

Meeting ID: 922 7196 6958 // Passcode: 604825 Phone:1 312 626 6799

## Town of St. Joseph - St. Croix County, WI Minutes of the Town Board –

St. Joseph Town Hall May 13, 2021 –6:00PM

Call to Order by Chair Johnson at 6:00pm. Statement of Public Notice read. Roll Call: Supervisors Meyers, DeRosier, Marshall, Colbeth, Chair Johnson, Clerk/Treasurer Coyle, Town Engineer Mann, Town Attorney Nelson. **MOTION** (Marshall/Meyers) to adopt the agenda as presented. **Motion carried.** Pledge of Allegiance recited.

### Dates of Upcoming Meetings and Events:

May 19 – Parks, Trails & Recreation Committee	May 27 – Board of Review Training 3pm
May 20 – Finance Committee	June 1– Public Works Committee
May 20 – Board of Appeals Orientation 4:30pm	June 2 – Plan Commission
May 25 – IT Committee	

### Monthly Status Reports:

1. Building Inspector written report provided.
2. Deputy Zoning Administrator - Jay Kimble provided a written report and gave an update on the increased activity.
3. Plan Commission – on agenda
4. Fire/EMS Chief – 19 calls for service in April. 21 calls in May. Above last year's numbers. Closed DNR grant. Added members to medical response. Training on 1<sup>st</sup> and 3<sup>rd</sup> Mondays. No COVID cases this quarter on the department.
5. Joint Library. Written report submitted. Barb Petersen provided an update that plans are underway to expand service. Staff are being vaccinated. Meeting rooms will be available in June. Curbside services continue as do deliveries to senior centers. Summer reading program. Fundraising is ongoing. Library Director offer has been extended. Supervisor Meyers asked for updated reports.
6. Parks, Trails and Recreations - Chair Janet Lindstrom – Outdoor Recreation Plan is being updated. Playground plans are also being finalized. Will be starting on maintenance projects at parks.
7. Public Safety - none
8. Public Works – none.
9. Wisconsin Town's Association – Legislative meeting held virtually. Broadband, Fire/EMS discussed.
10. Bass Lake Rehab District – no update.
11. Internet/Broadband – permits have been requested.
12. St. Croix County District 2 & 3 Supervisors – none.

Other – Intergovernmental Group has met; road projects have a major impact on the community and access. Projects will continue through fall. Trout Brook Rd will be under construction and expect issues. School District is looking at enrollment number and future improvements. Neighboring communities are mostly built out.

### Public Comment –

Bob O'Brien asked about the bike trail connection to the State Park.  
Resident asked about bathroom facilities at the Perch Lake parking lot.

### Business discussion and possible action on:

1. Resolution 2021-09 Rescinding Interim Zoning Ordinance 2020-02 and Chapter 198 was read into the record: *RESOLUTION NO. 2021-09 TOWN OF ST. JOSEPH RESCINDING 2020-02 INTERIM ZONING ORDINANCE TO PRESERVE EXISTING LAND USES WITHIN THE TOWN OF ST. JOSEPH AND CHAPTER 198 ZONING*

*WHEREAS, on October 8, 2020, at a regular Town Board Meeting, the Town Board of the Town of St. Joseph adopted Ordinance 2020-02 An Interim Zoning Ordinance to Preserve Existing Land Uses Within the Town of St. Joseph;*

*AND WHEREAS, on April 27, 2021, at a Special Town Board Meeting, the Town Board for the Town of St. Joseph adopted a zoning ordinance and zoning map as the Town Zoning Ordinance and Zoning Map and directed the Town Clerk to forward the adopted Town Zoning Ordinance and Map to St. Croix County for its approval;*

*AND WHEREAS, on May 4, 2021, at a Regularly Scheduled County Board Meeting, the County Board of Supervisors approved the Town Zoning Ordinance and Map;*

*AND WHEREAS, the Town Zoning Ordinance Chapter 170 and Map are now in effect;*

*AND WHEREAS, Town Code Chapter 198 Zoning is no longer relevant;*

*NOW THEREFORE, the Town Board hereby rescinds Ordinance 2020-02 An Interim Zoning Ordinance to Preserve Existing Land Uses Within the Town of St. Joseph and supersedes and repeals Chapter 198 Zoning of the Town Code of Ordinances.*

*This shall be effective upon passage and publication as provided by law.*

Mary Weber (online) asked for an explanation of the interim period and town zoning. Chair Johnson gave an update on process and gave an overview of zoning.

