

TOWN OF WESTPORT
REGULAR BOARD MEETING
Kennedy Administration Building
Community Meeting Room
5387 Mary Lake Road
Town of Westport, Wisconsin

AGENDA - Monday, June 3, 2019 7:00 p.m.

1. Call to Order
2. Public Comment On Matters Not On the Agenda
3. Approve Minutes
4. Review/Approve Liquor, Operator and Related Licenses
5. Driveway/Access/Utility/Road Opening Permits
6. Water Utility/Fire Protection Utility
Miscellaneous
7. Sewer Utility
Miscellaneous
8. Engineer Report
Miscellaneous Ongoing Projects
9. Caton Lane/Salter Court Reconstruction Award/Contract Approval Discussion/Action
10. Dane County Comprehensive Zoning Code Revision Acceptance Declination,
Discussion/Action
11. Committee Reports/Items for Action

Personnel Committee	Public Works Committee	Westport/Middleton JZC
Audit Committee	Town Plan Commission	Westport/Waunakee JPC
12. Administrative Matters
13. Miscellaneous Business/Forthcoming Events
14. Pay Current Bills
15. Adjourn

If you need reasonable accommodations to access this meeting, please contact the clerk's office at 849-4372 at least three business days in advance so arrangements can be made to accommodate the request.

TOWN OF WESTPORT
AUDIT COMMITTEE MEETING
Kennedy Administration Building
Community Meeting Room
5387 Mary Lake Road
Town of Westport, Wisconsin

AGENDA - Monday, June 3, 2019 6:30 p.m.

This meeting is being noticed as a possible gathering of a quorum of the Westport Town Board due to the possible attendance of Supervisors not appointed to the Committee. Supervisors may discuss items on this agenda, or gather information on these items, but no action will be taken on these items as the Town Board.

1. Call to order
2. Approve minutes
3. Review/approve bills for payment
4. Adjourn

If you need reasonable accommodations to access this meeting, please contact the clerk's office at 849-4372 at least three business days in advance so arrangements can be made to accommodate the request.

TOWN OF WESTPORT

TOWN BOARD - Monday, May 20, 2019

The regular semi-monthly meeting of the Town Board was called to order in the Community Meeting Room of the Bernard J. Kennedy Administration Building at 7:00 p.m. by Chair Grosskopf. Members present: Cuccia, Enge, Grosskopf, Sipsma, and Trotter. Members absent: None. Also Present: Tim Wohlers, and Tom Wilson.

No one was present for Public Comment On Matters Not On the Agenda. The minutes of the May 6, 2019 regular meeting were approved as presented on a motion by Sipsma, second Trotter.

Wilson reported again that all of the 2019-20 Liquor, Operator and Related Licenses renewals are in and will be reviewed by the Board at its June 3 meeting.

Grosskopf, Sipsma, and Wilson reported on items before the plan commission/committees. The Audit Committee recommended payment of bills as presented by the Administrator after questions were answered.

For Administrative Matters raised, Wilson reported on the DCTA annual meeting; Wilson presented a report on the Park Committee beginnings (subcommittee of Town Plan Commission formed on 7/18/1994) and Sheldon Schall service (appointed 12/21/1998) as previously requested by Enge; Wilson reported that Ray Mejia has resigned from the HPC effective after the August meeting and what steps have been taken so far on member recruitment; and, Wilson and Grosskopf reported on the new Waunakee Community High School sculpture.

For Miscellaneous Business or Forthcoming Events raised, Wilson reported that there are already a number of items on the Board agenda for the June 3 meeting including the liquor licenses; Wilson reported the new assigned reporter to Westport from The Waunakee Tribune is Tim Wohlers; Wilson reported on a couple of red tag grading projects; and, Grosskopf advised Wilson that he referred a resident to Town staff regarding permits needed for a shed.

Current bills were paid as presented by the Administrator and recommended by the Audit Committee after questions were answered on a motion by Sipsma, second Enge.

Motion to adjourn by Sipsma, second Cuccia. The meeting adjourned at 7:30 p.m.

Thomas G. Wilson
Town Attorney/Administrator/Clerk-Treasurer

AGENDA ITEM #4:

Review/Approve Operators License

Town Board

Dean A Grosskopf, Chair
Terry Enge
Kenneth R. Sipsma
John Cuccia
Mark Trotter



Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer

Robert C. Anderson
Utility, Finance & IS Manager

Jessica Frey
Administrative Assistant

Kennedy Administration Building
5387 Mary Lake Road
Waunakee, WI 53597
Office: (608)849-4372 * Fax: (608)849-9657
www.townofwestport.org

May 9, 2019

Waunakee Tribune

BY EMAIL ONLY

Please print the following in the Waunakee Tribune on May 16, 2019.

