

REGULAR TOWN BOARD MEETING, February 20, 2019

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, February 20, 2019, at the Town Hall. Proper notice was given as the agenda was posted at the town hall and on the town's website on February 14, 2019. The Pledge of Allegiance was said. Present by roll call were Chairman Frank Behning, supervisors Katie Appel, Mike Dorsey and Sharon Kelly. Supervisor Gary Koecher and treasurer Maxine Spiess were absent. Also present were town clerk Janet Krueger and zoning administrator Jim Alt. Others in attendance were Erin Waller, Eric Ackerman, Mark Adams and Steve Palmer. Appel/Kelly **moved** to approve the agenda; **motion carried**. Dorsey/Appel **moved** to approve the minutes as printed for the January 16, 2019, town board meeting; **motion carried**.

Public comment: Mr. Palmer stated that he has no issue with the business owners involved with the recent complaints that have or will be submitted but takes issue with the town and the town's enforcement of the town's ordinances and hopes the businesses do well. Mr. Palmer stated there are always people who avoid following ordinances and usually the municipality catches up with them and the ordinances are enforced. Mr. Palmer has never run into a municipality like the Town of St. Croix Falls which seems to pick and choose which ordinances to follow. The town does much more damage to the businesses that try to follow the ordinances than to the businesses that try to cut corners, especially when the ordinances are not applied equally to businesses. Mr. Palmer asked why are some businesses told they do not need a building permit when one is needed or did not get a permit when needed, or a permit is issued without state approved plans, or not built to design guidelines; why are land use applications allowed to be submitted without setbacks and documentation; and why are special exception applications accepted without site and facility plans being submitted? Mr. Palmer asked if state approved plans have been received for the building the special exception on the agenda tonight will be occupying and if a site plan and facility plan were submitted with the special exception application?

Committee, Commission and Employee Reports: The treasurer's report was reviewed. Receipts for the period ending January 31, 2019, amounted to \$783,369.68, cash balance on January 31, 2019, was \$1,076,827.09. Appel/Kelly **moved** to receive the treasurer's report; **motion carried**. Chairman Behning gave the highway report. Ms. Krueger presented the clerk's report. Dorsey/Kelly **moved** to approve payment of vouchers 19-025 through 19-054 amounting to \$1,013,786.53; **motion carried** on a unanimous roll-call vote, 4-0. The 2019 year to date budget summaries were reviewed. No building inspections have taken place for 2019 and the building permit log was reviewed. Mr. Alt gave the zoning administration report. A public hearing on the zoning amendments will be held at next month's planning commission meeting. Appel/Dorsey **moved** to purchase a new lap top for the zoning office with the purchase not to exceed eight hundred dollars (\$800.00); **motion carried** on a unanimous roll-call vote, 4-0. There were no supervisor or chairman reports.

New Business: Mr. Alt presented a special exception request to operate a tattoo shop at 1982 US Highway 8. Kelly/Dorsey **moved** to adopt Resolution 19-05 granting a special exception to Eric Ackerman and Erin Waller to operate a tattoo shop at 1982 US Highway 8; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 19-05

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO ERIC ACKERMAN AND ERIN WALLER TO OPERATE A TATTOO SHOP IN THE COMMERCIAL DISTRICT

WHEREAS Eric Ackerman and Erin Waller filed an application with the Town of St. Croix Falls Zoning Office to operate a tattoo shop at 1982 US Highway 8, located in the NW ¼ of NW ¼ of Section 35, T34N, R18W, and identified as Tax Parcel No. 044-00978-0000, and

WHEREAS Chapter III, Section C, 3. Commercial District, c. (3) changes of use in non-conforming structures or property and Chapter III, Section C, 3. Commercial District, c (18) requires a Special Exception; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on February 13, 2019, for the special exception with conditions to operate a tattoo shop in the NW ¼ of NW 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 Eric Ackerman and Erin Waller to operate a tattoo shop at 1982 US Highway 8, located in the NW ¼ of NW ¼ of Section 35 and identified as tax parcel #044-00978-0000 subject to 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.
3. The Business will obey all laws and maintain all proper licenses and permits, including the potential need to comply with the Commercial Design Guidelines.
4. The Special Exception permit is contingent on Town receipt of a change of use permit or a written statement from the building inspector confirming occupation and use of the property.

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.

