

TOWN OF WINDSOR  
SPECIAL TOWN BOARD MEETING

Minutes

September 30, 2015

1. Call Meeting To Order And Roll Call.

Meeting convened by Chairperson Wipperfurth at 6:00 p.m. Supervisors present: Alan Buchner, Don Madelung, Monica Smith, Bruce Stravinski, and Bob Wipperfurth. Others present: Town Clerk Christine Capstran, Town Planning and Development Coordinator Amy Anderson Schweppe, and Town Attorney Connie Anderson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Supervisor Madelung.

3. Announcements.

None.

4. Incorporation/Referendum Presentation and Discussion.

Chairperson Wipperfurth thanked everyone for their attendance. He saw a lot of new faces in the audience. The Town Board wants to keep everyone informed about what the town has been working on the past few years.

Chairperson Wipperfurth took everyone through a slide presentation. There will be a referendum vote on November 3.

The town of Windsor was established in 1847 and was approximately 36 square miles with an estimated population of 6,876 in 2015. Windsor's land area continues to decrease while the population continues to grow. Windsor is a unique community with a balanced mix of residential neighborhoods, retail/service-oriented commercial, and productive agricultural land. Windsor's philosophy has been to promote sound land use planning, protect and enhance environmental corridors and conservancy areas, and preserve agricultural land, farming, and agri-business.

Chairperson Wipperfurth showed a series of maps that showed how the land mass in Windsor has deteriorated over time. In 1970, Windsor was approximately 21,885 acres. In 1980, areas had grown. In 1990, there was continued expansion of certain areas, more so in the village of DeForest than in Sun Prairie. In 2000, there was a significant increase in DeForest's lands because of its annexation of ABS. In 2010, Windsor's land area was down to nearly 18,000 acres. Since 1847, Windsor has lost eight square miles in land territory. DeForest has accumulated 4,000 acres of Windsor's land.

Chairperson Wipperfurth showed the 2015 future land use and Agricultural Enterprise Area. Windsor was one of the first 15 communities in the state of Wisconsin to receive this designation. There are two PDRs (purchase of development rights) on the agricultural areas of Vern and Vicki Treinen and Jim and Anita Treinen. This reinforces Windsor's commitment to agriculture.

In 2000 a study was conducted regarding consolidation and merger with DeForest. Windsor looked at the impacts. There was a 2,200 acre annexation pending. There were extensive studies and a task force was established. Issues included farmland preservation, financial and tax impacts, land use, government structure, community name, public safety, and utility/public works. In the end, the Windsor Board decided not to proceed with consolidation. There was too much of a difference in the communities.

Through a series of annexations, lawsuits, and settlements, Windsor achieved a Cooperative Plan with the village of DeForest and then the city of Sun Prairie. Since 1993 Windsor has had cooperative zoning with Sun Prairie. Chairperson Wipperfurth showed the Cooperative Plan with DeForest. There are another 575 acres that will transfer to the village of DeForest either when development occurs on those parcels or at the end of the Cooperative Plan. Those lands will transfer into the village of DeForest even if Windsor becomes a village.

Chairperson Wipperfurth showed the Cooperative Plan with Sun Prairie, indicating that 75 acres will be transferred to Sun Prairie.

In 2014, local business and community leaders of the village of DeForest asked that we take a look at the benefits of a merged entity. Windsor reached out to its neighboring communities and indicated it was going to go forward with due diligence. Through a series of meetings, the Town Board looked at three options: remain as a town, create a new governmental entity through merger or consolidation, or incorporation of Windsor from a town to a village, indicating Windsor's focus would be on incorporation. Each meeting had a different focus, and any Windsor resident could attend. Windsor was very open and honest from day one. It has had no hidden agenda.

Last fall, the town hired Ehlers & Associates, who does financial work for the town, to do a financial study. It was determined that, with a blended budget, Windsor's taxes would increase \$300 per household and DeForest's taxes would decrease \$300 per household. This was based on factual information from the state of Wisconsin. A total of \$1.5 million would have had to been cut from the combined budgets to keep Windsor's tax rates from going up. The town

decided to continue to pursue incorporation. At the budget hearing last November, there was a motion from the floor directing the Town Board to pursue incorporation. Ehlers' study indicated minimal impact on Windsor taxes if it became a village. On January 15, 2015, the Board signed a Resolution to proceed with efforts to incorporate. On August 20, the Town Board signed a Resolution authorizing a referendum. Language was put into the state budget allowing faster-growing communities such as Windsor to hold a referendum on incorporation. The language in the budget was not entirely for Windsor itself. There is another community in northern Wisconsin that also meets the criteria. The language sunsets in 2020.

