

Town of St. Joseph - St. Croix County, WI

Minutes of the Town Board Meeting with closed session St. Joseph Town Hall Thursday, January 11, 2024

Call to Order by Chair Johnson at 6:00 pm

Statement of Public Notice read by Clerk

Roll Call: Chair Theresa Johnson, Laurie DeRosier, Chris Marshall, Justin Kruse, Engineer Lee Mann, Attorney Nick Vivian. Not Present: Matt Moore

Adoption of Agenda: **MOTION** to adopt the agenda as presented (Kruse/Marshall). **Motion carried.**

Pledge of Allegiance recited

Public Comment: Jay Kimble, 1443 37th Street, commented how impressive the Fire Department's performance was with a fire at a neighbor's house.

Business discussion and possible action on:

1. Waiver – Dan Martin – Driveway separation – 295 122nd Ave, Hudson: Dan Martin presented his waiver request and reasons for it. Chair Theresa Johnson recused herself from the discussion as she is a neighbor to Mr. Martin. Discussion followed. **MOTION** that the setback variance from the center of County Road V to the driveway for Parcel ID: 030-2073-40-200 for Daniel Martin family, 295 122nd Avenue, be approved (DeRosier/Marshall). **AMEND MOTION** to state that is an application for a waiver be approved (DeRosier/Marshall). **Motion carried.** **MOTION** to direct Clerk's office to double-check all fees paid and correct any differences (DeRosier/Marshall). **Motion carried.** Both motions carried. Justin Kruse asked that Daniel Martin complete a waiver application.
2. Artisan Farm-Divine Homes – Update: Nick Vivian discussed the Development Agreement and revisions. **MOTION** to approve the Development Agreement for Artisan Farms and Divine Homes (Marshall/Kruse). **Motion carried.**
3. Update on road connections on west side of Town: Phil Carlson, Stantec, discussed the update and the memo provided. Justin Kruse stated we need to account for the utility needs as well. Discussion followed. Phil will return in March after updates have been made.
4. Major Road Project
 - a. Update on Church St Project and pay requests: Lee Mann stated there are no substantial updates on this project. Lee stated they are working on finalizing the grant in order to submit it.
5. Public Works
 - a. 2024 Road Maintenance Project: Lee Mann stated he will work with Public Works to plan the crack seal/seal coat project for 2024, stated he is looking for authorization to commence the plan. **MOTION** to approve the 2024 Road Maintenance Project not to exceed \$40,000 for the Engineer (Marshall/Kruse). **Motion carried.**
 - b. Results of borings on 144th: Lee Mann stated the soil borings have been completed, but we do not have the results yet.
 - c. Update on tractor –mowing and maintenance: Chris Marshall stated there is an appointment set for the tractor, but no further update.
 - d. ROW construction problems by utility contractor: This item will be revisited in the Spring.
 - e. Performance of repairs on River Road: Chair Johnson stated that there are some areas that are failing. Lee Mann stated Kellie reviewed the repairs and Stantec will be putting the contractor on notice regarding the issues.
 - f. New development clustering of mailboxes in cul-de-sacs: Theresa Johnson discussed the recommendation of the Public Works Committee to revise Chapter 149 to include clustering of mailboxes on cul-de-sacs. Chris Marshall stated that it would be beneficial

to the homeowners and we would like to apply this to new developments. Theresa stated this would need to go to the Plan Commission for review and Stantec to create a plate for this revision. **MOTION** to send this to the Plan Commission to review Chapter 149 and put something in there that allows for the clustering of mailboxes on all new cul-de-sacs, with a plate of some kind that would come from Stantec to accompany that (Johnson/Marshall). **Motion carried.**