**MOTION** (Meyers/Marshall) to approve 2021-09 Rescinding Interim Zoning Ordinance 2020-02 Interim Zoning Ordinance to Preserve Existing Land Uses Within the Town of St Joseph and Chapter 198. Roll call vote all in favor. **Motion carried.**

2. Approval of Developers Agreement – Chapman Hills – Oevering. Copy provided to Mr. Oevering. Will need to be signed and submitted to County Registrar of Deeds by Clerk. **MOTION** (Johnson/Marshall) to approve Developers Agreement for Chapman Hills/Oevering. **Motion carried.**

3. Arbor Ridge -Preliminary Plat Application – Bob O’Brien – 274 Arbor Hills Dr., Houlton Plan Commission Chair Anton Rang reported that the Plan Commission had recommend 24<sup>th</sup> Ct as the name for the road. Doug Zahler presented on behalf of applicant. Shared driveway agreements will be needed. Zahler reported Lot 6 has steep ridges that would prohibit future driveways. Multiple wetlands on the site. Lots will be for single family homes. All driveways will be constructed where shown on plat map. Developers Agreement and Driveway Agreements will be next.

**MOTION (Johnson/Meyers)** to approve Preliminary Plat Application for Arbor Ridge conditional on Developers Agreement and Letter of Credit. **Motion carried.**

4. Certified Survey Map Minor Subdivision Application- David Brown 784 County Rd E., Hudson Doug Zahler presented the one lot subdivision. The existing home is near the right of way. **MOTION** (Marshall/Colbeth) to accept Certified Survey Map Minor Subdivision Application- David Brown 784 County Rd E., Hudson. **Amend** motion to ‘approve’. **Motion carried.**

5. Major Road Project

a. 2020 Reconstruction – update, pay request retainage. All issues have been addressed. Town Engineer recommends approval of pay request. Total project was \$2,641,228.86 **MOTION** (Johnson/Marshall) to approve pay request to Total Excavating in the amount of \$28,186.03. **Motion carried.**

b. Major Road Project for 2021 – Town Engineer gave an update. Perch Lake Rd may start next week. Rehab is ongoing, culverts and driveways. Trout Brook Rd S has not started, is in second phase. Town of Hudson approved putting barricade on Town roads; want an advanced notice when those are going up.

i. Update on Major Road Project for 2021 including parking lot at Town Hall

1. Change order items reviewed: 30<sup>th</sup> Street repairs, Willow River Dr cul-de-sac, River Rd (east) mill and overlay, additional culverts, and rain garden estimation, flumes on McKinley and Fox Ridge Trail, mobilization and traffic control for a total proposed change order of \$59,997.97.

Discussion about cul-de-sacs. Discussion about history of 30<sup>th</sup> Street and soil under existing roadway. Length of 30<sup>th</sup> St is under ½ mile. Estimated cost of reconstructing entire 30<sup>th</sup> St \$170,000. 650 feet to the southern end of issue would be \$55,000. **MOTION** (Colbeth/DeRosier) to approve soil borings on 30<sup>th</sup> street before any additional reconstruction.

**Motion carried.** Expect 4 boring for about \$3500. **MOTION** (Johnson/Colbeth) to approve \$3500 expenditure on borings. **Motion carried.**

**MOTION** (Johnson/Marshall) to approve change order for 2021 road rehab project \$33657.23 to include the Willow River Dr cul-de-sac, River Rd (east) mill and overlay, additional culverts, and rain garden estimation, flumes on McKinley and Fox Ridge Trail, mobilization and traffic control and to let the contractor know we will be repairing 30<sup>th</sup> Street but that we will not be moving forward with the repairs yet. **Motion carried.**

