

## REGULAR TOWN BOARD MEETING, July 18, 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, July 18, 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 July 13, 2018, and the amended agenda was posted at the town hall and on the town's website on July 17, 2018. 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 Jim Alt, public works employee Steve Jacobs and legal counsel Adam Jarchow. Others in attendance were Rhonda Anderson, Mark Adams, and state assembly representative candidate Kim Butler. Dorsey/Kelly **moved** to approve the agenda; **motion carried**. Koecher/Dorsey **moved** to approve the minutes as printed for the June 20, 2018, town board meeting; **motion carried**.

Public comment: Candidate for State Assembly Representative Kim Butler introduced herself and outlined her interests and goals if elected State Assembly Representative for District 28.

Committee, Commission and Employee Reports: Ms. Spiess gave the treasurer's report. Receipts for the period ending June 30, 2018, amounted to \$3,202.90, cash balance on June 30, 2018, was \$425,263.93. Dorsey/Kelly **moved** to receive the treasurer's report; **motion carried**. Mr. Jacobs gave the highway report. Mr. Jacobs stated the dump truck continues to need mechanical repair as new issues continue to arise; the 170<sup>th</sup> Avenue road work project has begun; Monarch hopes to be in town on July 24<sup>th</sup>; and the second round of mowing will begin shortly. Chairman Behning directed Mr. Jacobs to look into estimated costs for herbicide services to treat invasive plants along roadsides. Ms. Krueger presented the clerk's report. Kelly/Koecher **moved** to approve payment of vouchers 18-165 through 18-185 amounting to \$19,456.47; **motion carried** on a unanimous roll-call vote, 5-0. The 2018 year-to-date budget summaries were reviewed. Mr. Alt gave the zoning administrator report and stated one of the special exception applicants with a hearing scheduled at the plan commission meeting did not show. The zoning enforcement log and land use permit log were reviewed. There were no supervisor reports. Chairman Behning stated the town has been notified of two upcoming public hearings being held by Polk County: July 25, 2018, 9:30 a.m. amendments to Polk County Comprehensive Land Use, Lower St. Croix Riverway, Board of Adjustment Procedures, and Shoreland Protection Zoning Ordinance; and August 7, 2018, 6:00 p.m. proposed ordinance entitled "Polk County Uniform Rural Addressing and Road Numbering Ordinance.

New Business: Mr. Alt presented a special exception application to operate a recycling business at 1930 US Highway 8. One of the conditions recommended by the plan commission was removal of the off-premise sign for Balsam Lake hotel which Chairman Behning stated has been removed. Dorsey/Koecher **moved** to adopt Resolution 18-15 granting a special exception to Rhonda Anderson to operate a recycling business in the commercial district; **motion carried** on a unanimous roll-call vote, 5-0.

### Resolution 18-15

#### A RESOLUTION GRANTING A SPECIAL EXCEPTION TO RHONDA ANDERSON TO OPERATE A RECYCLING BUSINESS IN THE COMMERCIAL DISTRICT

WHEREAS Rhonda Anderson filed an application with the Town of St. Croix Falls Zoning Office to operate a recycling business at 1930 US Highway 8, located in the NW ¼ of NE ¼ of Section 35, T34N, R18W, and identified as Tax Parcel No. 044-00964-0100, and

WHEREAS Chapter III, Section C, 3. Commercial District, c. (2) any use in the commercial district not listed as a permitted use requires a Special Exception; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on July 11, 2018, for the special exception with conditions to operate a recycling business in the NE ¼ of Section 35.

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 Rhonda Anderson to operate a recycling business at 1930 US Highway 8, located in the NW ¼ of NE ¼ of Section 35 and identified as tax parcel #044-00964-0100 subject to the following conditions:

1. The business will be on a three year probationary period during which any complaint will lead to an automatic review of the special exception and/or conditions by the Plan Commission and/or Town Board.
2. There will be not outside storage of recycling materials.
3. The property will be available to be inspected by Town officials for compliance during regular business hours.