6. Parks, Trails and Recreation

- a. Update on Playground and plans to be completed in spring: Nina Boonaker provided an update regarding the retention pond, a bridge that needs to be built, and mattings and mulch.
- b. Outdoor Recreation Plan set for public hearing: Received the updated Outdoor Recreation Plan today. Chris Marshall asked what is left to be done on this plan. Laurie DeRosier stated we need to make a decision on which map will be included. Lee Mann stated that the direction Stantec had received was that the map that was sent to them should be included in the ORP. **MOTION** that the map will go back to the parks committee and the specific map decided upon and no other changes will be made. It will be on our agenda in February and will be set for a public hearing in February (Johnson/DeRosier). Discussion followed that there will only be action on the map. Justin Kruse asked if there is enough money left in order to make any changes to the map portion. Lee Mann stated that if there is a map provided, they will insert it into the document. He stated there should be enough funds left to insert this map. **Motion carried.**
- c. 7:00PM Complaint on fence at the Preserve: Bill Murphy, Fox Trail, property adjacent to the Preserve. Theresa stated we have had a survey done on this property and there are stakes put up. Bill Murphy stated he had a question regarding the fence line and does the Town intend to maintain it. He also stated there are issues with hunters on his property. Chris Marshall stated he wants to be a good neighbor and would like to share the costs of maintaining it with Mr. Murphy. Chris also stated we could go down there and clean up the area and bring it back to good standards. Bill stated that his neighbors, Chad and Dorothy, should also be included in any discussion regarding cost sharing. Bill stated he would like to have a conversation with the people impacted by this and he will come back to the Board to discuss it. Bill stated he has spoken with the DNR regarding the Town having control over hunting on this property, they stated yes. Theresa Johnson asked who the adjoining landowners are for the Preserve. Chad, adjoining landowner, stated he has the same trespassing issues, fence has been cut, people jumping over fence, and kids using the area as a shooting range. Dorothy, owns 20 acres next to Bill Murphy, reiterated the issues they are having with trespassers. She asked if we could stop mowing the trail line to deter people, as in create a natural barrier. Chad suggested property line markers defining the lines. Bill also suggested we try and limit the hunting. Anton stated the DNR could prohibit hunting if hunter potentially misses their target and rounds travel to private property. Discussion followed. Theresa stated we would have someone from the Board contact the DNR, we will have Chris Marshall look into the signage and discuss the replacing of signs, cost estimates, and will place this on the next Board agenda with the information received.
- d. Change in Bike and Pedestrian Trail map: This was discussed above with the Outdoor Recreation Plan discussion.

7. Town Hall building

- a. Update on process, design, plans and specifications: Bruce Paulson provided a new set of plans and discussed the current status. Discussed the window selection. Discussed the interior doors and the ability to close off areas. Discussed having the east door with only exit hardware and no ability to come back into the building. Will be discussing power, data and lights at the January 18th work session. Chair Johnson asked Justin Kruse to work on the phones needed for this building. Zac Spates stated the Fire Department only needs one phone on the garage side and one phone on the office side. Bruce asked if would like to have power assist on the front door. Board

stated yes.

