

REGULAR TOWN BOARD MEETING, June 20, 2018

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, June 20, 2018, at the Town Hall. Proper notice was given as the agenda was posted at the town hall and on the town's website on June 20, 2018. Present by roll call were Chairman Frank Behning, supervisors Katie Appel, Mike Dorsey and Gary Koecher. Also present were town clerk Janet Krueger, public works employee Steve Jacobs and legal counsel Adam Jarchow. Others in attendance were Mark Adams, and Lakeland Communications representative Todd Roehm. Absent were supervisor Sharon Kelly, treasurer Maxine Spiess and zoning administrator James Alt. Koecher/Dorsey **moved** to approve the agenda; **motion carried**. Koecher/Dorsey **moved** to approve the minutes as printed for the May 16, 2018, town board meeting; **motion carried**.

No public comment was had.

Committee, Commission and Employee Reports: The treasurer's report was reviewed. Receipts for the period ending May 31, 2018, amounted to \$3,505.55, cash balance on May 31, 2018, was \$474,427.57. Appel/Dorsey **moved** to receive the treasurer's report; **motion carried**. Mr. Jacobs gave the highway report. The dump truck will be brought in to have the air suspension looked at; some damage has been done to the town road shoulders from current work in the right-of-way; and the board may want to look into trimming tree over hang along town roads this fall. It was brought to the boards attention a pile of asphalt is on the town property at 160th Avenue and 200th Street from previous road projects; an agenda item will be added next month to discuss getting rid of the asphalt. Ms. Krueger presented the clerk's report. Dorsey/Koecher **moved** to approve payment of vouchers 18-135 through 18-164 amounting to \$56,757.89; **motion carried** on a unanimous roll-call vote, 4-0. The 2018 year-to-date budget summaries were reviewed. The zoning administrator report and building permit inspection log were reviewed. There were no supervisor reports. Chairman Behning stated letters will be sent to property owners along 170th Avenue west of 200th Street informing them of the road project begin date and clearing the road right-of-way.

New Business: The second reading was had on Ordinance 18-02 amending Zoning Ordinance No. 1. Appel/Dorsey **moved** to approve Resolution 18-09; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 18-09

A RESOLUTION ADOPTING ORDINANCE 18-02 AMENDING ZONING ORDINANCE No. 1

WHEREAS the Town Board of 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 Zoning Ordinance No. 1 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 20, 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; March 15, 2017; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Zoning Ordinance No. 1, Chapter I, Administration and Enforcement, Section D and Section E to change and/or remove language relating to ordinances govern by the State and Polk County; changing the title of Section F and amend the language defining nonconforming uses and structures; and amend Section I, Chapter II and Chapter III to change language regulating transient lodging, bed and breakfast establishments, hotels and motels to conform with recent legislative changes.

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendments on May 9, 2018, the first reading of the proposed amendments was had on May 16, 2018, and a second reading was held on June 20, 2018.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 18-02 amending Zoning Ordinance No. 1; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendment; and

BE IT FURTHER RESOLVED that Ordinance 18-02 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Ordinance 18-02

AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE"

Section 1: Purpose

The purpose of this ordinance is to amend Chapter I - Administration and Enforcement, Section D – Zoning Administrator, 2. – Powers and Duties, g. – Issuance of Building and Land Use Permits with the deletion of:

(e) if a copy of a County "Land Use Permit" (required whenever the parcel in question is subject to County Shoreland Zoning, because of its proximity to a lake, stream, flood plain or wetland) is attached (if needed).

And

(h) Inclusion of a Building Permit application, if needed, shall be forwarded to the Town building inspector, who will determine the required fee and issue the building permit.

