

REGULAR TOWN BOARD MEETING, June 21, 2017

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman Frank Behning at 6:15 p.m. on Wednesday, June 21, 2017, at the Town Hall. Proper notice was given as the agenda was posted on the Town's website on June 16, 2017. Present by roll call were Chairman Frank Behning, supervisors Katie Appel, 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 Ashley Geiger-Iserman, Bob Lang, Jim Miller, Ron and Debra Micek, Kyle Yunker and Carole Baumgart. Dorsey/Koecher **moved** to adopt the agenda giving the chair the option to move items as necessary; **motion carried**. Koecher/Dorsey **moved** to approve the meeting minutes as printed for the May 17, 2017, town board meeting; **motion carried**.

Public Comment: Robert Lang 1385B Bayview Drive stated the Town has created a monster by allowing the transient lodging special exception on Bayview Drive and numerous parties can rent the property in a week's period of time creating a significant amount of traffic from renters, cleaning crew and property maintenance crew making it feel like the residents on Bayview Drive are living next to a motel. Debra Micek 1385 Bayview Drive inquired on who enforces the rules of quiet time and stated they contacted Ms. Fuerst with a noise complaint. Ron Micek 1385 Bayview Drive stated his frustration with what has gone on at his neighbor's property. Mr. Micek stated that it does not appear Mr. Fuerst has attempted to clearly mark the property lines as required per a condition of the special exception or clearly marked the property for renters to find the rental property also required as a condition of the special exception; stated there has been no communication from the property owner with the transient lodging special exception; stated it appeared the six person occupancy limit has been violated and the amount of traffic on the private road is what you would see for a commercial business not a residential neighborhood. The Micek's have contacted the sheriff's department and the property owners but nothing is being done and would like to know who else they can contact. Carol Baumgardt Peer Avenue does not understand why the Town Board creates rules, regulations, and conditions when they do not intend to enforce them.

Committee, Commission and Employee Reports: Ms. Spiess presented the treasurer's report. Receipts for the period ending May 31, 2017, amounted to \$1,178.00; cash balance on May 31, 2017, was \$428,646.17. Kelly/Appel **moved** to receive the treasurer's report; **motion carried**. Mr. Hein gave the highway report. Fahrner Asphalt Sealers are currently working on spray patching and Mr. Hein has not been notified when Scott Constructions intends to complete the chip sealing. Mr. Hein stated the one ton truck could use new tires before winter. The Board directed Mr. Hein to price tires. Mr. Hein stated a couple signs were knocked down when the backup employee was out mowing. Mr. Hein was asked to identify areas on the town property that could use maintenance work. Chairman Behning inquired if there was interest in storing salt at the town hall. Mr. Hein was asked to inquire with Boss Equipment if they could be a source for salt and sand in an emergency when the county highway department is closed. The clerk presented new business item 7A to the Board. Kelly/Koecher **moved** to approve Resolution 17-24 authorizing additional funds to the St. Croix Falls Fire Department for inspections; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-24

A RESOLUTION FOR GRANTING ADDITIONAL FUNDS
TO THE ST. CROIX FALLS FIRE DEPARTMENT FOR INSPECTIONS OF
PUBLIC BUILDINGS AND PLACES OF EMPLOYMENT

WHEREAS Wisconsin Statutes 101.14(2) requires fire chiefs or their inspectors to periodically inspect every public building and place of employment; and

WHEREAS the City of St. Croix Falls and the St. Croix Falls Fire Department have determined it necessary to hire two certified fire inspectors to complete the necessary inspections and have requested additional funding from the Town of St. Croix Falls to help offset the expense; and

WHEREAS municipalities receiving "Fire Dues" from the State of Wisconsin Department of Safety

and Professional Services must certify that inspections are being performed and the funding from the "Fire Dues" program are being used for such expenses.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, approves additional funds in the amount of five thousand dollars (\$5,000.00) annually to be paid to the St. Croix Falls Fire Department to help offset the expense of inspecting public buildings and places of employment in the Town of St. Croix Falls.

BE IT FURTHER RESOLVED that the Town Board authorizes the clerk to issue the annual payment by June 30 of each year.

Ms. Krueger presented the clerk's report. Dorsey/Koecher **moved** to approve payment of vouchers 17-137 through 17-165 amounting to \$150,108.36; **motion carried** on a unanimous roll-call vote, 5-0. The 2017 year-to-date budget summaries were reviewed. The Board requested Ms. Krueger remind the Town's animal humane officer to contact a town board member before responding to animal complaints. Mr. Alt presented the zoning administrator's report. The Board inquired if Mr. Alt has received a response from Anderson Recycling or Lampert's; Mr. Alt stated he has heard nothing from Anderson Recycling and that he is waiting for an official response from Lampert's regarding the structures in the parking lot.

