

REGULAR TOWN BOARD MEETING, November 16, 2022

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman Mike Dorsey at 6:00 p.m. on Wednesday, November 16, 2022, at the Town Hall. Proper notice was given as the agenda was posted at the town hall and on the town's website November 11, 2022. The Pledge of Allegiance was said. Present by roll call were chairman Mike Dorsey, supervisors Katie Appel, Will Bergmann, Jeremy Hall and Sharon Kelly. Also present were town clerk Janet Krueger, public works employee Steve Jacobs and legal counsel Adam Jarchow. Others in attendance were John Koonce, Joel Yunker, Kyle Yunker, Frank and Angela Behning, and Norval Valleen. Kelly/ Appel **moved** to approve the agenda; **motion carried**. Hall/Kelly **moved** to approve the minutes as printed for the October 19, 2022, town board meeting and special 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 October 31, 2022, amounted to \$40,344.93, cash balance on October 31, 2022, was \$225,974.35. Mr. Jacobs gave the highway report. Ms. Krueger presented the clerks report. Hall/Bergmann **moved** to approve payment of vouchers #22-270 through #22-296 amounting to \$28,587.76; **motion carried** on a unanimous roll-call vote, 5-0. The 2022 year to date budget summaries were reviewed. The permit logs were reviewed. Supervisor Hall reported traffic counts on 160th Avenue between Sunshine Street and State Road 87 of three thousand, thirty-two (3,032) vehicles in a twelve (12) day period. Chairman Dorsey stated he had received noise complaints from the rental property on 140th Avenue near the boat landing.

New Business: A special exception request to amend the property owner on the four special exceptions for occupants at 1982 and 1984 US Highway 8 was presented. Hall/Kelly **moved** to adopt Resolution 22-40 approving the amendment of property owner listed on special exceptions belonging to the occupants at 1982 and 1984 US Highway 8; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 22-40

A RESOLUTION AMENDING THE PROPERTY OWNER LISTED ON
THE SPECIAL EXCEPITONS OF BUILDING OCCUPANTS
AT 1982 AMD 1984 US HIGHWAY 8 IN THE COMMERCIAL DISTRICT

WHEREAS John Koonce, River Valley Properties, LLC, filed an application with the Town of St. Croix Falls Zoning Office to amend the property owner listed on the special exceptions for Acoya Maina; Michael Swank; Julie Lehrke, Dance of Life Arts; and Brian Anderson whom are occupants at 1982 and 1984 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 the applicant purchased the property on October 21, 2022; and

WHEREAS per Chapter I, Section I, (3) the Plan Commission did conduct a public hearing on the matter and did recommend amending the occupant's special exceptions on November 9, 2022.

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 amend the property owner listed on the special exceptions for Acoya Maina; Michael Swank; Julie Lehrke, Dance of Life Arts; and Brian Anderson whom are occupants located at 1982 and 1984 US Highway 8, located in the NW ¼ of NW ¼ of Section 35 and identified as tax parcel #044-00978-0000 and subject to the following conditions:

1. The remaining conditions specified with each special exception remain; and
2. The special exceptions shall terminate upon the sale or transfer of ownership of either the parcel of land or the business itself.

BE IT FURTHER RESOLVED that this special exception is conditioned on the applicant 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 22-04 amending the town's Zoning Ordinance No. 1 was presented and the second reading was had. Appel/Hall **moved** to adopt Resolution 22-41 approving Ordinance 22-04 amending the town's Zoning Ordinance No. 1; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 22-41

A RESOLUTION ADOPTING ORDINANCE 22-04 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; June 20, 2018; October 17, 2018; January 16, 2019; March 20, 2019; October 16, 2019; December 16, 2020; July 21, 2021; March 16, 2022; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Zoning Ordinance No. 1, Chapter III – General Zoning, Section C – Districts, 2 – Agricultural District, f – Special Exceptions to amend racetrack use to include similar uses; and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendment on November 9, 2022, the first reading of the proposed amendment was held on October 19, 2022, and a second reading was held on November 16, 2022.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 22-04 amending Zoning Ordinance No. 1; Chapter III – General Zoning; Section C – Districts; 2 – Agricultural District; f – Special Exceptions to amend racetrack use to include similar uses; 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 amendments; and

BE IT FURTHER RESOLVED that Ordinance 22-04 become effective upon passage and publication and/or posting according to Wisconsin State Statute and approval of Polk County Board of Supervisors.

Ordinance 22-04

AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE" ORDINANCE 22-04

Section 1: Purpose

The purpose of this ordinance to amend Chapter III – General Zoning, Section C – Districts, 2 – Agricultural District, f – Special Exceptions, Racetrack to read as follows:

Racetrack **or similar uses**; provided however, no racetracks **or similar uses** will be permitted on any parcel unless a racetrack was previously located on that parcel.

Section 2: Effective Date

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

A request for fireworks displays at Bid Rock Creek was presented. Hall/Appel **moved** to approve the fireworks displays for November 25; December 2; December 9; December 16; and December 23, 2022, with a start time of no later than 10:00 pm and the fireworks display on December 31st with a start time no later than 12:00 am; **motion carried**. Kelly/Bergmann **moved** to adopt Resolution 22-42 increasing the per diem for the plan commission and board of adjustment members; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 22-42

A RESOLUTION INCREASING THE PER DIEM FOR PLAN COMMISSION AND BOARD OF ADJUSTMENT MEMBERS FOR THE TOWN OF ST. CROIX FALLS

WHEREAS, Wisconsin Statute 66.0501(2) states that a per diem may be paid to commission and board members; and

WHEREAS the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin wishes to increase the current ten dollar (\$10.00) per diem for the Town's plan commission and board of adjustment members.

THEREFORE BE IT RESOLVED, that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, hereby sets a per diem allowance of twenty five dollars (\$25.00) for each meeting (up to a maximum of twelve (12) meetings per calendar year) attended by a member of the Plan Commission and Board of Adjustments as allowed under Wisconsin Statute 66.0501(2).

BE IT FURTHER RESOLVED, that the payment of per diems for meetings attended will be made once a year in December; and

BE IT FURTHER RESOLVED, that this resolution become effective the 1st of January, 2023.

The town board recessed at 6:34 pm as the remaining business cannot be acted on until after the 2023 budget hearing and special town meeting.

The town board reconvened at 7:59.

Joel Yunker inquired on previous levy increases.

A special town board meeting is scheduled for November 18, 2022, at 4:00 pm to review and amend the 2023 budget and call a special town meeting of electors.

The next regular town board meeting is scheduled for December 21, 2022, at 6:00 p.m.

There being no further business, Kelly/Bergmann **moved** to adjourn the meeting; **motion carried** and the meeting was adjourned at 8:08 p.m.

Minutes prepared by Janet Krueger, town clerk.