

REGULAR TOWN BOARD MEETING, June 15, 2016

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman James Beistle at 6:12 p.m. on Wednesday, June 15, 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 June 10, 2016. Present by roll call were Chairman James Beistle, supervisors Frank Behning, Mike Dorsey, 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 Bob Wright and Evan Wright. Behning/Koecher **moved** to adopt the agenda; **motion carried**. Kelly/Koecher **moved** to approve the meeting minutes as printed for the May 18, 2016, town board meeting and May 25, 2016, special town board meeting; **motion carried**.

Public Comment: Evan Wright presented United to Amend a national movement to amend the United States Constitution to state that artificial entities we create do not have the same rights as people. Mr. Wright is requesting the Town to consider holding a referendum vote supporting an amendment to the United States Constitution identifying only human beings are endowed with constitution rights.

Committee, Commission and Employee Reports: Ms. Spiess presented the treasurer's report. Receipts for the period ending May 31, 2016, amounted to \$3,347.61; cash balance on May 31, 2016, was \$376,328.20. Behning/Kelly **moved** to receive the treasurer's report; **motion carried**. Mr. Hein stated Fahrner had exceeded their bid for crack sealing with the Town receiving an additional \$3,000.00 worth of material. Mr. Hein stated that three roads were not get completed those being Leonard Street, a mile section on 180th Street, and 150th Avenue east of Highway 35. Mr. Hein stated the one ton was brought in for warranty work to replace a sensor and stated Supervisor Dorsey had repaired the belt for the sander which is now working fine. Mr. Hein informed the Board of pavement damage on Fairgrounds Road near a field driveway. New Business Item H was discussed and consensus of the board was to have Mr. Hein repair the damage at no cost to the property owner. Ms. Krueger presented the clerk's report. Dorsey/Behning **moved** to approve payment of vouchers 16-137 through 16-166 amounting to \$60,029.92; **motion carried** on a unanimous roll-call vote, 5-0. The 2016 year-to-date budget summaries were reviewed. Mr. Alt presented the zoning administrator report. An email from the Town's building inspector with updated building permit information was reviewed. Supervisor Kelly gave an update on employee benefits being offered by other local municipalities. Chairman Beistle stated there may be an opening on the Cemetery board for a town resident as Mr. Valleen has expressed he would like to resign his position.

New Business: Ordinance 16-02 amending Zoning Ordinance No. 1 was reviewed and the second reading was had. Kelly/Dorsey **moved** to approve Resolution 16-18 adopting Ordinance 16-02 amending the Town's Zoning Ordinance No. 1; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-18

A RESOLUTION ADOPTING ORDINANCE 16-02 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 20th 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, Section III, C, 3, c (3) to eliminate the need for a special exception for a change of use of a legal non-conforming structure when the structure is legal non-conforming due to the

required setback from the highway right of way, as long as the structure meets the setback from the centerline of the road; and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendments on May 11, 2016, and the first reading of the proposed amendments on May 18, 2016, and a second reading was held on June 15, 2016.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 16-02 amending Zoning Ordinance No. 1, Section III, C, 3, c (3); 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 16-02 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Ordinance 16-02

AMENDING THE TOWN'S ZONING ORDINANCE NO. 1

Section 1: Purpose

The purpose of this ordinance is to amend the Town's Zoning Ordinance No. 1 Section III – General Zoning, Section C. Districts, 3. Commercial District, c. Special Exceptions, (3) to read as:

Changes of use in a non-conforming structure or property. ***This provision shall not apply if the principal structure involved is legal non-conforming due to the required setback from a highway right of way, as long as the structure meets the setback from the centerline of the road.***

Section 2: Effective Date

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

Ordinance 16-03 amending the Driveway and Highway Access Ordinance was reviewed and the second reading was had. Behning/Kelly **moved** to approve Resolution 16-19 adopting Ordinance 16-03 amending the Town's Driveway and Highway Access Ordinance; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-19