2. Reimburse Town of Somerset for 50<sup>th</sup> St to 150<sup>th</sup> Ave connection. Somerset is doing their portion of 150<sup>th</sup>, want to share portion at the turn and are asking for \$14000 to cover the costs. **MOTION** (Marshall/DeRosier) to reimburse Town of Somerset to for our portion of the cost to pulverize, pave and grade 50<sup>th</sup> St to 150<sup>th</sup> Ave connection for approx \$14000. out of major road funds. **Motion carried**

AET testing proposals provided to the Board for regular project testing. **MOTION** (Johnson/Colbeth) to approve contract with AET for Perch, Rehab, and Maintenance projects for testing. **Motion carried.**

ii. Update on Perch Lake Road Tri-D project

1. Change Perch Lake Road Speed Limit. Residents in attendance seeking a reduction in the speed limit. One section is 15MPH; statutorily the rest of the road is 55MPH as is not posted. Greg Ray 571 Perch Lake Rd and John Humphrey 531 Perch Lake Rd. Residents have been informed by Sheriff they cannot enforce without a posted limit and are requesting a posting at 25MPH from 60<sup>th</sup> to E with the 15MPH section. Speeds around curve are needed. Town Engineer explained rules set in State Statute related to speed limits. On Town roads, speed limit changes must be based on a traffic study and require state approval. Discussion about historical efforts to change speed limits. No sign is enforceable under 25MPH. Bike and pedestrian paths had been considered in the past, but would have impacted adjacent property owners with significant costs for driveways and retaining walls, and was not included in final project. Town Engineer - striping on edge of the road. Town Engineer to talk with State DOT and bring back a proposal.

iii. Church St project

1. Project Update/St. Croix County Conditional Use Application Town Engineer reported that the design is almost complete; still working on ravine portion. Conditional Use Permit is needed from St Croix County and will be submitted the first Monday in June. Stantec provided drone services for application at a discounted rate. City of Stillwater has signed a temporary easement and a construction easement. **MOTION** (Johnson/Marshall) to approve temporary construction easement agreement for construction purposes with the city of Stillwater. **Motion carried.**

c. 2021 Road Maintenance Project for River Rd-update will start after July 4<sup>th</sup>.

- i. Reimbursement to Town of Somerset for seal coat on 150<sup>th</sup> Ave Town of Somerset has estimated \$6000 for the seal coat. Town will pay bill when it arrives.

6. Update on acquisition of land for cul de sac on Trout Brook Rd N – Attorney Nelson reported that the signatures are needed.
7. Delegated Municipal Authority for Commercial Building and Electrical Inspection Agency. Designation for the Town to allow All Croix Inspections to perform the inspection services for commercial. **MOTION** (Johnson/Marshall) to apply for application for Delegated Municipal Authority for Commercial Building and Electrical Inspection Agency for All Croix Inspections with the State of Wisconsin. **Motion carried.**
8. Zoning
  - a. Approval by County Board of Chapter 170 Zoning reported.
  - b. Appointment of members of the Board of Appeals (BOA) Chair presented a slate of candidates. Mike Schulte spoke to the Board. Manuals have been prepared. BOA will only review variances for Ch 170 zoning. Dan Gavin 2021-2024 – Chair, Joy Packard 2021-2023, Sue Curtis 2021-2024, Mike Schulte 2021-2022, Ryan Lynch 2021-2023, and Alternates Pat O’Meara 2021-2022 and Carolyn Barrette 2021-2022. **MOTION** (Johnson/Marshall) to approve the slate of candidates to the Board of Appeals. **Motion carried.**
  - c. Appointment of Town Zoning Administrator; Jay Kimble and Stantec. Jay Kimble has been serving as Deputy Zoning Administrator. Older code may need to be amended over time to accurately reflect the new Zoning code. **MOTION** (Colbeth/Marshall) to approve new Town Zoning Administrators Jay Kimble and Stantec Engineering. **Motion carried.**
  - d. Resolution 2021-10 Updated Fee Schedule – Zoning Preapplication fee needs to be updated to \$300. **MOTION** (Johnson/Marshall) to approve Resolution 2021-10 with the changed preapplication fee to 300 and DZA to Zoning Administrator. Roll call vote all in favor. **Motion carried.**
9. Parks Trails and Recreation
  - a. Park improvements for playground at Town Hall, plan and spec, bid progress. Working on plans and are moving some equipment to allow for adequate spacing.
  - b. Request for donations for park playground improvement – need to make sure information is on website.
  - c. Outdoor Recreation Plan update in progress.
10. Plan Commission
  - a. Approve Ordinances:
 