And amend Chapter I - Administration and Enforcement, Section E – Zoning and Sanitary Permits, 1 – When a Permit is Required, a. to read as follows:

- a. The Erection, Addition or Alteration of any Building, Structure or Portion thereof. Construction of any new structure or any addition to an existing structure shall require a Land Use Permit from the Town, except construction or alterations not needing a building permit per the Town building inspector do not need to obtain a land use permit. The project still must meet all the applicable requirements for obtaining a land use permit including, but not limited to, setbacks, height, and number of structures per parcel. In addition, only one (1) structure per parcel may be constructed with this exemption. ~~Construction or use on any land falling under the purview of the Polk County Shoreline Ordinance must first receive a Land Use Permit.~~

And amend Chapter I - Administration and Enforcement, Section E – Zoning and Sanitary Permits, 2 – Application for a Permit, c. to read as follows:

- c. Where a private water or sewerage system is to be installed, the application shall contain the following information in addition to that required above:
- (1) ~~Type of proposed installation. – Permit number of the county sanitary permit.~~
 - (2) ~~Name of person in charge of installation and any State license held by such person.~~
 - (3) ~~Type of occupancy, number of occupants or patrons and estimated water consumption.~~
 - (4) ~~Size and location of the proposed sewerage disposal system.~~
 - (5) ~~A sketch showing:~~
 - (a) ~~Location of lakes and wetlands within one thousand (1,000) feet and wells, streams, buildings, privies and sanitation systems within three hundred (300) feet of the proposed sewage disposal site.~~
 - (b) ~~The location of all percolation test holes and report of each test and soil boring as taken by a certified soil tester.~~
 - (c) ~~Depth to groundwater or bedrock if less than six (6) feet.~~
 - (d) ~~Slope in feet per one hundred or contour lines at two (2) foot intervals in the area of the proposed absorption field and well.~~

And amend Chapter I - Administration and Enforcement, Section F title to read as:

Nonconforming Uses **and Structures**

And amend Chapter I - Administration and Enforcement, Section F – Nonconforming Uses and Structures, 1 – General Limitations, e. to read as:

~~Maintenance and repair of nonconforming boathouses which are located below the ordinary high water mark of any navigable waters shall comply with the requirements of 30.121, Wisconsin Statutes. No expansion or alterations of a legal non-conforming structure are allowed unless the expansion or alteration conforms to the current zoning requirements.~~

And amend Chapter I - Administration and Enforcement, Section I – Special Exceptions, with the deletion of:

- ~~3. FACTORS SPECIFICALLY APPLICABLE TO SPECIAL EXCEPTIONS IN SHORELAND ZONING.
When a provision of the shoreland zoning section is involved, no special exception shall be granted by the Plan Commission without written approval of the County Zoning Administrator.~~

And amend Chapter I - Administration and Enforcement, Section I – Special Exceptions, 7 – Conditions, with the addition of:

***l – Any special exception involving transient lodging, bed and breakfast establishments, or motels or hotels shall have the owner or a designated manager within 15 miles of the proposed use.
m – Any special exception involving transient lodging, bed and breakfast establishments, or motels or hotels shall have at least 1 off-street parking space per bedroom or room to be rented.***

And amend Chapter III – General Zoning, Section C – Districts, 1 – Residential District, a. – Permitted Uses amending (3) to read as follows:

Renting a single family dwelling to a single family unit, provided there is a lease agreement of a minimum of ~~one (1) month~~ **seven (7) days** in length.

And amend Chapter III – General Zoning, Section C – Districts, 1 – Residential District, g. – Special Exceptions amending (3) to read as follows:

Renting any property, or portion of any property, as transient lodging. In this section, transient means any person residing for a continuous period of less than ~~one month~~ **seven days** in a hotel, motel or other furnished accommodations available to the public. Hotel and motel are defined in WI State Statute 77.52(2)(a)1 effective April 20, 2009.

And amend Chapter III – General Zoning, Section C – Districts, 3 – Commercial District, a. to read as follows:

- a. All new commercial development and commercial development involving a structural alteration, addition, or repair to a structure that exceeds fifty (50%) percent of the equalized assessed value of the structure over the lifetime of the structure and those that include a significant change of use except when the change of use is in an existing structure, shall be subject to the Town Commercial Design Guidelines including site plan review and shall not be allowed unless approved by the Plan Commission and by the Town Board.