A RESOLUTION ADOPTING ORDINANCE 16-03 AMENDING THE DRIVEWAY AND HIGHWAY ACCESS ORDINANCE

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 the Driveway and Access Ordinance on March 11, 1997, and amended the ordinance on March 21, 2008, April 21, 2010, August 18, 2010, and June 17, 2015; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend the Driveway and Highway Access Ordinance, Section V to exempt the driveway location requirements when the proposed driveway location was approved as part of a subdivision plat; and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendments on May 11, 2016, and the first reading of the proposed amendments on May 18, 2016, and a second reading was held on June 15, 2016.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 16-03 amending the Driveway and Access Ordinance, Section V; and

BE IT FURTHER RESOLVED that Ordinance 16-03 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Ordinance 16-03

AMENDING THE DRIVEWAY AND HIGHWAY ACCESS ORDINANCE

Section 1: Purpose

The purpose of this ordinance is to amend the Town's Driveway and Highway Access Ordinance Section V – Driveway Permit Required, with the addition of F. to read as:

F. Any driveway location approved as part of a subdivision plat shall be exempt from the requirements regarding location of the driveway, however a permit is still required for the driveway and all other requirements shall apply.

Section 2: Effective Date

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

Behning/Dorsey **moved** to adopt Resolution 16-20 approving beer and liquor licenses for the year ending June 30, 2017; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-20

A RESOLUTION APPROVING ALCOHOL BEVERAGE LICENSES FOR THE YEAR ENDING JUNE 30, 2017

WHEREAS the individuals, partnerships and corporations listed below have made application to the Town Clerk requesting alcohol beverage licenses pursuant to Chapter 125 of the Wisconsin Statutes for the year ending June 30, 2017; and

WHEREAS the applications appear to be complete and the required fee has been paid; and

WHEREAS publication of notice appeared in the Inter-County Leader on June 8, 2016, and was posted in the three designated locations in the Town on May 31, 2016, per Wisconsin State Statutes 125.04(3)(g).

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does approve and grant alcohol beverage licenses for the year ending June 30, 2017, to the named individuals, partnerships and corporations as follows:

KMM ENTERPRISES, INC., a corporation dba Kassel Tap, Mary T. Cassellius, agent, for a Combination "Class B" beer and liquor license, SE ¼ Section 26, 1953 US Hwy 8, St. Croix Falls, WI 54024. BLB 2017-01
DANCING DRAGONFLY, LLC, a limited liability company, dba Dancing Dragonfly Winery, Todd Schweim, agent, for a Combination "Class B" beer and wine only license, , SE ¼ Section 34, 2013 120th Avenue, St. Croix Falls, WI 54024. BLB 2017-02

ST. CROIX MOTORSPORTS, LLC, a limited liability company, dba St. Croix Motorsports, Clayton Gallagher, agent, for a Class "B" beer license, NE ¼ Section 15, 2014 160th Avenue, St. Croix Falls, WI 54024. BB 2017-01

CR CONVENIENCE, INC., a corporation dba CR Convenience Inc., Todd R. Rud, agent, for a Combination "Class A" beer and liquor license, SE ¼ Section 26, 1961 US Hwy 8, St. Croix Falls, WI 54024. ALB 2017-01
SKOGLUND OIL CO. INC., a corporation dba Skoglund Super America, Stephen L. Skoglund, agent, for a Combination "Class A" beer and liquor license, NW ¼ Section 35, 1960 US Hwy 8, St. Croix Falls, WI 54024. ALB 2017-02

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

Dorsey/Koecher moved to adopt Resolution 16-21 approving cigarette and tobacco licenses for the year ending June 30, 2017; motion carried on a unanimous roll-call vote, 5-0.

Resolution 16-21

A RESOLUTION APPROVING CIGARETTE AND TOBACCO LICENSES FOR THE YEAR ENDING JUNE 30, 2017

WHEREAS the individuals, partnerships, and corporations listed below have made application to the Town Clerk requesting cigarette and tobacco licenses pursuant to Section 134.65 of the Wisconsin Statutes for the year ending June 30, 2017; and

WHEREAS the applications appear 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 cigarette and tobacco licenses to the named individuals, partnerships, and corporations as follows:

