

Town of St. Joseph - St. Croix County, WI
Minutes of the Town Board Meeting
St. Joseph Town Hall
September 12, 2024

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

Statement of Public Notice read by Clerk

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

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

Pledge of Allegiance recited

Public Comment: None

Business discussion and possible action on:

1. Arbor Ridge – release of Letter of Credit: Lee Mann discussed the completion of the project and recommends releasing the letter of credit. **MOTION** to release the Letter of Credit for Arbor Ridge (Marshall/Moore). **Motion carried.**
2. Concept CSM – Jeff Carlson/Daniele Zenner – 1374 Fox Ridge Trail, Houlton, WI - PID# 030-1083-10-000: Doug Zahler discussed the proposed concept. This will be placed on the November agenda.
3. Town Hall Building update
 - a. Pay Request #3 for building-\$92,946.10: **MOTION** to pay Pay Request No. 3 to Berghammer Builders for \$92,946.10 (Johnson/Marshall). **Motion carried.**
 - b. Change Order #2: Bruce Paulson discussed the items on the change order. **MOTION** to approve Change Order No. 2 for \$8,607.00 (Johnson/Marshall). Discussion followed. **Motion carried.**
 - c. Update on furnishings for Town hall and Fire Hall: Currently looking at tables, otherwise nothing new to report at this time.
 - d. Projected expenditures and available funds and timeline for construction:
 - e. St Croix Electric rebates: This is in process, compiling pricing in order to submit.
 - f. AV installation: Theresa Johnson discussed the updated quote from CTI which reduced the specification on the camera, which is also less expensive. Anton Rang reviewed the proposal and agreed the camera was good. **MOTION** to approve the AV Installation Service Proposal from CTI in the amount of \$27,608.95 (Johnson/Marshall). **Motion carried.**
 - g. Midwest Gas, Northwest Communications, St Croix Electric connections: Discussed the meeting last week with each provider to discuss the logistics and placement of cables and lines.
 - h. Revise contract with Zappa for Septic with an end date of November 1, 2024: **MOTION** to revise the contract for Zappa Bros for the installation of the septic system to not exceed November 1, 2024 (Marshall/Kruse). **Motion carried.**
4. David Cox –unpermitted building at 1228 Hwy 35N, Hudson WI - PID# 030-2072-40-000- progress and board action. Theresa Johnson discussed the timeline of events regarding the David Cox residence the motion made at the April Board meeting regarding the Conditional Use Permit. Nick Vivian discussed the legalities of Mr. Cox's non-compliance with the Board motion. Mary Yacoub-Raad spoke on behalf of Mr. Cox in requesting an extension of time. Discussion followed regarding what needs to be done regarding this dwelling and the reality of the present situation. **MOTION** that the Town Board extends the Cox building compliance at 1228 Hwy 35N to July 1, 2025 if they do not come forward from this time to July 1, 2024 with the building permit, with structural engineer drawings, and with the septic fully inspected and okayed by St. Croix County, the Town of St. Joseph will start razing procedures (Marshall). **Motion failed.** Discussion followed. **MOTION** to deny the extension request by David Cox for his property issues at 1228 Hwy 35N, Hudson, WI and for the Town to begin legal recourse actions on the property (Gavin/Moore). Discussion followed. **Motion carried.**