4. The off premises sign for the Balsam Lake hotel shall be removed before the special exception will become effective.
5. The special exception shall terminate upon sale or transfer of ownership of either the business or the parcel of the land the business is on.
6. The business shall obtain and maintain all proper licenses and permits. The special exception shall be invalid if a necessary license or permit is not held.
7. If the special exception is revoked the applicant cannot reapply for the use for two years from time of revocation.  
 BE IT FURTHER RESOLVED that this special exception is conditioned on the applicants obtaining the necessary and required permits, if any, from Polk County and various agencies of the State of Wisconsin, 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.

Ordinance 18-03 entitled "Appointment of Town Treasurer" was presented and the second reading was had. Appel/Dorsey **moved** to approve Resolution 18-16 adopting Ordinance 18-03; **motion carried** on a unanimous roll-call vote, 5-0.

### Resolution 18-16

#### A RESOLUTION ADOPTING ORDINANCE 18-03 ENTITLED "APPOINTMENT OF TOWN TREASURER"

WHEREAS the Town Board of the Town of St. Croix Falls believes it to be in the best interest of the citizens of the Town that the office of Town Treasurer be filled by appointment; and

WHEREAS Wis. Stat. 60.30(1e) (a) permits a town board to appoint the town treasurer if the ordinance permitting the change to an appointed town treasurer is approved by referendum of the electors of the town; and

WHEREAS the Town Board has had the two required readings of proposed Ordinance 18-03 entitled "Appointment of Town Treasurer".

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby create and ordain Ordinance 18-03 entitled "APPOINTMENT OF TOWN TREASURER"; and

BE IT FURTHER RESOLVED that Ordinance 18-03 become effective upon approval of the required referendum at the Fall General Election to be held on the first Tuesday of November 2018; and

BE IT FURTHER RESOLVED that Ordinance 18-03 be included in the Code of Ordinances for the Town of St. Croix Falls; and

BE IT FURTHER RESOLVED that the first appointment under terms of Ordinance 18-03 becomes effective on the third Tuesday of April 2019.

### Ordinance 18-03

#### ORDINANCE No. 18-03 APPOINTMENT OF TOWN TREASURER

The Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby ordain as follows:

That, pursuant to Wis. Stat. § 60.30(1e)(a), the office of the town treasurer shall be filled by appointment of a majority of the members-elect of the town board.

The term of office for the appointed position shall be set by town board, but may not exceed three (3) years per § 60.30 (1e)(c). The town board may re-appoint the officer for additional terms. However, removal by the town board during a given term of office may only be for "cause" as defined under § 60.30 (1e)(f).

This ordinance is subject to approval by the town electors in a referendum, which is hereby called by the Town Board to be held on November 6, 2018, general election.

The referendum question shall be:

"Shall the person holding the office of town treasurer in the Town of St. Croix Falls be appointed by the town board?"

The salary of the appointed position shall be set by the town board and may not be reduced during the term of office.

This ordinance shall be in full force and effect from and after the date of its town board passage, notice after passage per § 60.30 (1e)(b).

Dorsey/Kelly **moved** to adopt Resolution 18-17 approving a Class "B" fermented malt beverage license for the year ending June 30, 2019; **motion carried** on a unanimous roll-call vote, 5-0.

### Resolution 18-17

#### A RESOLUTION APPROVING CLASS "B" FERMENTED MALT BEVERAGE LICENSE FOR THE YEAR ENDING JUNE 30, 2019

WHEREAS the following corporation listed below has made application to the Town Clerk requesting a Class "B" licenses pursuant to Chapter 125 of the Wisconsin Statutes for the year ending June 30, 2019; 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 July 11, 2018, and was posted on the town's website and at the town hall on July 6, 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 a Class "B" fermented malt beverage license for the year ending June 30, 2019, to the following corporation:

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 2019-01

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

Appel/Koecher **moved** to adopt Resolution 18-18 approving a cigarette and tobacco license for the year ending June 30, 2019; **motion carried** on unanimous roll-call, 5-0.

**Resolution 18-18**

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

WHEREAS the corporation listed below has 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 application appears 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 a cigarette and tobacco license to the named corporation as follows:

RIVARDS OF TAYLORS FALLS **DBA** ST. CROIX OUTDOORS, TODD ANGEL, AGENT, 1298 198<sup>th</sup> STREET, ST. CROIX FALLS WI 54024, 715-483-9515, 456-0000200113-03, 41-1553106, 2019-04, Bar NO

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

Appel/Kelly **moved** to adopt Resolution 18-19 to approve additional operator licenses for the year ending June 30, 2019; **motion carried** on a unanimous roll-call vote, 5-0.