The referendum vote will be on November 3. The ballot will ask whether the town of Windsor should become a village. The choices will be "For a Village" and "Against a Village." The town of Windsor will not be merging with the village of DeForest. It will remain independent.

Out of 1,255 towns in Wisconsin, Windsor ranks the 24th largest. There are 306 villages in Wisconsin. There are only 36 larger than Windsor in population. Windsor is in the top 2 percent for towns and top 8 percent for villages state-wide.

This is about securing Windsor's boundaries from annexation. Cities and villages can annex lands from towns unless there is a boundary agreement in place. Cooperative Agreements would transfer. This will put Windsor on an equal level with everyone else.

Present-day value of the Windsor lands annexed by DeForest is \$290 million. That value to Windsor's budget is \$1.5 million that the Windsor taxpayers have to make up. If Windsor does not secure its boundaries, there will be tax increases. Towns like Windsor are often absorbed. Over the next 30 years, the towns of Burke, Madison, and Blooming Grove will cease to be municipalities.

Windsor, as a village, can do work in-house. It can control land-use issues and growth and development. Incorporation will streamline development and review functions. It will remove redundancy. Everything will be handled in Windsor. Windsor would preserve its commitment to its farmland preservation. There was a rumor that, if Windsor became a village, Windsor farmers would be forced to shut down because they would not have zoning. That is not true. Windsor would maintain its diverse mix of agriculture, local business, residential and park/conservancy space. Windsor has 20 parks in addition to a large conservancy area. The village would maintain the continuity of its current leaders until elections. Windsor will provide cost-effective services to its taxpayers. Windsor already provides many local services. Windsor will continue its intergovernmental agreements with the DeForest Fire and EMS, Senior Center, Tourism Commission, joint municipal court, and Sheriff's Department.

Chairperson Wipperfurth stated that the question had been asked how incorporation would affect property taxes. Windsor believes as a village that it can operate as efficiently as the town of Windsor. There will be some things that will need to be addressed. There will be no change in fire and EMS current service levels or services from the Sheriff's Department. There will be no change to garbage and recycling. Public Works will stay the same. The town staff and consultants will remain the same. The town contracts for building inspection services, its

planner, and attorney. The town has an in-house engineer. Transition costs and analysis of the referendum process were allocated in the 2015 budget.

The town is working on its 2016 budget, and additional moneys will be allocated.

There is a potential for disputes. If the referendum is successful, there is a 60-day window for a challenge to the referendum.

Ordinance updates will be incorporated in the 2016 budget. New signs in Windsor only say Windsor. The new village would handle zoning and permits. The Plan Commission will handle those duties. Right now zoning enforcement is with the county. As a village, Windsor would do the enforcement. It believes it can handle that in-house right now on a temporary basis. It is Windsor's goal not to raise taxes. A joint utility commission will be established.

The question has been raised if Windsor becomes a village whether it is going to force residents to hook up to the village water and sewer. Chairperson Wipperfurth said no. It is not cost-effective to retrofit.

The village of Windsor could enroll into the bridge aid program.

There would be the loss of the town meeting forum. With a town, the motion comes from the residents to adopt the levy. With a village, the motion comes from the village board. Titles would change. The town chair would become the village president. Supervisors would become trustees with staggered two-year terms. Standing committees are established by ordinance. Ad hoc committees are established as needed. There will be no changes to the Plan Commission. There would need to be a zoning board of appeals.

The Town Board's role is to educate its residents about the referendum. Town Board members cannot tell anyone how to vote.

Leeds, Bristol, Vienna, and Westport have all gone on record supporting Windsor.

Supervisor Stravinski thanked everyone for their attendance. The Town Board has been working on this for a long time. This will be giving protection to the town from annexation.

Supervisor Madelung commented on the education regarding towns and villages. He has advocated for incorporation since he became a Board member. This would end border disputes.

