

**TOWN OF TROY
654 GLOVER ROAD**

PUBLIC HEARING – July 13th, 2017

The public hearing regarding a Zoning Amendment (Rezone) application submitted by the Leo Rohl Trust, c/o Jeff McCardle was opened by Chairperson, Dan Pearson at 7:00 p.m. on Thursday, July 13th, 2017 at the Troy Town Hall. Supervisors J.Kjos, J. Cuccia, S. Van Mele, and were present.

Staff present: Wendy Sander, Rob Jones, Jill Berke and Harvey Becker.

The following people signed the attendance sheet: Kitty and Pat Delaney. Others were present that did not sign the attendance sheet.

D. Pearson called for comment. None

The Public Hearing was closed at 7:01 p.m.

REGULAR TOWN BOARD MEETING – July 13th, 2017

D. Pearson convened the regular Town Board meeting on Thursday, July 13th, 2017 at 7:02 p.m. Supervisors S. Van Mele, J. Kjos and J. Cuccia were present. R. Knapp arrived at 8:53 p.m..

APPROVE MINUTES – The June 8th, 2017 Regular Town Board meeting minutes were distributed to the board.

S. Van Mele moved to approve the minutes from June 8th. Seconded by J. Kjos. S. Van Mele accepted the friendly amendment made by J. Cuccia to strike the partial sentence “The Plan Commission has determined that a compliance review should take place on the one-year anniversary of the CUP” under the Plan Commission report. Motion carried.

CITIZEN INPUT – Jill Berke spoke on AB399 which contains legislation affecting zoning on the St. Croix Riverway. A Public hearing is scheduled on 7/19 in Madison. She is asking the Town to express opposition via correspondence in time for the public hearing.

PARK BOARD REPORT – Jill Berke provided the June Park Board report.

PLAN COMMISSION REPORT – J. Cuccia reviewed the minutes from the July 6th Plan Commission meeting.

DISCUSS AND CONSIDER AMENDMENT TO THE BALL CLUB AGREEMENT – J. Berke presented the current agreement with the Hudson Booster Club, Inc. and River Falls Youth Baseball Organization, Inc. and proposed amendments to Page 7, D(3), *Ongoing Requests for Scheduling of Games and Practices on Ball Field(s)*. The Park Board is requesting the sentence, “However, ball fields may not be reserved under this provision more than one week in advance of the game or practice time being requested” to be removed. Discussion followed.

S. Van Mele made a motion to add an addendum to the ball club agreement to strike “However, ball fields may not be reserved under this provision more than one week in advance of the game or practice time being requested” (page 7, D(3)). Second by J. Kjos. Motion carried.

PARK RANGER, HUMANE OFFICER & SHERIFF REPORTS – Copies of the Park Ranger, Humane Officer and Sheriff reports were distributed and reviewed by the board. Harvey Becker reviewed the Park Ranger activity.

ZONING ADMINISTRATOR REPORT – Zoning Administrator Wendy Sander provided a written and verbal report of recent activity.

FIRE CALL APPEAL, PATRICK DELANEY – Patrick Delaney requested his fire call bill of \$1,600 be waived. P. Delaney explained that they were cooking and smoke set off the alarm. Using the keypad would not disarm the alarm. Mr. Delaney called Polk Burnett Security Systems (PBSS) and requested assistance with turning off the alarm. 10 minutes later, the fire department appeared. The fire department disconnected and turned the alarm off. Security alarm went off a few days later during the middle of the night. PBSS called, asked if everything was ok. Batteries were removed by the Delaney's and the alarm was disarmed. No fire fighters arrived, but the Delaney's were billed for a fire call. Delaney asked the Town to waive the fee for them and for the Town to bill PBSS.

J. Cuccia moved to uphold the fire call charge for 5/4 and 5/11 at the Delaney residence. Seconded by J. Kjos. Motion carried.

FINAL PLAT WITH EXCEPTION TO DESIGN STANDARDS, MEADOW VALLEY – DCCI

INVESTMENTS, INC. – The applicant has resubmitted a final plat for Meadow Valley of Troy First Addition. This plat would legally create the remaining lots and right of way proposed as part of the 2013 Meadow Valley major subdivision. The applicant has requested an additional exception to design standards for lot 28. They would like the Town to approve a reduction in distance for the front yard setback from 75 feet to 50 feet to better accommodate a future house footprint.

