

REGULAR TOWN BOARD MEETING, January 18, 2017

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Vice Chairman Frank Behning at 6:00 p.m. on Wednesday, January 18, 2017, at the Town Hall. Proper notice was given as the agenda was posted at the Town Hall and on the Town's website on January 13, 2017, and the amended agenda was posted at the Town Hall and on the Town's website on January 17, 2017. Present by roll call were Vice Chairman Frank Behning, supervisors Mike Dorsey and Sharon Kelly. 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 in attendance were Carl Hetfeld, Polk County Land Surveying Company. Absent were chairman James Beistle and supervisor Gary Koecher. Kelly/Dorsey **moved** to adopt the amended agenda; **motion carried**. Dorsey/Kelly **moved** to approve the meeting minutes as printed for the December 21, 2016, town board meeting; **motion carried**.

Public comment: Legal Counsel presented a summary of hours spent working for the Town and associated fees.

Committee, Commission and Employee Reports: Ms. Spiess presented the treasurer's report. Receipts for the period ending December 31, 2016, amounted to \$479,874.90; cash balance on December 31, 2016, was \$781,499.29. Kelly/Dorsey **moved** to receive the treasurer's report; **motion carried**. Mr. Hein gave the highway report. Mr. Hein stated a seal needs to be replaced on the dump truck sander. Ms. Krueger presented the clerk's report. Kelly/Dorsey **moved** to approve payment of vouchers 16-333 through 16-346 amounting to \$13,849.29 and vouchers 17-001 through 17-022 amounting to \$456,835.49; **motion carried** on a unanimous roll-call vote, 3-0. The 2016 year-end budget summaries and 2017 year-to-date budget summaries were reviewed. Mr. Alt gave the zoning administrator's report. Mr. Alt stated there will be four public hearings at the February plan commission meeting for an amendment to the sign chapter of the zoning ordinance; the newly revised race track ordinance; and two special exception requests. Announcement was made regarding the upcoming WTA-Polk County Unit meeting to be held at the Polk County Government Center on Thursday, January 26, 2017; and the upcoming Wisconsin Towns Association District meetings.

New Business: Mr. Alt presented a minor subdivision request for 044-00097-0000 located at 22xx 180th Avenue/County Road I to create a five (5) acre lot with the remaining parcel consisting of 35 acres, more or less. Dorsey/Kelly **moved** to adopt Resolution 17-01 approving the minor subdivision of parcel 044-00097-0000; **motion carried** on a unanimous roll-call vote, 3-0.

Resolution 17-01

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

WHEREAS Jack Lee, owner of real property in the NE ¼ of NE ¼ of Section 5, T34N, R18W, identified as Tax Parcel No. 044-00097-0000, and

WHEREAS the owner has proposed dividing the current 35.26 acres, more or less, into two parcels, new parcel consisting of 5 acres, and the remaining parcel consisting of 35.35 acres, more or less, and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on January 11, 2017, and after reviewing the request recommends Town Board approval.

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. 044-00097-0000 into two parcels, one parcel consisting of 5 acres, and the remaining parcel consisting of 35.35 acres, more or less; and

BE IT FURTHER RESOLVED that the Town Board authorizes a Town Representative to sign the "Polk County Subdivision Ordinance Town Board Check List", 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.

Discussion was had on options for salt/sand storage for winter road maintenance.

A letter from Prochnow Assessing requesting to schedule the 2017 Open Book and Board of Review was presented. Kelly/Dorsey **moved** to adopt Resolution 17-02 setting the date, time and location for the 2017 Open Book and Board of Review; **motion carried** on a unanimous roll-call vote, 3-0.

Resolution 17-02

A RESOLUTION TO SET DATE, TIME, AND LOCATION OF OPEN BOOK AND BOARD OF REVIEW FOR THE TOWN OF ST. CROIX FALLS

WHEREAS Wisconsin Statute 70.45 requires the Town to have the assessment roll open for examination by the public; and that the assessor shall be present for at least two (2) hours while the assessment roll is open for inspection; and

WHEREAS Wisconsin Statute 70.47 requires that the Board of Review meet annually at any time during the 30 day period beginning on the 2nd Monday of May (May 8, 2017).

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, pursuant to Wisconsin Statute 70.45 hold the Open Book in the Town of St. Croix Falls, Polk County to be held on the 4th day of May, 2017, commencing at 7:00 p.m. at the Town Hall; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, pursuant to Wisconsin Statute 70.47 sets the date of the Board of Review for the Town of St. Croix Falls, Polk County, to be held on the 24th day of May, 2017, commencing at 7:00 p.m. at the Town Hall; and

BE IT FURTHER RESOLVED that the clerk will provide notice to the public as required by Wisconsin Statutes 70.45(2).

Mr. Alt informed the Board that the Town currently does not have any penalties for non compliance with the Town’s Building Code Ordinance. Kelly/Dorsey **moved** to adopt Resolution 17-03 amending the Schedule of Cash Deposits for violation of Town ordinances; **motion carried** on a unanimous roll-call vote, 3-0.

