

REGULAR TOWN BOARD MEETING, April 15, 2015

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman Steve Palmer at 6:05 p.m. on Wednesday, April 15, 2015, at the Town Hall. Proper notice was given as the agenda was posted in the three designated locations of the Town Hall, Super America and Lamperts on April 10, 2015. Present by roll call were Chairman Steve Palmer, supervisors Frank Behning, James Beistle, Mike Dorsey and Erick Vitalis. Also present were town treasurer Maxine Spiess, town clerk Janet Krueger, zoning administrator James Alt, public works employee Joe Hein and legal counsel Thomas Schumacher. Others in attendance were Norval Valleen. Beistle/Vitalis **moved** to adopt the agenda; **motion carried**. Beistle/Vitalis **moved** to approve the meeting minutes as printed for the March 18, 2015; **motion carried**.

No public comment was had.

Reports were given: The treasurer's report was reviewed. Receipts for the period ending March 31, 2015, amounted to \$1,632.28; cash balance on March 31, 2015, was \$341,499.65. Beistle/Behning **moved** to receive the treasurer's report; **motion carried**. Mr. Hein gave the highway report. A quote for repair work on the grader was reviewed. Mr. Hein will contact Polk County and Nick Walton for quotes on repair work of the grader. Discussion was had regarding potential 2015 road work. Behning/Vitalis **moved** to authorize publication for 2015 road work bids; **motion carried** on a unanimous roll-call vote, 5-0. Ms. Krueger presented the clerk's report. Behning/Dorsey **moved** to approve Resolution 15-14 amending the 2015 budget; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 15-14

A RESOLUTION TO AMEND THE 2015 BUDGET  
FOR THE TOWN OF ST. CROIX FALLS

WHEREAS the required two year bond for the Treasurer and Clerk will exceed the amount budgeted for General Insurance in 2015 by one hundred eighty dollars (\$180.00); and

WHEREAS a bond for tax collection will need to be purchased in the Fall of 2015 which will add to the amount exceeding the budgeted amount in the General Insurance account for 2015.

THEREFORE BE IT RESOLVED by the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, that the sum of seven hundred dollars (\$700.00) is hereby transferred from the Operations Fund to the General Insurance account for the Treasurer/Clerk bond and Tax Collection bond.

Dorsey/Vitalis **moved** to approve payment of vouchers 15-091 through 15-119 amounting to \$17,011.04; **motion carried** on a unanimous roll-call vote, 5-0. The 2015 year-to-date budget summaries were reviewed. Mr. Alt gave the zoning administrator's report. Mr. Alt stated the special exception was tabled until further information is provided. Mr. Alt also stated he has been working on a subdivision application. Mr. Alt was asked to follow up on the Thaemert land use permit. The building inspector's report was reviewed. The chairman's report was given. Wisconsin Department of Transportation (DOT) representatives had a meeting with a property owner's representative regarding placement of an access road across from Peer Avenue as part of the Highway 35 Access Control Plan. The DOT will be sending the Town some suggestions for driveway placement according to uses. Mr. Palmer stated he has not heard back from Doug Schmidt, Osceola Town Chairman, regarding the Town of Osceola's approval of the road maintenance agreements. Mr. Palmer will continue working with Mr. Alt regarding ongoing nuisance issues.

New Business: Ordinance 15-04 amending the Town Zoning Ordinance No. 1 was reviewed and the second reading was had. Behning/Vitalis **moved** to approve Resolution 15-15 adopting Ordinance 15-04 amending the Town's Zoning Ordinance No. 1; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 15-15

A RESOLUTION ADOPTING ORDINANCE 15-04 AMENDING ZONING ORDINANCE No. 1

WHEREAS the Town Board for the Town of St. Croix Falls has village powers under Section 60.10(2)(c), Stats., that grants police powers as set forth in Section 61.34(1), Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965, amended in its entirety on May 12, 1994 and subsequent amendments including the amendments on March 20, 2001; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April 21, 2010; August 18, 2010; March 16, 2011;

April 20<sup>th</sup> 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Zoning Ordinance No. 1, Chapter 5 to eliminate discrepancies and clarify regulations regarding signage; and

WHEREAS the Plan Commission held a public hearing on the proposed amendments on March 11, 2015, and the first reading of the proposed amendments was had on March 18, 2015, and a second reading was held on April 15, 2015.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 15-04 amending Zoning Ordinance No. 1; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendment; and

BE IT FURTHER RESOLVED that Ordinance 15-04 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

## Ordinance 15-04

### AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE"

#### Section 1: Purpose

The purpose of this ordinance is to amend Chapter V Sign Regulation and Restrictions, Section B, 2. Application for Permit, with the deletion of c.

