

## REGULAR TOWN BOARD MEETING, July 17, 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, July 17, 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 July 12, 2019. The Pledge of Allegiance was said. Present by roll call were Chairman Frank Behning, supervisors Will Bergmann, Mike Dorsey and Sharon Kelly. Also present were town clerk Janet Krueger, zoning administrator Jim Alt, public works employee Steve Jacobs and legal counsel Adam Jarchow. Absent were supervisor Katie Appel and town treasurer Maxine Spiess. Others in attendance were Paul Grundhauser, John Wright, Mark Adams and Norval Valleen. Bergmann/Kelly **moved** to approve the agenda; **motion carried**. Dorsey/Bergmann **moved** to approve the minutes as printed for the June 19, 2019, 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 June 30, 2019, amounted to \$7,823.65, cash balance on June 30, 2019, was \$337,289.17. Kelly/Dorsey **moved** to receive the treasurer's report; **motion carried**. Mr. Jacobs gave the highway report. Mr. Jacobs stated he had completed two passes of mowing along town roads with the exception of 120<sup>th</sup> Avenue east of County Road Y before July 4<sup>th</sup>; a cold mix asphalt patch is complete over the replaced culvert on 208<sup>th</sup> Street; and time has been spent cutting trees with the casual part-time employee. Ms. Krueger presented the clerk's report. Dorsey/Kelly **moved** to approve payment of vouchers 19-173 through 19-200 amounting to \$35,101.50; **motion carried** on a unanimous roll-call vote, 4-0. The 2019 year to date budget summaries were reviewed. The building permit/building inspection log was reviewed. Mr. Alt gave the zoning administration report. Mr. Alt stated corporate counsel for Polk County is drafting a response regarding inspection of potential inhabitable structures in the town; the plan commission reviewed potential zoning ordinance amendments for reducing the minimum square feet for dwellings, establishing a minimum square feet for commercial buildings; eliminate special exception for signs, and changing name of Board of Appeals to Board of Adjustments. Mr. Alt also informed the board that the Board of Appeals denied a variance request on July 10, 2019. No supervisor reports were given. Chairman Behning stated he is continuing to work with John Strand, CBS Squared Inc. regarding a potential road project on Fairgrounds from the city limits to Sunshine Street; and Mr. Palmer, Palmer's Landscaping donated extra cold mix asphalt to the town and hoped some could be used to patch a couple areas in the cemetery.

New Business: A request for a special exception to continue with an event venue at 1265 220<sup>th</sup> Street with a new business entity was presented. Dorsey/Bergmann **moved** to approve Resolution 19-27 granting a special exception to Julius Rose Properties LLC and Sunflower Hill Wedding & Event Venue LLC for an event center; **motion carried** on a unanimous roll-call vote, 4-0.

### Resolution 19-27

#### A RESOLUTION GRANTING A SPECIAL EXCEPTION TO JULIUS ROSE PROPERTIES LLC & SUNFLOWER HILL WEDDING & EVENT VENUE LLC FOR AN EVENT CENTER IN THE AGRICULTURAL DISTRICT.

WHEREAS Emily Chelberg, Julius Rose Properties LLC & Sunflower Hill Wedding & Event Venue LLC filed an application with the Town of St. Croix Falls Zoning Office for an event center located at 1265 220<sup>th</sup> Street, located in the NE ¼ of Section 32, T34N, R18W, and identified as Tax Parcel #044-00869-0000; and

WHEREAS the Town's Comprehensive Plan encourages businesses that enhance the rural nature of the Town; and

WHEREAS Chapter III, Section C, 2. Agricultural District, f. (6) requires a special exception for an event center; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on July 10, 2019, to allow the event center with conditions in the NE ¼ of Section 32;

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does hereby concur with the Town Plan Commission to grant a special exception to Julius Rose Properties LLC & Sunflower Hill Wedding & Event Venue LLC for an event center at 1265 220<sup>th</sup> Street, located in the NE ¼ of Section 32, T34N, R18W, and identified as Tax Parcel #044-00869-0000 subject to the following conditions:

1. The special exception shall terminate upon the sale or transfer of ownership of either the parcels of land or the business itself;

2. The building on the property shall obtain occupancy from the Town Building Inspector before being used for the business; and
3. The Business will obey all laws and maintain all proper licenses and permits.

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.

A request for a special exception for a professional office in a legal non-conforming structure at 1964 US Highway 8 was presented. Dorsey/Kelly **moved** to approve Resolution 19-28 granting a special exception to have a professional office at 1964 US Highway 8; **motion carried** on a unanimous roll-call vote, 3-0 with Chairman Behning abstaining.

