Town of St. Joseph - St. Croix County, WI
Minutes of the Town Board Meeting with closed session
St. Joseph Town Hall
March 9, 2023

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, Rick Colbeth, Justin Kruse
Adoption of Agenda: **MOTION** to adopt the agenda for March 9, 2023 (Marshall/DeRosier). **Motion carried.**
Pledge of Allegiance recited

Public Comment: Anton Rang discussed the housing shortage in the State and the proposal may be made to have the State determine lot sizes for all of the state. Darla Meyers read a letter from the Polk County Sheriff Brent Waak stating that Polk County is a Second Amendment Sanctuary County and will allow its citizens to keep their second amendment rights. Justin Kruse reminds residents to not push snow out into the streets as it causes issues.

Business discussion and possible action on:

1. MS-4 Annual Public Meeting: Peter Allen from Stantec discussed the MS4 Permit for the Annual Public Meeting. Richard Hailey asked about the MS4 being owned or operated by the municipality.
2. CSM – lot line adjustment for Karen LaCasse/Michael & Kay Williams 664-668 Perch Lake Rd, Hudson WI: Michael Erickson with Four Seasons Land Surveying discussed the lot line adjustment. **MOTION** to accept the CSM Lot Line Adjustment for Karen LaCasse/Michael & Kay Williams, 664-668 Perch Lake Rd, Hudson, WI (Marshall/DeRosier). **Motion carried.**
3. St Croix Crossing Half Marathon: Stacy Einck discussed the marathon route and timing of marathon. Chair Johnson stated they are not allowed to make any permanent markings on the road. **MOTION** to approve the opportunity for the St. Croix Crossing Half Marathon in Town of St. Joseph (Marshall/Kruse). **Motion carried.**
4. Award of RFP for Animal Control Services
   a. <u>Companion Animal Control</u>: Brit Harmon discussed the RFP submission which includes the permits, insurance certificates, and the work performed. Chair Johnson asked about Lucky Paws being unlicensed from September 30, 2022 through December 30, 2022 per the Dept of Ag email received on January 23, 2023. The current license submitted is dated December 30, 2022 through September 30, 2023. Kerri Holmberg, Lucky Paws, stated that it was the payment that was not received, but the license was still valid. She had performed a record request with the State to receive all the documents pertaining to this issue. Brit stated that they have been in good standing, have been an outstanding rescue, and clarification should be received from the Dept. of Ag. Stated that the payment being delayed is not a big issue and the Board should not be worried about it. Justin Kruse asked for documentation that shows the license was never lapsed. She stated that the inspection reports are good for two years and the inspector (Colin, Dept. of Ag) stated to Kerri he is not aware of any lapse in their licensing. Laurie DeRosier asked about the fee schedule. Chair Johnson discussed the fees which are paid by the Town. Brit stated that they have not changed their fees in a while. Laurie DeRosier asked about charging fees back to owners of animals that are picked up. Clerk stated yes, fees are charged to owners. Justin Kruse wants to understand the lapses of licenses and dates and wants to see documentation to show they were in compliance. Laurie DeRosier asked about Companion Animal Control and Lucky Paws being two separate entities. Chair Johnson asked Kerri about the intake hold. Kerri stated that many animals are surrendered but during an intake hold they do not take surrendered animals and they have so many animals that they use foster homes.

b. Dedicated Animal Control Services: Darel Hall discussed his experience and the RFP submission, which includes the licensing, pictures of the newly built kennel, fee schedule (no retainer), and the work performed. Chair Johnson asked about his impound facility. Darel stated he owns the facility. Laurie DeRosier asked about the name of the facility and the location. Darel stated that Dedicated Animal Control Services is a full-service business and the address is his home. Darel discussed the other impound facilities used after a stray dog hold (4 days standard, he holds for 5 days). He houses the cats at the same facility in a separate room. Chair Johnson asked how microchips in animals are checked. Darel stated they have a universal scanner that scans for microchips and then checked online. Chris Marshall asked about strays being taken to a vet and the costs associated. Darel stated he would absorb the costs first and then determine if there was further billing. Darel stated that if he had received the call for 30 cats, he would have absorbed the costs for the testing of the cats, and gave an example. Justin Kruse asked about the dangerous animal boarding fee. Darel stated that it usually means an abused dog.

MOTION to receive additional information for licensing from Companion Animal Control and to see where the cats are housed for Dedicated Animal Control Services and to revisit at the next Board meeting (Kruse/DeRosier). Discussion followed. **Motion failed. 2-3. MOTION** to approve Dedicated Animal Control starting May 1, 2023 and revisit the contract in March 2024 (Johnson/DeRosier). Discussion followed. **Amend Motion** to state the beginning of the contract to April 1, 2023 (Johnson/DeRosier). **Amend Motion** to have Dedicated Animal Control Services to provide photos of cat holding areas (Johnson/DeRosier). **Motion failed. 2-3. MOTION** to have a six-month trial period with Dedicated Animal Control as of May 1, 2023 (Marshall/Colbeth). **Motion carried 3-2**. Contract will be reviewed in November 2023.