2021-04 Ch 80-Building needed to come into compliance with state law. Has been reviewed by Town Attorney. **MOTION** (DeRosier/Marshall) to approve Ordinance 2021-04 Ch 80 Building. Roll call all in favor. **Motion carried.**

2021-05 Ch 68- Assemblies; additional changes are needed for large and small assemblies due to restrictions. Most updated version was not loaded for board review. Add to June agenda for PC and Board. Add fireworks permit as a notation.

2021-06 Ch 64- Animals, changes due to addition of exotic and vicious and removed breed specific. Has been reviewed by attorney. Increased fines. **MOTION** (DeRosier/Marshall) to approve Ordinance 2021-06 Ch 64 Animals. **Roll call in favor. Motion carried**

2021-07 Ch 81- Design standards changed due to new zoning code. **MOTION** (DeRosier/Marshall) approve 2021-07 Ordinance repealing and replacing Ch 81- Design standards. Roll call vote – all in favor. **Motion carried.**
  - b. Approve application for Assemblies – move to June
  - c. Approve and set public hearing for Chapter 168, Subdivision Ordinance – minor changes. **MOTION** (Johnson/Marshall) to approve Ch 168 Subdivision Ordinance from Plan Commission with changes recommended by the attorney to go to Public Hearing on June 10<sup>th</sup> at 7pm. **Motion carried.**
11. Public Works
  - a. Charge backs for damages on 60<sup>th</sup> and Red Pine Trail – done.

- b. Update on Fox Ridge Trail road damage – Town Attorney will be talking with the witness and Town will reply to Waste Management.
  - c. Preferred Builders road damages update - 146<sup>th</sup> Ave – cost of repairs was less than expected; will be sending out a demand letter.
12. Appointment of new Tractor Operator – Dawson Monty. Training would be provided; **MOTION** Marshall/XX to approve new tractor driver for Dawson Monty for 2021 operation. **Motion carried.**
13. Update and action on maintenance issues
- a. Town Hall Door painting. Doors are not fully sanded, additional items are needed to be complete. Waiting for a response from contractor. Will be on June agenda.
14. IT update and server and email accounts
- a. Update on AT&T Fiber Internet/VOIP Phones. Install is in process. Discussion about phone access if internet is down.
  - b. Approval of Quote for IT relocation inside Town Hall **MOTION** (Johnson/Marshall) to approve Sunnylink quote for \$3400.34 to relocate IT in Town Hall. **Motion carried.**
  - c. Update on bid for AV needs of the town hall at IT Committee; expect in June.
  - d. Approval of MSP/MSSP agreement – June.
  - e. Sunnylink services
  - f. Other IT issues

Town Hall ceiling HVAC and fans installed. additional build out in fire dept server room. Contractors were done early and Town saved money on roll off. Extra tiles are in storage. Some additional painting next week.

15. Town Chair recommendation of appointments to committees and board
- a. Dissolve Public Safety Committee. Was formed when there were 2 public safety depts; not needed now with the merger. **MOTION** (Colbeth/Marshall) to dissolve Public Safety Committee. **Motion carried.**
  - b. Appointment of 2021-2022 Town Committee and Commission Members. Plan Commission will be interviewing candidates next month; asking Town Board to approve Anton Rang. No changes to Parks Trails and Recreation. Changes to Public Works and IT. **MOTION** (Johnson/Marshall) to appoint Stefan Thielke and Mitchell Foster to the Finance Committee, Anton Rang to the Plan Commission 2021-2024, 5 members and 2 alternates on the slate for Parks Trails and Recreation, Public Works: 4 existing members plus Mike Long and Jeff Carlson as alternate; 5 existing members plus Justin Kruse for IT. **Motion carried.**
  - c. Approve Letter of Interest Fillable Form on Town website. Add to June agenda.
16. Appoint Town Clerk/Treasurer to hire Meeting Secretary for Plan Commission and Board of Appeals **MOTION** (Johnson/Marshall) to appoint Town Clerk/Treasurer to hire Meeting Secretary for Plan Commission and Board of Appeals with salary range set by town board. **Motion carried.**
17. Update on St Croix Meadows Mobile Home Park. New attorney; expect renewal application in June.
18. Sale of Town Property – Right of Way at Town Hall for St. Croix County Road Project. County has made an offer for the purchase \$3650 for right of way for County Rd E project. **MOTION** (Johnson/Marshall) to counter offer for the acquisition for the Right of Way for St Croix County Road Project in the amount of 5000. Clerk to send documentation for purchase of 54<sup>th</sup> street. **Motion failed. MOTION** (Johnson/Marshall) that Town of St Joseph will ask St Croix County to do an appraisal on the property and to submit the purchase agreement for County Rd E and 54<sup>th</sup> St project that was purchased under the advisement of the County Engineer. **Motion carried.**
19. Town Hall Weed Control Quotes **MOTION** (Johnson/Marshall) to approve the Fitzgerald Lawn weed control quote for the general grounds of Town Hall and not the pavilion for no more than 3 applications per year. **Motion carried.**

