

**VILLAGE OF DRESSER**  
**POLK COUNTY**  
**VILLAGE BOARD PROCEEDINGS**

Pursuant to due call and notice thereof, a Village Board meeting was held on Monday, April 1, 2013, in the Municipal Office, 102 West Main Street. Rick Flandrena, Village President called the meeting to order at 6:30 PM. Roll Call: Rick Flandrena, Jim Rochford Jr., Darron Nelson, Kristi Scheet, and Rusty Norlander. Greg Andrie and Jim Thanig Absent. Also present: Attorney Tim Laux, Clerk Jodi A. Gilbert, Tiffany Meyer – Library Director, Ryan Haass – Police, and Scott Peckman. The Standard Press, The Osceola Sun and The Leader Newspapers were all present. Salute to the Flag was given.

**APPROVAL OF MINUTES:** Motion Rochford/Nelson to dispense with the reading of the minutes. Motion Carried. Motion Rochford/Scheet to approve the minutes of the Village Board Meeting, March 4, 2013. Motion Carried. Motion Scheet/Nelson to approve the minutes of the Public Welfare Committee Meeting, March 27, 2013. Motion Carried.

**CITIZEN COMMENTS:** No comments were made.

**PREREGISTERED:** Scott Peckman – Stars N Stripes Fireworks was present to discuss his request for a peddlers permit to sell fireworks in the Village Limits. Flandrena stated Scott I will turn this over to you so go ahead. Peckman stated right now we are in negotiations to put up a building out here. We are planning on constructing the building. The lot we are talking about is next to the VFW. We currently have some preliminary plans drawn up. Right now we are looking for a permit. We want to be able to sell out of a temporary stand this year. Flandrena asked what kind of temporary stand? Peckman stated a tent with a storage container to keep things in. Laux stated I have done some research on this and I have put together an outline to keep it simple. The Ordinance in question is 12.04 the procedure for granting a transient merchant license. In 12.04 there are 3 categories of sellers that need licenses. There are Peddlers, Canvassers/Solicitors, and Transient Merchants. Based on this application this request for a license fits a transient merchant and not the other two. The reasons that it fits are because the plan is for a fixed location for a temporary time to sell. The definition of fixed location is easy to understand. Temporary is not defined in the Ordinance. The person pays an investigation fee of \$5.00. Then the application (form) needs to be filled out. We probably do not have a form to fill out. Gilbert stated no not at this time. Laux continued if we don't have a form to fill out this document probably would be sufficient. Once they pay the investigation fee it is then turned over to the police department for a back ground check. The police department turns the results over to the clerk within 5 days. A nonresident applicant files a surety bond. I think our Ordinance defines Wisconsin is a resident so Osceola would be considered a resident. Laux reviewed the Ordinance – ours says Polk County. Overall there are very few regulations: No disturbing the peace, No use of streets/sidewalks that impedes the public use, the license must be displayed, and the hours are restricted to 9 am – 9 pm. That is what is involved in a transient merchant license. The Ordinance doesn't say what they are selling. Part B of all of this is the sale of fireworks in Dresser. We have Ordinance 9.05 of the Municipal Code. The regulation overall is minimal. If you read the Ordinance the sale of fireworks is prohibited. The law allows the sale of fireworks based on State Statutes. If you are in the firework's business you are aware of the state statute. Sale is restricted to 4 different circumstances. You can sell to someone who has a permit, you can sell to a Village, City or Town, you can sell to someone who is not a resident of Wisconsin, or you can sell for the purpose described in the law as specified. That is the State law and that is the way it is in Dresser also. We have our local ordinance and under the local ordinance it prohibits fireworks. Use of fireworks is limited to caps, toy snakes, model rocket engines, sparklers, or cone fountains. Laux continued I can tell you this enforcement can be by local Ordinance, but would probably go through circuit court where penalties can be applied if brought by the District Attorney. If Dresser takes it to municipal court the first offense is \$25.00. Under the permit for transient merchant it doesn't say what you are selling. I just wanted to have a brief discussion on fireworks, so that we know there is a state law for the village

