

TOWN OF ST. GERMAIN
OFFICE OF THE CLERK
P.O. BOX 7
ST. GERMAIN, WISCONSIN 54558
www.townofstgermain.org

MINUTES SPECIAL TOWN BOARD MEETING: August 6, 2020 at 7:00 pm

1. **Call to Order:** Chairman Tom Christensen called the meeting to order at 7:03 pm
- 2 **Pledge of Allegiance**
- 3 **Roll Call, Establish a Quorum:** Tom Christensen, Tim Clark, Brian Cooper, Ted Ritter along with June Vogel clerk in room 4 of Community Center. Marion Janssen attended via Zoom.us. There are 11 community members present in room 4. There were also 8 other members of community in attendance via Zoom.us. Jim Swenson absent.
- 4 **Open Meeting Verification:** Mr Christensen noted that he had posted the meeting agenda at three locations in town on Wednesday, August 5, 2020 before 7:00 pm.
- 5 **Discussion /Action Items:**
 - a. **Public Hearing concerning an amendment to Town Zoning Ordinance to include provisions pertaining to the location and operation of sexually oriented businesses.** 7:05 opened up public hearing to public comments.

Terry Duke – summer resident. Suggest the town proceeds with ordinance, SOB does not fit what the Northwoods is, what has made this area grow (bike trails, snowmobile, ATV). He supports small business, SOB not a business he would support.

Tracy Wendt. Asked if the board could read what the ordinance includes. It is an additional 17 pages and would take a while. It is posted on town website for public reading.

No written comments received in writing to the clerk or the board.

Closed at 7:13
 - b. **Consider and discuss oral and written comments from the Public Hearing.** Comments heard over the past few weeks in support of the SOB ordinance and some citizens asking why we are trying to keep a legitimate business out of town.
 - c. **Consider our insurance company's response concerning the constitutionality and enforceability of the SOB ordinance provisions.** Town attorney advised us not to pursue any sort of ordinance to regulate an SOB, reason is they will find a way to get it. Electors at annual meeting in April felt different and town engaged in an atty from Milw who helped draft provisions. Copy of this sent to town atty, who responded he didn't want to read it. He did advise we get constitutionality and enforceability from insurance company and get assessment through insurance company. Underwriters recommended a hotline due to length of ordinance and time to complete legal search/review. They would need to research case law, could take up to 15 hours. Decision is to adopt or postpone adoption of SOB ordinance. Insurance company will cover us and will represent us if it comes to litigation. Suggestion of additional review to ensure that all bases are covered. Discussion on whether the town retains this firm for a second opinion. Motion by Ritter that we not obtain the insurance companies attorney to render opinion on constitutionality and enforceability of ordinance; second Clark. Discussion: We can go back and hire this to be done down the road. Suggestion of getting another opinion. By roll call vote: Clark – yes, Cooper – no, Christensen – yes, Ritter – yes.
 - d. **Consider adopting or postponing the adoption of the SOB ordinance provisions.** Motion by Clark to adopt the SOB ordinance provisions; second Ritter. Discussion: Can determine later if want the 3rd party review. By roll call vote: Clark – yes, Cooper – no, Christensen – yes, Ritter – yes.

- e. **Zoom Room Update.** Discussion on what would be involved in a Zoom room in Community Center Room 4; more involved than initially thought. Mr Christensen explained what would be needed to convert room 4 to a Zoom room. Money to be used from COVID grant, which is allowable. New estimated cost is \$24,110.20. Motion by Ritter to proceed with purchase of zoom room equipment of approximately \$24,100.20 with reimbursement to come from federal COVID grant; second Cooper. Discussion: If not all covered by the grant where would the funds come from. Guarantee of the grant. By roll call vote: Clark – yes, Cooper – yes, Christensen – yes, Ritter – yes.
- f. **Continuing discussion on the removal of several trees from the Veterans Memorial Corner.** Bids not returned, put on agenda for August 11, 2020.
- g. **Request to paint pickleball lines on the tennis courts.** Bid was received by Pitlik and Wick last fall, around \$2400, and board did not approve. Request came back from pickleball players to do it themselves, paint \$100 and use machine from Eagle River to paint lines. Motion by Clark to let the pickleball players arrange to get the tennis courts painted with pickleball lines with town buying the paint up to \$200 out of community development; second Cooper. Discussion: To check repairs of tennis courts and no additional repairs were needed last fall when Pitlik came out. Have town crew power wash the courts prior to painting. By roll call vote: Clark – yes, Cooper – yes, Christensen – yes, Ritter – yes.
- h. **Approval of past meeting minutes.** Motion by Cooper to approve 07/21/2020 meeting minutes as presented; second Clark. Discussion none. By roll call vote: Clark – yes, Cooper – yes, Christensen – yes, Ritter – yes.
- i. **Payment of bills.** Motion by Cooper to pay bills as presented with the additional bills presented with the exception of 27114; second Clark. Discussion none. Clark – yes, Cooper – yes, Christensen – yes, Ritter – yes. Motion by Clark to pay check 27114; second Ritter. Discussion none. Clark – yes, Cooper – abstain, Christensen – yes, Ritter – yes.
- j. **Closed Session – Adjourn to closed session in accordance with Section 19.85 (1) (e) of the Wisconsin Statutes to discuss the purchase of a piece of property that has bike and snowmobile trails on it. (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.** Motion by Christensen to adjourn to closed session; second Cooper. By roll call vote: Clark – yes, Cooper – yes, Christensen – yes, Ritter – yes. Closed session at 8:24.
- k. **Reconvene to Open Session – Reconvene to open session to take such action as the Board deems appropriate, following consideration given in closed session.** Motion by Christensen to reconvene to open session; second Clark. Discussion none. By voice vote: Clark – yes, Cooper – yes, Christensen – yes, Ritter – yes. 8:46

No action taken.

6. **Adjourn:** Mr Christensen adjourned the meeting at 8:47.

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