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

Minutes of the Town Board Meeting
St. Joseph Town Hall
February 13, 2025

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, Matt Moore, Justin Kruse, Chris Marshall, Engineer Lee Mann, Attorney Nick Vivian.
Adoption of Agenda: **MOTION** to adopt the agenda as presented, with the exception of moving Item 8a to Item 4 (Gavin/Kruse). **Motion carried.**
Pledge of Allegiance recited.

Public Comment: Jay Kessler, 1405 Theilen Farm Trail, Father of 4 children who attend the Houlton Elementary School. He is part of a committee which represents Saving the Houlton Elementary School. He asked for support for the school at the upcoming Spring Election. Theresa Johnson mentioned the passing of Bob Marty and expressed the service he provided to the Town and how he will be missed.

Business discussion and possible action on:

1. Sprenger Farms, LLC & Tortosa/Boonacker Administrative CSM-030-1039-95-075,030-1040-40-000, 030-1040-10-120, 030-1040-50-140 – County Rd E: Doug Zahler was present to discuss the Administrative CSM and explain the details. **MOTION** to approve Sprenger Farms, LLC and Tortosa/Boonacker Administrative CSM 030-1039-95-075,030-1040-40-000, 030-1040-10-120, 030-1040-50-140 County Road E (Marshall/Moore). **Amended Motion** to state County Road V (Marshall/Moore). **Motion carried.**
2. Renewal of contract with Willow River Company for tree removal: **MOTION** to approve the renewal of the Willow River Company tree removal contract until February 7, 2027 (Marshall/Kruse). **Motion carried.**
3. Jason Kjeseth – St Croix County- Eckert Blufflands road connections, Xcel solar farm, zoning: Jason Kjeseth was present to discuss the Eckert Blufflands proposal revisions which may start in the summer or late fall, as they have received approval. Discussed the Town portion of the road and the options available. The Town previously discussed discontinuing the road all the way to the cul-de-sac. The County will be providing all of the surveying documents to do a discontinuance. **MOTION** that we are agreeable to discontinue our portion of the roadway from the proposed cul-de-sac to the north with the following conditions: that the new road you are putting in is built to our standards, that you will reclaim and seed and put a guardrail on the north end of Old 35, and you will work with the landowners to obtain an easement if needed from St. Croix County, we will deed Old 35 to the adjoining landowners, including St. Croix County, as part of the discontinuance (Johnson/Marshall). **Motion carried.** Anne Deming, 1077 Highway 35, stated she owns the driveway affected by this project. She also discussed her concerns and stated they have not been addressed by the County. Town Chair asked Jason to address the concerns of the residents and to berm and tree their property to mitigate the amount of traffic going in front of their house. The Town wants the impact of the traffic to be mitigated for these residents. Jason spoke about the Xcel Energy Solar Farm and the County's concerns. Jason discussed the zoning changes to Chapter 15. Jason also discussed the memo he provided to the Board regarding stormwater review authority. **MOTION** that we accept the memo from St. Croix County regarding storm water review authority and what it lays out in it (Johnson/Marshall). **Motion carried.**
4. Parks, Trails and Recreation
   a. Sandpiper vs Hudson Boosters and others use of field and shed: Dan Gavin discussed the Sandpipers cancellation of the agreement to use the ball field. Scott Johnson, Hudson

Boosters, was present to discuss the growth of the Hudson Boosters and their needs for the field and are requesting a 3-year lease to use the field. **MOTION** to accept the cancellation of Sandpipers and to consider the Hudson Boosters contract, to be reviewed by our attorney (Gavin/Kruse). **Motion carried.**

MOTION to move No. 13 to this point and then perform the contract reviews. After that we will move the liquor license application up after that (Johnson/Kruse). **Motion carried.**

5. Appointment of new firefighters: Walter Zuliani and Colin Knefelkamp: **MOTION** to approve the new appointments of firefighters Walter Zuliani and Colin Knefelkamp conditional upon their physical and drug testing background (Marshall/Kruse). **Motion carried.**

6. 7:00PM – reviews
   a. Nick Vivian – attorney—contract update: Performed the review of Nick Vivian. The Board thanked Mr. Vivian for the work performed.
   b. Todd Dolan – building inspector –contract update: Performed the review of Todd Dolan. Todd Dolan presented the changes to the contract. Theresa Johnson asked Todd to send us the list of people who have not finalized their permit approvals.

