

Town Board Meeting Minutes: October 21, 2015

The Town Board meeting for the Town of St. Croix Falls was called to order at 6:00 p.m. by Chairman Jim Beistle on Wednesday October 21, 2015, at the Town Hall. Proper notice was given as the agenda was posted at the three designated locations of the Town, Super America, and Lampert's. The Pledge of Allegiance was said. Present by roll call were Sharon Kelly, Frank Behning, Mike Dorsey, Jim Beistle, and Gary Koecher. Also present were Town Treasurer Maxine Spiess, Town Public Works employee Joe Hein, zoning administrator Jim Alt, and legal counsel Gary Bakke. Kelly/Koecher **moved** to approve the agenda; **motion carried**. Behning/Dorsey **moved** to approve the minutes of the September 16, 2015 meeting; **motion carried**.

No public comment was had.

Reports were given: Ms. Spiess gave the treasurer's report. Receipts for the period ending September 30, 2015, totaled \$1,465.62; cash balance on September 30, 2015, was \$450,943.30. Koecher/Behning **moved** to receive the treasurer's report; **motion carried**. Mr. Beistle gave the clerks report. Kelly/Behning **moved** to approve the payment of vouchers 15-267 through 15-296 in the amount of \$22265.82, **motion carried** on a unanimous roll call vote, 5-0. Mr. Hein gave the highway report. The plow blades are on the truck and ready for winter. Fairgrounds Road is paved and shouldered. Mr. Alt gave the zoning administrator's report. Ms. Kelly presented her notes from the July WTA meeting. Mr. Beistle gave the Chairman's report

New Business: The request for a Special Exception in the Commercial District was presented. The proposal is for a retail business and a special exception is needed because the main building does not meet the front setback from the highway right-of-way and is legal non-conforming. Dorsey/Koecher **moved** Resolution 15-35; **motion carried** on a 5-0 unanimous roll call vote.

Resolution 15-35

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO GC VENTURES LLC TO ALLOW A RETAIL BUSINESS IN THE COMMERCIAL DISTRICT

WHEREAS Richard Goulet, GC Ventures, LLC, filed an application with the Town of St. Croix Falls Zoning Office on October 6, 2015, to allow a retail business at 2090 US Highway 8, located in the NW ¼ of Section 34, T34N, R18W, and identified as Tax Parcel No. 044-00940-0000, and

WHEREAS Chapter III, Section C, 3. Commercial District, c. (3) states changes of use in a non-conforming structure and/or property requires a Special Exception; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on October 19, 2015, for the special exception with conditions to allow a retail business in the NW 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 Richard Goulet, GC Ventures, LLC to allow a retail business in Section 34 subject to the following conditions:

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

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

The second reading of the Town Comprehensive Plan was had. Behning/Koecher **moved** Resolution 15-36; **motion carried** on a 5-0 unanimous roll call vote.

Resolution 15-36

A RESOLUTION ADOPTING THE COMPREHENSIVE PLAN FOR THE TOWN OF ST. CROIX FALLS

WHEREAS the Town of St. Croix Falls adopted a Comprehensive Plan on May 18, 2004; and

WHEREAS Wisconsin State Statutes 66.1001 (2) (i) states the comprehensive plan shall be updated every ten years.

WHEREAS the Town Board of the Town of St. Croix Falls appointed a committee to review the Town's comprehensive plan; and

WHEREAS the Town's plan commission reviewed the Committee's recommendations for updating the Town's Comprehensive Plan and held a public hearing on those amendments on September 9, 2015.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, adopts the amended and updated Comprehensive Plan; and

BE IT FURTHER RESOLVED that the Comprehensive Plan becomes effective upon passage and publication and/or posting according to Wisconsin State Statute 66.1001 (4).

Resolution 15-37 affirming the Town administering its own zoning was presented. Dorsey/Kelly **moved** Resolution 15-37; **motion carried** on a 5-0 unanimous roll call vote.

Resolution 15-37

A RESOLUTION FOR CONTINUATION OF TOWN ZONING

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 their own Zoning Ordinance 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 Polk County has just completed a comprehensive revision of their zoning ordinance.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, intends to continue exercising its powers to enforce the Town's existing Zoning Ordinance No. 1; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls does not intend to adopt the county zoning ordinance.

Legal counsel advised the Town Board on Resolution 15-38, exceeding the allowable limit for the 2105 Town Levy. Behning/Dorsey **moved** Resolution 15-38, **motion carried** on a 5-0 unanimous roll call vote.