Amendments to the town's zoning ordinance were reviewed and the first reading of Ordinance 19-02 was had. The clerk presented the 2018 Financial Statement. Kelly/Appel **moved** to receive the Financial Statement for 2018; **motion carried.**

2018 Financial Statement

BALANCE ON HAND JANUARY 1, 2018

General & Interest-Bearing Checking Accounts	\$1,076,820.73	
Certificates of Deposits (Highway Equipment)	\$127,087.24	
TOTAL CASH AND INVESTMENTS JANUARY 1, 2018		\$1,203,907.97

2018 REVENUES

TAXES:

Tax Collections from Tax Payers (Dec 2017 & January 2018)	\$1,807,258.36	
Lottery Credit on Tax Roll	\$4,640.59	
Tax Roll Settlement from County (August)	\$136,905.63	
Annexed Property	\$0.00	
Managed Forest Land Tax	\$3,611.27	
Delinquent Taxes collected	\$1,031.38	
Sales Tax Collection	\$5.78	
Dog License Collection	\$644.00	\$1,954,097.01
Next Year Tax Collections (Collected before December 31, 2018)	\$640,056.48	\$640,056.48

INTERGOVERNMENTAL REVENUES:

State Share Revenues	\$14,766.92	
Fire Insurance Dues	\$5,034.68	
Computer Tax Credit	\$164.38	
State General Transportation	\$97,423.42	
TRIP	\$0.00	
Payment for Municipal Services	\$226.11	
Payment in Lieu of Taxes on DNR Lands	\$670.91	
State Forest Cropland Aid (Town Share \$154.47)	\$193.09	
Severance/Yeild/Withdrawal MFL Taxes	\$0.00	
Highway & Bridges County Grant	\$0.00	
Payment in Lieu of Taxes on National Park Services Lands	\$0.00	
Deer Lake Grants	\$0.00	\$118,479.51

LICENSES AND PERMITS:

Liquor & Beer Licenses	\$2,294.93
Bartender Licenses	\$335.00
Cigarette & Tobacco Licenses	\$20.00

Business Operational Licenses (Flea Market, Temporary Vendor)	\$48.95	
Dog Licenses Town Share for Animal Control	\$331.00	
Building Land Use Permits and Inspection Fees	\$1,454.00	
Zoning Permits and Hearing Fees	\$3,050.00	
Driveway, Utility & Sign Permits	\$750.00	\$8,283.88
FINES, FORFEITS, AND PENALTIES:		
Ordinance Violations (late fee for dog licenses)	\$20.00	
Judgments and Damages	\$0.00	
Road Damage	\$0.00	\$20.00
PUBLIC CHARGES FOR SERVICES:		
Tax-Exempt Reports	\$40.00	
Ordinance Sales, Publication Fees, Copies, Other	\$101.55	
Fire Signs	\$200.00	
Highway Sales	\$80.00	
Park Dedication Fee	\$700.00	\$1,121.55
INTERGOVERNMENTAL CHARGES FOR SERVICES:		
Highway Services & Materials (170th Avenue)	\$2,125.46	\$2,125.46
MISCELLANEOUS REVENUES:		
Interest on Checking and Savings Accounts	\$2,144.96	
Rent	\$210.00	
Scrap metal	\$0.00	
Miscellaneous (Co-op div., Insurance Refund; Special Election Reimbursement;	\$1,229.27	
Realestate Tax Overpayments)		
Charge Back-Delinquent PP Taxes S. 74.42	\$0.00	
Reimbursement for expenses on Deer Lake Boat Access	\$4,548.15	\$8,132.38
TOTAL 2018 REVENUES:		<u>\$2,732,316.27</u>
TOTAL MONIES AVAILABLE		<u><u>\$3,936,224.24</u></u>

2018 EXPENDITURES

GENERAL GOVERNMENT:		
Town Board:		
Salaries, FICA	\$29,065.68	
Board Expenses, Mileage, Phone	\$65.00	
Association Dues	\$893.14	
Printing, Publication, Notices	\$173.09	\$30,196.91
Legal: Attorney Fees	\$25,800.00	\$25,800.00
General Administration:		
Clerk Salary, FICA	\$30,264.85	
Supplies, Mileage, Expenses	\$233.28	
Election Salaries	\$2,537.50	
Election Expense	\$3,237.25	\$36,272.88
Financial Administration:		
Treasurer Salary, FICA	\$6,459.00	
Board of Review Salary, FICA	\$0.00	
Assessment Expense	\$7,000.00	
Supplies, Postage, Expenses	\$715.81	\$14,174.81
Town Hall Operations:		
Salary, FICA	\$0.00	
Hall Expenses and Maintenance	\$9,107.99	\$9,107.99

