

REGULAR TOWN BOARD MEETING, December 21, 2016

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman James Beistle at 6:00 p.m. on Wednesday, December 21, 2016, at the Town Hall. Proper notice was given as the agenda was posted at the Town Hall and on the Town's website on December 16, 2016. Present by roll call were Chairman James Beistle, supervisors Frank Behning, 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 Malia Malone, Bing Ellingworth and Laura Baker. Behning/Kelly **moved** to adopt the agenda with the Chairman's discretion to move items as needed; **motion carried**. Kelly/Koecher **moved** to approve the meeting minutes as printed for the November 16, 2016, town board meeting; **motion carried**.

Public comment: Ms. Malone presented a campaign brochure and introduced herself and stated she is running for Polk County Circuit Court Judge Branch 1.

Committee, Commission and Employee Reports: Ms. Spiess presented the treasurer's report. Receipts for the period ending November 30, 2016, amounted to \$12,560.50; cash balance on November 30, 2016, was \$329,332.80. Kelly/Koecher **moved** to receive the treasurer's report; **motion carried**. Mr. Hein gave the highway report. Mr. Hein stated a rod in the mower for the one ton sander broke and was replaced under warranty at Jeff's Small Engine; and informed the Board there has been an issue with getting sand/salt from Polk County Highway Department due to no one available at the site to load due to the Counties limited hours. Supervisor Dorsey asked if the Town has a policy regarding the purchase of highway safety clothing. Mr. Hein was asked to replace the highway safety vests with high visible reflectivity vests. Kelly/Behning **moved** to receive the highway report; **motion carried**. Ms. Krueger presented the clerk's report. Kelly/Behning **moved** to approve payment of vouchers 16-302 through 16-332 amounting to \$18,316.75; **motion carried** on a unanimous roll-call vote, 5-0. The 2016 year-to-date budget summaries were reviewed. Mr. Alt gave the zoning administrator's report and stated he is currently working with a minor subdivision applicant and a special exception applicant. Mr. Alt stated the plan commission will continue working on the race track ordinance and language regarding signs in the zoning ordinance. Kelly/Dorsey **moved** to receive the zoning administrator report; **motion carried**. No supervisor reports were given. Chairman Beistle informed the Board he and Mr. Alt had met with a new property owner off 170th Avenue and stated the Town will need to improve 170th Avenue to allow emergency vehicle access to the back parcels.

New Business: Mr. Alt explained the need for the special exception for a restaurant was due to the building size and not for the business itself. Dorsey/Koecher **moved** to adopt Resolution 16-38 granting a special exception to operate a restaurant in the commercial district; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-38

A RESOLUTION GRANTING A SPECIAL EXCEPTION

TO JORDAN CROSS TO OPERATE A RESTAURANT IN THE COMMERCIAL DISTRICT

WHEREAS Jordan Cross, owner, filed an application with the Town of St. Croix Falls Zoning Office to operate a restaurant at 2109 US Highway 8, located in the SE ¼ of the SE ¼ of Section 28, T34N, R18W, and identified as Tax Parcel No. 044-00796-0000, and

WHEREAS Chapter III, Section C, 3. Commercial District, c. (1) requires a special exception for permitted uses with aggregate structure area over 10,000 square feet; and

WHEREAS Chapter I, Section I, 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 December 14, 2016, to allow operation of a restaurant with conditions in the SE ¼ of Section 28;

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 Jordan Cross

for the operation of a restaurant at 2109 US Highway 8, located in the SE ¼ Section 28, T34N, R18W, and identified as tax parcel No. 044-00796-0000 with the following conditions:

1. The business will follow all laws and obtain and maintain all proper permits;
2. The special exception shall terminate upon the sale or transfer of ownership of either the parcel of land or the business itself; and
3. There will be a one year review period during which any complaint against the business will mandate a review of the special exception permit and/or conditions by the Plan Commission and/or Town Board.

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 informed the Board that Wild Rivers Habitat for Humanity Restore had made application to continue recycling at their US Highway 8 location. Dorsey/Behning **moved** to adopt Resolution 16-39 extending the amendment to Habitat for Humanity's Special Exception to include recycling and outdoor merchandise; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-39

A RESOLUTION EXTENDING THE AMENDMENT TO HABITAT FOR HUMANITY'S SPECIAL EXCEPTION TO INCLUDE RECYCLING & OUTDOOR MERCHANDISE

WHEREAS Habitat for Humanity was granted a special exception (Resolution 11-01) to operate a secondhand retail business in the commercial district on February 16, 2011, and granted an amendment to include recycling and outdoor storage (Resolution 13-49); and

WHEREAS Habitat for Humanity filed a request to extend the amendment (that expires December 31, 2016) to their special exception with the Town of St. Croix Falls Zoning Office to allow outdoor merchandise after hours and recycling at their secondhand retail business located at 2201 US Highway 8, in the SE ¼ of Section 29, T34N, R18W, and identified as Tax Parcel No. 044-00819-0000; and

WHEREAS the Plan Commission did conduct a public hearing on the amendment request on December 14, 2016, and recommended approval of the amendment to Habitat for Humanity's special exception to allow outdoor merchandise after hours and recycling at their secondhand retail business in the SE ¼ of Section 29.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby grant extending the amendment to Habitat for Humanity's special exception to operate a secondhand retail business in Section 29 subject to the following conditions:

1. There will be a one year probationary period during which any complaints arising from the new request will lead to a review of the permit by the Plan Commission and/or the Town Board, which could lead to the changing of the conditions or revocation of the permit; and
2. The recycling area must be screened from visibility from public roads using privacy fence.

BE IT FURTHER RESOLVED that this amendment is in addition to Resolution 11-01; and

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.

Discussion was had on setting a date for the 2017 Caucus. Behning/Kelly **moved** to adopt Resolution 16-40 setting Wednesday, January 11, 2017, 8:00 p.m. for the 2017 Town Caucus; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 16-40

A RESOLUTION SETTING THE DATE, TIME, AND LOCATION OF THE 2017 TOWN CAUCUS FOR THE TOWN OF ST. CROIX FALLS.

WHEREAS, the Town of St. Croix Falls uses the caucus method of nominating candidates to be placed on the Spring 2017 Election ballot, and

WHEREAS, Wisconsin Statutes requires the Town Board between December 1, 2016, and January 1, 2017, preceding this election to set the date, time, and location of the caucus and that the date set for the caucus be no sooner than January 2 and no later than January 21;

THEREFORE BE IT RESOLVED, that the 2017 caucus to nominate candidates for the 2017 Spring Election be held as follows:

Day: Wednesday
Date: January 11, 2017
Time: 8:00 p.m.
Town Hall

Legal counsel Gary Bakke drafted a Fire Inspection Ordinance for review. Discussion was had and a revised ordinance will be presented next month.

No closing public comment was had.

There being no further business, Dorsey/Behning **moved** to adjourn; **motion carried** and the meeting adjourned at 7:21 p.m.

Minutes prepared by Janet Krueger, Town Clerk