TOWN OF WESTPORT Notice is hereby given that the following applications have been filed at the office of the Town Clerk for the sale of fermented malt beverages and intoxicating liquor in said Town and for such licenses and such premises respectively, as indicated after the name of the applicant.

"Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License:

Bruce Taylor, Taylor Liquor Store 5331 W. River Rd

"Class A" Retail Fermented Malt Beverage and Cider License:

Kwik Trip Inc, David Doelger, Agent, 5420 Willow Rd

Class "A" Retail Fermented Malt Beverage License:

Kelley Williamson Company, Suzanne Dorsey-Sterling, Agent, 5418 Blue Bill Park Dr

"Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License:

Mariner's Inn, Inc., Jack von Rutenberg, Agent, 5339 Lighthouse Bay Dr.

Nau-Ti-Gal, Inc., Jack von Rutenberg, Agent, 5360 Westport Road

Cherokee Park, Inc., Dennis B. Tiziani, Agent, 5000 North Sherman Ave

Willows Tavern, Inc., Nancy Wipperfurth, Agent, 5485 Willow Road

Bishops Bay Country Club, Inc., Jeff Murray, Agent, 3500 Bishops Dr

MMMC LLC, Chad Franklin Agent, 5344 Northport Dr

Trader Gus Inc, Andrew Ziegler, Agent, 5430 Willow Rd

American Legion Post 481, Dermot Eyre, Agent, 5337 W River Rd

"Class B" Retail Intoxicating Liquor License (Wine Only):

Drumlin Ridge Winery LLC. David Korb, Agent, 6000 River Rd

Class "B" Retail Fermented Malt Beverage License:

Mazanet Marina, Inc., Howard Mazanet, Agent, 5320 Blue Bill Park Dr.

Above applications will be considered at the regular Town Board meeting on June 3, 2019, in the Kennedy Administration Building meeting room at 7:00 P.M.

Thomas G. Wilson, Clerk
Town of Westport

AGENDA ITEM #9 :

Caton Lane/ Salter Court Reconstruction
Award/Contract Approval Discussion/Action

Jessica Frey

From: Kevin Even <kevin@waunakee.com>
Sent: Wednesday, May 29, 2019 11:04 AM
To: Tom Wilson
Cc: Jessica Frey
Subject: Caton Lane and Salter Court

May 29, 2019

Thomas G. Wilson
Attorney/Administrator/Clerk-Treasurer
Town of Westport (Dane County, WI)

VIA EMAIL

RE: Town of Westport Road Project – Caton Lane and Salter Court

Dear Mr. Wilson:

Bids for the above-referenced project were opened on May 22nd, 2019. One bid was received. The low base bid of \$270,311 was less than ENGINEER's opinion of probable construction cost.

Raymond P. Cattell, Inc. of Madison was the apparent low bidder for the base bid. The bid included a bid bond for 10 percent.

We have previously worked with Raymond P. Cattell, Inc. on projects for the Town and Village of Waunakee. Based on our previous experience with this contractor, we have found Raymond P. Cattell, Inc. to be responsible.

Sincerely,

Kevin A. Even, P.E.
Consulting Town Engineer

**2019 Town Road Improvements
Caton Lane and Salter Court**

BIDDERS SHOULD NOT ADD ANY CONDITIONS OR QUALIFYING STATEMENTS TO THIS BID OR THE BID MAY BE DECLARED IRREGULAR AS NOT BEING RESPONSIVE TO THE INSTRUCTIONS TO BIDDERS.

Bidder will complete the work for the following price(s):