7. Liquor License Application – Nik's Joint LLC – 1400 Main St Suite 2, Houlton, WI 54082: Phil Helgeson, attorney, and Richard Jacobson were present to discuss the application. Richard discussed his background and stated there are two separate addresses. Nick Vivian asked if there is an actual physical address for Suite 2. Richard Jacobson confirmed there is a Suite 2. Nick Vivian stated that the last corporation who owned the liquor license was GM Meyers, and this application shows the same principals as the previous license. The license, which was previously revoked from GM Meyers, has the same ownership as this newly formed company Nik's Joint. Asked about the website that was promoting alcohol and the hours of operation. Nick Vivian stated that the information provided is not sufficient. Supervisor Kruse stated he verified the fact that there are not two separate addresses for this building. Chair Johnson informed Mr. Jacobson that he was not in compliance with Chapter 153 Sexually-Oriented Businesses, hours of operation. **MOTION** to deny the license application for Nik's Joint, LLC at 1400 Main St., Houlton (Johnson/Kruse). **Amend Motion** that the application with the map is inadequate for us to make this determination that there are not two postal addresses for each business, and there are not separate businesses. Section 153-5(b) of the Code states that the sale and use or consumption of alcoholic beverages on the premises of a sexually-oriented business is prohibited and this proposed business plan proposes to share facilities; and the owners of this applicant limited liability company are the same owners of the former entity that had their license revoked by this Town and there has not been any plan, narrative or other evidence that the issues with that license have been sufficiently remedied to give the Board comfort that the same issues will not occur with the issuance of a license in accordance with this application (Johnson/Kruse). **Motion carried.** Discussion followed. Supervisor Moore stated a FaceBook post from 6 days ago stating "it is always fun at the Cajun Club come join us this weekend. Open from 7:00 pm to 4:00 am Friday and Saturday."

8. Town Hall Building update
   a. Pay Request #8 for building-$148,371.95: **MOTION** to Pay Request #8 in the amount of $148,371.95 (Johnson/Gavin). Confirmed that none of the costs on Pay Request #8 are part of the current issues regarding the fire suppression system. **Motion carried.**
   b. St Croix Electric rebates: Justin stated he is going to confirm who he needs to contact to obtain a status. This is in process.
   c. Agreement with Stantec for change in costs for sprinkler system: There is no agreement at this time.
   d. Possible Change order #7 and 8: There are no additional change orders at this time.
   e. Install of second well, connections and costs: There is no update at this time.
   f. Projected expenditures and available funds and timeline for construction: Discussed the current financial spreadsheet and status of costs.
   g. Pay request and update from Sanitary System installation: There is no update at this time.
9. Build out in Fire Hall – update: Stated that the work has been completed, except for a fix needed

for the swing out door.

