Review For The Expansion Of The Existing Kenworth Trucking Business With New Access Off Of Pelican Bay Circle.

A staff report was provided by Town Planner Rybarczyk. Kenworth is looking to expand its facilities. They will be constructing a new facility at the end of Pelican Bay Circle. This will be an eight-acre expansion. Both lots are zoned C-2. The storm water will be handled by the existing storm water management pond. Kenworth will continue to operate out of the old facility. They will be operating as one facility. The impervious surface meets requirements. There is ample parking for the site. They would like to increase their truck inventory. Traffic will be coming in off of Pelican Bay. They have done their best with the orientation of the building and put the landscaping where it makes sense. Access will all be rerouted to Pelican Bay Circle. There are some technical comments on the CSM that will have to be addressed.

There is sufficient access off of Pelican Bay. Town Engineer Richardson added that deceleration lanes are already in place. Engineering has no issues.

Dennis Petzke and Kenworth's architect were present. They are working to get approvals from Dane County and the DNR.

Supervisor Smith asked whether the lighting will affect the homes on Linden Drive.

Town Planner Rybarczyk responded that lighting will be zero at all property lines. All of the lighting will be downcast lighting.

Supervisor Smith indicated she wanted screening.

Town Planner Rybarczyk responded there are some plantings at the northwest.

Town Engineer Richardson added that the homeowners are probably seeing Kenworth right now because of the flat topography.

Town Finance Director Butteris stated that the houses already have screening. What they would see they are already seeing.

Town Planner Rybarczyk showed the Google Earth map which showed good screening at this time.

He showed the existing pond that will be used for drainage.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to approve Resolution 2015-40 Windsor Properties II, LLC Requests Approval Of A Certified Survey Map And A Site Plan Review for The Expansion Of The Existing Kenworth Trucking Business With New Access Off Of Pelican Bay Circle. Motion carried with a 5-0 vote.

17. Resolution 2015-41 Wolf Hollow Windsor, LLC Requests Approval Of A Two Lot Certified Survey Map In Order To Adjust Lot Lines At The Southeast Intersection Of Dusky Glen And Prairie Creek Road.

A staff report was provided by Town Planner Rybarczyk. The applicant is looking to adjust a lot line between Outlot 7 and Lot 81. These lots will be renamed Lots 280 and 281. Lot 280 will be increased in size, and Lot 281 will be decreased in size. Once this is approved, there will be a land swap from Outlot 7 to Lot 112 which will allow for doubling in size of the Windsor Hollow park. The town has received a letter from the village of DeForest giving its approval. There is one technical comment that will need to be addressed prior to signing the CSM.

Town Planner Rybarczyk noted that Mr. Esposito has been asked to add some trees along the back and to also regrade the lot the town is swapping.

A motion was made by Supervisor Stravinski, seconded by Supervisor Smith, to approve Resolution 2015-41 Wolf Hollow Windsor, LLC Requests Approval Of A Two Lot Certified Survey Map In Order To Adjust Lot Lines At The Southeast Intersection Of Dusky Glen And Prairie Creek Road. Motion carried with a 5-0 vote.

18. Wolf Hollow At Pleasant Prairie Creek. A Re-Plat Of Portions Of The Plats Of Wolf Hollow, Pleasant Hill Estates And Prairie Creek. The Plat Location Is Predominately In The Southeast 1/4 Of Section 29 And The Northern 1/2 Of The Northeastern 1/4 Of Section 32 In The Town Of Windsor.

A staff report was provided by Town Planner Rybarczyk. Before the Town Board is the final replat for Wolf Hollow. It is basically the same as the preliminary plat. They have been working with CARPC and the DNR on wetlands. They have addressed all of the town's concerns in the preliminary plat.

Town Engineer Richardson has been corresponding with CARPC and Kamran Mesbah. They are waiting for final approval from CARPC and the DNR. Utility plans and road plans have been received by Town Engineer Richardson and the consultant from the Windsor Sanitary District. They have worked through all issues. They are still working with the applicant's engineer on park fees.

- a) Resolution 2015-42 Declaration Of Covenants, Restrictions, Conditions And Easements In The Plat Of Wolf Hollow At Pleasant Prairie Creek.

This is an amendment to the existing CCRs to the plat of Wolf Hollow that will be extended to that portion of this plat. They are not proposing any changes to the covenants.

- b) Resolution 2015-43 Agreement For Public Improvements And Development Matters In The Plat Of Wolf Hollow At Pleasant Prairie Creek.