<i>Item No.</i>	<i>Item Description</i>	<i>Estimated Quantity</i>	<i>Units</i>	<i>Unit Price</i>	<i>Total Price</i>
1.	Mobilization/Traffic Control	1	LS	\$ <u>15'000 -</u>	\$ <u>15'000 -</u>
2.	Erosion Control	1	LS	\$ <u>5'000 -</u>	\$ <u>5'000 -</u>
<u>Salter Lane Reconstruction</u>					
3.	Sawcut Existing Pavements	150	LF	\$ <u>5 -</u>	\$ <u>750 -</u>
4.	Remove Existing Asphalt (Engineers Estimate 1500 SY)	1	LS	\$ <u>4'500 -</u>	\$ <u>4'500 -</u>
5.	Remove Concrete Pavement	100	SY	\$ <u>15 -</u>	\$ <u>1'500 -</u>
6.	Common Excavation (Engineers Estimate 1000 CY)	1	LS	\$ <u>28'000 -</u>	\$ <u>28'000 -</u>
7.	Excavation Below Subgrade	500	CY	\$ <u>28</u>	\$ <u>14'000 -</u>
8.	Dense Graded Base, 1 1/4"	500	TN	\$ <u>20 -</u>	\$ <u>10'000 -</u>
9.	Dense Graded Base, 3"	1000	TN	\$ <u>20 -</u>	\$ <u>20'000 -</u>
10.	Asphalt Pavement	360	TN	\$ <u>75 -</u>	\$ <u>27'000 -</u>
11.	Asphalt Quality Program	360	TN	\$ <u>1³⁵</u>	\$ <u>486 -</u>
12.	Asphalt Driveway Surcharge	250	SY	\$ <u>12 -</u>	\$ <u>3'000 -</u>
13.	30" Concrete Curb & Gutter	500	LF	\$ <u>30⁰⁰</u>	\$ <u>15'000 -</u>
14.	Concrete Driveway (6")	1000	SF	\$ <u>8⁰⁰</u>	\$ <u>8'000 -</u>
15.	San MH Casting & Adjust	3	EA	\$ <u>900 -</u>	\$ <u>2'700 -</u>
16.	Shouldering	25	TN	\$ <u>80 -</u>	\$ <u>2'000 -</u>
17.	Salvage and Reset Mailbox	5	EA	\$ <u>300 -</u>	\$ <u>1'500 -</u>
18.	Lawn Restoration	400	SY	\$ <u>20 -</u>	\$ <u>8'000 -</u>
<u>Caton Lane Mill and Overlay</u>					
19.	Sawcut Existing Pavements	300	LF	\$ <u>5 -</u>	\$ <u>1'500 -</u>
20.	Mill Existing Asphalt	2700	SY	\$ <u>5 -</u>	\$ <u>13'500 -</u>
21.	Excavation Below Subgrade	300	CY	\$ <u>28 -</u>	\$ <u>8'400 -</u>
22.	Dense Graded Base, 1 1/4"	200	TN	\$ <u>20 -</u>	\$ <u>4'000 -</u>

**2019 Town Road Improvements
Caton Lane and Salter Court**

BIDDERS SHOULD NOT ADD ANY CONDITIONS OR QUALIFYING STATEMENTS TO THIS BID OR THE BID MAY BE DECLARED IRREGULAR AS NOT BEING RESPONSIVE TO THE INSTRUCTIONS TO BIDDERS.

Bidder will complete the work for the following price(s):

Item No.	Item Description	Estimated Quantity	Units	Unit Price	Total Price
23.	Dense Graded Base, 3"	400	TN	\$ 20-	\$ 8'000 -
24.	Asphalt Pavement	700	TN	\$ 73-	\$ 51'100 -
25.	Asphalt Quality Program	700	TN	\$ 1.35	\$ 945 -
26.	Asphalt Driveway Surcharge	400	SY	\$ 9.20	\$ 3'680 -
27.	San MH Casting & Adjust	5	EA	\$ 900-	\$ 4'500 -
28.	Shouldering	90	TN	\$ 50-	\$ 4'500 -
29.	Lawn Restoration	125	SY	\$ 30-	\$ 3'750 -

COMPUTED TOTAL BID

Total Dollars \$ 270'311.00

Bidder agrees that the work will be substantially complete on or before **September 27, 2019** and complete and ready for payment in accordance with the General Conditions on or before **October 31, 2019**.

Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified, above, which shall be stated in the Agreement.

The following documents are attached to and made a condition of this Bid:

- A. Required Bid Security in the form of Bid Bond in the
(Bond or Certified Check)
amount of _____ Dollars (\$ _____)
as required by the Instructions to Bidders.

Communications concerning this Bid shall be addressed to the address of Bidder indicated below:

Name: Raymond P. Cattell Inc.
Street: 2401 Vondraan Road
City, State, Zip Code: MADISON WI 5
Phone: 608-222-3180

Submitted on 5-22, 2019.