Development involving aggregate structure area includes any additions plus an existing structure. The value of alterations, additions and repair work shall include the value of all labor and materials.

A significant change of use is any change of use to a use that is not a permitted use.

~~All structural alterations, additions, or repairs must comply with the current State of Wisconsin, Department of Commerce Uniform Dwelling Code for residential buildings and the State of Wisconsin, Department of Commerce Building Code for commercial buildings and with any current applicable Polk County Ordinances.~~

And amend Chapter III – General Zoning, Section C – Districts, 3 – Commercial District, with the deletion of l:

~~l-Review Process for Permitted Uses.~~

- ~~(1) Meet with the Town Zoning Administrator to review for verified compliance with ordinances, Town Commercial Design Guidelines, and any applicable regulations from both State and County agencies.~~

And amend Chapter III – General Zoning, Section C – Districts, 4 – Industrial District, with the deletion of h:

~~h-Review Process for Permitted Uses.~~

- ~~(1) Meet with the Town Zoning Administrator to review for verified compliance with ordinances, Town Commercial Design Guidelines, and any applicable regulations from both State and County agencies.~~

And amend Chapter III – General Zoning, Section C – Districts, 5 – Transition District, f- Special Exceptions, with the addition of:

(18) Renting any property, or portion of any property, as transient lodging. In this section, transient means any person residing for a continuous period of less than seven days in a hotel, motel or other furnished accommodations available to the public. Hotel and motel are defined in WI State Statute 77.52 (2)(a)1 effective April 20, 2009.

Section 2: Effective Date

This ordinance shall take effect from and after its passage, Polk County Board of Supervisors approval and legal publication.

Chairman Behning presented an ordinance entitled “Appointment of Town Treasurer” and the first reading was had. Dorsey/Koecher **moved** to adopt Resolution 18-10 approving beer and alcohol licenses; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 18-10

A RESOLUTION APPROVING ALCOHOL BEVERAGE LICENSES FOR THE YEAR ENDING JUNE 30, 2019

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, 2019; 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 13, 2018, and was posted in the three designated locations in the Town on June 11, 2018, 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, 2019, 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 2019-01

DANCING DRAGONFLY, LLC, a limited liability company, dba Dancing Dragonfly Winery, April J. Hershfield-Johnson, agent, for a Combination “Class B” beer and wine only license, SE ¼ Section 34, 2013 120th Avenue, St. Croix Falls, WI 54024. BLB 2019-02

CR CONVENIENCE, INC., a corporation dba CR Convenience Inc., Arlen 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 2019-01

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 2019-02

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

Koecher/Dorsey **moved** to adopt Resolution 18-11 approving cigarette and tobacco licenses; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 18-11

A RESOLUTION APPROVING CIGARETTE AND TOBACCO LICENSES FOR THE YEAR ENDING JUNE 30, 2019

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, 2019; 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., ARLEN R RUD, AGENT, 1961 US HWY 8, ST. CROIX FALLS WI 54024, 715-483-1816 ,004-0000028006-03, 39-2026833, 2019-01, 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, 2019-02, 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, 2019-03, Bar NO

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

Legal counsel advised the board that due to certain convictions one of the operator license applicants has prevents the town board from issuing a operator license per Wisconsin Statute 125. Dorsey/Koecher **moved** to amend Resolution 18-12 by striking Jennifer Langermann's name from the resolution; **motion carried** on a unanimous roll-call vote, 4-0. Koecher/Appel **moved** to adopt Resolution 18-12 as amended approving operator licenses; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 18-12

A RESOLUTION APPROVING OPERATOR'S LICENSES FOR THE YEAR ENDING JUNE 30, 2019

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, 2019, 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 St., St. Croix Falls, WI 54024, 2019-01