Supervisor Buchner thanked everyone for coming. This meeting is one of ten opportunities or forums and open houses in the township explaining the incorporation procedure. The only way to make this go away is to gain our own protection. If Windsor were to incorporate, it does not preclude the opportunity in the future to merge with DeForest.

Supervisor Smith explained she moved to Windsor 11 or 12 years ago and did not know what was going on. She then found out about the boundary issues. She learned about the politics in the area and felt she needed to get involved.

Town Attorney Anderson added that she has been working with local governments for 30 years. The town of Windsor already functions at a village level. The town would have the legal rights that villages have and the rights that it has earned.

Barry Eichinger, 4533 Oak Springs Circle, noted that he lives in an area that sticks into DeForest. He is on the Plan Commission and Community Development Authority and is glad the town is moving in this direction. He hopes this allows for a better relationship with DeForest.

Gary Rusch, 6543 Kimberly Way, asked whether Windsor could get some of the land back.

Chairperson Wipperfurth responded that one of the things Windsor has done through this entire process is stated it would maintain its current borders. Windsor has offered to enter into boundary agreements with its neighboring towns.

Regarding the tax base, Mr. Rusch asked, assuming the status quo and Windsor incorporates, what would be the impact?

Chairperson Wipperfurth responded it would be minimal impact. The town staff can absorb all functions.

Marilyn Richardson, 7058 Parkside Circle, asked who votes on this referendum.

Chairperson Wipperfurth answered only Windsor residents. The town only needs a majority of the people who come out to vote in order to pass the referendum.

Jeanne Rusch, 6543 Kimberly Way, stated that the requirement for voter ID was not because of this election. This is a new state law.

Mike Esser, 6902 Rembrandt, thanked the Town Board for putting together and communicating this information. Are there plans in place depending on how the election goes?

Chairperson Wipperfurth noted that there have been two mailings and will be two more mailings. The Windsor Board has to work on educating the public. There can be a “Yes Committee” with people, as individuals, who want to raise money. Afterward, the town is looking at things that will need to be done: farmland preservation, a FEMA plan, a zoning code.

Town Attorney Anderson responded that the status quo is maintained after the referendum. The ordinances will continue in place. Windsor operates as a village now. The big change will be that there will be zoning authority in the village of Windsor.

Dan Paulson, 4290 Hawk Trail, discussed maintaining joint agreements with the Fire and EMS.

Chairperson Wipperfurth added that there was a conversation earlier in the day with the attorneys regarding changing the name to the DeForest/Windsor Fire and EMS. Hampden, Leeds, and Vienna would contract for services.

Bob Rademacher, 3431 Mueller Road, asked for clarification. People are thinking the town of Windsor will be going into the village of DeForest, not becoming the village of Windsor. Something needs to be mailed out by the town clarifying that Windsor is not going with the village of DeForest.

Betty Rademacher, 3431 Mueller Road, asked, if the referendum passes, when will it go into effect?

Chairperson Wipperfurth replied “immediately.”

Luana Schneider, 6793 County Road C, had a question regarding the 60-day window issue.

Town Attorney Anderson responded that they will not know until day 61.

Marilyn Richardson asked whether the people in Oak Springs were aware of the vote.

Barry Eichinger responded that they were aware of it.

Mike Esser asked about the language on the ballot – “For A Village” and “Against A Village.”

Chairperson Wipperfurth advised that this is the language required by statute that cannot be changed, and he was hoping that with the Yes Committee it would become more clear.

Barry Eichinger asked what happens to Morrisonville and Token Creek.

Chairperson Wipperfurth responded that Morrisonville will remain a hamlet and will be part of the village of Windsor. Most of Token Creek is in the town of Burke. Windsor has the springs.

Addresses of Windsor residents will not change. If one has a DeForest address, it will not change. It will need to be clarified that people who have a DeForest address may actually live in Windsor.

Mike Esser said he lives in Holland Fields and has a DeForest address. Would people throw the mailing away because they think they live in DeForest?

Chairperson Wipperfurth indicated people would have to go door-to-door.

5. Adjournment.

At 7:20 p.m. a motion was made by Supervisor Stravinski, seconded by Supervisor Smith, to adjourn the meeting. Motion carried with a 5-0 vote.

Respectfully submitted,



Ellen G. Teed, Recording Secretary