~~e. Evidence of liability insurance policy or bond as required by Section B.6 of this chapter.~~

And amend Chapter V Sign Regulation and Restrictions, Section B, with the deletion of 6. Insurance.

#### ~~6. INSURANCE.~~

~~Every sign contractor shall file with the Zoning Administrator a Certificate of Insurance indicating the applicant holds a public liability and property damage policy specifically to include the hold harmless clause with bodily injury limits of at least \$300,00 per occurrence, and \$300,000 aggregate, and property damage insurance of at least \$100,000 per occurrence and \$100,000 aggregate. Such insurance shall not be cancelled or reduced without the insured first giving thirty (30) days' notice in writing to the Clerk of the Town of St. Croix Falls of such cancellation or reduction.~~

And amend Chapter V Sign Regulation and Restrictions, Section F. Prohibited Signs, 2 as follows:

#### 2. FLASHING OR MOVING SIGNS.

Flashing signs are prohibited. Signs with physically moving components visible from the public right-of-way are not permitted except for those which revolve around a vertical axis at speeds less than ~~seven (7)~~ **six (6)** revolutions per minute.

And amend Chapter V Sign Regulation and Restrictions, Section J. Special Signs, 3 as follows:

#### 3. PORTABLE SIGNS.

a. ~~Permit.~~ Any person wishing to place a portable sign on his premises ~~or the premises of another~~ shall first obtain a permit from the Zoning Administrator. Permits shall be issued for a period not to exceed thirty (30) days in any calendar year. Any sign remaining on the premises for more than thirty (30) days in any calendar year shall be deemed to be a permanent sign and shall meet all requirements for a permanent sign.

b. ~~Size.~~ No portable sign shall exceed thirty-two (32) square feet and no portable sign shall be over seven (7) feet in height from grade level.

c. ~~Setback.~~ All portable signs shall have a minimum setback from the property line of fifteen (15) feet or an additional setback as deemed necessary by the Zoning Administrator for the safe flow of vehicle or pedestrian traffic.

d. ~~Off Premises Portable Signs.~~ **Portable signs may be allowed on off-premise locations to advertise for civic, philanthropic, fund raising, or charitable events. Signs may be placed up to twenty-one (21) days before the event and must be removed no more than seven (7) days after the event. Signs are limited to thirty-two (32) square feet and must be placed at least fifteen (15) feet from the property line. No more than three (3) such event signs may be placed on any one parcel in any calendar year.**

And amend Chapter V Sign Regulation and Restrictions, Section K. Integrated Shopping Center, 1 as follows:

1. Each business or office shall be eligible for one attached sign. ~~The area of such sign shall not exceed, in square feet, two (2) times the lineal front footage of the business or office.~~

And amend Chapter V Sign Regulation and Restrictions, Section K. Integrated Shopping Center, 2 as follows:

2. One ground sign for shopping center identification with the height limitation of twenty-five (25) feet is permitted. If the shopping center is on a corner, either one (1) corner sign or two (2) signs, one on each street is permitted. If two (2) signs are installed, they must be placed at least two hundred (200) feet from the lot corner at the intersection. ~~The area of such sign shall not exceed, in square footage, the lineal front footage of the lot or two hundred (200) square feet, whichever is less one hundred (100) square feet per facing, with a maximum of two (2) facings.~~ No sign shall be closer than twenty (20) feet to a property line unless the adjacent property is a residential, transition, agricultural or conservancy district in which case the sign shall be set back five hundred (500) feet and no sign shall be placed between the highway and the frontage road.