This will be an extension of the Development Agreement.

- c) Resolution 2015-44 Declaration Of Restrictions And Maintenance Requirements For Stormwater Management Measures And Waiver Of Right To Contest Special Assessments And Charges In The Plat Of Wolf Hollow At Pleasant Prairie Creek.

There is a document which was approved by Dane County and Mr. Esposito's group to cover storm water management measures.

- d) Resolution 2015-45 Requirements For Path Maintenance And Waiver Of Right To Contest Special Assessments And Charges In The Plat Of Wolf Hollow At Pleasant Prairie Creek.

- e) Resolution 2015-46 Declaration Restricting Sale Or Transfer Of Lots Prior To Compliance With Requirements In The Plat Of Wolf Hollow At Pleasant Prairie Creek.

This is a declaration restricting the sale or transfer of lots until the CSM is signed.

- f) Resolution 2015-47 Approving The Final Plat Of Wolf Hollow At Pleasant Prairie Creek.

The town has before it a resolution approving the final plat of Wolf Hollow confirming a) through e), as well as the comments in the staff report. This would be conditional approval by the town.

Discussion followed regarding parkland.

Supervisor Stravinski noted that it is unusual to do a final plat and then do all these other things.

A motion was made by Supervisor Stravinski, seconded by Supervisor Buchner, to approve Resolution 2015-47 Approving The Final Plat Of Wolf Hollow At Pleasant Prairie Creek. Motion carried with a 5-0 vote.

19. Bear Tree Farms, Inc., The Location Of The Property Is Generally Located At The Southeastern Corner Of The Intersection Of Highway 51 And Windsor Road. The Proposal Includes 364 Single Family Detached Residential Dwelling Units, 232 Multi-Family And Senior Housing Dwelling Units, A Park And A Trail System.

Town Planner Rybarczyk went over the plat and focused on the planner comments. They still need to come to a conclusion on the older documents and may possibly have them unrecorded.

Windsor Forest Road has been renamed to Grouse Woods Road.

It was noted that the path was missing in front of some of the multi-family housing.

A notation shall be placed on the final plat indicating that, prior to the commencement of Phase 8, the existing agricultural outbuildings shall be removed. The farmhouse will be located on Lot 268.

Connections are needed with phasing.

Notations will need to be added with regard to unique circumstances, such as the water tower, multi-family and senior-family lots, and the community park.

Town Engineer Richardson added with the utility agreements Windsor Sanitary District is trying to work through an assessment program for the pump station. The village of Deforest is not willing to change the agreements in place.

Approval letters are needed from Dane County and the DNR.

The town received a pavement design report. There are some areas where there may be a need for additional undercutting and additions to the subbase. In looking at the storm water management plan, there will be a sheet flow to a swale on the east side of the park. The town will eventually need a grading plan for the park.

Town Attorney Anderson provided a memo to the Town Board containing a list of items. Actual documents are not available, and the town is not in a position to complete them.

Discussion followed on the revisions made by the developer on the building limitations.

Town Planner Rybarczyk stated that in April the town thought it had agreement on single-story, 1-1/2 story, and 2-1/2 story. Each had a square foot minimum. The town went through this to determine what the numbers should be and left that meeting keeping those numbers as they were. A single-story with an exposed lower level was added.

The petitioner has now come back with revisions and has removed language about the minimum floor area square footage.

Steve Pederson explained why they made these changes.

Chairperson Wipperfurth discussed the smaller footprint with the option to build out the basement.

Supervisor Buchner added, the point is – when the Town Board left the meeting on April 30 everyone agreed.

Chairperson Wipperfurth stated that the town thought it had an agreement in April. The petitioner has now struck the minimum area on the first floor. He asked whether the petitioner would put in something to say that the basements have to be completed at the time of construction.

Don Tierney stated that it is more important that one goes into the quality of a home and does not mandate.

Discussion followed regarding the facades. There was a section in place with specific requirements.

Steve Pederson responded that they did not think it was necessary to have that much detail of wrapping stone or brick.

Supervisor Buchner replied that he fully understood with Steve Pederson said. However, why didn't he peruse the agreement and bring forth his changes in April?

Town Engineer Richardson stated that the town now knows what it is going to cost to get water and sewer to Bear Tree. The town needs to know how it will be paid for.

Town Attorney Anderson stated that the town has to make sure the minimums that were approved continue in these documents.

Chairperson Wipperfurth stated that the Board wants to restore what it thought it had on April 30.