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____

(Individual's signature)

Doing business as: Business address: _____

Phone No.: _____ Fax No.: _____

A Partnership

Partnership Name: _____ (SEAL)

By: _____

(Signature of general partner—attach evidence of authority to sign)

Name (Type or print): _____

Business address: _____

Phone No.: _____ Fax No.: _____

A Corporation

Corporation Name: Raymond P. Catell Inc. (SEAL)

State of Incorporation: WISCONSIN

Type (General Business, Professional, Service, Limited Liability):

By: _____

(Signature—attach evidence of authority to sign)

Name (typed or printed): Arthur Mackesay

Title: Secretary

Attest _____ (Corporate Seal)

(Signature of Corporate Secretary)

Business address: 2401 Keokuk Road

MADISON WIS 53718

Phone: 608-222-3182 Fax No.: 608-222-2753

Date of Qualification to do business is 5-15-95

Sworn and subscribed to before me this

28th day of May, 1995

[Signature]



Notary Public or Other Officer
Authorized to Administer Oaths.

My Commission expires: 11/26/22

DISCLOSURE OF OWNER

Personally identifiable information may be used for secondary purposes. See s. 15.04(i)(m) Stats. for details.

(1) **INSTRUCTIONS:** On the date a contractor submits a bid to or completes negotiations with a state agency or local governmental unit on a project subject to ss. 66.293 or 103.49, Stats., the contractor shall disclose to such state agency or local governmental unit the name of any "other construction business" which the contractor, or a shareholder, officer or partner of the contractor, owns or has owned within the preceding three (3) years.

(2) **DEFINITION:** The term "other construction business" means any business engaged in the erection, construction, remodeling, repairing, demolition, altering or painting and decorating of buildings, structures or facilities and any business engaged in supplying mineral aggregate, or hauling excavated material or spoil as provided by ss. 66.293(3), 103.49(2) and 103.50(2), Stats.

(3) **WHEN TO COMPLETE FORM:** This form ONLY needs to be completed if (a) the contractor, or a shareholder, officer or partner of the contractor, owns at least a 25% interest in the "other construction business" indicated below on the date the contractor submits a bid or completes negotiations, or has owned at least a 25% interest in the "other construction business" at any time within the preceding three (3) years; and (b) the Wisconsin Department of Workforce Development (DWD) has determined that the "other construction business" failed to pay the prevailing wage rate or time and one-half the required hourly basic rate of pay for hours worked in excess of the prevailing hours of labor to any employee at any time within the preceding three (3) years. This form DOES NOT have to be completed if the requirements of both (a) and (b) above are not met. If the requirements of both (a) and (b) above are met, this form must ONLY be filed with the state agency or local governmental unit that will be awarding the contract.

(4) **NAME AND ADDRESS OF OTHER CONSTRUCTION BUSINESS:** Indicate below the name(s) and address(es) of any "other construction business" which meets all of the criteria specified in (2) and (3) above.

Name of Other Construction Business	Street or P.O. Box, City, State and Zip
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Name of Other Construction Business	Street or P.O. Box, City, State and Zip
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Name of Other Construction Business	Street or P.O. Box, City, State and Zip
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Name of Other Construction Business	Street or P.O. Box, City, State and Zip
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I HEREBY STATE UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS TRUE AND ACCURATE ACCORDING TO MY KNOWLEDGE AND BELIEF.

Print Name of Authorized Officer	Signature Of Authorized Officer
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Title of Authorized Officer	This ____ day of _____, _____
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Name of Corporation, Partnership, or Sole Proprietorship Address (Include Street or P.O. Box, City, State and Zip)
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The statutory authority for the use of this form is prescribed in ss. 66.293(12)(d) and 103.49(7)(d), Stats. The use of this form is mandatory. The penalty for failing to complete this form is prescribed in s. 103.005(12), Stats.

AGENDA ITEM #10:

Dane County Comprehensive Zoning Code
Revision Acceptance Declination,
Discussion/Action
CTH M and Governor Nelson

**TOWN OF WESTPORT
ORDINANCE NO. 19-__**

**AN ORDINANCE DECLINING TO APPROVE THE COMPREHENSIVE
REVISION OF DANE COUNTY ZONING ORDINANCE FOR
THE TOWN OF WESTPORT, DANE COUNTY WISCONSIN**

On January 17, 2019, the Dane County Board of Supervisors adopted a Comprehensive Revision of the Dane County Zoning Ordinance, 2018-OA-20. Pursuant to Sec. 59.69(5)(d), Wis. Stats., the towns in Dane County have a period of one year within which to adopt the comprehensive revision. If the town board fails to adopt the comprehensive revision, then neither the comprehensive revision nor the existing ordinance shall be in force in the town.