New Business: Mr. Alt presented a driveway variance request for a driveway to parcel 044-00709-0000 located across from the town hall. Dorsey/Koecher **moved** to approve Resolution 17-25 granting a driveway variance to parcel 044-00709-0000 located on 200th Street; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-25

A RESOLUTION FOR GRANTING A DRIVEWAY ON 200TH STREET

WHEREAS James Miller, property owner, filed a driveway application with the Town of St. Croix Falls Zoning Office for property in SW ¼, SW ¼ of Section 26, T34N, R18W, identified as Tax Parcel No. 044-00709-0000; and

WHEREAS Driveway Ordinance 97-01, Section 7, D Distance Between Driveways And Intersecting Highways states there shall be a minimum of two-hundred (200) feet between access driveways on the same side of the road; and

WHEREAS the Driveway Ordinance 97-01, Section 5 states that deviations from the specifications required by the Driveway Ordinance may be approved by the Town Board in extenuating circumstances, and

WHEREAS the Town's Plan Commission reviewed the application on June 14, 2017, and did recommend to the Town Board approval of the driveway permit request.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, approves a driveway permit for real property in SW ¼, SW ¼ of Section 26, T34N, R18W, Tax Parcel No. 044-00709-0000 with the following conditions:

- The driveway shall be allowed less than 200 feet north of the US Highway 8 intersection and allowed less than 200 feet south of the driveway entering parcel #044-00707-0000 on 200th Street.

BE IT FURTHER RESOLVED that the Town Board authorizes the Zoning Administrator to issue the driveway permit.

Mr. Alt presented a special exception to operate a major home occupation consisting of upholstery work at 1767 235th Street. Kelly/Appel **moved** to adopt Resolution 17-26 approving a special exception to Travis Geiger to operate a major home occupation in the agricultural district; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-26

A RESOLUTION GRANTING A SPECIAL EXCEPTION

TO TRAVIS GEIGER TO OPERATE A

MAJOR HOME OCCUPATION IN THE AGRICULTURAL DISTRICT

WHEREAS Travis Geiger, owner, filed an application with the Town of St. Croix Falls Zoning Office to operate a major home occupation business consisting of operating a small upholstery business from garage/pole building at 1767 235th Street, located in the SE ¼ of the NW ¼ of Section 6, T34N, R18W, and identified as Tax Parcel No. 044-00128-0000, and

WHEREAS Chapter III, Section C, 2. Agricultural District, f. (1) requires a special exception for any use not listed in the permitted uses; and

WHEREAS Chapter III, Section D, 6. Major Home Occupations, requires a special exception for major home occupations; 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 June 14, to allow a major home occupation with conditions in the NW ¼ of Section 6.

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 Travis Geiger to operate a major home occupation consisting of operating a small upholstery business at 1767 235th Street, located in the NW ¼ Section 6, T34N, R18W, and identified as tax parcel No. 044-00128-0000 with the following conditions:

1. The special exception shall terminate upon the sale or transfer of ownership of either the parcel 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 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.

Kelly/Koecher **moved** to adopt Resolution 17-27, Resolution 17-28 and Resolution 17-29 approving the 2017-2018 alcohol beverage licenses, 2017-2018 cigarette/tobacco licenses, and 2017-2018 operator licenses; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-27

A RESOLUTION APPROVING ALCOHOL BEVERAGE LICENSES FOR THE YEAR ENDING JUNE 30, 2018

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, 2018; 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 14, 2017, and was posted in the three designated locations in the Town on June 6, 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 alcohol beverage licenses for the year ending June 30, 2018, 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 2018-01
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 2018-02

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 2018-01

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 2018-01
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 2018-02

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

Resolution 17-28

A RESOLUTION APPROVING CIGARETTE AND TOBACCO LICENSES FOR THE YEAR ENDING JUNE 30, 2018

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, 2018; 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 ,004-0000028006-03, 39-2026833, 2018-01, 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, 2018-02, Bar YES

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, 2018-03, Bar NO

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, 2018-04, Bar NO

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

Resolution 17-29

A RESOLUTION APPROVING OPERATOR'S LICENSES
FOR THE YEAR ENDING JUNE 30, 2018

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, 2018, 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:

