

REGULAR TOWN BOARD MEETING, September 20, 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, September 20, 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 September 15, 2017. Present by roll call were Chairman Frank Behning, supervisors Katie Appel, Sharon Kelly and Gary Koecher. Also present were town treasurer Maxine Spiess, town clerk Janet Krueger, zoning administrator James Alt, public works employee Steve Jacobs and legal counsel Gary Bakke. Supervisor Mike Dorsey arrived at 6:17 p.m. Appel/Kelly **moved** to approve the agenda; **motion carried**. Koecher/Kelly **moved** to approve the meeting minutes as printed for the August 16, 2017, town board meeting; **motion carried**.

No public comment was had.

Committee, Commission and Employee Reports: Ms. Spiess presented the treasurer's report. Ms. Spiess stated she had renewed the highway CD with Eagle Valley Bank for eighteen months at 1.41%; the LRIP reimbursement has been received; one final general transportation aids payment is yet to be received for the year; and approximately six dog licenses have not been renewed. Receipts for the period ending August 31, 2017, amounted to \$158,841.72; cash balance on August 31, 2017, was \$383,501.24. Kelly/Koecher **moved** to receive the treasurer's report; **motion carried**. Mr. Jacobs gave the highway report. Mr. Jacobs stated the biennium WISLR road pavement ratings were completed and submitted to the State; signs were relocated for the weight restriction on 160<sup>th</sup> Avenue between State Road 87 and Sunshine; annual road shouldering is near completion; all gravel roads have been graded and the town may need to spray weeds on gravel roads next year; warning light in one ton indicating heater failure in DEF tank needs to be addressed; and the town owes the Town of Osceola approximately eight hours of shouldering. Chairman Behning stated the tree canopy on 140<sup>th</sup> Avenue between Bayview Drive and fire number 1885 appears to be hanging pretty low and asked Mr. Jacobs to obtain a couple quotes for trimming to be presented at next month's town board meeting. Ms. Krueger presented the clerk's report. Kelly/Dorsey **moved** to approve payment of vouchers 17-220 through 17-257 amounting to \$30,171.80; **motion carried** on a unanimous roll-call vote, 5-0. The 2017 year-to-date budget summaries were reviewed. Mr. Alt presented the zoning administrator's report. Mr. Alt informed the Board that the business owner of Anderson Recycling was in attendance at the plan commission meeting. Mr. Anderson has until the October plan commission meeting to clean up the front of his business and has until the November plan commission meeting to clean up the remainder of the property. Mr. Anderson was to provide the clean-up plan in writing to the town zoning administrator which has not yet been received. The building inspection report was reviewed. There were no supervisor reports. Chairman Behning informed the Board he was contacted by Terry Mattson with Scott Construction regarding his error in chip sealing the wrong road and asked if the Town could help him out on the expense. Mr. Mattson was asked to provide his request in writing before the next board meeting in order for the Board to consider.

New Business: Chairman Behning presented the building code ordinance amendment and the second reading was had. Kelly/Koecher **moved** to approve Resolution 17-39 adopting Ordinance 17-05 amending the Building Code Ordinance; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-39

A RESOLUTION ADOPTING ORDINANCE 17-05

AMENDING THE ORDINANCE ADOPTING WISCONSIN BUILDING CODES

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 approved an Ordinance Adopting the Wisconsin Building

Codes on November 2, 2011; and

WHEREAS the State of Wisconsin has notified the Town that Section 1.4 needs to be amended in order for the Town to perform permitting and inspection services for construction in the commercial district; and

WHEREAS the Town Board held a first reading on August 16, 2017, and a second reading was held on September 20, 2017.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 17-05 amending the Ordinance Adopting Wisconsin Building Codes; and

BE IT FURTHER RESOLVED that Ordinance 17-05 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

## Ordinance 17-05 AMENDING BUILDING CODE ORDINANCE

### **Section 1: Purpose**

The purpose of this ordinance is to amend Section 1.4, Adoption of Wisconsin Commercial Building Codes to read as:

- 4.1 ~~ADOPTION OF WISCONSIN COMMERCIAL BUILDING CODES, PLUMBING, ELECTRICAL, AND FLAMMABLE MATERIALS. Chapters COMM 50-64 of the Building and Heating Ventilating and Air Conditioning Code, Wisconsin Administrative Code, as adopted and effective December 2, 1974, and Chapters 82-84 Plumbing Code, Wisconsin Administrative Code, as adopted and effective December 2, 1974, and Chapter COMM 16, Electrical Code, Wisconsin Administrative Code, as adopted and effective December 2, 1974, Chapters COMM 10-14 and NFPA 13 and 72 regarding flammable materials, of the Wisconsin Administrative Code and effective 9-26-2000, and Chapters COMM 8, 11 and 12, regarding flammable materials, of the Wisconsin Administrative Code, as adopted and effective 9-26-2000, and all amendments thereof in effect on the date of the adoption of this chapter, are hereby adopted and made part of this chapter by reference and are applicable to all those classes of buildings to which said codes apply. The provisions of said codes relating to structural standards are also made applicable to those buildings exempted from said code under Section 50.03 thereof. Copies of said codes are on file in the office of the Town Clerk, Town Building Inspector, and Zoning Administrator. The State Building Inspector has sole responsibility for enforcing the commercial codes designated herein. A designated representative of the appropriate fire department will enforce requirements related to flammable materials.~~

*The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are adopted for municipal enforcement by the building inspector, who shall be commercially certified by the Wisconsin Division of Industry Services.*

*Chs. SPS 360-366 Wisconsin Commercial Building Code*

*Chs. SPS 375-379 Buildings Constructed prior to 1914*

### **Section 2: Effective Date**

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

Discussion was had on a potential date for the 2018 budget workshop. Consensus of the Board was to schedule the 2018 budget workshop for 6:00 p.m. on Tuesday October 24, 2017. Ms. Krueger presented Resolution 17-40 designating public depositories for the Town. Dorsey/Appel **moved** to adopt Resolution 17-40 designating public depositories for the Town; **motion carried** on a unanimous roll-call vote, 5-0.

### Resolution 17-40

#### A RESOLUTION DESIGNATING PUBLIC DEPOSITORY FOR THE TOWN OF ST. CROIX FALLS

BE IT RESOLVED, that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, by this resolution, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, resolves and orders as follows:

The following financial institutions are designated public depositories for the Town of St. Croix Falls:

Eagle Valley Bank	2206 Glacier Drive	St. Croix Falls, WI 54024
MidWest One Bank	2183 US Highway 8	St. Croix Falls, WI 54024
Royal Credit Union	2071 Glacier Drive	St. Croix Falls, WI 54024
Local Government Investment Pool	Madison, Wisconsin	

The 2017-2018 Town Board Rules of Procedures Policy were presented. Kelly/Koecher **moved** to approve Resolution 17-41 adopting the 2017-2018 Town Board Rules of Procedures for the Town of St. Croix Falls; **motion carried** on a unanimous roll-call vote, 5-0.

### Resolution 17-41

#### A RESOLUTION ADOPTING 2017 - 2018 TOWN BOARD RULES OF PROCEDURES POLICY FOR THE TOWN OF ST. CROIX FALLS

WHEREAS the Town Board wishes to establish specific procedures for the actions of the town board in the operation of the town.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County,

Wisconsin, hereby adopts the 2017 – 2018 Town Board Rules of Procedures.

**RULES AND PROCEDURES  
FOR THE OPERATION OF THE TOWN BOARD**

**Rule 1: Date and Time of Regular Meetings**

The regular monthly meeting of the Town Board shall be on the third Wednesday of the month. Starting time shall be at 6:00 p.m.

**Rule 2: Calling of Special Town Board Meetings**

Calling of special meeting of the Town Board shall be in accordance with Wisconsin Statutes. A special meeting may be called by order of the Town Board chairperson or by petition of any three supervisors of the Town Board after which the clerk shall be notified of the agenda item(s) so proper posting may be made.