board's understanding. For a \$25 forfeiture this would not be a municipal court case. If the law is broke it will be a District Attorney case. My recommendation would be to approve a transient merchant permit based on the information presented and if we get a recommendation from the Police Department on the background check. You have a copy proposed insurance binder, but that is not required. Laux looked for clarification - you have your request for insurance for one month (June 15 – July 16<sup>th</sup>) and temporary is not defined. You have a letter from Carly Carlson that says May 1<sup>st</sup> to August 1<sup>st</sup>. Peckman stated those are the dates that we are going to rent the property from him until we close on it. The sale for fireworks is June 15 – July 16. Are you looking for a Transient Merchant permit for June 15 to July 16? Is that what you want? Peckman stated yes that is what we were originally asking for. Laux stated the board needs to determine what is temporary. That is the only issue the board should ask to clarify and of course the police officer needs to do a background check. Peckman stated does it make a difference if go from May to August that would be probably better for us. Rochford stated that sounds temporary. Flandrena stated do you still plan to build a permanent structure? Peckman stated yes. Flandrena asked Haass if he had any further concerns. Haass stated no. Flandrena asked where is all the parking going to be. Peckman stated there is access off of HWY 35 to the property. We don't want to affect the traffic on Highway 35. Scheet stated so there is no reason to be on Hwy 35. Laux stated I believe right now there is no form for a license, so parking may be listed on a license. Rochford clarified so Tim if he goes through these steps, parking is all on the property and not the Highway, temporary permit good from May 1<sup>st</sup> to August 1<sup>st</sup>, background check is completed, insurance dates are in line with the dates of the permit, and what about signage we can go ahead with a decision. The Village of Dresser has a Sign Ordinance that needs to be followed. Any decision should be made contingent on Ryan's approval. Motion Rochford/Scheet to approve a transient merchant permit for Scott Peckman with the following requirements: location described as PID #116-00283-0200, dates to sell from May 1<sup>st</sup> – August 1<sup>st</sup>, applicant pays \$5.00 investigation fee, police background check completed successfully, no disturbing the peace, no use of streets or sidewalks that impedes or inconveniences the public's use thereof, license must be displayed, hours restricted to 9 a.m. to 9 p.m., all parking will be on the premise. Do we include insurance? That is not a requirement. Peckman stated we will have insurance. All in Favor. Motion Carried.

### **ACTIONS AND COMMITTEE REPORTS**

**PUBLIC WORKS:** Discussion was held regarding Summit Road. Flandrena stated we had a nice meeting with Steve Palmer from the Town of St Croix Falls. There are quite a few details to be worked out. This is something the next administration will have to look into. Scheet has a good background on it. Bryan Beseler and Scheet will have all of the information. There was discussion on the liabilities and the closing of Summit Road. We need to look more into it. Flandrena ended by stating I turn this over to the next administration.

Discussion was held regarding a letter received from Vern Gjelhaug regarding his property located at 302 State Street West. Flandrena asked did anyone have a chance to look at it. Nobody responded. Flandrena stated I have taken a look at it. He has been getting seepage in the basement. I don't know what we can do about it. There are a lot of shrubs out front. He has a corner lot and one question is whether the water is coming off of Hwy 35 or State Street. Flandrena stated this will have to be tabled until Bryan Beseler has a chance to take a look at it or whoever will be president.

Motion Rochford/Norlander to approve Barb Williamson to work 4-6 hours per week for 6 months for Part-Time help in the Parks. This is what we have done on the past? Gilbert stated yes. All in Favor. Motion Carried.

Motion Scheet/Rochford to approve Spring Solid Waste Clean Up with Waste Management to be held April 22<sup>nd</sup> – May 9<sup>th</sup>. The maximum amount a resident can dump is 1,000/lbs. Authorization form required through the Clerk's Office. Flandrena stated we do this every year and it is a great way for our citizens to clean up their yards and throw away garbage. All in Favor. Motion Carried.

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Motion Flandrena/Norlander to offer Free Brush Chipping to residents during the 3<sup>rd</sup> week of each month from April through October and free use of the Dresser Public Works Compost Transfer Site for leaves and grass clippings. All in Favor. Motion Carried.