#### Resolution 19-28

##### A RESOLUTION GRANTING A SPECIAL EXCEPTION TO DIRKS HEATING AND COOLING, INC FOR A PROFESSIONAL OFFICE IN THE COMMERCIAL DISTRICT

WHEREAS Paul Grundhauser, Dirks Heating and Cooling, Inc. filed an application with the Town of St. Croix Falls Zoning Office for a professional office at 1964 US Highway 8, located in the NE ¼ of NW ¼ of Section 35, T34N, R18W, and identified as Tax Parcel No. 044-00977-0000, and

WHEREAS Chapter III, Section C, 3. Commercial District, c. (2) changes of use in non-conforming structures or property requires a Special Exception; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on July 10, 2019, for the special exception with conditions for a professional office in the NE 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 Dirks Heating and Cooling, Inc. for a professional office at 1964 US Highway 8, located in the NE ¼ of NW ¼ of Section 35 and identified as tax parcel #044-00977-0000 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 and/or conditions by the Plan Commission and Town Board at the next possible meeting. This review could lead to alterations to the special exception or revocation; and
3. The Business will obey all laws and maintain all proper licenses and permits.  
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.

A request for a special exception for mini storage at 1990 US Highway 8 was presented. Dorsey **moved** to approve Resolution 19-29; **motion failed** for lack of second. Kelly/Bergmann **moved** to deny the special exception request for mini storage at 1990 US Highway 8 based on the recommendations from the plan commission; **motion carried** on a roll-call vote, 3-1 (Yeas: Behning, Bergmann and Kelly; Nays: Dorsey). A temporary Class "B"/"Class B" license application was presented for the "Summer Night" event to be held August 15, 2019. Kelly/Dorsey **moved** to adopt Resolution 19-30 approving a Class "B"/"Class B" temporary license for August 15, 2019; **motion carried** on a unanimous roll-call vote, 4-0.

#### Resolution 19-30

##### A RESOLUTION APPROVING A TEMPORARY CLASS "B" FERMENTED MALT BEVERAGE AND "CLASS B" WINE LICENSE FOR THE PERIOD OF AUGUST 15, 2019

WHEREAS Mental Health Task Force of Polk County, Tom Brock, agent, has made application to the Town Clerk requesting a Temporary Class "B" fermented malt beverage and "Class B" wine license pursuant to Wis. Stats. 125.26 (6) & (10) for the period of August 15, 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, Polk County, Wisconsin, does approve and grant a Temporary Class "B" fermented malt beverage and "Class B" wine license to: MENTAL HEALTH TASK FORCE OF POLK COUNTY, TOM BROCK, AGENT, PO Box 432, St. Croix Falls, Wisconsin, manager or person in charge being Tom Brock, for the purpose of providing beverage sales as authorized by Wisconsin Statutes 125.26 (6) & (10) during the "Summer Night" event held at 1265 220<sup>th</sup> St. Croix Falls, Wisconsin, 54024, on August 15, 2019; and

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

Bergmann/Kelly **moved** to adopt Resolution 19-31 approving additional operator licenses for the year ending June 30, 2020; **motion carried** on a unanimous roll-call vote, 4-0.

#### Resolution 19-31

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 an operator's licenses pursuant to Sections 125.32(2) and 125.68(2) of the Wisconsin Statutes for the year ending June 30, 2020, 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:

Stoddard, Jean Marie 2387 River Road, St. Croix Falls, WI 54024, 2020-63

Wicklund, Marci 307 S Part Street, Grantsburg, WI 54840, 2020-64

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

John Wright stated the Deer Lake Improvement Association would like to have electricity installed at the Deer Lake boat landing for lighting, future cameras and a decontamination station to be used to help decrease the spread of invasive species into Deer Lake. Kelly/Bergmann **moved** to adopt Resolution 19-32 approving a utility agreement with the Deer Lake Improvement Association for electricity at the Deer Lake boat landing; **motion carried** on a unanimous roll-call vote, 4-0.

Resolution 19-32

A RESOLUTION APPROVING A UTILITY AGREEMENT WITH THE DEER LAKE IMPROVEMENT ASSOCIATION  
FOR THE DEER LAKE BOAT LANDING

WHEREAS, the Deer Lake Improvement Association has worked diligently to reduce and prevent invasive species in Deer Lake; and

WHEREAS, the Deer Lake Improvement Association is requesting permission to install electricity at the boat landing for lighting, future cameras and a decontamination station.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, approves the installation of electricity at the Deer Lake boat landing and authorizes the town chairman and legal counsel to negotiate a mutual agreement with the Deer Lake Improvement Association.

BE IT FURTHER RESOLVED that the Agreement between the Deer Lake Improvement Association and the Town be effective upon signing and become part of this enacting resolution.

Closing public comment: Mr. Wright thanked the board for their consideration of electricity at the Deer Lake boat landing. Mr. Valleen thanked the board for their consideration of the plan commission's recommendations regarding the mini storage request.

Kelly/Bergmann **moved** to adjourn to closed session per Wisconsin Statute 19.85 (1) (c) for an annual employee performance review; **motion carried** on a unanimous roll-call vote, 4-0.

The Town Board reconvened in open session at 7:39 p.m. with the board members and legal counsel present.

The board announced a salary and benefit adjustment was approved for a town employee.

Next town board meeting is scheduled for August 21, 2019.

There being no further business, Dorsey/Bergmann **moved** to adjourn the meeting; **motion carried** and the meeting was adjourned at 7:42 p.m.

Minutes prepared by Janet Krueger, town clerk and Sharon Kelly, town supervisor.