Bluhm, Christine Marie 92 N Mississippi River Blvd, St. Paul, MN 55104, 2019-02

Bluhm, William F. 92 N Mississippi River Blvd, St. Paul, MN 55104, 2019-03

Brown, Courtney Lynn 1903 275th Ave., Luck, WI 54583, 2019-04

Buffington, Carrie Ann 810 Oregon St., St. Croix Falls, WI 54024, 2019-05

Cain, Darla J. 718 100th St., Amery, WI 54001, 2019-06

Carlson, Jacqueline Nanette 22650 Lang Rd, Grantsburg, WI 54840, 2019-07

Carroll, Laura Jean 697 180th St., Osceola, WI 54020, 2019-08

Cassellius, Keven J. 1953 US Hwy 8, St. Croix Falls, WI 54024, 2019-09

Cassellius, Mary T. 1953 US Hwy 8, St. Croix Falls, WI 54024, 2019-10

Christensen, Jordan Lee 220 First Ave. Apt #5, Milltown, WI 54858, 2019-11

Collier, Judy M. 629 105th St., Amery, WI 54001, 2019-12

Costello, Chyleen Blu 1558 230th Ave., Milltown, WI 54858, 2019-13

DeSpiegelaeere, Mathew Phillip 324 Polk Pkwy, St. Croix Falls, WI 54024, 2019-14

Draves, Jason H. 1495 State Rd 35N Apt #1, St. Croix Falls, WI 54024, 2019-15

Duncanson, Benjamin A. 226 State St. E., Dresser, WI 54009, 2019-16

Eldridge, Corinne Georgette 234 Harriman St., Somerset, WI 54025, 2019-17

Falck, Korrin E. 2265A 80th St., Luck, WI 54853, 2019-18

Fox, Lori Jean 2188 100th Ave., Dresser, WI 54009, 2019-19

Gillitzer, Cheryl 2673 120th St., Luck, WI 54853, 2019-20

Grant, Jennifer A. 25561 Forest Blvd Ln, Wyoming, MN 55092, 2019-21

Hershfield-Johnson, April J. 1882 275th Ave., Luck, WI 54853, 2019-22

Hinz, Heather Lee 1543 10th Ave., Star Prairie, WI 54026, 2019-23

Iallonardo-Taylor, Dawn M. 23395 Nyren Rd., Siren, WI 54872, 2019-24

Jensen, Patricia Jane 403 Pine Ct., St. Croix Falls, WI 54024, 2019-25

Johnson, Cassandra Anne 106 East Ave N., PO Box 255, Dresser, WI 54009, 2019-26

Kerfeld, Paige M. 319 Simonson Rd Apt 4, PO Box 839, St. Croix Falls, WI 54024, 2019-27
Klevgard, Sally Ann 153 Hyland St., Amery WI 54001, 2019-28
Klink, Roxanne Kay 2998 Logging Creek Trl., Grantsburg, WI 54840, 2019-29
Kosloski, Jennica Lee 7646 Luverne Rd., Siren, WI 54872, 2019-30
Leach, Ryan S. 290 Zindans St. Apt. #212, Osceola, WI 54020, 2019-31
Linngren, Jason Robert 113 Michigan Ave., PO Box 343, Centuria, WI 54824, 2019-32
Livingston, Jaraldine R. 23040 Gardner Rd, Grantsburg, WI 54840, 2019-33
Loken, Robin Ann 1627 160th Street, Centuria, WI 54824, 2019-34
Manning, Lynelle J. 62 Bankd St., Milltown, WI 54858, 2019-35
Mester, Zoie, Faye 145 Prentice St. S., PO Box 332, Clayton, WI 54004, 2019-36
Mewes, Karissa Danielle 1341 220th Ave., New Richmond, WI 54017, 2019-37
Mitchell, Paul Lane 1627 160th St., Centuria, WI 54824, 2019-38
Nelson, Kori McKinney 248 Harrison Ave., Amery, WI 54001, 2019-39
Olson, Sydney Ann 20640 Lehmicke Ln, Luck, WI 54853, 2019-40
Redmond, Jessica Sun 1326 208th St. #1, St. Croix Falls, WI 54024, 2019-41
Robinson, Alyssa Cecelia 2509 Cowern Pl E., North St. Paul, MN 55109, 2019-42
Rose, Tiffany Amber 300 West Main St., BL, PO Box 225, Milltown, WI 54858, 2019-43
Ryan, Kelsey Lynn 29257 Morningside Crt., Lindstrom, MN 55045, 2019-44
Shilson, David Marshall 608 River Rd, Osceola, WI 54020, 2019-45
Sigsworth, Cheyanne Storm 898 165th Ave., Balsam Lake, WI 54810, 2019-46
Stencil, Gail Lynne 2524 170th St., PO Box 414, Luck, WI 54853, 2019-47
Walter, Ronald Wayne 686 250th St., Osceola, WI 54020, 2019-48
Warner, Joseph 1251 211th St. #2, St. Croix Falls, WI 54024, 2019-49
Wojchik, Kimberly Ann 871 110th St., Amery, WI 54001, 2019-50
Zganjar, Laurie Ann 855 River Street, Taylors Falls, MN 55084, 2019-51
Michel, Sandra D. 1804 US Hwy 8 #2, St. Croix Falls, WI 54024, 2019-52
BE IT FURTHER RESOLVED that the Town Clerk be authorized to issue the licenses as the case may be.