- b. Surveyor: Bruce stated that it was surveyed and the wet land delineation will be performed by Stantec.
8. Plan Commission
 - a. Appointment of member for alternate position: Chair Johnson stated proper procedure was not followed in the recommendation by the Plan Commission in the manner that they used for this appointment. The first motion to pass with a majority should be the recommendation sent to the Town Chair. In this case, the Commission continued to make another motion with a second recommendation after the first motion passed. The Commission cannot continue to make second motions on the same subject unless the first motion has failed. In this case, it did not fail. This produces chaotic non-decisions on a matter before the Commission. **MOTION** to send the recommendations for the appointment of the alternate member back to the Plan Commission and instruct them to follow proper procedure as laid out in the Code of Ordinances, Chapter 35 in recommending a member to the Commission and to follow Roberts Rules of Order and come forward with one motion with one recommendation to the Town Chair (Johnson/DeRosier). Discussion followed. **Motion carried.**
 - b. Junkyards and other chronic nuisances and enforcement issues
 1. Campgrounds: Nothing new to discuss at this time.
 2. Rolling Hills Trail junkyard: Nick Vivian stated that there is a letter which has been sent on this matter.
 3. Burning of toxic materials off of 37th Street: Per Jay's report, they are making progress on this property.
 4. Fire at 1146 Hwy 35 with multiple vehicles and diesel fuel contamination
 5. Other enforcement issues: A shed was built without a permit; this is an ongoing situation.
 - c. Update to ordinances
 1. Chapter 35 - Plan Commission – approval: Anton Rang stated the changes were to remove the references to County zoning, make a wording change from Town Master Plan to Town Comprehensive Plan, and other minor wording changes. **MOTION** to approve Chapter 35 Plan Commission Ordinance with the amended changes (Johnson/DeRosier). Roll call: Justin Kruse-Aye, Chris Marshall-Aye, Laurie DeRosier-Aye, Theresa Johnson-Aye. **Motion carried.**
 2. Chapter 144 – Records – approval: Discussed the minor changes. **MOTION** to approve Chapter 144 Records (Marshall/DeRosier). Roll call: Laurie DeRosier-Aye, Justin Kruse-Aye, Chris Marshall-Aye, Theresa Johnson-Aye. **Motion carried.**
 3. Chapter 151 – Roadway Numbering or Naming and House Numbering – approval: Anton discussed the changes requested. **MOTION** to approve the changes and amendments to Chapter 151 Roadway Numbering or Naming and House Numbering (Johnson/Marshall). Roll call: Theresa Johnson-Aye, Chris Marshall-Aye, Laurie DeRosier-Aye, Justin Kruse-Aye. **Motion carried.**
 4. Chapter 160 – Snow and Ice Removal – approval: The redline was not completed at this time. Clerk will complete redline and send to the attorney for review. Will bring to the next meeting.
 5. Discussed the proposed temporary structure ordinance and the proposed Emergency Management Plan.
9. ARPA funding and approval of expenditures
 - a. Approval of ARPA projects for the Town: nothing new to report at this time. Discussed paying contractor bills with the ARPA funds.
10. Election Inspectors
 - a. Election officials pay: **MOTION** that we increase the pay for the Election Inspector II (Marshall/DeRosier). Discussion followed. **Motion carried.**
 - b. Approval of additional Election Worker for 2024-2025 -2-year term appointment: **MOTION** to hire Kari Lanz as an election worker (Marshall/Johnson). **Motion carried.**
11. Kennel License – Mary Tyson/John Ringhofer: **MOTION** to accept the Kennel License for Mary Tyson/John Ringhofer (Marshall/Kruse). **Motion carried.**

12. Generator alert information and quote: The alert system has been activated and Theresa, Teri, and Zac are listed as the alert receivers.
13. Public Records Requests – progress and costs: The Clerk will update the record request chart and submit it at the next meeting.
14. Fee schedule update: Chair Johnson discussed the updates to the Fee Schedule. **MOTION** to approve the new and improved Fee Schedule for 2024 (Marshall/Kruse). **Motion carried.** **MOTION** to approve Resolution 2024-01 update the Town Fee Schedule (Johnson/Marshall). Roll call: Theresa Johnson-Aye, Laurie DeRosier-Aye, Justin Kruse-Aye. **Motion carried.**
15. Approval of Town Board minutes – December 14th, December 28th: **MOTION** to approve the Minutes for December 14th and December 28th (Marshall/Kruse). **Motion carried.**
16. Budget, Invoices, checks and bank balances: **MOTION** to approve all Check Nos. 24628 through 24721 including the fund transfers and payroll liabilities (Johnson/Kruse). **Motion carried.**
17. Items for the next Town Board Agenda or committee agendas: Laurie asked to receive updated information on impact fees for new facilities. Also requested information on the letter to MHP owner of cats, how was this sent and need for second letter.
18. **MOTION** to go into Closed Session: Wis. Stats 19.85(g) (Kruse/DeRosier). Roll call: 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
19. **MOTION** to go into Open Session (Kruse/Marshall). Roll call: Chris Marshall-Aye, Justin Kruse-Aye, Theresa Johnson-Aye, Laurie DeRosier-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
20. Adjournment: **MOTION** to adjourn at 9:10 pm (Marshall/Kruse). **Motion carried.**

Minutes submitted by Teri Kelly.