

REGULAR TOWN BOARD MEETING, April 19, 2017

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman Frank Behning at 6:00 p.m. on Wednesday, April 19, 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 April 14, 2017. Present by roll call were Chairman Frank Behning, supervisors 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 in attendance were Joel Fuerst, Ron and Deb Micek, Katie Appel and Emily Chelberg. Dorsey/Kelly **moved** to adopt the agenda with allowing the chair to move items as necessary; **motion carried**. Kelly/Koecher **moved** to adopt Resolution 17-15 appointing Katie Appel to fill the vacant town board supervisor position; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 17-15

A RESOLUTION APPOINTING KATIE APPEL TO FILL THE VACANCY OF  
TOWN BOARD SUPERVISOR FOR THE TOWN OF ST. CROIX FALLS

WHEREAS town board supervisor Frank Behning who's term of office expires April 16, 2018, was elected as Town Board Chairman at the April 4, 2017, Spring Election leaving his Town Board Supervisor position vacant.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, hereby appoints Katie Appel to the office of Town Board Supervisor to fill the vacancy now existing in that office for the residual of the unexpired term.

The clerk gave the Oath of Office to newly appointed town board supervisor Katie Appel. Kelly/Koecher **moved** to approve the meeting minutes as printed for the March 15, 2017, town board meeting; **motion carried**.

No public comment was had.

New Business Item 8B & 8A – Mr. Alt presented a special exception request to host events in the Agricultural District on parcel #044-00868-0000 and #044-00869-0000 located at 1265 220<sup>th</sup> Street. Dorsey/Kelly **moved** to adopt Resolution 17-17 approving a special exception to Gary and Wynne Koecher to host events on their property in the Agricultural District; **motion carried** on a roll-call vote, 4-0, with Supervisor Koecher abstaining as he was the applicant.

Resolution 17-17

A RESOLUTION GRANTING A SPECIAL EXCEPTION  
TO GARY AND WYNNE KOECHER TO HOST EVENTS  
ON THEIR PROPERTY IN THE AGRICULTURAL DISTRICT.

WHEREAS Gary and Wynne Koecher, owners, filed an application with the Town of St. Croix Falls Zoning Office requesting to host events on their property in the agricultural district. Property is located at 1265 220<sup>th</sup> Street, located in the NE ¼ of Section 32, T34N, R18W, and identified as Tax Parcel #044-00868-0000 and #044-00869-0000; and

WHEREAS the Town's Comprehensive Plan encourages businesses that enhance the rural nature of the Town; and

WHEREAS Chapter III, Section C, 1. Agricultural District, f. (1) requires a special exception for any use not listed in the permitted or prohibited uses; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on March 8, 2017, to allow hosting events with conditions in the NE ¼ of Section 32;

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does hereby concur with the Town Plan Commission to grant a special exception to Gary and Wynne Koecher to host events at 1265 220<sup>th</sup> Street, located in the NE ¼ of Section 32, T34N, R18W, and identified as Tax Parcel #044-00868-0000 and #044-00869-0000 subject to the following conditions:

1. The special exception shall terminate upon the sale or transfer of ownership of either the parcels of land or the business itself;
2. Any formal complaint lodged against the use in the first year of operation will lead to an automatic review of the Special Exception by the Plan Commission and/or Town Board at the next possible meeting; and
3. The Business will obey all laws and maintain all proper licenses and permits.

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 the special exception request to allow transient lodging on parcel #044-00637-0200 located at 1385A Bay View Drive. Discussion was had. Dorsey/Koecher **moved** to adopt Resolution 17-18 granting a special exception to allow transient lodging on parcel #044-00637-0200 located at 1385A Bay View Drive with the addition of the following conditions:

- Quiet hours between 10:00 p.m. and 7:00 a.m. shall be followed;
- Property address will be clearly marked off private road and at property and all property boundaries will be clearly marked;
- Property owners 24 hour contact information shall be provided to other property owners in the area;
- Property owner shall report any known citations relating to the property or renters to the town zoning administrator;
- Special exception will automatically be revoked upon issuance of any citation to renters and/or property owners;
- The special exception shall terminate upon the sale or transfer of ownership of either the parcel of land or the business itself;

and amending the condition to allow no more than one group of renters consisting of no more than eight people to no more than six people and amending the one year probationary condition to a two year probationary period; **motion carried** on a roll-call vote, 4-1 (Yeas: Appel, Behning, Dorsey & Koecher, Nays: Kelly).

### Resolution 17-16

#### A RESOLUTION GRANTING A SPECIAL EXCEPTION TO JOEL AND SARAH FUERST TO OPERATE A TRANSIENT LODGING IN THE RESIDENTIAL DISTRICT

WHEREAS Joel and Sarah Fuerst, owners, filed an application with the Town of St. Croix Falls Zoning Office to operate transient lodging at 1385A Bay View Drive, located in the NW ¼ of the NW ¼ of Section 25, T34N, R18W, and identified as Tax Parcel No. 044-00637-0200, and

WHEREAS Chapter III, Section C, 1. Residential District, g. (3) requires a special exception for renting any property or portion of property as transient lodging; and

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

WHEREAS a public hearing was held on March 8, 2017; and

WHEREAS the Plan Commission recommends the Town Board deny the special exception request to allow transient lodging in the NW ¼ of Section 25 due to the noise it will create for neighboring properties and the proposed use is contrary to the Comprehensive Plan.

BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, after review of the public hearing documents and the Plan Commission's recommendation does hereby grant a special exception to Joel and Sarah Fuerst to operate transient lodging at 1385A Bay View Drive, located in the NW ¼ Section 25, T34N, R18W, and identified as tax parcel No. 044-00637-0200 with the following conditions:

4. No more than one (1) group of renters consisting of no more than six (6) people are allowed to stay at the property;
5. Quiet hours between 10:00 p.m. and 7:00 a.m. shall be followed;
6. Property address will be clearly marked off private road and at property and all property boundaries will be clearly marked;
7. Property owners 24 hour contact information shall be provided to other property owners in the area;
8. Property owner shall report any known citations relating to the property or renters to the town zoning administrator;
9. Special exception will automatically be revoked upon issuance of any citation to renters and/or property owners;
10. There will be a two 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;
11. 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.

Committee, Commission and Employee Reports: Ms. Spiess presented the treasurer's report. Receipts for the period ending March 31, 2017, amounted to \$2,270.35; cash balance on March 31, 2017, was \$442,799.72. Dorsey/Koecher **moved** to receive the treasurer's report; **motion carried**. Mr. Hein gave the highway report. Mr. Hein informed the board that he has removed the plows and the deicer tank from the dump truck and installed the shouldering machine and the tractor was brought to Frontier Ag & Turf after a light came on indicating a problem with the hydraulics which turned out to be an issue with a pump and coupling. Ms. Krueger presented the clerk's report. Dorsey/Kelly **moved** to approve payment of vouchers 17-089 through 17-109 amounting to \$24,216.33; **motion carried** on a unanimous roll-call vote, 5-0. The 2017 year-to-date budget summaries were reviewed. Ms. Krueger informed the board a invitation from Polk County Emergency Management to attend an Incident Command System Overview being held for executives and elected officials on May 4, 2017, was received; and the next WTA Polk County Unit meeting will be held on Thursday, April 27, 2017, at the Polk County Government Center. Mr. Alt gave the zoning administrator's report. Mr. Alt stated at this time there are no special exceptions for the May planning commission meeting and stated it was suggested at a recent board meeting to have the plan commission review the town's animal ordinance. Mr. Alt informed the board there are currently two vacant plan commission positions. The building report was reviewed. No supervisor comments were made. Chairman Behning stated it looked like some good topics were on the agenda for the upcoming WTA-Polk County Unit meeting and encouraged anyone able to attend.

Chairman Behning recessed the town board meeting to hold the Annual Town meeting at 6:56 p.m. and thanked the outgoing Chairman James Beistle for his twenty-four years of service to the town and presented a "Certification of Appreciation" to Mr. Beistle.

The town board meeting reconvened at 7:42 p.m.

New Business continued: The clerk presented two applications for operator licenses. Appel/Dorsey **moved** to adopt Resolution 17-18 approving additional operator licenses for the year ending June 30, 2017; **motion carried** on a unanimous roll-call vote, 5-0.

#### Resolution 17-18

##### A RESOLUTION APPROVING ADDITIONAL OPERATOR'S LICENSE FOR THE YEAR ENDING JUNE 30, 2017

WHEREAS the individuals listed below have made application to the Town Clerk requesting a operator 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 an operator's license to:

Ricketson, Skyler 1843 170<sup>th</sup> Avenue, Centuria, WI 54824, 2017- 67

Cross, Jordan 463 Lookout Lane, St. Croix Falls, WI 54024, 2017-68

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

The clerk presented an application for a Class "B" beer only license for Poco Loco Mexican Grill. Kelly/Appel **moved** to adopt Resolution 17-19 approving an additional Class "B" beer only license for year ending June 30, 2017; **motion carried** on a unanimous roll-call vote, 5-0.

#### Resolution 17-19

##### A RESOLUTION APPROVING AN ADDITIONAL ALCOHOL BEVERAGE LICENSE FOR THE YEAR ENDING JUNE 30, 2017

WHEREAS the corporation listed below has made application to the Town Clerk requesting alcohol beverage license pursuant to Chapter 125 of the Wisconsin Statutes for the year ending June 30, 2017; and

WHEREAS the application appears to be complete and the required fee has been paid; and  
WHEREAS publication of notice appeared in the Inter-County Leader on April 12, 2017, and was posted in the three designated locations in the Town on April 7, 2017, 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 the alcohol beverage license for the year ending June 30, 2017, to the named corporation as follows:

CROSS COUNTRY ASSOCIATES, INC., a corporation dba Poco Loco Mexican Grill, Jordan A. Cross, agent, for a Class "B" beer license, SE ¼ Section 28, 2190 US Hwy 8, St. Croix Falls, WI 54024. BB 2017-02

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

The clerk presented the 2017 racetrack license application and racetrack schedule from St. Croix Motorsports. Koecher/Kelly **moved** to adopt Resolution 17-20 granting a racetrack license to St. Croix Motorsports for the year ending December 31, 2017; **motion carried** on a unanimous roll-call vote, 4-1 (Yeas: Appel, Behning, Kelly & Koecher; Nays: Dorsey).