Resolution 17-03

A RESOLUTION AMENDING THE SCHEDULE OF PENALTIES AND CASH DEPOSITS FOR VIOLATION OF TOWN ORDINANCES

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

THEREFORE BE IT RESOLVED, that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby amend the schedule of penalties and cash deposits for violations of the Town’s ordinances:

SCHEDULE OF PENALTIES AND CASH DEPOSITS

<u>Ordinance Title or Category</u>	<u>Offence</u>	<u>Penalty</u>
Zoning Ordinance & Building Code Ordinance	Violation	\$75 per violation
Failure to obtain a land use, building , sign or special exception permit	Violation	Cost of the permit is two (2) times the ordinary fee
Junked Vehicles & Appliance on Private Property (Ordinance 12-03)	Violation	\$50 per vehicle or Appliance
Behavior of Animal Ordinance (Ordinance 00-03)	Violation	First Offense: \$50 Second Offense: \$100 Subsequent Offenses: \$200 \$50 for impound fee
Adult Entertainment Ordinance	Violation	Not less than \$100 and not more than \$500 per

		violation
Outdoor Burning Ordinance	Violation	First Offense: Warning Letter Second Offense: \$50 Subsequent Offenses: \$200
Swing Away Mailbox Ordinance	Violation	\$75 per violation
Snow and Debris Ordinance	Violation	First Offense: Warning Letter Second Offense and Subsequent Offenses: \$50
Driveway & Highway Access Ordinance	Violation	\$100 per violation
Subdivision Ordinance	Violation	\$1000 for each lot or part of a lot so disposed of, Leased, or Offered
ATV & UTV Ordinance	Violation	As defined in Wis. Stats. 23.33
Intoxicating Liquor & Fermented Malt Beverages Ordinance	Violation	\$500 per violation and possible denial, suspension or revocation of license.
Public Nuisance Ordinance	Violation	First Offense: Warning Letter Second Offense: \$50 Subsequent Offenses: \$100
Temporary Vendor Ordinance	Violation	\$50 per violation

Penalties and costs may be added as a special charge on the tax roll.

If a penalty in the above table conflicts with a penalty expressly defined in a specific Town Ordinance, the Ordinance shall control.

Nothing in this Schedule shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of the Town's Ordinances.

SECTION 2 – SCHEDULE OF CASH DEPOSITS

The following Schedule is established for use with citations issued in accordance with ORDINANCE NO. 07 – 02 Ordinance Relating to Issuance of Citations for Violations of Town Ordinances.

<u>Ordinance Title or Category</u>	<u>Offence</u>	<u>Deposit</u>
Zoning Ordinance & Building Code Ordinance	Violation	\$75, plus current court costs
Failure to obtain a land use, building, sign or special exception permit	Violation	Cost of the permit is two (2) times the ordinary fee, plus current court costs
Junked Vehicles & Appliance on Private Property (Ordinance 12-03)	Violation	\$50, plus current court costs
Behavior of Animal Ordinance (Ordinance 00-03)	Violation	First Offense: \$50, plus current court costs Second Offense: \$100, plus current court costs Subsequent Offenses: \$200, plus current court costs \$50 for impound fee

Adult Entertainment Ordinance	Violation	Not less than \$100 and not more than \$500 per violation, plus current court costs
Outdoor Burning Ordinance	Violation	First Offense: Warning Letter Second Offense: \$50, plus current court costs Subsequent Offenses: \$200, plus current court costs
Swing Away Mailbox Ordinance	Violation	\$75, plus current court costs
Snow and Debris Ordinance	Violation	\$50, plus current court costs
Driveway & Highway Access Ordinance	Violation	\$100, plus current court costs
Subdivision Ordinance	Violation	\$1000, plus current court costs
ATV & UTV Ordinance	Violation	As established by Wis. Stats. 23.33, plus current court costs
Intoxicating Liquor & Fermented Malt Beverages Ordinance	Violation	\$500, plus current court costs
Public Nuisance Ordinance	Violation	Second Offense: \$50, plus current court costs Subsequent Offenses: \$100, plus current court costs
Temporary Vendor Ordinance	Violation	\$50, plus current court costs

BE IT FURTHER RESOLVED, that Resolution 15-11 be repealed; and
BE IT FURTHER RESOLVED, that this schedule shall become effective upon passage and posting thereof.

Legal counsel Gary Bakke presented a new version of Fire Inspection Ordinance for review. Discussion was had and a first reading of the ordinance will be on the next town board agenda.

Discussion was had on amending the language in the Town's employee handbook to require the Town to purchase safety clothing for the highway employees. Kelly/Dorsey **moved** to amend the Town's Employee Handbook, Employee Safety to read as: "**The Town will provide safety equipment is provided where required in certain work environments, including guards for moving pieces of machinery, safety shoes, and safety glasses and safety vests, when needed. One insulated safety jacket will be provided annually. Please check with Contact the Town Chairperson for such needs**"; **motion carried**.

A letter from legal counsel regarding the Town's authority to assess a penalty for dogs that are running at large already exists in the Town's current Behavior of Animals ordinance. Discussion was had and legal counsel will work on creating a new animal ordinance.

No closing public comment was had.

There being no further business, Dorsey/Kelly **moved** to adjourn; **motion carried** and the meeting adjourned at 7:20 p.m.

Minutes prepared by Janet Krueger, Town Clerk