CR CONVENIENCE, INC., **DBA CR CONVENIENCT, INC.**, TODD R RUD, AGENT, 1961 US HWY 8, ST. CROIX FALLS WI 54024, 715-483-1816 ,004-0000028006-01, 39-2026833, 2017-01, Bar NO
KMM ENTERPRISES INC., **DBA KASSEL TAP**, MARY T CASSELLIUS, AGENT, 1953 US HWY 8, ST. CROIX FALLS WI 54024, 715-483-9390, 456-0000538182-03, 39-1476390, 2017-02, Bar YES
RIVARDS OF TAYLORS FALLS **DBA ST. CROIX OUTDOORS**, TODD ANGEL, AGENT, 1298 198th STREET, ST. CROIX FALLS WI 54024, 715-483-9515, 456-0000200113-03, 41-1553106, 2017-03, Bar NO
SKOGLUND OIL CO. INC., **DBA SKOGLUND'S SUPER AMERICA**, STEPHEN L SKOGLUND, AGENT, 1960 US HWY 8, ST. CROIX FALLS WI 54024, 715-483-9080, 456-0000135055-03, 39-1251011, 2017-04, Bar NO

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

Dorsey/Behning moved to adopt Resolution 16-22 approving operator's licenses for the year ending June 30, 2017; motion carried on a unanimous roll-call vote, 5-0.

Resolution 16-22

A RESOLUTION APPROVING OPERATOR'S LICENSES FOR THE YEAR ENDING JUNE 30, 2017

WHEREAS the individuals listed below have made application to the Town Clerk requesting an operator's licenses pursuant to Sections 125.32(2) and 125.68(2) of the Wisconsin Statutes for the year ending June 30, 2017, and

WHEREAS the applications appear 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 licenses to:

Anderson, Andrew Tyler 2101 170th Street, Milltown, WI 54858, 2017-01
Andrewson, Sarah K 545 E Kentucky S., St. Croix Falls, WI 54024, 2017-02
Bluhm, Christine Marie 92 N Mississippi River Blvd, St. Paul, MN 55104, 2017-03
Bluhm, William F. 92 N. Mississippi River Blvd, St. Paul, MN 55104, 2017-04
Bridges, Jennifer L. 882 179th St., Dresser, WI 54009, 2017-05
Busby, Shawn Marie 2204 150th Avenue, St. Croix Falls, WI 54024, 2017-06
Cain, Darla J. 718 100th St., Amery, WI 54001, 2017-07