20. Erosion control for grading on North side of Town Hall. Slope issues behind the building. Estimate of \$800 for solution **MOTION** (Johnson/Marshall) to approve up to \$1000 to control erosion control on the north side of Town Hall Building. **Motion carried.**
21. Board of Review --- open and adjourn to later date – **MOTION** (Johnson/Marshall) to open the Board of Review and adjourn to June 22, 2021 at 6pm. **Motion carried.** Board training will be on the 27<sup>th</sup> at 3pm.
22. Update on information on State Park parking lot off of Trout Brook Rd. Supervisor Meyers reported that the State Park will reevaluate all locations. Communicate out to residents to stay involved. No parking signs on Trout Brook Road and River Road may be needed for. Discussion about installation of trails. Add to June agenda.
23. Appoint representative to St Croix County Broadband Feasibility Study - Supervisor Rick Colbeth will serve.
24. Update on library funding – Chair Johnson reported that the City of Hudson is working on a legislative solution.
25. Clerk/treasurer update
  - a. Accounts sent to collection – no action taken.
  - b. PUMA – no action taken.
  - c. Fire Dept Burn Permits online **MOTION** (DeRosier/Marshall) to make the Fire Department Burn Permits available online under direction of Clerk/Treasurer's office. **Motion carried.**
  - d. Codification of Ordinance Chapters **MOTION** (Johnson/DeRosier) to approve e code codifying Chapters 170, 80, 64 and 81 at this time cost not to exceed 7000. **Amended** to include Chapter 114. **Motion carried.**
  - e. ARPA Funding Update. Discussion on eligible expenses.
26. Payment of checks **MOTION** (Johnson/Marshall) to approve all checks and payments 22294-22377 including transfers. **Motion carried.**
27. Approval of Town Board Meeting Minutes – **MOTION** (Meyers/Marshall) to approve the Town Board minutes of 4/8/21, 4/12/21, and 4/27/21. **Motion carried.**
28. Budget, invoices and bank balances reviewed.
29. **MOTION (Marshall/Meyers) to move into Closed Session** per Sec 19.85 (1)(c) of the Wisconsin Statutes for consideration of employment, promotion, compensation or performance evaluation data of an employee: Town Clerk/Treasurer. Roll call vote all in favor. **Motion carried.**
30. **MOTION (Marshall/DeRosier) to move into Open Session:** per Sec 19.85 (1)(c) of the Wisconsin Statutes for consideration of employment, promotion, compensation or performance evaluation data of an employee: Town Clerk/Treasurer  
**MOTION** (Johnson/Marshall) to authorize 2 hours each month to each Deputy Clerks to be reviewed in 60 days. **Motion carried.**  
**MOTION** (Johnson/Marshall) to approve a one-time bonus of \$3000 to Annie Coyle Clerk/Treasurer payable immediately. **Motion carried.**

Items for next Plan Commission or Town Board Agendas:

Supervisor Meyers requested that the Town Board consider a resolution declaring the Town a 2nd Amendment Sanctuary town; will email a copy to the Clerk.

**MOTION** (Marshall/Colbeth) to adjourn at 10:22pm **Motion carried.**