**FINANCE:** Discussion was held regarding the purchase of a replacement Desk Top Computer for the Village Office – Computer used for all Village Accounting. Flandrena stated Jodi has some issues happening with the current computer. We need to make sure we fill her needs and Dresser needs. The computer currently is also used for utility billings. Gilbert stated we have been putting money away each budget for the purchase of computer/office equipment. Rochford stated we should be doing the Windows 7 downgrade. There are too many issues with Windows 8. Motion Scheet/Rochford to approve the purchase of a new computer with the Windows 7 downgrade for the Village Office. All in Favor. Motion Carried.

Motion Rochford/Scheet to approve the monthly Vouchers #32216-32288 totaling \$50,383.40. Roll Call Vote. All members of the board present voted yes. Motion Carried.

The Local Government Property Insurance Fund Renewal Information was presented to the Board. Flandrena commented this is just for your information and the future finance committee will have to deal with it.

**PUBLIC SAFETY:** The building inspector report for February 2013 was presented to the board. The March 2013 report was not available at meeting time.

Officer Ryan Haass discussed the Police Department March 2013 Report. I don't have anything on paper, since I don't have the month completely closed out yet. It has been a pretty standard month. We are having some lighting issues on the squad that will be looked at.

Minutes from the Osceola Ambulance Meeting that was held on March 21, 2013 were presented to the board. Flandrena stated if you have any questions direct them to Rusty for now.

**LIBRARY:** The Library Board Minutes from the March 11, 2013 meeting were presented to the board. Nelson stated if you haven't seen the new paint job at the Library go take a look. It looks a lot better with Tan/Blue colors. It looks like a new building inside. Tiffany commented that we had a handful of volunteers and Village employees that helped with the moving of everything and it couldn't have been done without them.

**OTHER BUSINESS:** Spring General Election to be held on Tuesday, April 2, 2013 – Polls open 7AM- 8PM

The Arbor Day Program will be held at the Dresser Elementary School on Friday, April 26, 2013.

Rochford stated I would like to first thank Jim and Rusty for being the board. I would also like to Thank Greg and Rick who seem to have been on the board forever and we really do appreciate their years of service. Flandrena stated this wouldn't have been possible without the rest of the trustees and the great office staff. When everyone helps out and does their job things get done. It has been a pleasant experience and who knows I may be back.

Resolution #01-2013 Resolution of Thanks. Motion Rochford/Scheet to move Resolution #01-2013 into immediate consideration. All in Favor. Motion Carried. Motion Rochford/Scheet to pass and approve Resolution #01-2013. Kristi Scheet read the Resolution out loud and presented a framed copy to Rick Flandrena. Roll Call Vote. All board members present voted yes. Motion Carried.

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Resolution #02-2013 Resolution of Thanks. Motion Rochford/Nelson to move Resolution #02-2013 into immediate consideration. All in Favor. Motion Carried. Motion Rochford/Scheet to pass and approve Resolution #02-2013. Greg Andrie was not present. Roll Call Vote. All board members present voted yes. Motion Carried.

Resolution #03-2013 Resolution of Thanks. Motion Rochford/Nelson to move Resolution #03-2013 into immediate consideration. All in Favor. Motion Carried. Motion Rochford/Nelson to pass and approve Resolution #03-2013. Jim Rochford read the Resolution out loud and presented a framed copy to Rusty Norlander. Roll Call Vote. All board members present voted yes. Motion Carried.

Resolution #04-2013 Resolution of Thanks. Motion Rochford/Scheet to move Resolution #04-2013 into immediate consideration. All in Favor. Motion Carried. Motion Rochford/Scheet to pass and approve Resolution #04-2013. Jim Thanig was not present. Roll Call Vote. All board members present voted yes. Motion Carried.

**MAY AGENDA BUSINESS:** Flandrena stated that Beseler and I will have a meeting to discuss the issues.

**NEXT MEETINGS:**

Library Board Meeting, Monday, April 8, 2013 at 6:30 PM

DOG Fire Meeting, Thursday, April 18, 2013 at 7:00 PM

Village Board Meeting, Monday, May 6, 2013 at 6:30 PM

Osceola Ambulance Meeting, Thursday, May 16, 2013 at 7:00 PM

DOG Fire Meeting, Thursday, July 18, 2013 at 7:00 PM

**ADJOURNMENT:** Motion Flandrena/Norlander to adjourn at 7:15 PM. All in Favor. Motion Carried.

Jodi A. Gilbert - Village Clerk

*These minutes have not been approved.*