Carlson, Jacqueline Nanette 22650 Land Road, Grantsburg, WI 54840, 2017-08
 Carroll, Laura Jean 697 180th Street, Osceola, WI 54020, 2017-09
 Cassellius, Keven J. 1953 US Hwy 8, St. Croix Falls, WI 54024, 2017-10
 Cassellius, Mary T. 1953 US Hwy 8, St. Croix Falls, WI 54024, 2017-11
 Cherewan, Amy Lynn 605 4th Street, Centuria, WI 54824, 2017-12
 Collier, Judy M 629 105th Street, Amery, WI 54001, 2017-13
 Davies, Jennifer Sue 778 190th Street, County Road Y, Dresser, WI 54009, 2017-14
 Eickhoff, Nancy Ann 653 Linden Ct., Taylors Falls, MN 55084, 2017-15
 Forsman, Hope Ashley 15333 280th St., Lindstrom, MN 55045, 2017-16
 Fox, Lori Jean 2188 100th Avenue, Dresser, WI 54009, 2017-17
 Gallagher, Clayton J. 803 County Rd H, New Richmond, WI 54017, 2017-18
 Hood, David Mathew 27335 Leah Lane, Chisago City, MN 55013, 2017-19
 Horcher, Amie Dorene 517 8th Street #8, Centuria, WI 54824, 2017-20
 Jansen, Tricia Mary 115 E Butternut Ave., P.O. Box 68, Luck, WI 54853, 2017-21
 Jensen, Patricia J 2517 State Road 87, Cushing, WI 54006, 2016-22
 Johnson, Cassandra Anne 106 East Ave N., P.O. Box 255, Dresser, WI 54009, 2017-23
 Johnson, Damian M 908 Wisconsin Ave. South, Frederic, WI 54837, 2017-24
 Josephson, Tammy Ann 2726 51st Ave., Osceola, WI 54020, 2017-25
 Kefeld, Paige Marie 319 Simonson Road Apt. 4, St. Croix Falls, WI 54024, 2017-26
 Klink, Roxanne Kay 2998 Logging Creek Trail, Grantsburg, WI 54840, 2017-27
 Leach, Ryan Scott 1460 120th Avenue, Amery, WI 54001, 2016-28
 Leske, Kristal Kay 1968 123rd Ave., St. Croix Falls, WI 54024, 2017-29
 Letch, Kendra Joy 410 Pine Street P.O. Box 168, Fredric, WI 54837, 2017-30
 Linngren, Jason Robert 113 Michigan Ave., St. Croix Falls, WI 54024, 2017-31
 Livingston, Jaraldine R. 308 S. Adams St., St. Croix Falls, WI 54024, 2017-32
 Loken, Robin Ann 1627 160th Street, Centuria, WI 54824, 2017-33
 Meric, Christina 28308 Lakelawn Dr., Lindstrom, MN 55045, 2017-34
 Mewes, Karissa Danielle 1861 100th Ave., Osceola, WI 54020, 2017-35
 Mumm, Laurie Lynn 120 Woodland Trails, P.O. Box 86, Clayton, WI 54004, 2017-36
 Neve, Laura Joean 427 219th St., Star Prairie, WI 54026, 2017-37
 Newsom, Amanda Sue 17420 Banyan Road, Shafer, MN 55074, 2017-38
 Redmond, Jessica Sun 1326 208th St., St. Croix Falls, WI 54024, 2017-39
 Roberson, Celina Marie 116 6th St., P.O. Box 271, Centuria, WI 54824, 2017-40
 Rose, Tiffany Amber 300 West Main Street, P.O. Box 225, Milltown, WI 54858, 2017-41
 Schweim, Todd Ardie 305 500th Ave., Apt. 2, Osceola, WI 54020, 2017-42
 Shermach, Kathleen Anne 844 217th Street, Osceola, WI 54020, 2017-43
 Shoquist, Nida Ann 907 Maple Drive, Osceola, WI 54020, 2017-44
 Slinker-Schroeder 31559 Quinlan Ave., Center City, MN 55012, 2017-45
 Stencil, Gail Lynne 2524 170th Street, P.O. Box 414, Luck, WI 54853, 2017-46
 Suarez, Jaclyn Elise 2152 84th Ave., Osceola, WI 54020, 2017-47
 Swenson, Brittany Joyce 121 Elizabeth St., Milltown, WI 54858, 2017-48
 Vdeen, Emmy Rae 2472 113th Avenue, Dresser, WI 54009, 2017-49
 Vogel, Serene Florence-Jane 409 Minnesota Ave., P.O. Box 216, Centuria, WI 54824, 2017-50
 Walter, Ronald Wayne 1669 164th Street, Centuria, WI 54824, 2017-51
 Wester, Terri Lynne 1677 175th Avenue, Centuria, WI 54824, 2017-52
 Zganjar, Laurie Ann 855 River Street, Taylors Falls, MN 55084, 2017-53
 BE IT FURTHER RESOLVED that the Town Clerk be authorized to issue the licenses as the case

may be.

Koecher/Beistle **moved** to adopt Resolution 16-23 appointing Dave Berg, Stacy Bergmann and Katie Appel to the Town's Plan Commission; **motion failed** on a roll-call vote, 2-3 (Yeas: Koecher & Beistle; Nays: Kelly, Behning & Dorsey). Kelly/Dorsey **moved** to reconsider Resolution 16-23; **motion carried** on a unanimous roll-call vote, 5-0. Kelly/Behning **moved** to amend Resolution 16-23 to appoint Katie Appel as a regular member to the plan commission and appoint Stacy Bergmann as an alternate member to the plan commission; **motion carried**. Kelly/Dorsey **moved** to adopt Resolution 16-23 as amended appointing Dave Berg, Katie Appel and Stacy Bergmann to the Town's Plan Commission; **motion carried** on a roll-call vote, 4-1 (Yeas: Kelly, Dorsey, Koecher & Behning; Nays: Beistle).