**Rule 3: Assessment of Fees for calling Special Town Board Meetings**

A fee of \$250.00 shall be assessed to any person, group of person, corporation, or other entity when requesting the Town Board to hold a special meeting. This fee shall be assessed for each item requested to be on the special meeting agenda.

**Rule 4: Designation of Official Publication for Town Notices**

The Town Board declares that the Town shall use posting in lieu of publication. When notices and other matters by statute must be published, such publication shall be in the Inter-County Leader. Informational notices, when published, shall be in the Inter-County Leader and/or Tri-County North Advertiser. Informational notices such as co-op election ads and meeting notices may be placed in additional publications within Polk County, when in the opinion of the Town Clerk or directed by the Town Board, such additional notification would be beneficial to the residents of the Town.

**Rule 5: Location of Notice Postings Sites**

The following two locations shall be used as the posting sites for notices and other announcements for the Town when three posting sites are not required by statute when using the town's website:

Town Hall, 1305 200<sup>th</sup> Street and US Highway 8

Town's Website, [www.townofstcroixfalls.org](http://www.townofstcroixfalls.org)

If additional posting sites are required by statute the following two locations shall also be used:

Wayne's Café – 1961 US Highway 8

Lamperts – 2213 US Highway 8

**Rule 6: Preparation of Agendas for Regular and Special Town Board Meetings**

The Town Clerk in consultation with the Town chairperson or acting chairperson shall prepare agendas for all regular and special Board meeting. The clerk shall include such items which are ordinarily and customarily considered at various times during the year. Such agendas shall be posted in accordance with Wisconsin Statutes. Amendments to agendas after posting may be made provided Statutes are followed.

**Rule 7: Procedures for Placing Items on the Agenda**

The Board at previous meetings may identify items which are to be placed on the agenda for either a regular or special meeting. A Board member or chairperson of a committee or commission wishing to have an item placed on the agenda or resident of the Town and other interested persons may request of the Town chairperson to have an item placed on the agenda of a future meeting; the Town chairperson shall then determine if such item will be on the agenda and notify the clerk if it is to be listed. An item may be placed on the agenda with a petition of any three supervisors of the Town Board after which the clerk will be notified and the item will be listed.

**Rule 8: Determining the Town Board Vice Chairperson**

Vice Chairperson will be determined following the Spring General Elections.

**Rule 9: Convening of a Town Board Meeting in the Absence of the Chairperson**

In the absence of the Town Board Chairperson and Town Board Vice Chairperson, the town clerk shall convene the Board meeting. By consensus the remaining supervisors shall determine who shall preside at the meeting. In the absence of a consensus, an election shall be held with the clerk and supervisors voting.

**Rule 10: Rules of Order for Conduction Town Board Meetings**

All meetings of the Town Board shall be in conformity with Wisconsin Statutes and such rules that the Town Board from time to time shall create and enact. No rule shall be in conflict with Wisconsin Statutes. The primary guide to parliamentary procedure shall be **A Guide to Parliamentary Procedure for Local Government in Wisconsin** (Larry E. Larmer, 1998) and supplemented by the most recent edition of **Robert's Rules of Order Newly Revised**.

**Rule 11: Manner of Voting**

Whenever possible, voting should be done by **voice vote**. If the voting result is unclear, the Chairperson or any member of the Town Board may ask for the vote to be redone in a visible form.

**Recorded votes (roll-call)** voting shall be used for: 1) whenever required by Wisconsin Statute including motions to go into closed (executive) session and to adjourn a closed session; 2) financial approvals; 3) authorizations of purchases of goods and services in excess of \$500; 4) awarding of contracts; 5) resolutions adopting ordinances or amendments to ordinances; 6) adoption of the annual budget or amendments to the budget; 7) authorization of borrowing of monies; 8) resolutions approving major subdivisions; 9) adoption of policies and major changes to policies; 10) whenever requested by a member of the Town Board.

**Other Counted** voting (ex.: visible form such as show of hands) may be used for the adoption of resolutions and other substantive and important governmental decisions when a roll-call vote is not required.

