

**Town of St. Joseph - St. Croix County, WI**  
**Meeting of the Town Board – St. Joseph Town Hall – January 11, 2018, 6:00 P.M.**  
**Minutes**

Call to Order at 6:00 p.m.

Statement of Public Notice was recited.

Roll Call: Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard were present for the meeting.

Adoption of Agenda: **Motion** (Supervisor Long, Supervisor Packard) to adopt the agenda. **Motion carried.**

Pledge of Allegiance was recited.

**The following dates of upcoming meetings and events were discussed:** January 16th Special Election, January 17th Parks, Trails & Recreation Committee Meeting, January 23rd Finance Committee Meeting, January 31st Public Safety Committee Meeting, February 6th: Public Works Committee Meeting, February 7th: Plan Commission Meeting, February 8th: Town Board Meeting, February 14th: Bass Lake Rehab District Meeting, February 20th Spring Primary and February 21st: Parks, Trails & Recreation Committee Meeting

**Monthly Status Reports:**

1. Building Inspector: Reviewed monthly report.
2. Deputy Zoning Administrator: Reviewed monthly report.
3. Plan Commission: All items were discussed later in the agenda under Plan Commission Recommendations.
4. Fire Chief Report: Ron Burton thanked the current and past town boards for supporting him as the former town's Fire Chief and assisting in meeting his goals for department. Burton also reviewed the fourth quarter report for the Fire Department.
5. EMS Chief: Nothing new to report.
6. Joint Library: Barb Peterson provided a monthly update via email.
7. Parks, Trails & Recreation: Nothing new to report.
8. Wisconsin Town's Association: Nothing new to report.
9. Bass Lake Rehab District: Nothing new to report.
10. Internet/Broadband: The town board reviewed that the town has no influence on who or when providers come into town. The town has no exclusive contracts with any vendors.

**Consent Agenda:**

1. Payment of Bills, Vouchers and Pos: **Motion** (Supervisor Packard, Supervisor Bohl) to approve the payment of bills, vouchers and pos. **Motion carried.**
2. Approval of Meeting Minutes: **Motion** (Supervisor DeRosier, Supervisor Long) to approve both sets of minutes. **Motion carried.**

- a. 12-14-2017
- b. 12-27-2017

**New business discussion and possible action on:**

1. Building Inspector Contract Renewal with Todd Dolan- All Croix Inspections: **Motion** (Supervisor Long, Supervisor Packard) to approve the contract renewal for Todd Dolan- All Croix Inspection. **Motion carried.**
2. Election Worker Guidelines: Clerk/Treasurer Stewart reviewed the proposed additions to the previously approved guidelines. **Motion** (Supervisor DeRosier, Supervisor Packard) to approve as presented the election worker guidelines. **Motion carried**
3. Election Worker Compensation: **Motion** (Supervisor DeRosier, Supervisor Bohl) to table. **Motion carried.**

**Plan Commission Recommendations**

4. Christopher Kath Subdivision Waiver Application for 607 Old Mill Road Hudson, WI 54016: Ty Dodge reviewed the proposed waiver, which requested waiving the three acre minimum lot requirement for the property to provide the needed acreage for the commercial property it abuts. Chair Spaniol stated the town's attorney reviewed the waiver and felt it met the requirements of the wavier.

Motion (Chair Spaniol, Supervisor Bohl) I MAKE A MOTION TO APPROVE A WAIVER AND GRANT A VARIANCE OF THE MINIMUM LOT SIZE AS REQUIRED BY TOWN OF ST JOSEPH ORDINANCE ARTICLE III SUBDIVISION STANDARDS, SECTION 168-7 MINIMUM LOT STANDARDS FOR A PARCEL LOCATED AT 607 OLD MILL ROAD, HUDSON, WI 54016, PARCEL ID 030-1011-40-025, CURRENTLY OWNED BY CRISTOPHER A. KATH. REDUCTION OF THIS LOT SIZE IS NECESSARY FOR THE ACQUISITION OF A PORTION OF THIS PARCEL TO BE MADE, AND MADE PART OF, AN ADJOINING PARCEL, PARCEL ID 030-1011-40-050, ALSO OWNED BY CHRISTOPHER A. KATH. ACQUISITION OF THIS PORTION IS NECESSARY TO ALLOW FOR AN AUXILLARY STRUCTURE WILL BE BUILT ADJACENT TO AN EXISTING STRUCTURE KNOWN AS THE WILLOW RIVER SALOON, AS SHOWN ON THE SUBMITTED APPLICATION DATED DECEMBER, 2017. THE VARIANCE SHALL BE TO REDUCE THE SIZE OF PARCEL 030-1011-40-025 TO APPROXIMATELY 2.7 ACRES.

ADDITONALLY, THE FOLLOWING FINDINGS OF FACT AND CONDITIONS DO APPLY TO THE GRANTING OF THIS WAIVER AND VARIANCE.