Steve Pederson responded, “yeah, that’s fine.”

- a) Resolution 2015-48 Declaration Of Covenants, Restrictions, Conditions And Easements For Lots 4-269 And 271-368 In The Plat Of Bear Tree Farms.

Town Attorney Anderson stated that no action is needed to be taken.

Regarding the four-foot wrap, what does the Town Board want to do? That was in the initial document.

Supervisor Buchner responded that there can be a nice transition at the corner.

Supervisor Stravinski stated he would like to see it wrapped around.

Supervisor Madelung concurred.

Supervisor Smith stated that she would like to see homes built like the homes that Don Tierney builds – nothing cheap.

Town Attorney Anderson then added that the façade language is fine. The building limitations will be subject to those as agreed to on April 30.

- b) Resolution 2015-49 Declaration Of Covenants, Restrictions, Conditions And Easements For Lots 1, 3 And 270 In The Plat Of Bear Tree Farms.

They have complied with those requirements and went with 50 percent on each wall for the multi-family. The town wants exactly what was for the multi-family on April 30.

- c) Resolution 2015-50 Agreement For Public Improvements And Development Matters In The Plat Of Bear Tree Farms.

There are no issues with the storm water or path agreements.

Chairperson Wipperfurth realized the developer needed flexibility with regard to phasing due to the economy. Phasing can affect road connectivity and the schools. He would like to see a phasing plan.

- d) Resolution 2015-51 Declaration Of Restrictions And Maintenance Requirements For Stormwater Management Measures And Waiver Of Right To Contest Special Assessments And Charges In The Plat Of Bear Tree Farms.
- e) Resolution 2015-52 Requirements For Path Maintenance And Waiver Of Right To Contest Special Assessments And Charges In The Plat Of Bear Tree Farms.
- f) Resolution 2015-53 Declaration Restricting Sale Or Transfer Of Lots Prior To Compliance With Requirements In The Plat Of Bear Tree Farms.
- g) Resolution 2015-54 Approving The Final Plat Of Bear Tree Farms, Inc.

Town Attorney Anderson stated, if the town does not provide conditional approval, the town would need an extension from the applicant.

Attorney Mike Lawton indicated he was fine with the checklist.

There is a typo in the Resolution in the first “WHEREAS” on page 1. Also, on page 2, paragraph 5 needs to read “. . . and is satisfactory to the Town Attorney *and the Town Board:*”

Chairperson Wipperfurth asked whether the Town Board was recommending approval with those modifications.

Supervisor Stravinski stated that this is very unusual in that the town would be approving the final plat without having the development agreement and other items. He would like to ask for an extension and review this at a later date. He wanted the development agreement and documents with no redline. He was extremely disappointed in this entire process for Bear Tree.

Supervisor Madelung added that a lot of valuable time was spent. He thought the parties had agreed upon all issues. This is disappointing to him also.

Chairperson Wipperfurth stated that timing can be of consequence. This plat is in competition with other plats.

Supervisor Buchner asked the petitioner whether they would be able to do the punch list.

Steve Pederson responded, “yes.”

Supervisor Smith added that Windsor has a competent staff and thinks that the town should make a motion for this resolution with the list provided by legal and the staff along with the two modifications to the Resolution. The motion was seconded by Supervisor Buchner. Motion carried with a 5-0 vote.

Supervisor Stravinski added that this is a good plat and he will be voting for it.

20. Motion To Reconsider Town Board Action Taken On Hoffman Quarry On May 21, 2015.

Town Attorney Anderson framed the issue which arose because at the last meeting the Town Board received a 28-page document from Alan Harvey regarding issues in the Comprehensive Plan that needed to be addressed. There was not an opportunity to respond because it was not given to the Town Board beforehand. The Town Board received, earlier in the day, another three-page document from Mr. Harvey on this issue. The Town Board would like an opportunity to reconsider this issue so that all of Windsor’s procedural issues have been addressed and the Board members have that information before them when they make their decision. Town Attorney Anderson’s legal concern is that the Town Board follow its own rules. There were questions raised that needed to be addressed.

Chairperson Wipperfurth noted that the action is a technical issue with the Comprehensive Plan. Any vote at the meeting is not another vote on the quarry. If this passes, another vote will take place at a later date. According to Robert’s Rules of Order, one member of the prevailing side of the motion in May must make the motion to reconsider. Either Supervisor Stravinski, Supervisor Smith, or Chairperson Wipperfurth will have to move for reconsideration.

