

Town of St. Joseph - St. Croix County, WI
Minutes of the Town Board Meeting with closed session
St. Joseph Town Hall
December 14, 2023

Call to Order by Chair Theresa Johnson at 6:00 pm

Statement of Public Notice read by Clerk

Roll Call: Chair Theresa Johnson, Matt Moore, Laurie DeRosier, Chris Marshall, Justin Kruse, Engineer Lee Mann, Attorney Nick Vivian

Adoption of Agenda: **MOTION** to adopt the agenda as presented (Marshall/Moore). **Motion carried.**
Pledge of Allegiance recited

Public Comment: Darla Meyers thanked the Board for the newsletter and stated it would have been nice to have additional communication regarding the new Town Hall Building, also discussed that she did not know what the purpose of items 27 and 28 were on the agenda.

Business discussion and possible action on:

1. Fire Department Life Saving awards: Zac Spates discussed the life-saving event, Joanne Moats, whose life was saved on November 12th, spoke and thanked all the firefighters and EMS personnel who saved her life. Zac Spates presented the Life Saving awards to Paul DeRosier, Dawn Kameo, Abby Spates, and Eric VanBruggen.
2. Fields of White Eagle – request for documentation to support invoice. Jon Whitcomb discussed the project completion, the request for the reduction of the letter of credit, the invoice from the engineer, and the escrow amount. Lee Mann explained the documentation which supports the invoice charges.
 - a. Possible change of ownership
 - b. Consider Letter of Credit reduction: Lee Mann discussed the items remaining on the checklist and the recommendation for the reduction of the letter of credit. Explained that the 10% will be held until June 1, 2024. Theresa Johnson stated that she is comfortable releasing the escrow deposit, as long as he pays his outstanding balance. **MOTION** to approve the town taking over the roadways for the Fields of White Eagle, a Letter of Credit reduction to \$49,900 and that after he pays the current bill, we will refund the deposit of \$10,000 (Johnson/Marshall). Roll call: Justin Kruse-Aye, Chris Marshall-Aye, Laurie DeRosier-Aye, Matt Moore-Aye, Theresa Johnson-Aye. **Motion carried.**
3. Arbor Ridge – Consider Letter of Credit reduction: Bob O'Brien appeared on behalf of Arbor Ridge to ask for the letter of credit reduction and a return of the escrow deposit. Lee Mann discussed the status of the project and recommended the reduction of the letter of credit. **MOTION** to approve taking over the roadway in Arbor Ridge, to lower the Developer's Letter of Credit to \$10,000 and to refund his deposit, upon payment of any outstanding bills on this date (Johnson/Moore). Roll call: Matt Moore-Aye, Laurie DeRosier-Aye, Chris Marshall-Aye, Theresa Johnson-Aye, Justin Kruse-Aye **Motion carried.** Board approved an escrow refund check to Bob O'Brien in the amount of \$10,000.
4. North Valley Estates - Letter of Credit on outstanding bill: Discussed the outstanding **invoice** for the North Valley Estates development. Discussed obtaining the amount from the letter of credit. **MOTION** to tap the letter of credit in the amount of \$336.60 to satisfy the outstanding Invoice 130 (Moore/DeRosier). **Motion carried.**
5. Donald & Judith Kadidlo Revocable Living Trust – lot line adjustment – Old Mill Rd: Joseph Granberg discussed the lot line adjustments requested. **MOTION** to approve the Donald and Judith Kadidlo Revocable Living Trust lot line adjustment to also include proof of shared driveway paperwork (Marshall/Moore). **Motion carried.**
6. CSM-Gillstrom, Estate of Margaret, 1341 15th Street, Houlton PID 030-2044-95-010 and PID 030-2044-90-000: Ed Flannum presented the updates to the CSM per the staff report. **MOTION** to approve the CSM for the Gillstrom Estate of Margaret at 1341 15th Street