Andrewson, Sarah K 545 E Kentucky S., St. Croix Falls, WI 54024, 2018-01
Bluhm, Christine Marie 92 N Mississippi River Blvd, St. Paul, MN 55104, 2018-02
Bluhm, William F. 92 N. Mississippi River Blvd, St. Paul, MN 55104, 2018-03
Buffington, Carrie Ann 810 Oregon St., St. Croix Falls, WI 54024, 2018-04
Busby, Shawn Marie 2204 150th Avenue, St. Croix Falls, WI 54024, 2018-05
Cain, Darla J. 718 100th St., Amery, WI 54001, 2018-06
Carlson, Jacqueline Nanette 22650 Land Road, Grantsburg, WI 54840, 2018-07
Carroll, Laura Jean 697 180th Street, Osceola, WI 54020, 2018-08
Cassellius, Keven J. 1953 US Hwy 8, St. Croix Falls, WI 54024, 2018-09
Cassellius, Mary T. 1953 US Hwy 8, St. Croix Falls, WI 54024, 2018-10
Christensen, Tiffany Danay 132 E 1st Ave., Luck, WI 54853, 2018-11
Costello, Chyleen Blu 208 4th St. #CA, PO Box 56, Centuria, WI 54824, 2018-12
Davies, Jennifer Sue 778 190th Street, County Road Y, Dresser, WI 54009, 2018-13
DeSpiegelaere, Mathew Phillip 324 Polk Pkwy, St. Croix Falls, WI 54024, 2018-14
Eickhoff, Nancy Ann 653 Linden Ct., Taylors Falls, MN 55084, 2018-15
Eldridge, Corinne Georgette 1068 E Bone Lk Ct, Luck, WI 54853, 2018-16
Filkins, Kaitlynn Ann 809 N Hamilton St., St. Croix Falls, WI 54024, 2018-17
Fox, Lori Jean 2188 100th Avenue, Dresser, WI 54009, 2018-18
Hinz, Heather Lee 1543 10th Ave., Star Prairie, WI 54026, 2018-19
Jensen, Patricia Jane 403 Pine Court, St. Croix Falls, WI 54024, 2018-20
Johnson, Cassandra Anne 106 East Ave N., P.O. Box 255, Dresser, WI 54009, 2018-21
Kerfeld, Paige Marie 319 Simonson Road Apt. 4, St. Croix Falls, WI 54024, 2018-22
Kessler, Mary (Molly) Helen 231 N Madison St., St. Croix Falls, WI 54024, 2018-23
Klink, Roxanne Kay 2998 Logging Creek Trail, Grantsburg, WI 54840, 2018-24
Linngren, Jason Robert 113 Michigan Ave., St. Croix Falls, WI 54024, 2018-25
Livingston, Jaraldine R. 23040 Gardner Rd, Grantsburg, WI 54840, 2018-26
Loken, Robin Ann 1627 160th Street, Centuria, WI 54824, 2018-27
Marik, Desiree Dawn 934 Sunrise Beach Dr., Amery, WI 54001, 2018-28
Mast, Jonathan Paul 1795 Helena Rd N, MN 55128, 2018-29
Mewes, Karissa Danielle 1861 100th Ave., Osceola, WI 54020, 2018-30
Mitchell, Paul Lane 1627 160th St., Centuria, WI 54824, 2018-31
Mumm, Laurie Lynn 120 Woodland Trails, P.O. Box 86, Clayton, WI 54004, 2018-32
Nelson, Heidi Marie 2239 Fairgrounds Rd., St. Croix Falls, WI 54024, 2018-33
Neve, Laura Joean 427 219th St., Star Prairie, WI 54026, 2018-34
Newman, Jami Anne 2346 90th Ave., Osceola, WI 54020, 2018-35
Newsom, Amanda Sue 17420 Banyan Road, Shafer, MN 55074, 2018-36
Olsen-Berg, Dillon T. 401 West Main St., Balsam Lake, WI 54810, 2018-37
Redmond, Jessica Sun 1326 208th St., St. Croix Falls, WI 54024, 2018-38
Richter, Jamie Lynn 1713 40th Ave., Amery, WI 54001, 2018-39
Rose, Tiffany Amber 300 West Main Street, P.O. Box 225, Milltown, WI 54858, 2018-40
Ryan, Kelsey Lynn 29257 Morningside Crt., Lindstrom, MN 55045, 2018-41
Schweim, Todd Ardie 305 500th Ave., Apt. 2, Osceola, WI 54020, 2018-42
Shermach, Kathleen Anne 844 217th Street, Osceola, WI 54020, 2018-43
Stencil, Gail Lynne 2524 170th Street, P.O. Box 414, Luck, WI 54853, 2018-44
Swenson, Brittany Joyce 121 Elizabeth St., Milltown, WI 54858, 2018-45
Videen, Emmy Rae 2472 113th Avenue, Dresser, WI 54009, 2018-46
Walter, Ronald Wayne 1669 164th Street, Centuria, WI 54824, 2018-47
Zganjar, Laurie Ann 855 River Street, Taylors Falls, MN 55084, 2018-48
Zundel, Cherie Lynn 16090 Pilar Rd N, Scandia, MN 55073, 2018-49
Cross, Jordan 463 Lookout Lane, St. Croix Falls, WI 54024, 2018-50