In 2017, the Town of Westport acted pursuant to Sec. 60.23(34), Wis. Stats., to withdraw from the coverage of the Dane County zoning ordinance and the County Development plan, which is known as the Dane County Comprehensive Plan. The Town adopted its own zoning ordinance. The Town's zoning ordinance (the "Ordinance") adopted the existing Dane County zoning classifications as legacy zoning classifications. The Ordinance also incorporated existing conditional use permits and nonconforming use statuses.

In order to avoid confusion, uncertainty or misinterpretation of the impact of the adoption of the Comprehensive Revision, the Town Board hereby adopts this Ordinance.

NOW ,THEREFORE, the Town Board of Supervisors of the Town of Westport, Dane County, Wisconsin, hereby ordains as follows:

Section 1. The Town of Westport hereby declines to approve the Comprehensive Revision of Chapter 10, Zoning, adopted as 2018-OA-20 by the Dane County Board of Supervisors on January 17, 2019.

Section 2. The Town of Westport reaffirms its action under Sec. 60.23(34), Wis. Stats., to withdraw from coverage of the Dane County Zoning Ordinance and Comprehensive Plan.

Section 3. The Town of Westport reaffirms its adoption of the withdrawal ordinance, together with all nonconforming uses, conditional use permits and legacy zoning classifications provided for in that ordinance. This Ordinance shall be construed to provide continuous, uninterrupted zoning regulation of the Town pursuant to the withdrawal ordinance.

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Westport on June 3, 2019, by a vote of ___ ayes, ___ nays, and ___ not voting.

APPROVED:

By: _____

Dean A. Grosskopf, Town Board Chair

Approved: _____

Published: _____

Attest: _____

Thomas G. Wilson

Town Attorney/Administrator/Clerk-Treasurer

Tom Wilson

From: Mark Hazelbaker <mh@kasieta.com>
Sent: Friday, May 10, 2019 12:01 PM
To: 'arv@dewittross.com'; Brenda Kahl; Curt Winter; Dennis Jelle; Jerry Derr; Brandon S. Bledsoe; Dianah Fayas; heartstone@hughes.net; Jo Ramsfield; jmpulvermacher@gmail.com; Tom Wilson
Subject: RESOLUTION REFUSING TO APPROVE THE COMPREHENSIVE REVISION OF DANE COUNTY ZONING ORDINANCE (00339508).docx
Attachments: RESOLUTION REFUSING TO APPROVE THE COMPREHENSIVE REVISION OF DANE COUNTY ZONING ORDINANCE (00339508).docx

Attached please find an ordinance which declines to adopt the County's comprehensive revision. I believe it is appropriate to adopt this ordinance to assure that the comprehensive revision does not somehow take effect in your town because you failed to disapprove it.

Note that I drafted it using the name "Berry," which needs to be replaced with the appropriate town names for the other 5 towns.

Mark

ORDINANCE DECLINING TO APPROVE THE COMPREHENSIVE REVISION OF DANE COUNTY ZONING ORDINANCE

On January 17, 2019, the Dane County Board of Supervisors adopted a Comprehensive Revision of the Dane County Zoning Ordinance, 2018-OA-20. Pursuant to Wis. Stats. sec. 59.69(5)(d), the towns in Dane County have a period of one year within which to adopt the comprehensive revision. If the town board fails to adopt the comprehensive revision, then neither the comprehensive revision nor the existing ordinance shall be in force in the town.

In 2017, the Town of Berry acted pursuant to Wis. Stats. sec. 60.23 (34) to withdraw from the coverage of the Dane County zoning ordinance and the County Development plan, which is known as the Dane County Comprehensive Plan. The Town adopted its own zoning ordinance. The Town's zoning ordinance (the "Ordinance") adopted the existing Dane County zoning as legacy zoning. The Ordinance also incorporated existing conditional use permits and nonconforming use statuses.

In order to avoid confusion, uncertainty or misinterpretation of the impact of the adoption of the Comprehensive Revision, the Town Board hereby adopts the following Ordinance:

Article One. The Town of Berry hereby declines to approve the Comprehensive Revision of Chapter 10, Zoning, adopted as 2018-OA-20 by the Dane County Board of Supervisors on January 17, January.

Article Two. The Town of Berry reaffirms its action under sec. 60.23 (34) to withdraw from coverage of the Dane County Zoning Ordinance and Comprehensive Plan.

Article Three. The Town of Berry reaffirms its adoption of the Ordinance, together with all nonconforming uses, conditional use permits and legacy zoning provided for in that ordinance.

This ordinance shall be construed to provide continuous, uninterrupted zoning regulation of the Town pursuant to the Ordinance.

Dated this _____ day of _____, 2019.

TOWN OF BERRY