(Marshall/Moore). **Motion carried.**

7. Steve Vader – 144th Ave upgrade to town standards – costs, responsibilities
8. 7:00PM Public Hearing Steve Vader rezoning- 360 144th Ave: Public hearing opened at 7:07pm. Town Chair asked if anyone wanted to speak to this rezone. Doug Zahler and Steve Vader were present to discuss the proposed rezone to Agricultural Residential. Town Chair asked if there is anyone present who wishes to speak to the rezoning. Town Chair discussed the process for rezoning. Town Chair asked if anyone wished to speak to the rezoning of this property. This was asked three times. **MOTION** to close the public hearing on the rezoning of 360 144th Avenue (Johnson/Moore). **Motion carried.**
9. Action on Rezoning of Steve Vader- 360 144th Ave, Houlton, WI PID030-1040-80-200: **MOTION** to approve Steve Vader's rezoning of 360 144th Avenue, Houlton, WI from preservation to agricultural residential for PID: 030-1040-80-200 (Marshall/Moore). Roll call: Laurie DeRosier-Aye, Matt Moore-Aye, Justin Kruse-Aye, Theresa Johnson-Aye, Chris Marshall-Aye. **Motion carried.**
10. Town Hall Building with costs, timelines, next steps: Bruce Paulson discussed the updated floor plans and elevation. Theresa Johnson discussed the quote from Designworks for cabinetry. **MOTION** for project design for the Town Hall kitchen, reception area cabinetry, and voting booths for Designworks not to exceed \$1,200 (Marshall/Kruse). Discussion followed. **Motion carried.** **MOTION** to approve the new town hall building design for \$206,400 plus expenses for a total of \$210,900 for Stantec (Johnson). **Motion failed for lack of second.** **MOTION** to approve the Town Hall Design and Construction Services Proposal in the amount of \$210,900 for Bruce Paulson, the Senior Project Manager and Architect for Stantec (Johnson/Moore). Discussion followed. **Motion carried.**
 - a. Loan and investment updates: Theresa Johnson stated that \$2.2 million has been invested. \$50,000 will be placed in a new bank account.
11. Update on road connections on west side of Town. This item will carryover to January's Board meeting.
12. Major Road Project
 - a. Update on Church St Project and pay requests: Lee Mann discussed the project status and the reimbursement requests for the grant.
13. Public Works
 - a. Update on tractor mowing: Chris Marshall stated that mowing is done and the tractor will be taken in for service at Baribeau. Chris also discussed an RFP for tree services to find a tree service contractor for the Town. **MOTION** to create an RFP for tree services for three years and return to the Board in February (Marshall/Kruse). **Motion carried.**
 - b. ROW construction problems by utility contractor: Lee Mann stated they have not received a response from the contractor. NW Communications has been contacted multiple times. Lee will send information to Justin Kruse.
 - c. 2023 Pavement ratings due December 15: Lee Mann discussed the Town map with the roads, including Arbor Ridge updates, and this will be completed on December 15th.
14. Parks, Trails and Recreation
 - a. Update on Playground: Chris Marshall discussed the status of the slide at the playground. The project will be finished in the spring (planting and detail work). Chris asked to review the totals for the slide project to see the cost savings.
 - b. Outdoor Recreation Plan set for public hearing: Janet Lindstrom discussed the changes on the ORP, including the map substitution. Discussed the additional cost for completing this project. Matt Moore asked what actually needs to be done on the ORP to finalize it. Discussion followed. **MOTION** for Stantec to complete the changes that have been set in the Comprehensive Outdoor Recreation Plan not to exceed \$1,500 (Kruse/Moore). Discussion followed. **Motion carried.**
 - c. Complaint on fence at the Preserve: Chris Marshall discussed the status of the fence, that it will require some labor to clean up the fence line. Discussed the survey that

would need to be done and that the homeowner would have to pay half. Theresa will look into a quote for a survey, Chris will look into the clean up.

15. Plan Commission

- a. Appointment of member for alternate position: Chair Johnson discussed the vote at the Plan Commission and that Ordinance Chapter 35 Plan Commission states that the 7-member committee all vote, which includes the vote of the designated member from the Town Board Chair. **MOTION** to send the recommendation for the appointment of the alternate member back to the Plan Commission and instruct them to follow proper procedure as laid out in Code of Ordinances, Chapter 35 and have all 7 members of the Plan Commission vote including the Town Chair designee from the Town Board. (Johnson/Kruse). **Motion carried.**
- b. Junkyards and other chronic nuisances and enforcement issues
 1. Campgrounds: nothing new to report at this meeting.
 2. Rolling Hills Trail junkyard: Nick Vivian stated this is the subject of a closed session.
 3. Burning of toxic materials off of 37th Street: Nick Vivian stated that this is the subject of a closed session.
 4. Fire at 1146 Hwy 35 with multiple vehicles and diesel fuel contamination: Nick Vivian stated that Jay has sent a letter to the property owner, and this is the subject of a closed session.
 5. Other enforcement issues: Laurie DeRosier discussed three homes that are being invaded by varmints and asked about the procedure. This will be referred to the St. Croix County Public Health Services.
- c. Update to ordinances
 1. Temporary Structure Ordinance/Fee Schedule: This item will be carried over to a future meeting.
 2. Chapter 35 Plan Commission – approval: Anton stated the changes were minimal and made to numbering. This will be referred to Nick Vivian for review.
 3. Chapter 144 Records – approval: Anton stated the changes were minimal. This will be referred to Nick Vivian for review.
 4. Chapter 151 Roadway Numbering or Naming and House Numbering – approval: Anton stated the changes were minimal. This will be referred to Nick Vivian for review.
 5. Chapter 160 Snow and Ice Removal – approval: This will be carried over to the next Board meeting.
 6. Chapter 170 Zoning (Parking Standards and Site Plan Sections) – review (site plan section numbering) and set for public hearing: This will be carried over to the next Board meeting.

16. Technology Committee

- a. Continue with Google Drive: Anton Rang stated that the Technology Committee decided to stay with Google Drive and not move forward with Synology.