Other General Government:		
Illegal Taxes	\$0.00	
Highway Insurance	\$6,922.00	
Other Insurance	\$7,253.00	
Other General Government (office supplies, postage, website)	\$1,536.69	\$15,711.69
Total General Government		\$131,264.28
PUBLIC SAFETY:		
Law Enforcement Expense	\$0.00	
Fire Contracts, Fire Insurance Dues	\$58,034.68	
Fire Signs	\$26.10	
Ambulance Contracts	\$11,530.00	
Building Inspection	\$153.60	\$69,744.38
PUBLIC WORKS (Highway Operations):		
Wages, FICA, Fringes	\$63,923.85	
Machine Hire	\$0.00	
Equipment Rental	\$75.00	
Planning, Engineering, Construction Work & Material, Signage	\$8,965.44	
Road Maintenance (blacktopping, sealing, gravel, etc.)	\$248,227.83	
Winter Road Maintenance	\$9,308.00	
Equipment Purchases	\$0.00	
Equipment Costs (maintenance, repairs, & operations)	\$19,120.15	
Shop Supplies	\$1,277.42	
Building Maintenance & Operation	\$8,276.78	
Employee Costs (phone, mileage, training, drug testing)	\$1,048.24	
Miscellaneous (tire disposal)	\$566.50	
Notice Publishing	\$403.75	
Purchase for resale	\$0.00	\$361,192.96
Highway Outlay	\$0.00	\$0.00
HEALTH AND HUMAN SERVICES:		
St. Croix Town/Village Cemetery	\$1,000.00	
Dog Control	\$664.60	
Gopher Bounty	\$462.00	\$2,126.60
CULTURE RECREATION AND EDUCATION:		
Deer Lake Access	\$1,375.19	
Deer Lake Clean Boats Clean Waters Payroll	\$3,111.10	\$4,486.29
Computer Outlay	\$2,045.75	\$2,045.75
CONSERVATION DEVELOPMENT:		
Wages, FICA	\$28,053.53	
Planning	\$1,005.14	
Zoning	\$36.77	
Comprehensive Planning	\$0.00	\$29,095.44
DEBT SERVICE:		
Principal	\$0.00	
Interest & fiscal charges	\$0.00	\$0.00
MISCELLANEOUS:		
Refund on overpayment of taxes	\$0.00	\$0.00
TOTAL TOWN OPERATIONS 2018:		\$599,955.70
AGENCY ACCOUNT Tax Settlements:		

Advnced Tax Collections Dec 2017	\$872,835.13	
State & Polk County Property Taxes, MFL Taxes, Lottery Credit	\$541,018.77	
Unity School District Taxes, Lottery Credit	\$139,936.86	
St. Croix Falls School District Taxes, Lottery Credit	\$843,274.79	
St. Croix Falls Town Sanitary District No. 1 Taxes, Lottery Credit	\$0.00	
Wisconsin Indianhead Technical College Taxes, Lottery Credit	\$39,347.82	
Sales Tax (rec'd in 2017 pd to State in 2018)	\$0.00	
Dog License Paid to County	\$644.00	
Forest Cropland Aid Paid to County	\$38.62	\$2,437,095.99

TOTAL DISBURSEMENTS: \$3,037,051.69

CASH BALANCE AND INVESTMENTS ON HAND DECEMBER 31, 2018

General & Interest-Bearing Checking Accounts	\$770,347.38	
Includes: \$4,550.00 Park Land Dedication		
\$640,056.48 Taxes Collected for 2018 payable 2019		
Available Cash: \$125,740.09		
Certificates of Deposits (Hwy Equipment)	\$128,825.17	\$899,172.55

TOTAL MONIES DISBURSED AND ENDING BALANCE: \$3,936,224.24

TOTAL TOWN INDEBTNESS, December 31, 2018 \$0.00

Appel/Dorsey **moved** to approve lawn care maintenance of lawn cutting, trimming and blowing off at a rate of sixty-five dollars (\$65.00) per service for the 2019 season; **motion carried** on a unanimous roll-call vote, 4-0. The clerk presented membership documentation received from the Wisconsin Town's Association Town Advocacy Council (TAC). Consensus of the town board was not to join at this time. The clerk presented a list of town documents currently being retained by the town and identified options for administration and disposition of public municipal records. The clerk was directed to begin the process for adoption of the Wisconsin Municipal Records Schedule (WMRS) for the administration and disposition of town public records. Information was presented for a new locking mailbox. Appel/Dorsey **moved** to purchase a new locking mailbox for the town; **motion carried** on a unanimous roll-call vote, 4-0. Chairman Behning had spoken briefly with legal counsel regarding options for removal of abandoned signs. Discussion will continue with legal counsel at next month's meeting regarding the abandon sign removal process.

Closing public comment: Steve Palmer wanted to restate that he has no issues with the new businesses across the street and wishes them well. His complaint is with the town on enforcement of the town ordinances. Mr. Palmer stated the town building ordinance does require state approved plans before a building permit can be issued. Mr. Palmer stated if he is wrong in his complaints he will publically apologize.

Next town board meeting is scheduled for March 20, 2019. Future agenda items: Consider process for removing abandoned signs and consider ordinance language and enforcement on condemning or deeming a structure unlivable/inhabitable.

There being no further business, Kelly/Appel **moved** to adjourn the meeting; **motion carried** and the meeting was adjourned at 7:09 p.m.

Minutes prepared by Janet Krueger, town clerk.