

REGULAR TOWN BOARD MEETING, May 18, 2016

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman James Beistle at 6:00 p.m. on Wednesday, May 18, 2016, at the Town Hall. Proper notice was given as the agenda was posted at the Town Hall and on the Town's website on May 13, 2016. Present by roll call were Chairman James Beistle, supervisors Frank Behning, Sharon Kelly and Gary Koecher. Also present were town treasurer Maxine Spiess, town clerk Janet Krueger, zoning administrator James Alt, public works employee Joe Hein and legal counsel Gary Bakke. Others present were Josh Yunker, John Werner, Rhett Werner, John and Julia Amrhien, Kyle Shafer with Bakke Norman and Reid Gacke with Ledger Newspaper. Supervisor Mike Dorsey arrived at 6:22 p.m. Koecher/Behning **moved** to adopt the agenda; **motion carried**. Kelly/Koecher **moved** to approve the meeting minutes as printed for the April 20, 2016, town board meeting and April 27, 2016, special town board meeting; **motion carried**.

Legal Counsel Gary Bakke introduced Kyle Shafer, a new employee with his firm whom will be taking the bar this summer.

Ms. Spiess presented the treasurer's report. Receipts for the period ending April 30, 2016, amounted to \$27,738.23; cash balance on April 30, 2016, was \$401,348.08. Behning/Kelly **moved** to receive the treasurer's report; **motion carried**. Mr. Hein presented the highway report. Mr. Hein stated the shoulder machine needs a new belt and has received a quote of approximately \$650.00 from Universal. Mr. Hein contacted Supervisor Dorsey whom stated he could order the belt for approximately \$150.00. Mr. Dorsey will proceed with ordering the belt. Ms. Krueger presented the clerk's report. Behning/Koecher **moved** to approve payment of vouchers 16-113 through 16-136 amounting to \$20,385.37; **motion carried** on a unanimous roll-call vote, 4-0. The 2016 year-to-date budget summaries were reviewed. Mr. Alt presented the zoning administrator report and informed the Board of a minor subdivision scheduled for next month and a possibly a special exception. The building report was reviewed. Supervisor Behning informed the Board he had attended the WTA Polk County Unit Meeting held on April 28, 2016, and stated discussion was had on animal control and whether the Polk County Sheriff's department would be interested in taking over animal control from local municipalities. Mr. Behning stated there will be no July WTA unit meeting leaving the next scheduled WTA unit meeting to be held in October. No Chairman report was given.

New Business: Mr. Alt presented an application for a rezone of two parcels located on 208<sup>th</sup> Street north of US Highway 8 and identified as parcel #044-00740-0000 and #044-00741-0000 from agricultural to transitional. Behning/Kelly **moved** to adopt Resolution 16-13 approving a change in the Town's zoning map; **motion carried** on a unanimous roll-call vote, 3-0, with Supervisor Koecher abstaining.

Resolution 16-13

A RESOLUTION APPROVING A CHANGE IN THE  
TOWN OF ST. CROIX FALLS ZONING MAP

WHEREAS, Steven Kotilinek, owner of real property in the Town of St. Croix Falls, has requested a change in the Town's zoning map for parcel #044-00740-0000 consisting of 15.32 acres and parcel #044-00741-0000 consisting of 20.41 acres located off from 208<sup>th</sup> Street in Section 27 in the Town of St. Croix Falls, and

WHEREAS, the Plan Commission of the Town of St. Croix Falls held a public hearing on May 11, 2016, and after reviewing the change request and approving the same at a plan commission meeting on May 11, 2016, recommends to the Town Board to concur in this decision and petition the Polk County Board of Supervisors to approve the requested change.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, requests the Polk County Board of Supervisors to change the Town's zoning map as follows:  
From AGRICULTURAL to TRANSITIONAL parcel #044-00740-0000 located in the NE ¼ of SW ¼, Section 27, T34N, R18W, consisting of 15.32 acres; and  
From AGRICULTURAL to TRANSITIONAL parcel #044-00741-0000 located in the NE ¼ of SW ¼, Section 27, T34N, R18W, consisting of 20.41 acres.