17. Update on maintenance issues

- a. Backup Generator monitoring system quote: Discussed the alert system quote and how the alert system will work. **MOTION** to approve the proposal from Allied/Allgen Generators 36704 for a \$1,165 for the installation of the cellular monitoring system (Kruse/Marshall). **Motion carried.**

18. ARPA funding and approval of expenditures

- a. Approval of ARPA projects for the Town: This item will be a standing item on future agendas. There is nothing to approve at this time.

19. Short term rental inspections: Zac Spates will obtain the list of all short-term rentals and will begin this process.

20. Update to Town Rules: Discussed the update to the Town Rules. Nick Vivian stated that the Board and Committee members will not be directing or supervising the Deputy Clerks, but will send all issues, comments, direction to the Clerk/Treasurer. **MOTION** to approve the revisions to Town Rule 37 with an edit that would takeout the reference to Google Drive and change it to Digital Asset (Moore/Kruse). **Motion carried.**

21. Public Record Request Policy: Nick Vivian discussed the public record request policy and reason for its creation. **MOTION** to approve the Public Record Request Policy as stated by the Town's attorney (Kruse/Marshall). **Motion carried.**
22. Election Workers for 2024-2025 -2-year term appointment: **MOTION** to approve the Election Workers list as submitted (DeRosier/Kruse). **Motion carried.**
23. Kennel licenses: **MOTION** to approve the Kennel Licenses for Jody Boumeester and Garth and Jen Vandervorst (Marshall/DeRosier). **Motion carried.**
24. Public Records Requests – progress and costs: Discussed the current public record request chart. This will continue to be updated and presented each month.
25. Request to close Town offices on December 26 with pay: **MOTION** to pay the three clerks for December 26, 2023 with the office closed (Marshall/Kruse). **Motion carried.**
26. Reconsideration of motion to set levy for 2023 to be collected in 2024: Discussed the update to the Town Levy. **MOTION** to reconsider the motion by the Town Board on November 14th to set the levy for 2023 to be collected in 2024 (Johnson/Kruse). **Motion carried.**
 - a. Motion to adopt the 2023 tax levy to be collected in 2024: **MOTION** to adopt the correct 2023 tax levy to be collected in 2024 in the amount of \$2,182,067 which is a lesser amount than what was approved at the Meeting of the Town Electors. The meeting of the Town Electors approved \$2,191,682.00 (Johnson/DeRosier) Roll call: Chris Marshall-Aye, Laurie DeRosier-Aye, Justin Kruse-Aye, Matt Moore-Aye, Theresa Johnson-Aye. **Motion carried.**
27. Reconsideration of motion to adopt the 2024 budget: **MOTION** to reconsider the motion by the Town Board on November 14th to adopt the 2024 budget of \$5,649,373,25 (Johnson/Marshall). **Motion carried.**
 - a. Motion to adopt the 2024 budget: **MOTION** to adopt and correct the 2024 budget of \$5,639,758.25 which is less than the budget amount approved on November 14th (Johnson/Marshall). Roll call: Justin Kruse-Aye, Chris Marshall-Aye, Laurie DeRosier-Aye, Matt Moore-Aye, Theresa Johnson-Aye. **Motion carried.**
28. Operator Licenses – Candice Barry - Big Guys BBQ, Matthew Yacoub – Big Guys BBQ: **MOTION** to approve the operator licenses for Candice Barry and Matthew Yacoub (Marshall/Kruse). **Motion carried.**
29. Approval of Town Board minutes – November 9th, November 14th, and November 30th: **MOTION** to approve the Town Board minutes for November 9th, November 14th, and November 30th (Moore/Marshall). **Motion carried.**
30. Set January date for review of contractors for the Town: **MOTION** to set the meeting date for January 25, 2024 at 5:30 pm to review contractors (Marshall/Kruse). **Motion carried.**
31. Budget, Invoices, checks and bank balances: **MOTION** to approve Check Nos. 24562 through 24625 including the epays that were taken out the account for withholdings (Johnson/Marshall). **Motion carried.**
32. Items for the next Town Board Agenda or committee agendas
33. **MOTION** to go into Closed Session: Roll call: Matt Moore-Aye, Laurie DeRosier-Aye, Chris Marshall-Aye, Justin Kruse-Aye, Theresa Johnson-Aye. **Motion carried.** Closed Session: Wis Stats 19.85(g)—Conferring with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – Hwy 35 property, 37th Street
34. **MOTION** to go into Open Session (Marshall/Kruse). Roll call: Theresa Johnson-Aye, Justin Kruse-Aye, Laurie DeRosier-Aye, Chris Marshall-Aye, Matt Moore-Aye. **Motion carried.** Open session to discuss or act upon matters considered in Closed Session
 - a. Action on Hwy 35 property
 - b. 37th Street property
35. Adjournment: **MOTION** to adjourn at 9:00 pm (Marshall/Kruse). **Motion carried.**