Supervisor Stravinski commented that at the last meeting the Town Board received Alan Harvey's 28-page document that it did not have a chance to review. Another problem is that the Board was looking at this through the new Comprehensive Plan. However, the applicant had applied for the CUP under the town's May 5, 2005, Comprehensive Plan that has been amended five or six times since then. Supervisor Stravinski was not sure which of these town plans is the one the Town Board needs to use as far as making its decision. The Town Board discussed most of the items using the 2035 Plan. It is not yet the town's Plan and does not become the town Plan until Dane County approves it, and it will not become the town Plan for another 60 days.

A motion was made by Supervisor Stravinski for reconsideration to clear up the details so that the Town Board is clear which of these plans it is dealing with and looking at the submissions from Alan Harvey and how do they affect the Town Board's decision. Supervisor Stravinski indicated he would like to know from the town attorney whether the town would need a written extension from Yahara Materials for the timeframe. The motion was seconded by Supervisor Madelung.

Tim Geoghegan representing Yahara Materials indicated they were willing to give an extension. They would verbally give an extension for 90 days.

Dave Roscoe, 6601 Prairie Hill Drive, asked for clarification of what is being asked.

Tim Geoghegan would like an understanding with the town that if there is clarification the town would move ahead sooner.

Town Attorney Anderson stated that the 2035 plan needs to be approved by Dane County before the Town Board can act.

Tim Geoghegan would like to move ahead sooner rather than later.

Roll call vote:

Supervisor Stravinski:	Yes
Supervisor Buchner:	Yes
Supervisor Smith:	No
Supervisor Madelung:	Yes
Chairperson Wipperfurth:	Yes

Motion carried with a 4-1 vote.

21. New Operator Licenses 7/01/2015 – 6/30/2016.

Applications for nine operator licenses have been provided to the Town Board. A motion was made by Supervisor Buchner, seconded by Supervisor Smith, recommending approval of operator licenses, per staff recommendation, for:

Kyler T. Jilot
Seth S. Smith
Michael P. Kunz
Allison L. Gorman
Carmen E. Krug
Brandie K. Schuchardt
Hunter A. Waldschmidt
Jacob A. Whittow
Jeanetta M. Urban

Motion carried with a 5-0 vote.

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

- a. Mousehouse Cheesehaus, Inc., D/B/A Mousehouse Cheesehaus; Anthony G. Sobczak, Agent.

A motion was made by Supervisor Stravinski, seconded by Supervisor Smith, for approval of a Class A Fermented Malt Beverage and Intoxicating Liquor License for Mousehouse Cheesehaus, Inc., d/b/a Mousehouse Cheesehaus; Anthony G. Sobczak, Agent. Motion carried with a 5-0 vote.

- b. Begowal, LLC, D/B/A Windsor Travel Plaza; Satwinder Kaur, Agent.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, for approval of a Class A Fermented Malt Beverage and Intoxicating Liquor License for Begowal, LLC, d/b/a Windsor Travel Plaza, Satwinder Kaur, Agent. Motion carried with a 5-0 vote.

23. Class “A” Fermented Malt Beverage.

- a. Speedway LLC, D/B/A Topp’s Hideaway; Jonathan Stevens, Agent.

A motion was made by Supervisor Stravinski, seconded by Supervisor Madelung, for approval of a Class A Fermented Malt Beverage License for Speedway LLC, d/b/a Topp’s Hideaway; Jonathan Stevens, Agent. Motion carried with a 5-0 vote.

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

- a. Tamarack Pizza, Inc., D/B/A Tamarack II; William Noll, Agent.

A motion was made by Supervisor Madelung, seconded by Supervisor Buchner, for approval of a Class B Fermented Malt Beverage And Intoxicating Liquor License for Tamarack Pizza, Inc., d/b/a Tamarack II; William Noll, Agent. Motion carried with a 5-0 vote.

- b. Topp’s Hideaway LLC, D/B/A Topp’s Hideaway; Jonathan Stevens, Agent.

A motion was made by Supervisor Smith, seconded by Supervisor Stravinski, for approval of a Class B Fermented Malt Beverage And Intoxicating Liquor License for Topp’s Hideaway LLC, d/b/a Topp’s Hideaway; Jonathan Stevens, Agent. Motion carried with a 5-0 vote.