FINDINGS OF FACT: WAIVER OF A MINIMUM LOT SIZE OF 3.0 ACRES FOR PARCEL LOCATED AT 607 OLD MILL ROAD, HUDSON, WI 54016 PARCEL ID 030-1011-40-025.

Christopher A. Kath, with Ty Dodge listed as Surveyor, has applied for a waiver of Town of St. Joseph Ordinance ARTICLE III: SUBDIVISION STANDARDS, SECTION 168-7 MINIMUM LOT STANDARDS, C. which states;

“In addition to satisfying minimum lot area requirements (Table 1, 2 or 3) all lots shall contain sufficient area to satisfy all size requirements, applicable setbacks, zoning standards, minimum width and sanitary requirements for the uses intended.

**Table 1 Minimum Lot Areas for Major and Minor Residential Subdivisions**

<b>Intended Use of Lot Area</b>	<b>Minimum Lot Area</b>
Single-family structure; two family structure way	3 acres, excluding road rights-of-way

- 1) Christopher A. Kath, with Ty Dodge listed as Surveyor are requesting a waiver to the 3 acres minimum lot standard size for parcel 030-1011-40-025, 607 Old Mill Road, Hudson, WI 54016, adjacent to parcel 030-1011-40-050, 1106 County Road A, Hudson, WI 54016.
- 2) Christopher A. Kath, with Ty Dodge listed as Surveyor wish to join a portion of parcel 030-1011-40-025 to parcel 030-1011-40-050 for the purpose of building an auxiliary structure on parcel 030-1011-40-050.
- 3) Pursuant to St. Joseph Code Section 80-17D, the Town Board makes the following findings with respect to the request for a variance under St. Joseph Town Code 80:
  - a) The granting of this variance is consistent with the purpose and intent of Chapter 80
  - b) There are exceptional circumstances and unusual conditions that pertain to this property and are not so general or recurrent in nature as to suggest that Chapter 80 or Chapter 168 should be changed
  - c) This variance is not granted solely on the basis of economic gain or loss. There is not a self-imposed hardship.
  - d) Granting of this variance will not create substantial detriment to adjacent property or materially impair or be contrary to the purpose and spirit of Chapter 80 or the public safety or interest.
- 4) As provided in St. Joseph Town Code Chapter 168-25, the Town Board has heard this request for a waiver from ARTICLE III, CHAPTER 168 SUBDIVISION STANDARDS, SECTION 168-7 Minimum Lot Standards and the literal provisions

of this chapter where strict enforcement would be impractical or unduly burdensome because of circumstances unique to the individual property under consideration and it has been demonstrated by the applicant that the waiver is in keeping with the spirit and intent of this chapter.

- a) The purpose of the waiver is not based exclusively upon a desire to increase the value of the income potential of the parcel of land
  - b) The granting of such waiver is necessary for the preservation and enjoyment of substantial property rights of the applicant and the alleged uniqueness or special circumstances have not been created by any person having an interest in the waiver
  - c) The granting of the waiver will not materially adversely affect the health, safety or general welfare of persons residing or working in the neighborhood of the property and will not, under the circumstance of this particular case, be materially detrimental to neighborhood aesthetics or injurious the property or improvements of the neighborhood. Granting of the variance and subsequent acquisition of a portion of this parcel into an adjacent parcel will allow for additional parking on the acquiring parcel during special events and thus improving the safety of the public during these events.
  - d) This waiver is not based on a mere inconvenience, a financial hardship or a self-created hardship for the applicant
  - e) This waiver shall provide only the minimum relief necessary to alleviate the hardship
- 5) The exceptional circumstances are as follows:
- a) The parcel in question is located on Old Mill Road where most of the lots are much smaller in size.
  - b) The parcel in question was much smaller in size many years ago and was enlarged by acquisition.
  - c) Reduction of the parcel size would allow for acquisition by an adjoining commercial property which would allow for the construction of an auxiliary structure that would satisfy setback requirements and alleviate a hardship to that parcel.
  - d) This commercial parcel, at times, can have a significant amount of traffic especially during special events conducted by the Willow River Saloon.
  - e) Construction of the auxiliary structure, if strict enforcement were to occur, would create a hardship if the Waiver and Variance are not granted.
  - f) The construction of the auxiliary structure on parcel 030-1011-40-050, if built without the additional property from parcel 030-1011-40-025

would eliminate approximately 20 existing parking stalls for everyday customer use, not to mention the number of spaces available during special events.