MOTION to move item number 10. Fire Department up to this time on the agenda (Johnson/Kruse). **Motion carried.**

5. Fire Department-update and changes to bylaws: Zac Spates discussed the delivery of the new truck. Discussed the bylaw change to the current bylaws Section 7L to have the Board appoint the Fire Chief every four years. It will change from an official election by the firefighters to a recommendation to the Board. Nick Vivian stated this is a perfectly acceptable change to the bylaws. Rick Colbeth asked about the new fans installed and how they are being paid for; Zac stated they were from the prior budget year.

MOTION to move item number 7. Parks Trails and Rec up to this time on the agenda (Johnson/Marshall). **Motion carried.**

6. Parks, Trails and Recreation
   a. Review and award of bid for slide project: Lee Mann discussed the bids received. The lowest bid for the Hillside Playground Equipment was from Pember for $94,964.44. The lowest bid for the Hillside Play Improvements was from Skid Steer Guy for $82,741.00. The total for both bids is $177,705.44. Nina Boonacker stated she thought the bid was too high. Discussed the pricing allocated on both bids. **MOTION** to table the playground addition for one year (Marshall/Colbeth). Discussion followed regarding having a committee put together to run this project and find an alternative. **Rescind motion** (Marshall/Colbeth). **MOTION** to reject the two bids from Skid Steer Guy and Pember for the Park Improvement Project (Marshall/DeRosier). **Motion carried.**
   b. Fall Festival: Nothing new at this time.
   c. Agreement with Sandpipers for use of the ball field and approval of proposed improvements: Jon Welch, Sandpipers, discussed the two contracts. **MOTION** to approve the agreement with Sandpipers for the ballfield and the shed (Marshall/Colbeth). Discussion followed. Chris Marshall volunteered to donate the cost for the resurfacing of the ballfield. **Motion carried.**
7. Major Road Project
   a. Review and award of bid for Church St Project: Lee Mann presented the bids for the project. Discussed the costs of the project. Discussed that this is a good investment for the future. Lee

stated that they are not aware of any environmental issues. Stated this has been through County and DNR review and has been approved. Discussed followed. **MOTION** to approve the bid award for the Church Street Project to the low bid from Stout Construction (Johnson/Marshall). **Amend Motion** to include all three alternates 1, 2, and 3 for $963,000 (Johnson/Marshall). **Amend Motion** to state $960,764.76 (Johnson/Marshall). **Motion carried.**

8. Public Works
   a. Update on snowplowing: Chair Johnson discussed the status of the current snowplowing.
   b. Acquisition of ROW for trail to 23rd St: No new information.
   c. Maintenance project for 2023: Lee Mann discussed the maintenance project. Chris Marshall discussed crack filling and renting the new machine. North Hudson is currently renting the new machine. Chris stated it will save money per mile using this machine. This is only for crack filling and not seal coating. **MOTION** to go to bid for our road maintenance; seal coat/crack sealing as needed on all of the pink roads and the green ones are available for an alternate as you want to set up (Johnson/Marshall). Discussion followed re the map (highlighted pink roads). **Motion carried. MOTION** that Supervisor Marshall contract with the Village of North Hudson for the rental of the equipment for a week or less to crack/fill Valley View from County Road E to 60th and then in addition we have the ability to pay Supervisor Marshall an hourly rate as we do with any of our supervisors and chair to do this work for the Town (Johnson/Kruse). Discussion followed. **Motion carried.**
   d. Update on change of name for 2 roads, Arbor Ridge cul de sac and extension of 23rd St. Chair Johnson discussed her meeting with Brett Budrow at the County. The County's proposal does not include enough numbers to include all of the homes. County proposed two solutions: (1) change it to 146th Avenue and everybody deals with it, two individuals will have to change their address; (2) signage the corner to state "146th Ave except for 1465 24th and 1467 24th are down that road (with a big arrow)". Nick Vivian stated he discussed this with County Corporate Counsel. Discussed how this will affect deliveries to these homes. **MOTION** on keeping 24th Street as a street in the new O'Brien additions and that the County uses one fire number with A, B, C, D for the new lots (Marshall/Kruse). Discussion followed. **Motion carried.**
9. Plan Commission
   a. Junkyards and other chronic nuisances and enforcement issues: Jay Kimble discussed the cease and desist for the pole barn used as a lacrosse field. The illegal non-conforming use must cease in 30 days (March 22). Neighbors have stated that the activities have increased. The complaints consist of traffic, noise, parking.
   b. Planning for commercial/industrial areas of the Town. Lee Mann discussed the plan purpose is to layout roadways for future development. This will carry forward to the next Board meeting.
   c. Chapter 101 Fees – need assessment update: Lee Mann discussed the proposed trails. This item will carry forward to the next Board meeting. **MOTION** to approve Stantec to do the needs assessment for our Chapter 101 Fees Ordinance (Johnson/Marshall). **Motion carried.**
   d. Chapter 168 changes and flow chart – set for possible public hearing: Anton Rang discussed the changes, including the pre-application meeting and the flow charts prepared. Lee Mann discussed the pre-application meeting to the CSM. **MOTION** to set the April 13 Board Meeting for a public hearing on Chapter 168 for 7:00 pm (Kruse/Marshall). **Motion carried.** Clerk will prepare the public hearing for posting.
10. Technology Committee
    a. Broadband provider and resident meeting for April 27th. Chair Johnson discussed the meeting with the residents and broadband providers.
11. Update on maintenance issues: Discussed the paint on the main door as the current paint has water/sun damage. Discussed the need for a sign to be hung next to the door. The Town will not be charged for the repair of the door.
12. ARPA funding and approval of expenditures
    a. Approval of ARPA projects for the Town: Nothing new at this time.
13. Public Records Requests – progress and costs: Discussed the current status of the public record requests. Stated that if another governmental agency creates a record, and we have a copy, it is still not our record. The originator is the keeper of that record.