- c. Windsor Golf Ventures, LLC, D/B/A Lake Windsor Golf Club; Michael L. Dunlap, Agent.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, for approval of a Class B Fermented Malt Beverage And Intoxicating Liquor License for Windsor Golf Ventures, LLC, d/b/a Lake Windsor Golf Club; Michael L. Dunlap, Agent. Motion carried with a 5-0 vote.

25. 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 Buchner, for approval of a Class B Fermented Malt Beverage and Class C Wine Licenses for Papino’s Pizza & Pasta LLC, d/b/a Papino’s Pizza & Pasta; Guiseppe Piptone, Agent. Motion carried with a 5-0 vote.

26. Cigarette Licenses.

- a. Windsor Golf Ventures, LLC, D/B/A Lake Windsor Golf Club.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to approve a Cigarette License for Windsor Golf Ventures, LLC, d/b/a Lake Windsor Golf Club. Motion carried with a 5-0 vote.

- b. Begowal, LLC, D/B/A Windsor Travel Plaza.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to approve a Cigarette License for Begowal, LLC, d/b/a Winsor Travel Plaza. Motion carried with a 5-0 vote.

c. Speedway LLC, D/B/A Speedway #4202.

A motion was made by Supervisor Madelung, seconded by Supervisor Stravinski, to approve a Cigarette License for Speedway LLC, d/b/a Speedway #4202. Motion carried with a 5-0 vote.

27. Renewal Operator Licenses – 7/01/2015 – 6/30/2016.

A motion was made by Supervisor Madelung, seconded by Supervisor Stravinski, to approve all of the Renewal Operator Licenses – 7/02/2015-6/30/2016 per staff recommendation. Motion carried with a 5-0 vote.

28. Resolution 2015-55 Agreement To Undertake Development In Tax Increment District No. 1, Plat 97, Plat Of Wolf Hollow.

No action will be taken.

29. Resolution 2015-56 Award Bid For Cradle Hill Park Improvements (Splash Pad, Park Equipment, Bathhouse And Parking).

Town Finance Director Butteris explained that this is for the installation of a splash pad and other improvements. Bids were opened for the park improvements. The two bidders were Advance Building Corporation out of Verona and Joe Daniels Construction Co. out of Madison. She recommended that the Town Board go with the bid from Advance Building Corporation for \$286,000 with the alternate bid for metal roofing in the amount of \$4,168.

Discussion followed regarding project funding and cost allocations. The town will have a positive cash flow of \$15,730.07.

Town Engineer Richardson did a pre-qualification regarding the splash pad, which included both bidders. They will try to get this done by the end of August.

Supervisor Madelung asked about warranties on the splash pad. Concrete can shift.

Town Engineer Richardson responded there is a standard year and a half warranty. They will look at the sub-grade when it is excavated. Fresh water, not recycled water, will be used.

Don Tierney explained his experiences with splash pads.

A motion was made by Supervisor Madelung, seconded by Supervisor Buchner, to approve Resolution 2015-55 Awarding the Bid For Cradle Hill Park Improvements (Splash Pad, Park

Equipment, Bathhouse, And Parking) (to Advance Building Corporation/\$290,168). Motion carried with a 5-0 vote.

30. Resolution 2015-57 Award Bid For Windsor Crossing Infrastructure.

Town Engineer Richardson advised that R.G. Huston was the low bidder. There is a Resolution and memo which explain the bidding process. Bids were opened on June 16 at 1:00 p.m. There were four bidders ranging from \$2.982 million to \$2.822 million which was more than the town thought it would be. Material costs and labor costs have continued to rise. There were issues that need to get done to have the project done right which have raised the cost. D'Onofrio provided a bid of \$3 million. Town Engineer Richardson explained the costs. R.G. Huston has done work in the town.

Supervisor Smith asked for the composition of the labor costs.

Brad Huston responded that he was unable to give that information. It is proprietary.

A question was raised regarding bonding. Town Engineer Richardson responded that they are bonded.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve Resolution 2015-57 To Award Bid for Windsor Crossing Infrastructure to R.G. Huston in the amount of \$2,822,728.46. Motion carried with a 5-0 vote.

31. Resolution 2015-58 Authorizing 2015 Road Work.

Town Engineer Richardson advised that the town opened bids for road restoration and seal coating and received bids from Tri-County Paving, Inc., Payne & Dolan, Inc., and Wolf Paving for road restoration and Scott Construction, Inc., and Fahrner Asphalt for seal coating. He recommended awarding the wedging to Wolf Paving (\$31,540.00) and the seal coating (\$130,832) to Fahrner Asphalt.