**Secret Ballot** voting is not permitted except in accordance with Wisconsin State Statute Sec. 19.88.

**Rule 12: Authorization of Purchases in Interim Between Town Board Meetings**

The Town Board Chairperson is authorized in the interim between town board meetings to approve the purchase of ordinary and necessary equipment repairs, supplies, and tools when less than \$1,000.

Emergency tire purchases are authorized even if in excess of \$1,000.

**Rule 13: Seating Arrangement**

Seating arrangements for Board meetings shall be such that Board members can easily see and converse with each other and the clerk and treasurer. Persons making a presentation shall present from the podium in front of the board and direct their remarks to members of the Board.

**Rule 14: Citizen Input and Recognition of Audience**

Each regular meeting agenda shall contain a time for citizen input and recognition of the audience. However, no individual shall speak longer than 3 minutes or group of people longer than 15 minutes on a specific issue and not more than 30 minutes total of public comment without the unanimous consent of the Board. If there are speakers with opposing views and/or opinions the item shall be apportioned equitable. Specific items on the agenda can be addressed by a non-board member or officer with the consent of the Board. All remarks made by those speaking must be directed to through the Chairperson. Dialog between and among audience members is prohibited. An additional public comment will be added before the meeting adjourns. This time will be limited to no longer than 5 minutes total.

**Rule 15: Procedures for the Adoption of Resolutions**

Resolutions must be listed on the agenda for the meeting in order to be acted upon and are to be included in the materials provided to Board members no later than three days prior to the regular meeting. If action is to be taken on a resolution at a special Board meeting, copies are to be made available to the Board members in accordance with statutory posting requirements. With the unanimous consent, resolutions of a routine matter may be acted upon if listed on the agenda even though not supplied to the Board prior to the meeting.

**Rule 16: Procedures for the Adoptions of Ordinances and Amendments to Ordinances**

Ordinances and amendments to ordinances must be listed on the agenda in order to be acted upon. Ordinances and amendments to ordinances except zoning map changes shall have two readings before enactment and these readings shall be in two different months, one of which shall be a regular monthly meeting of the Board. In addition to hearings required by Statutes of certain ordinances, the Town Board may provide for hearings on proposed ordinances and amendments to ordinances at its discretion.

**Rule 17: Reports from committees, Commissions, and Employees**

Written and oral reports covering the previous month's activities (including minutes of any meetings) and listing anticipated activities for the ensuing month shall be submitted to the clerk from the following: law enforcement, fire departments, zoning administration, building inspection, highway, Plan Commission, Board of Appeals, and other commissions committees, and boards. These reports and minutes are to be delivered to and received by the clerk no later than one week prior to the date of the regular monthly meeting of the Board.

**Rule 18: Procedures for the Disbursement of Funds and Payment**

Prior to the disbursement of any funds in the payment of any bills or obligations of the Town a voucher shall be prepared and signed by the Town Chairperson and Town Clerk as required by Statute and approved by the Town Board at a regular or special meeting with the following exceptions: payroll, tax deposits, tax settlements, and utility bills. All checks shall be signed by the clerk and treasurer, as required by Statute.

**Rule 19: Designation of Depository for Funds of the Town**

The following financial institutions are designated public depositories for the Town.

Eagle Valley Bank	2206 Glacier Drive	St. Croix Falls, WI 54024
MidWest One Bank	2183 US Highway 8	St. Croix Falls, WI 54024
Royal Credit Union	2071 Glacier Drive	St. Croix Falls, WI 54024
Local Government Investment Pool	Madison, Wisconsin	

**Rule 20: Payment of Board Members and Officers Salaries**

Payment of the salaries of the Town Board members and elected officers shall be on a monthly basis and shall be the first regular payday of the following month according to the previously adopted pay schedule for Town employees.

**Rule 21: Procedures for Submitting Expense Claims**

Board members, officers and staff shall from time to time during the year submit expenses vouchers to the clerk for payment of mileage at the current IRS rate Res. 00-49 (Town Board members will be reimbursed mileage only outside the Town boundaries), phone (long distance), and other customary expenses incurred while on Town business.