Resolution 16-23

A RESOLUTION APPOINTING

DAVE BERG, STACY BERGMANN AND KATIE APPEL

TO THE PLAN COMMISSION FOR THE TOWN OF ST. CROIX FALLS

WHEREAS the term of office for Dave Berg, and Will Bergmann "regular members" and Katie Appel "alternate member" of the Plan Commission for the Town of St. Croix Falls expires as of June 30, 2015; and
 WHEREAS the Town Chairperson has re-nominated Dave Berg as "regular member and Katie Appel as "alternate member" to another three year term to the plan commission with the term expiring June 30,

2019; and

WHEREAS the Town Chairperson has nominated Stacy Bergmann as a “regular member” to the plan commission for a three year term expiring June 30, 2019.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls appoints to the Town of St. Croix Falls Plan Commission

Dave Berg as a regular member with a term ending June 30, 2019,

Katie Appel as a regular member with a term ending June 30, 2019, and

Stacy Bergmann as an alternate member with a term ending June 30, 2019; and

BE IT FURTHER RESOLVED that these terms begin July 1, 2016.

Behning/Kelly **moved** to adopt Resolution 16-24 appointing Mary Lynne McAlonie, Joey Nelson, Scott Hansen and Robert Todd to the Town’s Board of Appeals; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-24

A RESOLUTION APPOINTING MARY LYNNE MCALONIE, SCOTT HANSEN, ROBERT TODD AND JOEY NELSON TO THE BOARD OF APPEALS FOR THE TOWN OF ST. CROIXFALLS

WHEREAS, the terms of office for Mary Lynne McAlonie “regular member”, Scott Hansen “alternate member”, Robert Todd “alternate member” expires June 30, 2016, for the Board of Appeals for the Town of St. Croix Falls; and

WHEREAS, a “regular member” term that was left vacant when Gary Koecher was appointed to the Town Board expires June 30, 2017; and

WHEREAS, the Town Chairman has re-nominated Mary Lynne McAlonie and is nominating Joey Nelson to fill the “regular member” positions and is re-nominating Scott Hansen and Robert Todd to fill the “alternate member” positions.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, confirms the nominations and appoints to the Town of St. Croix Falls Board of Appeals

Mary Lynne McAlonie as a regular member with a term ending June 30, 2019,

Joey Nelson as a regular member with a term ending June 30, 2017,

Scott Hansen as an alternate member with a term ending June 30, 2019, and

Robert Todd as an alternate member with a term ending June 30, 2019; and

BE IT FURTHER RESOLVED that these terms begin July 1, 2016.

Two requests for fireworks displays were reviewed. Behning/Koecher **moved** to approve the Deer Lake fireworks display for July 3, 2016 (rain date July 9, 2016) and the St. Croix Motorsports fireworks display for July 3, 2016; **motion carried**. St. Croix Motorsports requested an exemption to Ordinance No. 9 to hold a two day race event on July 30, 2016 and July 31, 2016. Behning/Kelly **moved** to adopt Resolution 16-25 approving one of the two allowable exemptions to Ordinance No. 9; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-25

A RESOLUTION APPROVING ONE OF THE TWO ALLOWABLE EXEMPTIONS TO ORDINANCE No. 9 ENTITLED “REGULATION OF RACES AND RACETRACKS” FOR THE YEAR ENDING DECEMBER 31, 2016

WHEREAS, Ordinance No. 9, Section 1.06 states licensee may ask for up to two exemptions to the provisions of Ordinance No. 9; and

WHEREAS, Rick Mastell, St. Croix Motorsports, LLC filed a request for one of the two allowable exemptions to Ordinance No. 9 entitled “Regulation of Races and Racetracks” with the Town of St. Croix Falls clerk’s office on June 2, 2016, to allow a two day event on Saturday, July 30, 2016, and Sunday, July 31, 2016.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve the following exemption:

1. Allow a two day event on Saturday, July 30, 2016, and Sunday, July 31, 2016.

BE IT FURTHER RESOLVED that this exemption expires December 31, 2016.

A computer for the clerk’s office was approved in the 2016 budget so the clerk was directed to proceed with the purchase of a computer prior to the meeting.

No closing public comment was had.

The next Town Board meeting will be held on July 20, 2016.

There being no further business, Behning/Koecher **moved** to adjourn; **motion carried** and the meeting adjourned at 7:39 p.m.

Minutes prepared by Janet Krueger, Town Clerk