**Resolution 18-19**

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

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, 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:

Cross, Jordan A. 463 Lookout Lane, St. Croix Falls, WI 54024, 2019-53

Gutzmer, Megan A. 2083 285<sup>th</sup> Avenue, Frederic, WI 54853, 2019-54

Richardson, Jamison A. 2023 10<sup>th</sup> Avenue, Star Prairie, WI 54026, 2019-55

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

No action was taken on Resolution 18-20 appointing a plan commission member. Dorsey/Koecher **moved** to adopt Resolution 18-21 amending the Town's schedule of fees with the insertion of two hundred fifty dollars (\$250) for the double xx's; **motion carried** on a unanimous roll-call vote, 5-0.

**Resolution 18-21**

A RESOLUTION AMENDING THE SCHEDULE OF FEES  
FOR THE TOWN OF ST. CROIX FALLS

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 Board on March 16, 2011, by means of Resolution 11-05 did adopt an ordinance entitled "Fee Ordinance for the Town of St. Croix Falls"; and

WHEREAS the Town Board wishes to act in good order for the health, safety, and welfare of the public by establishing a schedule of fees.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby create a fee schedule entitled:

**SECTION 1 – Fees**

The following Fees are established for use with permits, licenses, etc. issued in accordance with ORDINANCE No. 11-03 Relating to Fees for the Town of St. Croix Falls.

All fees are due at the time of application unless otherwise noted.

**Ordinance Title or**

**Category**

**Permit, Application, or Procedure**

**Fee**

Zoning Ordinance

Land Use Permit

\$50

Sign Permit

\$25

Special Exception Application	\$250 <b><i>\$250 Fee for an additional Public Hearing because Applicant failed to appear at the originally scheduled Hearing.</i></b>
Variance Application	\$250
Zoning Map Amendment (re-zone)	\$250
Request for special meeting of Town Board or Plan Commission	\$250 per meeting
Building Permit	\$50 at the time of the application, remainder of the fee when the permit is signed for.

Building Code Ordinance #11-11

Building Permit Fees:

One- and Two-Family Dwellings, Sheds, Structures, Additions & Alterations

\*Valuation is based on the Cost Table published by the ICC

Total Valuation	Fee (subject to minimums below)
up to \$2000	\$15 plus \$1.67 per \$100 over \$500
\$2,001 to \$25,000	\$40 plus \$7.60 per \$1000 over \$2000
\$25,001 to \$50,000	\$215 plus \$4.20 per \$1000 over \$25,000
\$50,001 to \$100,000	\$320 plus \$3.20 per \$1000 over \$50,000
\$100,000 to \$500,000	\$480 plus \$2.42 per \$1000 over \$100,000
\$500,001 to \$1,000,000	\$1450 plus \$2.15 per \$1000 over \$500,000
over \$1,000,000	\$2525 plus \$1.38 per \$1000 over \$1,000,000

All fractions are charged at the full incremental rate.

No Permit Required for Re-Siding, Re-Shingling, Replacing same size windows or Cabinets.

Other Inspection Fees:

For items not covered by the square footage valuation, Fee will be based on contractor cost.

Plan Review	15% of plan fee
Additional plan review from changes and additions	\$50
Inspection outside normal business hrs	\$50
Reinspection	\$50
Inspection with no specified category	\$50
Erosion control permit	\$50
State UDC Seal	\$30 (or current fee)
Administrative Fee	20% of Permit Fee, Maximum \$50