Koecher/Dorsey **moved** to adopt Resolution 18-13 appointing Dave Robinson to the town plan commission; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 18-13

A RESOLUTION APPOINTING DAVE ROBINSON TO THE PLAN COMMISSION FOR THE TOWN OF ST. CROIX FALLS

WHEREAS the term of office for Dave Robinson and Al Frokjer "regular members" of the Plan Commission for the Town of St. Croix Falls expires as of June 30, 2018; and

WHEREAS Al Frokjer notified the Town Chairperson that he wished to resign his position on the Town's Plan Commission; and

WHEREAS the Town Chairperson has re-nominated Dave Robinson as a "regular member" to the plan commission for a three year term expiring June 30, 2021.

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

Dave Robinson as a regular member with a term ending June 30, 2021; and

BE IT FURTHER RESOLVED that these terms begin July 1, 2018.

Appel/Dorsey **moved** to amend Resolution 18-14 by striking Renee Ryan's name from the resolution; **motion carried** on a unanimous roll-call vote, 4-0. Appel/Koecher **moved** to adopt Resolution 18-14 as amended appointing Leslie Jaroscak to the town's board of appeals; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 18-14

A RESOLUTION APPOINTING LESLIE JAROSCAK TO THE BOARD OF APPEALS FOR THE TOWN OF ST. CROIXFALLS

WHEREAS, the terms of office for Leslie Jaroscak "regular member" and Renee Ryan "regular member" expires June 30, 2018, for the Board of Appeals for the Town of St. Croix Falls; and

WHEREAS, the Town Chairperson has re-nominated Leslie Jaroscak to fill the "regular member" position.

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

Leslie Jaroscak as a regular member with a term ending June 30, 2021; and

BE IT FURTHER RESOLVED that these terms begin July 1, 2018.

Discussion was had regarding the need for part time helper for Mr. Jacobs. Board members will contact a couple individuals who might be interested. Discussion was had regarding the boulders on the town property at 160th Avenue and 200th Street. Board consensus was to direct Mr. Jacobs to use the boulders to create a parking area for the Gandy Dancer Trail which adjoins the town's property. Lakeland Communication representative Todd Roehm was present to discuss potential broadband expansion into the

town.

Closing public comment: Mark Adams requested his special exception be placed on the plan commission agenda.

Future agenda items: second reading of ordinance entitled "Appointment of Town Treasurer"; consider and approve process to give/sell asphalt that is located on the town's property; "Agreement Letter" with Lakeland Communications; and board of appeals and plan commission appointments.

There being no further business, Koecher/Appel **moved** to adjourn the meeting; **motion carried** and the meeting was adjourned at 7:29 p.m.

Minutes prepared by Janet Krueger, town clerk.