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

Appel/Kelly moved to adopt Resolution 17-30 appointing Rick Katzmark and Kyle Yunker to the town's plan commission; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-30

A RESOLUTION APPOINTING
RICK KATZMARK AND KYLE YUNKER

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

WHEREAS the term of office for Lee Dombrock and Norval Valleen "regular members" of the Plan Commission for the Town of St. Croix Falls expires as of June 30, 2017; and

WHEREAS Lee Dombrock notified the Town he wished to resign his position on the Town's Plan

Commission; and

WHEREAS Katie Appel was appointed Town Board Supervisor on April 19, 2017, leaving her term vacant; and

WHEREAS the Town Chairperson has nominated "alternate member" Stacy Bergmann to fill the vacant "regular member" term and nominated Kyle Yunker to fill the vacant "alternate member" term; and

WHEREAS the Town Chairperson has re-nominated Norval Valleen and nominated Rick Katzmark as regular members to the plan commission for a three year term expiring June 30, 2020.

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

Stacy Bergmann as a regular member with a term ending June 30, 2019,

Kyle Yunker as an alternate member with a term ending June 30, 2019,

Norval Valleen as a regular member with a term ending June 30, 2020;

Rick Katzmark as a regular member with a term ending June 30, 2020; and

BE IT FURTHER RESOLVED that these terms begin July 1, 2017.

Dorsey/Kelly **moved** to adopt Resolution 17-31 appointing Joey Nelson and Joel Yunker to the town's board of appeals; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-31

A RESOLUTION APPOINTING JOEY NELSON AND JOEL YUNKER
TO THE BOARD OF APPEALS FOR THE TOWN OF ST. CROIXFALLS

WHEREAS, the terms of office for Joey Nelson "regular member" and Joel Yunker "regular member" expires June 30, 2017, for the Board of Appeals for the Town of St. Croix Falls; and

WHEREAS, the Town Chairman has re-nominated Joey Nelson and Joel Yunker to fill the "regular 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

Joey Nelson as a regular member with a term ending June 30, 2020, and

Joel Yunker as a regular member with a term ending June 30, 2020; and

BE IT FURTHER RESOLVED that these terms begin July 1, 2017.

The Temporary Vendor Ordinance amendment was reviewed and the first reading was had. Discussion was had on amending the town's employee handbook. A change in wording for the work day/work week in the employee handbook will be presented next month for approval. Discussion was had on potential road work on 170th Avenue. The board will review an agreement with the Village of Centuria for the shared portion of 170th Avenue currently not receiving road aid. Chairman Behning will inquire with Mr. Hein on potential road projects that could be applied for funds through the Local Road Improvement Program. Complaints received regarding the special exception for transient lodging on Bayview Drive were reviewed. Dorsey/Kelly **moved** to proceed with revoking the special exception for transient lodging on Bayview Drive; **motion carried**.

Closing public comment was had: Mr. Micek referenced the county permit and the stated one of the conditions was the property is to be free of citations and a citation has been issued violating the county permit and again asked who are they to contact when violations are happening. Ms. Baumgart stated that property owners can use a loop hole by offering their property to family, friends, and employees without a special exception for transient lodging. Mr. Lang stated a property owner who only spends two nights a year does not have the same invested interest in the neighborhood; and stated he does not have a problem with the business itself but with the way this business is being run and is concerned about renters trespassing on neighboring docks and the potential liability. Ms. Micek is bothered by the false advertising for the rental property and inquired if the property can continue to be rented.

The next scheduled town board meeting is July 19, 2017. There being no further business, Kelly/Appel **moved** to adjourn; **motion carried** and the meeting adjourned at 8:10 p.m.

Minutes prepared by Janet Krueger, Town Clerk