And amend Chapter V Sign Regulation and Restrictions, Section L. District Regulations, 2. Commercial District as follows:

#### 2. COMMERCIAL DISTRICT.

In the commercial district, signs shall be regulated as follows:

a. ~~Permitted signs.~~ Wall, window, ground and directional signs. **Each parcel shall be allowed shall be allowed one (1) wall sign and one (1) window sign.**

b. ~~Area.~~ **The gross area in square feet of all signs shall not exceed two (2) times the lineal front footage of the zoning lot; however, the gross surface area of all illuminated signs shall not exceed two (2) times the lineal front footage of the zoning lot, not included in an integrated shopping center.**

c. ~~Ground Signs.~~ **The area of a ground sign shall not exceed two hundred (200) one hundred (100) square feet per facing, with a maximum of two (2) facings.** Only one on-premise ground sign shall be permitted for each ~~street frontage of the~~

~~zoning lot~~ parcel. No ground sign shall project higher than twenty-five (25) feet above grade. No sign shall be closer than twenty (20) feet to a property line unless the adjacent property is a residential, transition, agricultural or conservancy district in which case the sign shall be set back five hundred (500) feet and no sign shall be placed between the highway and the frontage road.

- d. **Special Exceptions.** *An affected party may apply for a special exception to allow additional signs per parcel or to allow for signs larger in square feet than the ordinance allows for on premise signs. The special exception will follow the procedure outlined for other special exceptions in this ordinance. Any other request for relief from any other portion of this chapter will be made as a variance request to the Town Board of Appeals.*
- e. **Off-premise Signs.** Off-premise signs shall be permitted in conformance with Section J. 4 of this chapter.

**Section 2: Effective Date**

This ordinance shall take effect from and after its passage and legal publication.

Dorsey/Behning **moved** to adopt Resolution 15-16 approving the two-year flea market license for Pea Pick'en Flea Market; **motion carried** on a unanimous roll-call vote, 5-0.

**Resolution 15-16**

A RESOLUTION APPROVING A FLEA MARKET LICENSE  
FOR THE TWO-YEAR PERIOD ENDING APRIL 30, 2017  
PEA PICK'EN FLEA MARKET

WHEREAS Wisconsin Statutes 134.71(9) requires the licensing of secondhand article dealer mall or flea market by the local municipality, and

WHEREAS Steve D. Hansen doing business as Pea Pick'en Flea Market 1977 US Hwy 8, St. Croix Falls, Wisconsin, has made application for a license renewal under the provisions of Wis.Stats. 134.71(9), and

WHEREAS the required license fee of \$165.00 as specified in Statutes, has been received and deposited with the Town Treasurer; and

WHEREAS a criminal history check has been requested from Polk County Sheriff's Department pursuant to Wis.Stats.134.71(6);

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls approves the license application of Steve D. Hansen, dba Pea Pick'en Flea Market 1977 US Hwy 8, St. Croix Falls, Wisconsin upon the recommended approval of the Polk County Sheriff; and

BE IT FURTHER RESOLVED that the Town Clerk be authorized to issue a flea market license to the same for the two-year period ending April 30, 2015, upon the recommended approval of the Polk County Sheriff.

Dorsey/Vitalis **moved** to adopt Resolution 15-17 approving an additional operator license for the year ending June 30, 2015; **motion carried** on a unanimous roll-call vote, 5-0.

**Resolution 15-17**

A RESOLUTION APPROVING ADDITIONAL OPERATOR'S LICENSE  
FOR THE YEAR ENDING JUNE 30, 2015

WHEREAS the individual listed below has made application to the Town Clerk requesting an operator's license pursuant to Sections 125.32(2) and 125.68(2) of the Wisconsin Statutes for the year ending June 30, 2015, and

WHEREAS the application appears to be complete and the required fee has been paid;

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does approve and grant operator's license to:

Horcher, Amie Dorene PO Box 545, Dresser, WI 54009, 2015-52

BE IT FURTHER RESOLVED that the Town Clerk be authorized to issue the licenses as the case may be.