J. Cuccia moved that the Town approve the Preliminary Plat of Meadow Valley of Troy to be retroactively extended from May 1st, 2017 to the date of Town approval and the execution of the Final Plat of Meadow Valley First Addition or September 1st, 2017, whichever occurs first. Seconded by S. Van Mele. Motion carried.

J. Cuccia moved that the Town Board approve the Final Plat for Meadow Valley of Troy First Addition dated 3/29/2017 with the exception to design standards as noted, provided that the road shown on the Final Plat as Meadow Valley Lane is not to be accepted as part of this Final Plat approval and will not be accepted until the said road's approval and acceptance as a public road is recommended by the Town Engineer, and expressly including the developers construction of the required temporary hammerhead for Meadow Valley Lane. Seconded by J. Kjos. Motion carried.

FARM PLAN, ZONING AMENDMENT (REZONE), CSM – 888 COULEE TRAIL, LEO ROHL TRUST,

c/o JEFF MCCARDLE – The applicant has submitted an application to create two new lots from a 28.4-acre parcel south of Coulee Trail and east of Rohl Road. The native parcel is within the Exclusive Agriculture District, thus a 1) Farm Plan approval, 2) Zoning Amendment, and 3) CSM approval are required in that sequence to create the new lots. An approval of this Farm plan would essentially create two parcels: 1) an Ag-Res Lot 2, with the typical ability to potentially subdivide to a 3-acre density (as SDO allows) and 2) a remnant 64.249-acres entered into the Town Farm Plan program (Lot 1 and the unplatted land north of Coulee Trail) and under a conservation easement. The Town Attorney has drafted a conservation easement; which was executed June 15, 2017.

J. Kjos moved to accept the Farm Plan for the Leo Rohl Trust at 888 Coulee Trail as reflected in the Conservation Easement. Seconded by J. Cuccia. Motion carried.

J. Kjos moved to accept the rezone plan for the Leo Rohl Trust at 888 Coulee Trail from Exclusive Ag to Ag-Res dated 7/10/17 contingent on the execution of the Conservation Easement. Seconded by J. Cuccia. Motion carried.

J. Kjos moved to approve the 2-lot CSM of the Leo Rohl Trust at 888 Coulee Trail contingent on execution of the Conservation Easement and rezoning plan with the CSM revised date March 29th, 2017. Seconded by J. Cuccia. Motion carried.

DISCUSS AND CONSIDER TOWN OF TROY APPLICATION AND FEE SCHEDULE – Updates to the Application and Fee schedule include the approved Building Permit fees, Recycling & Garbage Fees to correspond with items accepted and the rates charged by Pauls Industrial Garage, Mobile Home Court Licenses, Change of Agent for Alcohol Licensing and an increase in Publication Fee for Alcohol Licensing.

J. Cuccia moved to adopt the Application and Fee Schedule as presented tonight with the following strikeouts: *Miscellaneous, anything in red.* Seconded by J. Kjos. Motion carried.

DISCUSS AND CONSIDER MOBILE HOME COURT LICENSE AND CHANGE OF AGENT FOR TROY GLEN PARK – Troy Glen Court, Inc. was recently sold to Aaron Cudd and renamed County Cove Court.

J. Kjos moved approve the license for Country Cove Court to expire December 31st, 2017. Seconded by J. Cuccia. Motion carried.

J. Kjos moved to approve the agent for Country Cove Court as Aaron Cudd. Seconded by J. Cuccia. Motion carried.

DISCUSS AND CONSIDER PROCESS FOR FUTURE PLANNING OF THE COMMERCIAL ZONING DISTRICT – R. Jones reviewed the options for the Town to establish commercial zoning. The Plan Commission will continue to discuss options and report to the board at a future date.