10. Public Works
    a. DeWuske – milkweed and driveway: Chris DeWuske and his wife were present to discuss the issues he has with his driveway, and the mowing of the milkweed. Lee Mann discussed the documentation he has regarding the driveway replacement at the time of the road update project. Mr. DeWuske stated that the Town has not replaced his driveway to the condition it was in prior to the road update. Theresa Johnson asked the DeWuske's what they are asking the Town for with this request. They stated they are asking to remove the traprock and replace with asphalt. This matter will be investigated and continued to the next meeting. Nick Vivian stated that he does not want the DeWuskes to upgrade their driveway before this issue is resolved. Discussed the milkweed issues. Theresa Johnson stated that the right-of-way will be mowed and plowed. Chris Marshall asked the DeWuskes to lathe their property so that there will be no mistaking where the property line is for mowing purposes. This will be on the next agenda.
    b. 611 Old Mill Rd – new roadway and cul-de-sac: Clint Balfanz was present to discuss the changes they would like to make, combining two lots. A map was presented to show what they are looking to change. The Board provided guidance on how they should proceed.
    c. 2025 Road maintenance project update: Lee Mann presented an updated spreadsheet for the project.
        i. Containment of rock for sealcoating project: Discussed the containment of rock moving forward. Chris Marshall will get a quote for barrier walls by the shed. This will be placed on the March agenda.
    d. Weight restriction exemption for waste haulers: Theresa Johnson discussed the weight restrictions issue from last year. Discussed how to proceed this year. **MOTION** to issue a weight restriction waiver for Olson Sanitation and Waste Management (Marshall/Moore). **Motion carried.** Discussed the email received from Darrel's Septic. Theresa Johnson stated that septic haulers are exempt from weight restrictions.
11. Plan Commission
    a. Junkyards and other chronic nuisances and enforcement issues: No issues to discuss at this time.
    b. Update to ordinances
        1. Ordinance 2025-02 - Temporary Structures: Nothing new at this time.
        2. Repeal Chapter 9 – Constable: **MOTION** to repeal Chapter 9 Constable (Marshall/Moore). Roll Call: Justin Kruse-Aye, Matt Moore-Aye, Chris Marshall-Aye, Theresa Johnson-Aye, Dan Gavin-Aye. **Motion carried.**
12. Public Records Requests – progress and costs: Clerk discussed the various public records requests received.
13. Appointment of Peter Gallick to Technology Committee: **MOTION** to appoint Peter Gallick to the Technology Committee (Marshall/Kruse). **Motion carried.**
14. Wisconsin Towns Association Road School April 21-23: **MOTION** to approve Supervisor Marshall to attend W School on April 21-23 to include the costs of travel, meals, and the class (Kruse/Moore). **Motion carried.**
15. Approval of Town Board minutes – January 9 and 27: **MOTION** to approve the Town Board Minutes for January 9th and January 27th (Marshall/Moore). **Motion carried.**
16. Budget, Invoices, checks and bank balances: **MOTION** to approve all bills from January 10, 2025 through February 13, 2025 including expenses for payroll liabilities, etc. and Check Nos. 25682 through 25752 (Johnson/Marshall). **Motion carried.**
17. Operator Licenses: Michelle Markuson-B &L Liquor, Julie Bergmann-Barnett – B& L Liquor: **MOTION** to approve the operator license for Michelle Markuson (Johnson/Marshall). **Motion carried.** **MOTION** to deny the operator license for Julie Bergmann-Barnett. She will have the opportunity to meet with the Board (Johnson/Marshall). **Motion carried.** **AMEND MOTION** to state Michelle Markuson (Johnson/Marshall). **Motion carried.** **MOTION TO RECONSIDER** the motion that was originally made for Michelle Markuson to approve her license which should be denied (Johnson/Moore). **Motion carried.** **MOTION** to approve the operator license for Julie Bergmann-Barnett (Johnson/Marshall). **Motion carried.**

MOTION to go into Closed Session: Wis Stats 19.85(g) and Closed Session: Wis Stats 19.85(1) (e) (Kruse/Moore). Roll Call: Dan Gavin-Aye, Justin Kruse-Aye, Matt Moore-Aye, Theresa Johnson-Aye, Chris Marshall-Aye. **Motion carried.**

18. 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, failure to secure CUP for existing business.
19. Closed Session: Wis Stats 19.85(1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
    a. Stantec - Town Hall Resolution Proposal / Discussion
20. **MOTION** to go into Open session (Moore/Kruse). Roll Call: Matt Moore-Aye, Dan Gavin-Aye, Theresa Johnson-Aye, Justin Kruse-Aye, Chris Marshall-Aye. **Motion carried.** Open session to discuss or act upon matters considered in Closed Session
    a. Action on any items in closed session: No action items taken.
21. Adjournment: **MOTION** to adjourn at 9:20 pm (Moore/Kruse). **Motion carried.**

Minutes submitted by Teri Kelly.