Driveway Ordinance	Driveway Permit	\$75
Subdivision Ordinance	Plan Commission Hearing Fee for Preliminary and Final Plat	\$100 for each hearing, due before hearing is scheduled
	Minor Subdivision Review Fees	1 lot, \$500, 2 or more lots \$750, plus a \$50 per lot Town administrative fee
	Major Subdivision Review Fees	Concept Plan Review \$500 Preliminary Plat Review \$1000 plus \$25 per lot Final Plat Review \$300
	Parkland Dedication (major or minor subdivision)	\$350 per lot created
	Map Updating Fee (for any subdivision or change of lot lines)	\$50 per lot created or changed
Temporary Vendor Ordinance	Temporary Vendor Permit	\$5
Fire Inspection Cooperation	Inspection Fees	First Inspection: Written Request to Comply Second Inspection: \$50 Fee Subsequent Inspections: \$50
Regulation of Motor Vehicle Races & Other Motor Vehicle Performance Events	Race Track/Event License	\$100
Licenses (yearly unless otherwise noted)	Liquor Licenses / Beer Licenses	According to Chapter 125 WI Statutes (2009-2010)
	Cigarette & Tobacco License	According to Chapter 134.65 WI Statutes (2009-2010)
	Operators Licenses (bartenders license)	According to Chapter xxx WI Statutes (2009-2010)
	Pawn Shop	According to Chapter 134.71 WI Statutes (2009-2010)
	Secondhand Article Dealer	According to Chapter 134.71 WI Statutes (2009-2010)
	Secondhand Jewelry Dealer	According to Chapter 134.71 WI Statutes (2009-2010)

	Secondhand Article Dealer Mall or Flea Market License	According to Chapter 134.71 WI Statutes (2009-2010)
	Dog License	\$5 if spayed or neutered, \$10 if not spayed or neutered. \$50 for a kennel license (12 dogs), \$5 a dog for every dog more than 12.
	Sexually Orientated Business License	\$250 Original and renewal
Miscellaneous Fees	Copies	\$.25 per page
	Public Notices (For notices not included in application fees for zoning requests).	\$25
	Audio Files	\$5

BE IT FURTHER RESOLVED that this schedule replaces any past fee schedules and shall become effective upon passage and posting thereof.

Discussion was had and no action was taken regarding the Wisconsin Towns Association's request for towns to consider passing a resolution asking the Legislature and Governor to finally fix the transportation dilemma. Discussion was had regarding a part-time highway maintenance helper. Consensus of the board was to have Supervisor Appel reach out to a couple applicants and bring back recommendation to a future town board meeting. A public-private partnership agreement from Lakeland Communications was reviewed. Supervisor Dorsey will work with legal counsel on revisions to the agreement. Consensus of the town board was to direct Mr. Alt to contact the adjoining property owner of the town's parcel located on 160<sup>th</sup> Avenue and 200<sup>th</sup> Street regarding potential acquisition of a portion of the town's property contingent upon elector approval. The clerk presented a resolution scheduling a referendum on the appointment of town treasurer. Dorsey/Koecher **moved** Resolution 18-23 scheduling the referendum; **motion carried** on a unanimous roll-call vote, 5-0.

### Resolution 18-23

#### A RESOLUTION SCHEDULING A REFERENDUM ON THE APPOINTMENT OF TOWN TREASURER

WHEREAS the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, did on July 18, 2018, adopt Ordinance 18-03 calling for the appointment of the town treasurer; and

WHEREAS Wis. Stat. 60.30(1e) (b) requires the approval of the ordinance by referendum called by the town board.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, calls a referendum on the Ordinance to be held at the Fall 2018 General Election, that being November 6, 2018; and

BE IT FURTHER RESOLVED that the referendum question shall read:

"Shall the person holding the office of town treasurer in the Town of St. Croix Falls be appointed by the town board?"

Closing public comment: Kim Butler stated Lakeland Communications just placed fiber in the Town of Milltown and she never dealt with the Milltown Town Board. It was Lakeland Communications and a third party that reached out to property owners. There was no cost to bring the fiber to the house but a bill was received showing the expense to Lakeland Communications for the installation. If property owners refused to have the service brought to their house at this time and requested the fiber at a later date the property owner would be charged something like \$15.00 per foot. The lake property owners were strongly encouraged to install the fiber to the house while Lakeland Communications was in the area if not just for the benefit to future sale of the property. Mark Adams stated he also lived in an area covered by Lakeland Communications and stated they also brought the service in for free. Mr. Adams suggested the town axe a lot of the language in the agreement and just stay out of it. Lakeland knows what they are doing and don't need you to do it and it will alleviate problems for this board to stay out of it.

Future agenda items: Supervisor Dorsey requested the town consider enforcement for condemned buildings.

There being no further business, Kelly/Koecher **moved** to adjourn the meeting; **motion carried** and the meeting was adjourned at 7:43 p.m.

Minutes prepared by Janet Krueger, town clerk.