5. Fire Department approximately 6:30 pm
 - a. Plan for build out of storage in Fire Hall: Zac Spates has discussed this project with Mike Halama which could potentially start soon. Zac discussed issues with the CO and O² sensors. Discussion followed regarding plumbing, electrical issues, etc. **MOTION** to accept the bid from JTP Plumbing to redo the basket and drain piping for the washing machine and laundry sink at a rate of \$15,625.00 (Johnson/Kruse). **Motion carried.** Further discussion on key card access to doors and speakers in the main hall.
 - b. Fire number signs for State Park lots: **MOTION** to purchase the signs necessary for the fire numbers at the State Park parking lots (Gavin/Marshall). **Motion carried.**
6. Public Works
 - a. **7:00PM Public Hearing** for discontinuance of 133rd Ave: Open the Public Hearing at 7:00 pm. Chair Theresa Johnson asked three times for any comments or discussion regarding the discontinuance. No responses were made. Closed the Public Hearing at 7:01pm
 - b. Discontinuance of 133rd Avenue: **MOTION** that the Town Board discontinues the use of 133rd Avenue (Marshall/Kruse). Roll Call: Matt Moore-Aye, Chris Marshall-Aye, Justin Kruse-Aye, Dan Gavin-Aye, Theresa Johnson-Aye. **Motion carried.**
7. **7:00PM Public Hearing** for Chapter 170 Zoning changes: Chair Theresa Johnson asked if anyone was in attendance to discuss the Chapter 170 Zoning changes. No one was in attendance. **MOTION** to delay the public hearing on Chapter 170 Zoning changes until after the Fire Chief section of the agenda (Johnson/Kruse). **Motion carried.** Opened the Public Hearing at 7:10 pm. Chair Theresa Johnson asked if anyone was present to discuss the changes to Chapter 170 Zoning ordinance. Discussed the current changes regarding site plans. Discussed the additional changes regarding short-term rentals proposed to be incorporated into Chapter 170. Will bring additional changes to Chapter 170 Zoning to the November meeting. Closed the Public Hearing at 7:16 pm.
8. Ordinance No. 2024-07 – Chapter 57 Volunteer Funds: Discussion with Zac Spates regarding changes to the ordinance. Will increase the authority amounts to \$10,000. **MOTION** to approve Ordinance 2024-07 Chapter 57 Volunteer Funds with the corrections stated to 57-4a and 57-4b (Kruse/Marshall). Roll call: Dan Gavin-Aye, Chris Marshall-Aye, Theresa Johnson-Aye, Matt Moore-Aye, Justin Kruse-Aye. **Motion carried.**
9. Update on road connections on west side of Town: Lee Mann discussed the proposed roadway system interchange. Phil Carlson was also present. **MOTION** to approve Resolution No. 2024-06 Adopting the Town of St. Joseph Roadway System Plan (Johnson/Kruse). Roll Call: Theresa Johnson-Aye, Matt Moore-Aye, Justin Kruse-Aye, Chris Marshall-Aye, Dan Gavin-Aye. **Motion carried.**
10. Major Road Project
 - a. Update on Church St Project and pay request: Lee Mann discussed the status. There is no pay request at this time.
11. Public Works (continued):
 - a. 2024 Road Maintenance – update and pay request: Lee Mann discussed the status of the road maintenance. **MOTION** to approve Pay Request No. 2 for the 2024 Road Maintenance to Allied Blacktop Company in the 229,104.66 (Johnson/Kruse). **Motion carried.**
 - b. Sealcoating roads 3 years after install with monies from developers: Lee Mann discussed the project. There is money left over for this project and it was proposed to continue with crack sealing additional roads. **MOTION** to approve going forward with more crack sealing up to and not to exceed \$59,000 (Johnson/Kruse). **Motion carried.** Discussion on the proposed language update to Chapter 149 Roads, Driveways.
 - c. Update on tractor –maintenance: Discussed the status of the mowing and the quote for new tires on the tractor. **MOTION** to approve Quote No. 124-1112403 in the amount of \$3,552.25 for the acquisition of tires for the tractor (Kruse/Moore). **Motion carried.**
 - d. Update on sinkhole on River Road: Per Todd Tuma, the sinkhole was patched today.
 - e. Update on no parking signs on Nelson Farm Rd, Ln and Perch Lake Road: The no parking signs have been ordered and will be placed soon. Discussed the potential towing of vehicles.
12. Parks, Trails and Recreation
 - a. Update on Playground and plans to be completed in spring: Janet Lindstrom discussed the playground and the plans to monitor the plants.
 - b. Fall Festival – September 21, 2024: Janet Lindstrom discussed the Fall Festival times and progress. Clerk will put the times on the website.