Beistle/Dorsey **moved** to approve the Wisconsin Towns Association dues in the amount of \$587.49; **motion carried** on a unanimous roll-call vote, 5-0. The 2015 Clean Boats, Clean Waters Agreement was reviewed. Behning/Dorsey **moved** to approve the 2015 Clean Boats, Clean Waters Agreement; **motion carried** on a unanimous vote, 5-0. LRB 1852 was reviewed. Behning/Dorsey **moved** to adopt Resolution 15-18 supporting LRB 1852; **motion carried** motion carried on a unanimous roll-call vote, 5-0.

**Resolution 15-18**

A RESOLUTION SUPPORTING LRB-1852

WHEREAS, the Town Board of the Town of St. Croix Falls (the "Town") has reviewed the LRB-1852: a Bill relating to publication of certain legal notices on an Internet site maintained by a municipality (the "Bill"); and

WHEREAS, the Town supports the ability of Towns with a website to publish the meeting notices on their webpage as well as one outside location as an alternate to the three postings.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of St. Croix Falls, Polk County, does support the enactment of the Bill;

BE IT FURTHER RESOLVED, that the Town encourages its representatives in the State Assembly and State Senate to co-sponsor and vote in favor of the Bill.

Discussion was had on publishing a spring newsletter and items were considered. A draft of the newsletter will be presented next month. A proposal to convert exterior lighting to LED was reviewed.

Consensus of the Board was to swap out fixtures when needed. Discussion was had regarding posting weight restrictions on three segments of sensitive town roads. Vitalis/Dorsey **moved** to adopt Resolution 15-19 reducing weight limits on sensitive town roads; **motion carried** on a unanimous roll-call vote, 5-0.

### Resolution 15-19

#### A RESOLUTION REDUCING WEIGHT LIMITS ON SENSITIVE TOWN ROADS

**WHEREAS**, the Town Board of the Town of St. Croix Falls has specific statutory authority under Wis. Stats. 349.16 to impose weight limitations on highways within its jurisdiction to protect the constructional integrity and the safety of those individuals using the town roads; and

**WHEREAS**, 208<sup>th</sup> Street between US Highway 8 and 140<sup>th</sup> Avenue is a corduroy built road through a swamp that maintains high water year round; and

**WHEREAS**, River Road from State Highway 87 north to town limits was built along the St. Croix River and is surrounded by many springs, creeks and wetland; and

**WHEREAS**, 160<sup>th</sup> Avenue between State Highway 87 and Sunshine Street consists of a steep hill with springs in the area; this section of road serves many small residential lots; and

**WHEREAS**, historically the Town of St. Croix Falls has treated these segments of roadways as sensitive and has limited weight restrictions over the years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, wishes to use its statutory authority to reduce the gross vehicle weight limit to 48,000 pounds for the following:

208 <sup>th</sup> Street	between US Highway 8 and 140 <sup>th</sup> Avenue
River Road	from State Road 87 north to town limits
160 <sup>th</sup> Avenue	between State Road 87 and Sunshine Street

**BE IT FURTHER RESOLVED**, that these weight restrictions become effective upon the passage of this resolution signage of weight limits are installed.

Discussion was had on amending the driveway ordinance. Amendments will be drafted for a first reading next month. Discussion was had on hiring an occasional part-time employee. Vitalis/Beistle **moved** to have Supervisor Dorsey compile a list of considerations for hiring a part-time employee; **motion carried**. Behning/Vitalis **moved** to approve a two-week publication for occasional part-time help; **motion carried** on a unanimous roll-call vote, 5-0.

Closing public comment was had. Mr. Valleen stated he was no happy with the chip seal on 160<sup>th</sup> Avenue and felt there was excessive rock which ended up in his ditch. Mr. Valleen also commented on discussion at a previous plan commission meeting of requiring a culvert for a driveway.

Future agenda items are lease programs for highway equipment; approval of brine tank and sprayer for the one ton; driveway ordinance amendment; and a Town newsletter.

There being no further business, Behning/Dorsey **moved** to adjourn; **motion carried** and the meeting adjourned at 8:35 p.m.

Minutes prepared by Janet Krueger, Town Clerk