**Out of Town Conferences and Conventions:**

- Pre-Registration is encouraged and should be vouchered through the Town. Reimbursement for attendance at conferences and conventions shall be vouchered separately with supporting documentation included if unable to preregister.
- The most affordable lodging that is practicable should be used and supporting documentation is required for reimbursement.
- Meals (excluding alcoholic beverages) will be reimbursed up to thirty-five dollars (\$35.00) per full day for approved attendees. Supporting documentation is required for reimbursement.

Employees and such other non-employees entitled to expense reimbursement shall have the voucher approved by the Town chairperson who shall then submit it to the clerk for processing. Reimbursement for purchases, such as but not limited to supplies and parts, made for the Town shall be evidenced by presenting a sales and/or credit card slip.

**Rule 22: Authorizing Attendance of Employees at Meetings and Workshops**

The Town chairperson may authorize or direct an employee to attend a meeting or workshop in line with the individual's responsibilities for the Town and approve the reasonable reimbursement of expenses thereto. Elected officials are encouraged to attend workshops, seminars and conventions as budget allows and with

prior approval of the Town Board when the amount will exceed \$100.00. Members are encouraged to car pool whenever possible.

**Rule 23: Authorization of Burning Permits**

Burning Permits can be authorized by any Town Board Officer, Town Clerk and Town Zoning Administrator. Burning Permits are not issued when the Department of Natural Resources has declared a high or above fire danger. The Town uses the DNR website to determine fire danger ([dnr.wi.gov/forestry/Fire/Fire\\_Danger/Wis\\_Burn/StateCounties.asp](http://dnr.wi.gov/forestry/Fire/Fire_Danger/Wis_Burn/StateCounties.asp)).

**Rule 24: Amendments to the Rules**

Amendments to these rules shall be made upon a two-thirds vote of the membership of the Board and shall become effective the first day on the next month following passage.

BE IT FURTHER RESOLVED that these terms begin effective upon passage and posting of this resolution.

Discussion was had on purchasing salt and sand from Boss Equipment. Consensus of the Board was to continue getting salt and sand through Polk County. Chairman Behning informed the Board he has been in contact with Scott Geddes, Polk County Land and Water regarding engineering 170<sup>th</sup> Avenue. Dorsey/Kelly **moved** to approve 170<sup>th</sup> engineering in an amount not to exceed three thousand dollars (\$3,000); **motion carried** on a unanimous roll-call vote, 5-0. Discussion was had on allowing the highway employee to use his personal phone for work. The clerk will cancel the town's highway cell phone and look into reimbursement options to Mr. Jacobs. Mr. Schiefelbein was unable to attend tonight's meeting. Ms. Spiess stated she will be attending training on the tax collection software at Polk County.

Closing Public Comment: Mr. Bakke stated there will be a replacement for him at next month's town board meeting as he will be unable to attend.

The chairman read the call for executive session per Wisconsin Statute 19.85(1) (c) to consider employment and Wisconsin Statute 19.85(1) (g) to confer with legal counsel regarding a land use permit issue. Kelly/Dorsey **moved** to recess open session and convene in closed session per Wisconsin Statute 19.85(1) (c) to consider employment and Wisconsin Statute 19.85(1) (g) to confer with legal counsel regarding a land use permit issue; **motion carried** on a unanimous roll-call vote, 5-0 and the meeting recessed at 7:00 p.m.

The Town Board reconvened in open session at 8:05 p.m. with the board members, town clerk, zoning administrator and legal counsel being present.

The Chair announced the following motion was made in closed session:

Kelly/Dorsey **moved** that the land use permit was issued consistent with past interpretation of the Town's zoning ordinance by the town's zoning administrator therefore the Town Board resolves that the land use permit is a valid permit; **motion carried** on a roll-call vote, 4-0, with Mr. Behning abstaining.

Future Agenda Items: Continue discussion for municipal water.

The next scheduled town board meeting is October 18, 2017. There being no further business, Appel/Koecher **moved** to adjourn; **motion carried** and the meeting adjourned at 8:10 p.m.

Minutes prepared by Janet Krueger, Town Clerk