BUILDING PERMITS –

<u>PERMIT #</u>	<u>APPLICANT</u>	<u>ADDRESS</u>	<u>PROJECT</u>
17-135	Brian Tienor	291 Croix Ridge Drive	New Home
17-166	Nathan Pulscher	374 Meadow Valley Trail	Deck
17-170	Kevin Hoffman	337 Plainview Drive	Storage Shed
17-171	AT&T	705 Tower Road	Non-Building Structure
17-173	Mark Frana	816 Glover Road	Alteration
17-174	Joseph Paulose	312 Lindsay Road	Addition
17-175	Mike Harmon	391 North Glover Road	Permit to Start
17-176	Kerri Hanson	394 Meadow Valley Trail	Deck
17-179	Kevein Hansen	425 Windy Hill Road	Pool
17-180	Joel Stanley	676 Glover Road	Addition
17-181	Creative Homes	386 Meadow Valley Trail	New Home
17-184	Jeb Wilson	324 Lindsay Road	Pool

DRIVEWAY PERMITS –

<u>PERMIT #</u>	<u>APPLICANT</u>	<u>ADDRESS</u>
17-106	Brian Tienor	291 Croix Ridge Drive
17-114	Creative Homes	386 Meadow Valley Trail

CLERK/TREASURER REPORT – Copies of the bank account reconciliations, impact fee summary, legal and engineering, and 2017 budget summary reports were distributed and reviewed by the board. Clerk/Treasurer J. Clark reported that (3) three Transient Merchant permits were issued for Rove Pest Control of Minnesota effective July 1st – September 30th, 2017.

APPROVE BILLS – S. Van Mele moved to approve check #27958 through check #28020, including the Elan bill for a grand total of \$88,498.60. Seconded by J. Kjos. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; J. Kjos – Yes; D. Pearson – Yes and J. Cucca - Yes. Motion carried.

CORRESPONDENCE – J. Cuccia reviewed the included correspondence.

COMMITTEE REPORTS – S. Van Mele and D. Pearson provided an update on the Mann Lane preconstruction meeting that they attended. Project is expected to start around August 7th.

R. Knapp reported on EMS. The City of Hudson voted to suspend all negotiations with Hudson Hospital, and to create an adhoc committee to find a self-sustaining way to keep the EMS.

DISCUSS AND CONSIDER MEADOW RIDGE AND MEADOW VALLEY IMPACT FEE SHARING AGREEMENT – Attorney Gwen Kuchevar provided a history of the Meadow Ridge and Meadow Valley Developments and road impact fee sharing attributable to the increase of population and traffic. DCCI would receive up to \$122,777.00 of the collected road impact fees as lots were sold. This goes back to 2004. G. Kuchevar suggests an addendum to the Meadow Valley Developers Agreement as drafted and included in tonight’s packet.

J. Cuccia moved that we move forward with Second Addendum to the Meadow Valley of Troy Subdivision Developers Agreement and allow our Attorney to present it to the developer. Seconded by S. Van Mele. Motion carried.

MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTES §19.85(1)(g) TO CONFER WITH THE TOWN’S LEGAL COUNSEL WHO WILL RENDER ORAL OR WRITTEN ADVICE CONCERNING STRATEGIES TO BE ADOPTED BY THE TOWN BOARD WITH RESPECT TO THE TOWN’S LEGAL ACTION AGAINST THE CITY OF RIVER FALLS CONTESTING THE CITY’S ANNEXATION OF NONCONTIGUOUS LAND IN MANN VALLEY AND THE CITY’S REZONING OF A PORTION OF THE ANNEXED AREA FROM EXCLUSIVE AG TO AN INDUSTRIAL ZONE - J. Kjos moved to go into closed session pursuant to Wisconsin State Statutes §19.85(1)(g) to confer with the Town’s legal counsel who will render oral or written advice concerning strategies to be adopted by the Town Board with respect to the Town’s legal action against the City of River Falls contesting the City’s annexation of noncontiguous land in Mann Valley and the City’s rezoning of a portion of the annexed area from Exclusive Ag to an Industrial Zone. Seconded by J. Cuccia. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; J. Kjos – Yes; D. Pearson – Yes and J. Cuccia - Yes. Motion carried

RECONVENE INTO OPEN SESSION TO TAKE ACTION ON CLOSED SESSION ITEMS, AS NECESSARY - J. Cuccia moved to end closed session and go back into open session. Seconded by J. Kjos. Roll call vote taken: R. Knapp – Yes; S. Van Mele – Yes; J. Kjos – Yes; D. Pearson – Yes and J. Cucca - Yes. Motion carried.

No action taken.

ADJOURN - J. Cuccia moved to adjourn. Seconded by J. Kjos. Motion carried.

The meeting adjourned at 10:48 p.m.

These minutes were taken at a meeting of the Troy Town Board on the 13th day of July, 2017.

Jennifer Clark, Clerk/Treasurer

Dan Pearson, Town Chairman