Mr. Alt presented a minor subdivision application for parcel #044-00618-0000. Behning/Koecher **moved** to adopt Resolution 16-14 approving a minor subdivision of parcel 044-00618-0000; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-14

A RESOLUTION APPROVING A MINOR SUBDIVISION  
IN THE TOWN OF ST. CROIX FALLS – WERNER PARCEL

WHEREAS Rhett Werner and John Werner, owners of real property in the NE ¼ of NW ¼ of Section 25, T34N, R18W, identified as Tax Parcel No. 044-00618-0000, and

WHEREAS the owners have proposed dividing the current 39 acres, more or less, into three parcels, Lot 1 consisting of 2.57 acres, Lot 2 consisting of 1.17 acres and the remaining piece consisting of 35.26 acres, and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on May 11, 2016, and after reviewing the request recommends to the Town Board approval conditional upon Polk County approving the rezone of the two smaller parcels.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve the creation of a minor subdivision from Tax Parcel No. 044-00618-0000 into three parcels, Lot 1 consisting of 2.57 acres, Lot 2 consisting of 1.17 acres and the remaining parcel consisting of 35.26 acres; conditioned upon Polk County Board of Supervisors approving the rezone request for the two newly created lots; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, approves a waiver of the Town's Subdivision Ordinance's public road frontage requirement due to the existence of a private road already serving frontage to the parcels; and

BE IT FURTHER RESOLVED that the Town Board authorizes the Town Chair to sign the "Polk County Subdivision Ordinance Town Board Check List" once the conditions have been met, and

BE IT FURTHER RESOLVED that the Town Board requests the Polk County Land Information Office to review and approve the creation of this minor subdivision, and

BE IT FURTHER RESOLVED that the subdivider provide the Town with a copy of the Certified Survey Map after same has been recorded in the Polk County Register of Deeds Office.

Mr. Alt presented an application for a special exception to operate a drive up kiosk selling coffee and baked goods. Kelly/Dorsey **moved** to adopt Resolution 16-15 approving a special exception to Julia Amrhein to operate a drive up kiosk selling coffee and baked goods in the commercial district; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-15

A RESOLUTION GRANTING A SPECIAL EXCEPTION  
TO JULIA AMRHEIN, JULIA'S JAVA, TO OPERATE A DRIVE UP KIOSK SELLING COFFEE AND BAKED  
GOODS IN THE COMMERCIAL DISTRICT

WHEREAS Julia Amrhein, Julia's Java, owner, filed an application with the Town of St. Croix Falls Zoning Office to operate a drive up kiosk selling coffee and baked goods at 2028 US Highway 8, located in the NW ¼ of the NE ¼ of Section 34, T34N, R18W, and identified as Tax Parcel No. 044-00923-0000, and

WHEREAS Chapter III, Section C, 3. Commercial District, c. (2) requires a special exception for any use not listed as a permitted use; and

WHEREAS Chapter I, Section 4 requires the Town Plan Commission hold a public hearing and make recommendation to the Town Board, and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on May 11, 2016, to allow operation of a drive up kiosk selling coffee and baked goods with conditions in the NE ¼ of Section 34;

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby concur with the Town Plan Commission to grant a special exception to Julia Amrhein for the operation of a drive up kiosk selling coffee and baked goods at 2028 US Highway 8, located in the NE ¼ Section 34, T34N, R18W, and identified as tax parcel No. 044-00923-0000 with the following conditions:

1. The business will follow all laws and obtain and maintain all proper permits;
2. There will be a one year probationary period from approval during which any complaint will trigger a review of the permit and/or conditions by the Plan Commission and/or Town Board; and
3. The special exception shall terminate upon the sale or transfer of ownership of either the parcel of land or the business itself.

BE IT FURTHER RESOLVED that this special exception is conditioned on the applicants obtaining the necessary and required permits, if any, from Polk County; various agencies of the State of Wisconsin; and various agencies of the Federal Government; and

BE IT FURTHER RESOLVED that this special exception must be exercised by application for the necessary permits within twelve (12) months of the date of this Resolution.

Mr. Alt presented an application for a special exception request for the resale of used service vehicles in the commercial district. Dorsey/Koecher **moved** to adopt Resolution 16-16 approving a special exception for the resale of used service vehicles in the commercial district; **motion carried** on a unanimous roll call vote, 4-0, with Chairman Beistle abstaining.

Resolution 16-16

A RESOLUTION GRANTING A SPECIAL EXCEPTION  
TO ROB CARLSON, BOSS EQUIPMENT, TO SELL USED SERVICE TRUCKS IN THE COMMERCIAL DISTRICT

WHEREAS Rob Carlson, owner of Boss Equipment, requests a special exception to sell used service trucks at his business at 2014 US Highway 8, located in the NE ¼ of NE ¼ Section 34, T34N, R18W, and identified as tax parcel No. 044-00921-1000; and

WHEREAS Chapter III, Section C, 3. Commercial District, c. (2) requires a special exception for any use not listed as a permitted use; and