#### Resolution 17-20

##### A RESOLUTION APPROVING A RACETRACK LICENSE FOR THE YEAR ENDING DECEMBER 31, 2017

WHEREAS the Town of St. Croix Falls has an ordinance regulating motor vehicle races and other performance events within the Town of St. Croix Falls, and

WHEREAS St. Croix Motorsports LLC, Rick Mastell, president, has applied for a racetrack license under this ordinance for St. Croix Speedway, 2014 160<sup>th</sup> Avenue, St. Croix Falls, Wisconsin, and

WHEREAS the application and supplemental information has been received, and

WHEREAS the required license fee of \$100 has been received and deposited with the Town Treasurer,

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, approves the license application of St. Croix Motorsports, LLC, Rick Mastell, president, for St. Croix Speedway; and

BE IT FURTHER RESOLVED that the applicant will notify the Town Board of any changes in the 2017 racing schedule; and

BE IT FURTHER RESOLVED that the Town Clerk be authorized to issue a racetrack license to the same for the year ending December 31, 2017.

The clerk presented a flea market license application from the Pea Pick'in Flea Market. Kelly/Dorsey **moved** to adopt Resolution 17-21 approving a two-year flea market license ending April 30, 2019, to Pea Pick'in Flea Market; **motion carried** on a unanimous roll-call vote, 5-0.

#### Resolution 17-21

##### A RESOLUTION APPROVING A FLEA MARKET LICENSE FOR THE TWO-YEAR PERIOD ENDING APRIL 30, 2019 PEA PICK'IN 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'in 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 conducted by the 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'in Flea Market 1977 US Hwy 8, St. Croix Falls, Wisconsin; 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, 2019.

The clerk presented a request from the Deer Lake Association for the town to handle the payroll again for the clean boats-clean waters program. Kelly/Appel **moved** to adopt Resolution 17-22 approving the reimbursement agreement with the Deer Lake Improvement Association for the Deer Lake intern positions; **motion carried** on a unanimous roll-call vote, 5-0.

#### Resolution 17-22

##### A RESOLUTION APPROVING THE REIMBURSEMENT AGREEMENT WITH THE DEER LAKE IMPROVEMENT ASSOCIATION FOR THE DEER LAKE INTERN POSITION

WHEREAS, the Deer Lake Improvement Association has received an Invasive Species Education and Protection grant under the Clean Boats, Clean Waters program to conduct certain educational and

prevention programs at Deer Lake; and

WHEREAS, the Deer Lake Improvement Association desires to avoid the expense and inconvenience of directly hiring the interns and managing payroll and other activities associated with paying the interns who will conduct the grant activities; and

WHEREAS, the Town of St. Croix Falls has the capability to hire the interns and provide payroll services.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, will provide payroll services for the Deer Lake Clean Boats, Clean Waters program in accordance with the Reimbursement Agreement Between the Deer Lake Improvement Association and the Town; and

BE IT FURTHER RESOLVED that the Reimbursement Agreement Between the Deer Lake Improvement Association and the Town be effective upon signing and become part of this enacting resolution.

The 2017 road bids were reviewed and discussion was had. Dorsey/Koecher **moved** to accept the Monarch Paving bid in the amount of \$5,438.08 for a wedge on River Road; **motion carried** on a unanimous roll-call vote, 5-0. Dorsey/Koecher **moved** to accept the Scott Construction bid in the amount of \$21,854.00 for chip sealing .5 m of 140<sup>th</sup> Avenue, 200' of Lee's Avenue and .8 m of River Road; **motion carried** on a unanimous roll-call vote, 5-0. Appel/Kelly **moved** to accept the Fahrner Asphalt Sealers bid in the amount of \$14,700.00 for spray patching various locations in the Town; **motion carried** on a unanimous roll-call vote, 5-0. Kelly/Dorsey **moved** to accept the Fahrner Asphalt Sealers bid in the amount of \$27,680.00 for 16,000 pounds of material for crack sealing various roads in the Town; **motion carried** on a unanimous roll-call vote, 5-0. Discussion was had on the condition of 170<sup>th</sup> Avenue. The clerk will post a notice for a special town board meeting on April 26, 2017, 5:00 p.m. for board members who want to meet and walk 170<sup>th</sup> Avenue. The clerk informed the Board that she has registered to attend clerk training being held on May 4, 2017.

No public comment was had.

There being no further business, Kelly/Kocher **moved** to adjourn; **motion carried** and the meeting adjourned at 8:48 p.m.

Minutes prepared by Janet Krueger, Town Clerk