Resolution 15-38

A RESOLUTION TO PROPOSE EXCEEDING THE LEVY LIMIT FOR THE TOWN OF ST. CROIX FALLS

WHEREAS the State of Wisconsin has adopted levy limits on town, village, city and county levies for 2015 and thereafter under Wis.Stats. 66.0602;

WHEREAS Wis.Stats. 66.0602 limits the local levy for 2015 to a percentage increase of no more than the greater of (a) 0% of the allowable 2014 payable 2015 adjusted actual levy as calculated under the state's ley limit law or (b) a percentage equal to the percent change in equalized value due to the net new construction; which for the Town of St. Croix Falls is 0.288 percent; and

WHEREAS at the 2015 Annual Town Meeting town electors requested that the Town Board consider a levy increase of \$50,000.00 to \$100,000.00 to be used toward the town roads; and

WHEREAS the Town Board of the Town of St. Croix Falls, Polk County, believes that for the 2015 tax levy (collected in 2016) it is in the town's best interest to exceed the state levy limit as described above by a greater percentage than 0.288; and

WHEREAS the Town of St. Croix Falls allowable levy for 2014 payable 2015 adjusted actual levy is \$350,527.00; and further whereas the state law would limit the increase to \$1,096.00 for an allowable town ley of \$381,623.00 before adjustments, for 2015, collected in 2016.

THEREFORE BE IT RESOLVED that Town Board of the Town of St. Croix Falls, Polk County does hereby resolve and order as follows:

- 1) The town board supports an increase in the town tax levy for 2015(to be collected in 2016) that will exceed the state levy limit.
- 2) The town board directs that the question of increasing the town tax levy for 2015 (to be collected in 2016) by 26.2038 percent which would increase the town levy by \$101,096.00 (\$100,000 + \$1,096), for a total town levy of \$481,623.00, shall be placed on the agenda for the special town meeting to be held on November 18, 2015.

Kelly/Behning moved Resolution 15-39; **motion carried** on a 5-0 unanimous roll call vote.

Resolution 15-39

A RESOLUTION TO SET DATE, TIME, AND LOCATION OF PUBLIC HEARING ON THE PROPOSED 2016 BUDGET FOR THE TOWN OF ST. CROIX FALLS AND TO CALL A SPECIAL MEETING OF THE ELECTORS OF THE TOWN OF ST. CROIX FALLS

WHEREAS, Wisconsin Statute 65.90 requires a public hearing on the annual budget for a Town; and

WHEREAS, Wisconsin Statutes requires the calling of a special Town meeting to approve the highway budget and adopt the tax levy;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of St. Croix Falls, Polk County, pursuant to Wisconsin Statute 65.90 calls a public hearing on the proposed 2016 budget for the Town of St. Croix Falls in Polk County to be held on 18th day of November, 2015, commencing at 7:00 p.m. at the Town Hall;

BE IT FURTHER RESOLVED, that the Town Board of the Town of St. Croix Falls Calls pursuant to Wisconsin Statutes 60.12(1)(c) a special town meeting of the electors on 18th day of November, 2015, to begin immediately following completion of the public hearing on the proposed 2016 Budget, for the following purposes;

1. To consider adoption of a resolution endorsing a town board resolution which proposes that the town levy exceed the state allowable levy limit under 66.0602 of Wisconsin Statutes, specifically a proposed tax levy which would exceed the allowable town tax levy for 2015 (collectable in 2016) by 26.2038 percent which would be a dollar increase of \$100,000.00 over the allowable levy for 2015.
2. To approve the total 2016 highway expenditures pursuant to 82.03 of Wisconsin Statutes.
3. To approve the 2015 town tax levy to be collected in 2016 pursuant to 60.10(1) (a) of Wisconsin Statutes.

Discussion was had on the purchase of a salt spreader for the one ton pickup truck. Several options with bids were reviewed. Koecher/Kelly **moved** to approve the purchase and installation of a salt spreader in the one ton pickup with a cost not to exceed \$5,000; **motion carried** on a 5-0 unanimous roll call vote.

Discussion was had on the installation of additional safety lights for the Town dump truck. The Town will ask for quotes from vendors and review the quotes at a later meeting. Discussion was had on replacing the lights on the Town Hall property as several are not working. Mr. Behning will get a quote from Yunker Electric to have for the next meeting. Discussion was had on the Road Maintenance Agreement with the Town of Osceola. Emails from both Polk County and the Wisconsin Department of Transportation regarding the condition of 120th Avenue were presented. No action was

taken. Discussion was had on the testing for reflectivity for Town Signs. Prices for the work from Polk County were reviewed. Ms. Kelly will test the signs with Mr. Hein. Discussion was had on the Town Employee Evaluation process. The new evaluation form was reviewed and the process will be discussed further. There was no training to be approved.

No public comment was had. There will be a special Town Board meeting November 4, 2015, at 6:00 p.m., the regular Town Board meeting for November will be November 18, 2015, at 6:00 p.m. and the Special Town Meeting will be held at 7:00 p.m. on November 18, 2015.

There being no further business, Behning/Kelly **moved** to adjourn the meeting. The **motion carried** and the meeting was adjourned at 7:45 p.m.

Jim Alt
Zoning Administrator