A motion was made by Supervisor Stravinski, seconded by Supervisor Smith, to approve Resolution 2015-58 Authorizing 2015 Road Work. Motion carried with a 5-0 vote.

32. Resolution 2015-59 Authorizing The Execution Of A Street Sweeping Agreement.

Town Engineer Richardson explained that this agreement is with the village of DeForest. The village has a sweeper and will rent it to Windsor at the rate of \$120 per hour. The town needs to do sweeping as part of the agreement with MAMSWaP.

Supervisor Buchner asked how many hours would be anticipated.

Town Engineer Richardson responded that it would probably be 30 hours.

A motion was made by Supervisor Madelung, seconded by Supervisor Buchner, to approve Resolution 2015-59 Authorizing The Execution Of A Street Sweeping Agreement. Motion carried with a 5-0 vote.

33. Token Creek Conservancy Request For Use Of Park Funds.

Supervisor Stravinski asked that the Town Board members refer to the back of page 2 of the Request To Windsor Board For Use Of Park Funds and look at the area circled in black. That is the part of the trail that the Token Creek Conservancy Committee would like to do this year. The Token Creek Conservancy Committee has budgeted \$3,000. The Token Creek Watershed Association will contribute \$5,000. They put in a grant to the DeForest Foundation at the beginning of the year. Right now the DeForest Foundation had a lot of submissions and gave a lot of their grant money to others. The Token Creek Conservancy Committee would like to get this trail in to loop around. They are \$8,000 short this year. The Token Creek Watershed has offered to purchase 50 trees between 1-1/4 and 1-1/2 inches and install them where needed. Some of the trees could be planted at the edge of the trail. They are requesting \$8,000 from the fees in lieu fund.

A memo was provided to the Town Board members from Town Finance Director Butteris. A form was submitted to the town. There was \$93,811.88 in the fund. Moneys were internally earmarked for Wolf Hollow. There is about \$30,000 remaining to support projects. One of the top things people wanted were trails.

A motion was made by Supervisor Madelung, seconded by Supervisor Stravinski, to approve the \$8,000 request from the Token Creek Conservancy Committee for the use of park funds. Motion carried with a 5-0 vote.

34. Ad Hoc Incorporation Committee.

Chairperson Wipperfurth indicated he was not ready to appoint people to this committee.

35. DeForest Area Fire And EMS Facilities 5-Year Budget Plan, Building Options And Lease.

Chairperson Wipperfurth provided an update. The Fire Board is looking at working with the village of DeForest to take over the entire area where the police department is located. Chairperson Wipperfurth suggested a satellite EMS station in Windsor which was not well received by Judd Blau.

Supervisor Buchner stated that this is a very important resource for the community.

Discussion followed.

36. Cancellation Of July 2nd, 2015, Town Board Meeting.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to cancel the July 2, 2015, Town Board meeting. Motion carried with a 5-0 vote.

37. Committee/Board/Staff Reports.

a. Plan Commission.

Supervisor Stravinski reported on the Plan Commission.

b. Community Development Authority.

Town Engineer Richardson indicated he had nothing to report.

c. Park Commission.

Finance Director Butteris reported on the Park Commission.

d. Token Creek Conservancy Committee.

Supervisor Stravinski reported on the Token Creek Conservancy Committee.

e. Sun Prairie Extra-Territorial Zoning Committee.

Supervisor Madelung indicated he had nothing to report.

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

Supervisor Stravinski reported on the DeForest Area Community and Senior Center/Half-Century Club.

g. DeForest Area Fire Protection Board.

Chairperson Wipperfurth reported on the DeForest Area Fire Protection Board.

h. DeForest Area Chamber Of Commerce.

Supervisor Smith reported on the DeForest Area Chamber of Commerce.

i. DeForest Area Tourism Commission.

Supervisor Stravinski reported on the DeForest Area Tourism Commission.

j. Dane County Towns Association.

Supervisor Madelung reported on the Dane County Towns Association.

k. WisDOT I-39/90/94 Study From Madison To Portage.

Town Engineer Richardson reported on the WisDOT I-39/90/94 Study From Madison To Portage.

l. Town Chair Report.

Chairperson Wipperfurth provided his report.

m. Town Staff Report.

Town Engineer Richardson provided a staff report.

38. Adjournment.

At 9:00 p.m. a motion was made by Supervisor Smith, seconded by Supervisor Stravinski, to adjourn the meeting. Motion carried with a 5-0 vote.

Respectfully submitted,



Ellen G. Teed
Recording Secretary