- g) During Special events many patrons of the Willow River Saloon must use parking other than the parking lot associated with the restaurant. Much of this parking is across or on County Road A creating a public safety hazard for the attending public.
  - h) During the usual busy evenings the Willow River Saloon can ill afford to lose 20 parking spaces. Construction of this auxiliary structure following the strict guidelines set forth in the Ordinance would create this hardship.
- 6) This waiver and grant of variance pertains only to parcel 030-1011-40-025 and does not apply to any other parcel.
  - 7) The Town of St. Joseph may incur additional fees including, not limited to, Building Inspection Fees, Attorney's Fees, and other costs, and other expenses pertaining to this waiver/variance request. The Town of St. Joseph will seek reimbursement of these costs from the applicant once they are determined.
  - 8) The Plan Commission has recommended to the Town Board APPROVAL of the Waiver and granting of the variance at its regularly scheduled meeting held Wednesday, January 3, 2018.
  - 9) This waiver and grant of a variance in no way pertains to, allows for, or affects other State and/or Federal laws, rules, or other requirements relating to this property. This Minimum Lot Size waiver and variance only applies to the parcel that is the subject of the waiver application and is described in paragraphs above.

**Motion carried** after a roll call vote. Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard voted in favor of the motion.

5. St. Croix County Rezoning Application for Christopher Kath for 607 Old Mill Road. Requesting rezoning of small parcel of 607 Old Mill Road to be attached to 1106 County Road A Hudson, WI 54016. **Motion** (Supervisor DeRosier, Supervisor Long) to approve St. Croix County Rezoning Application for Christopher Kath for 607 Old Mill Road. Requesting rezoning of small parcel of 607 Old Mill Road to be attached to 1106 County Road A Hudson, WI 54016. **Motion carried** after a roll call vote. Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard voted in favor of the motion.

6. Tom Schottler CSM for 1491 60th Street Somerset, WI 54025 (Primary Parcel ID #: 030- 1048-70-105) was approved. Dan Kugal reviewed the CSM with the town board. **Motion** (Supervisor Long, Supervisor DeRosier) to approve the Tom Schottler CSM for 1491 60th Street Somerset, WI 54025. **Motion carried** after a roll call vote. Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard voted in favor of the motion.

7. Donna Seim CSM for 529 County Road E Hudson, WI 54016 (Primary Parcel ID #: 030- 2002-70-0000) was approved. Ty Dodge reviewed the CSM with the town board. **Motion** (Supervisor Bohl, Supervisor Long) to approve the Donna Seim CSM for 529 County Road E Hudson, WI 54016. **Motion carried** after a roll call vote. Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard voted in favor of the motion.

### **Public Works Recommendation**

8. Job description for tractor operator: **Motion** (Supervisor Long, Supervisor DeRosier) to table. **Motion carried**.

### **Unfinished/Old Business**

9. 2016 Bank Change Loan Term Revision (Language Only): **Motion** (Chair Spaniol, Supervisor Long) to recommend approving the 2016 Bank Change Loan Term Revision. **Motion carried** after a roll call vote. Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard voted in favor of the motion.

10. Bass Lake Hypolimnetic Withdrawal Feasibility Study: Chair Spaniol informed the town board that within the month of February the town would know if the project was awarded funding and/or approved for two large scale grants.

11. Greenspace Trail Property Acquisition with St. Peter's United Church of Christ: Chair Spaniol provided an update on the project and why the additional \$90 fee was needed for the application being reviewed by St. Croix County.

12. Update on the Houlton MHP, LLC Mobile Home Park: Clerk/Treasurer Stewart provided a brief update that payment and providing the required map were delinquent.

13. Resolution 2018-01 in Support of St. Croix County Transportation Alternative Program (TAP) Grant: Chair Spaniol reviewed the Resolution with the town board. **Motion** (Supervisor Spaniol, Supervisor Packard) to approve Resolution 2018-01 in Support of St. Croix County Transportation Alternative Program (TAP) Grant. **Motion carried** after a roll call vote. Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard voted in favor of the motion.

**Motion** (Supervisor Long, Chair Spaniol) to suspend the town board meeting. **Motion carried**.

### **7:00 P.M. Town of St. Joseph caucus was opened.**

Chair Spaniol explained the caucus procedure.

Clerk/Treasurer Stewart provided notice of the town caucus.

**1<sup>st</sup> Supervisor: Motion** (Rod Brooks, Heather Bohl) to nominate Steve Bohl as 1<sup>st</sup> Supervisor. Chair Spaniol asked three additional requests for nominations, but no further nominations were made.

**3<sup>rd</sup> Supervisor: Motion** (Carolyn Barrette, Mark Simpson) to nominate Laurie DeRosier. Chair Spaniol asked three additional requests for nominations, but no further nominations were made.

**Motion** (Mark Simpson, Anton Rang) to close the caucus. **Motion carried.**

**Motion** (Supervisor Bohl, Supervisor Long) to reopen the meeting. **Motion carried.**

**Public Comment:** Patty Long stated her opinion the town should move forward with establishing a Human Resources and Administrator for the town. Clerk/Treasurer Stewart informed everyone that the town's website was not working properly.

Budget Year-To-Date was reviewed.

Items for next Plan Commission or Town Board Agendas: None

Adjournment: **Motion** (Supervisor Long, Supervisor Bohl) to adjourn. **Motion carried.**