   a. Process for TB Members and Committee Members to request records from the Town of St. Joseph Clerk's office: Nick Vivian discussed the requests that come through the Clerk's office. The Clerk has to respond and there is a statutory process for it. Board members are entitled to any documents to work through a decision-making process. If there is a request for anything that is not related to the Board role, we have to treat them, according to law, as if from a private citizen. If items are requested that are not on the Board agenda, then the current, regular process will be in place. Laurie DeRosier asked as a Town Board member, if you are using your Town Board email, it has to be on the agenda. Nick stated that it is a discretionary call to determine if it is Town business or a personal item. Nick recommends to everyone that if you want information, ask for specific document, specific date range, specific information. If you are asking as a Board member, request as a something that is going to be discussed, has been discussed, etc., in the capacity as a supervisor.

14. Operator License:
    a. Shyyanne Mattson – Big Guys BBQ
    b. Melissa Johnson – Big Guys BBQ
    c. Shawn Graetz – Consumer Co-op

    MOTION to approve the operator licenses for the following parties: Shyyanne Mattson, Big Guys BBQ, Melissa Johnson, Big Guys BBQ, and Shawn Graetz, Consumer Co-op (DeRosier/Marshall). **Motion carried.**
15. Approval of Town Board minutes: **MOTION** to approve the Town Board Minutes from February 9, 2023 (Marshall/DeRosier). **Motion carried.**
16. Appointment of membership on Board of Appeals: Joy Packard has resigned and we are looking for a new member. This will be put on the website as well.
17. Budget, Invoices, and bank balances: Discussed bank balances and account. **MOTION** to approve Check Nos. 23937 through 23997, with three voided checks and transfer payments (Johnson/Marshall). **Motion carried.**
18. Review process for employees and contractors: Laurie DeRosier discussed the review process and asked if there could be a flow chart or something in place to assist in review. Chair Johnson stated she can put a list in place for review purposes.
19. Items for the next Town Board Agenda or committee agendas: Ask Technology Committee to look into the projector system in the Town Hall.
20. **MOTION** to go into Closed session: per Sec. 19.85(1)(g) of the Wis. Statutes to confer with legal counsel about strategy regarding litigation in which the Town is likely to become involved – HRO and others (DeRosier/Marshall). **Motion carried.** Roll Call: Rick Colbeth-Aye, Justin Kruse-Aye, Chris Marshall-Aye, Laurie DeRosier-Aye, Theresa Johnson-Aye.

    Closed session: per Sec. 19.85(1)(g) of the Wis. Statutes to confer with legal counsel about strategy regarding litigation in which the Town is likely to become involved – HRO and others
21. **MOTION** to go into Open session: per Sec. 19.85(1)(g) of the Wis. Statutes to confer with legal counsel (Marshall/DeRosier/Marshall). **Motion carried.** Roll Call: Chris Marshall-Aye, Laurie DeRosier-Aye, Rick Colbeth-Aye, Justin Kruse-Aye, Theresa Johnson-Aye.

    Open Session – Consideration and Action on any items discussed in Closed Session.
22. Adjournment: **MOTION** to adjourn at 10:04 pm (DeRosier/Kruse). **Motion carried.**

Minutes submitted by Teri Kelly.