WHEREAS Chapter I, Section 4 requires the Town Plan Commission hold a public hearing and make recommendation to the Town Board, and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on May 11, 2016, to allow sale of used service trucks with conditions in the NE ¼ of Section 34;

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby concur with the Town Plan Commission to grant a special exception for the sale of used service trucks to Rob Carlson, Boss Equipment, at 2014 US Highway 8, located in the NE ¼ Section 34, T34N, R18W, identified as tax parcel No. 044-00921-1000 with the following conditions:

4. The business will follow all laws and obtain and maintain all proper permits;

5. There will be a one year probationary period from approval during which any complaint will trigger a review of the permit and/or conditions by the Plan Commission and/or Town Board; and

6. The special exception shall terminate upon the sale or transfer of ownership of either the parcel of land or the business itself.

BE IT FURTHER RESOLVED that this special exception is conditioned on the applicant obtaining the necessary and required permits, if any, from Polk County; various agencies of the State of Wisconsin; and various agencies of the Federal Government; and

BE IT FURTHER RESOLVED that this special exception must be exercised by application for the necessary permits within twelve (12) months of the date of this Resolution.

Mr. Alt presented the proposed amendment to the Town's Zoning Ordinance No. 1 which would eliminate the need for a special exception of a legal non-conforming structure as long as the structure meets the setback from the centerline of the road. The first reading was had.

Mr. Alt presented the proposed amendment to the Town's Driveway and Highway Access Ordinance which would exempt any driveway location that was previously approved as part of a subdivision plat. The first reading was had.

Supervisors Behning and Koecher and highway employee Joe Hein met with Polk County Highway Commissioner Moe Norby regarding the Town's 2014/2015 TRIP project. It was determined that there was less ditching than previously thought however culverts should be installed to help direct the water flow away from the road surface. Discussion was had on transferring the project to 160<sup>th</sup> Avenue and re applying for a joint TRIP project with the City of St. Croix Falls for 140<sup>th</sup> Avenue.

The 2016 road bids were reviewed and discussion was had. Behning/Dorsey **moved** to award Monarch Paving Company the bid for 140<sup>th</sup> Avenue wedge, 200<sup>th</sup> Street wedge, Summit Street patch, 210<sup>th</sup> Street patch, and not to exceed \$2,000.00 for the 150<sup>th</sup> Avenue patch in a total amount of \$19,694.99; award Scott Construction the bid for 150<sup>th</sup> Avenue chip seal, 165<sup>th</sup> Avenue chip seal, Lees Avenue chip seal and River Road chip seal in amount of \$35,614.00; and award Fahrner Asphalt Sealers the bid for spray patching numerous areas in the town for \$14,250.00 and crack sealing numerous areas in the town not exceed 30,000 pounds of material; **motion carried** on a unanimous roll-call vote, 5-0. Behning/Koecher **moved** to approve the Monarch bid for the 210<sup>th</sup> Street wedge not to exceed \$800.00; **motion carried** on a unanimous roll-call vote, 5-0.

Dorsey/Kelly **moved** to adopt Resolution 16-17 appointing alternate members to the Board of Review; **motion carried** on a unanimous roll-call vote, 5-0.

#### Resolution 16-17

##### A RESOLUTION APPOINTING ALTERNATE MEMBERS TO THE BOARD OF REVIEW FOR THE TOWN OF ST. CROIX FALLS

WHEREAS one of the changes to Wisconsin Statute Section 70.47 authorized the removal of Board of Review members for individual cases under specific circumstances, and

WHEREAS Section 70.47 (6m)(c) authorizes the appointment of alternate members to serve on the Board of Review when standing members are removed from individual cases, and

WHEREAS a standing member of the Board of Review may voluntarily remove himself/herself due to a possible conflict of interest or unable to serve for any other reason;

THEREFORE BE IT RESOLVED that the Town Board for the Town of St. Croix Falls, pursuant to Wisconsin Statute section 70.47 (6m)(c) and Section 70.46 (1), hereby appoints the following electors of the Town of St. Croix Falls as alternate Board of Review members:

Alternate 1: Maxine Spiess, and

Alternate 2: James K. Nelson

BE IT FURTHER RESOLVED that these appointments be effective immediately and run through the third Monday of April 2017.

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls authorizes the per diem for the alternate members attending the Board of Review be set at eight dollars (\$8.00) per hour.

No closing public comment was had.

The next Town Board meeting will be held on June 15, 2016. Supervisor Behning requested that a Sanitary District meeting be included on June 15, 2016.

There being no further business, Behning/Koecher **moved** to adjourn; **motion carried** and the meeting adjourned at 8:30 p.m.

Minutes prepared by Janet Krueger, Town Clerk