- c. Mowing of trails at Town Park, brushing and buckthorn.
 - d. Weeding of flower beds at signs and at front door: A thank you went out to Jan Gavin for weeding the flower beds at the Town Hall front door. A group of volunteers will work on weeding the sign next week.
 - e. Results from DNR regarding hunting at the Preserve: Per the DNR memo received, there is no prohibition proposed at the Preserve regarding hunting. Clerk will send the letter received from the DNR to the adjoining landowners to the Preserve.
13. Operator Licenses: Brook Morris-Consumer Cooperative, Edyn Paasch-Consumer Cooperative, Samantha Lamarche-Consumer Cooperative, Ronnie Ries: Samantha Lamarche was present to discuss her proposed license. **MOTION** to approve operator license for Brook Morris-Consumer Cooperative, Edyn Paasch-Consumer Cooperative, Samantha Lamarche-Consumer Cooperative, Ronnie Ries (Moore/Marshall). **Motion carried.**
14. Plan Commission
- a. Junkyards and other chronic nuisances and enforcement issues: Nothing new to report at this time.
 - b. Update to ordinances: Discussed the changes to the following ordinances:
 - 1) Ordinance 2024-10 – Chapter 84 – Outdoor Burning: **MOTION** to approve Ordinance No. 2024-10 Chapter 84 Outdoor Burning as presented (Kruse/Moore). Roll Call: Justin Kruse-Aye, Chris Marshall-Aye, Theresa Johnson-Aye, Dan Gavin-Aye, Matt Moore-Aye. **Motion carried.**
 - 2) Ordinance 2024-11 – Chapter 98 – Public Entertainment: **MOTION** to approve Ordinance No. 2024-11 Chapter 98 Public Entertainment as presented (Kruse/Moore). Roll Call: Dan Gavin-Aye, Theresa Johnson-Aye, Chris Marshall-Aye, Justin Kruse-Aye, Matt Moore-Aye. **Motion carried.**
 - 3) Ordinance 2024-12 – Chapter 104 – Fireworks: **MOTION** to approve Ordinance No. 2024-12 Chapter 104 Fireworks as presented (Kruse/Moore). Roll Call: Matt Moore-Aye, Dan Gavin-Aye, Chris Marshall-Aye, Justin Kruse-Aye, Theresa Johnson-Aye. **Motion carried.**
 - 4) Ordinance 2024-13 – Chapter 163 – Solid Waste: **MOTION** to approve Ordinance No. 2024-13 Chapter 163 Solid Waste as presented (Moore/Kruse). Roll Call: Theresa Johnson-Aye, Justin Kruse-Aye, Matt Moore-Aye, Dan Gavin-Aye, Chris Marshall-Aye. **Motion carried.**
 - 5) Ordinance 2024-14 – Chapter 170 – Zoning: This will be carried over to the November meeting.
 - 6) Ordinance 2024-15 – Chapter 92– Membrane Structures and Temporary Structures: Discussed the engagement of parties in opposition to this ordinance. **MOTION** to adopt Ordinance No. 2024-15 Chapter 92 Membrane Structures and Temporary Structures as presented (Kruse/Moore). Roll Call: Theresa Johnson-Aye, Matt Moore-Aye, Justin Kruse-Aye, Chris Marshall-Nay, Dan Gavin-Nay. **Motion carried.**
 - 7) Ordinance 2024-16 – Chapter 74 – Activities on Town Property: **MOTION** to approve Ordinance No. 2024-16 Chapter 74 Activities on Town Property (Kruse/Marshall). Dan Gavin-Aye, Justin Kruse-Aye, Theresa Johnson-Aye, Matt Moore-Aye, Chris Marshall-Aye. **Motion carried.**
 - 8) Ordinance 2024-17 – Chapter 149 – Roads, Driveways, Trails, Erosion and Sediment Control and Right-of-Way Construction: Discussed the addition of the cluster mailbox language, as well as the seal coating language. Estimate to do the seal coating was in the \$800,000 range. **MOTION** to approve Ordinance No. 2024-17 Chapter 149 Roads, Driveways, Trails, Erosion and Sediment Control and Right-of-Way Construction as presented with the changes proposed (Kruse/Marshall). Roll Call: Chris Marshall-Aye, Dan Gavin-Nay, Matt Moore-Aye, Theresa Johnson-Aye, Justin Kruse-Aye. **Motion carried.**
15. Resolution 2024-05 Changing the membership of the Technology Committee: Discussed the membership and removing the Fire Department as a regular member and looking for a citizen member. **MOTION** to approve Resolution 2024-05 Changing the Membership of the Technology Committee (Kruse/Marshall). Roll Call: Justin Kruse-Aye, Dan Gavin-Aye, Chris Marshall-Aye, Theresa Johnson-Aye, Matt Moore-Aye. **Motion carried.**
16. ARPA funding and approval of expenditures
- a. Approval of transfer ARPA funds for Pay Request #3 - \$92,946.10: **MOTION** to approve Pay Request #3 in the amount of \$92,946.10 (Kruse/Marshall). **Motion carried.**
17. Public Records Requests – progress and costs: Clerk discussed the record requests received.

18. St Croix County Tax Agreement: **MOTION** to approve the St. Croix County Tax Agreement (Kruse/Gavin). **Motion carried.**
19. Approval of newsletter for Fall/Winter: **MOTION** to approve the Fall/Winter newsletter (Kruse/Marshall). **Motion carried.**
20. Approval of Town Board minutes – August 8: **MOTION** to approve the Town Board Minutes from August 8th (Marshall/Kruse). **Motion carried.**
21. Budget, Invoices, checks and bank balances: **MOTION** to approve Check Nos. 25266 through 25287, including all checks and transfers (Johnson/Marshall). **Motion carried.**
22. **MOTION** to go into Closed Session: Wis Stats 19.85(g) and Wis Stats 19.85(1)(c) (Kruse/Marshall). Roll Call: Dan Gavin-Aye, Justin Kruse-Aye, Theresa Johnson-Aye, Chris Marshall-Aye, Matt Moore-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 – trash burning, animal control issues, Cajun Club, illegal campground, vape manufacturing.
23. Closed session: Wis Stats 19.85(1)(c) for considering employment promotion, compensation or performance—Clerk/Treasurer annual review and compensation review
24. **MOTION** to go into Open Session (Kruse/Marshall). **Motion carried.** Open session to discuss or act upon matters considered in Closed Session
 - a. Action on any items in closed session: **MOTION** to follow as we did last year and increase the Clerk/Treasurer's annual salary by 10% on December 1st (Kruse/Marshall). **Motion carried.**
25. Adjournment: **MOTION** to adjourn at 9:19 pm (Gavin/Kruse). **Motion carried.**

Minutes submitted by Teri Kelly.