

Village of Fall Creek
Minutes of Regular Village Board Meeting
July 12, 2021

1. **Call to Order:** 6:30 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Village President Tim Raap, Trustees Ben Burch, Karen Herbison, Karen Hurd, Sheena Kaatz, Matt Mattoon, Karen Strasburg. Members Absent: None. Staff Present: Village Administrator/Public Works Director Jared McKee, Clerk/Treasurer Renee Roemhild. Also Present: 11 citizens.
3. **Pledge of Allegiance**
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and an agenda was posted at the three public places and local newspapers were notified.
5. **Recognition of Visitors/Citizen Input:**
 - Eddy Herbison, 439 S Victory, questioned some budget items, the administrative fee on the garbage bill and the purchase of the Raether property. Budget questions were answered during the financial report agenda item. President Tim Raap explained the rate listed on the garbage bill does not specify an admin fee. The minutes which talk about it are for budgetary reasons for clarity in estimating the amount that will be mailed to the hauler for their services and the amount which will be used in-house to cover the expenses of administering the billing. About a year ago, the Village took on billing as a means to help residents get the lowest price possible for garbage services. Prior to that, the garbage company billed customers directly. We had been informed by our attorneys that in order to keep contracting for garbage services, as opposed to having multiple haulers (which would likely result in higher prices because the hauler would not have a secured client base), the Village would have to do the billing. (For more info: see Village website, Documents, Newsletters, 2019 Summer). Regarding the Raether property, it was explained the property was not bought for the purpose of rental income but the Village is working on some residential/economic development plans and therefore renting out the property during this interim stage to gain some revenue.
 - Dean Berry, 282 E Jackson Ave, questioned if there have been recent complaints on his detail shop at his residence. Raap stated there have been some and recommended he contact Village Administrator Jared McKee who could also provide updates on legal feedback and zoning regulations regarding home occupations.
 - Richard Ziemann, 543 S State St, gave comments on the hierarchy of the Village stating he sees the Village citizens on top, then Village Board, then staff. He felt the Administrator position was one that ideally would offset its cost by providing ways for the Village to run more efficiently, providing possible solutions to problems, giving pros & cons, and perhaps making recommendations. He understood why the sewer rates were so high, stating there were not enough users to bear the capital cost of the wastewater treatment plant, and thought maybe it was time to think about other alternatives for spreading out that cost.
6. **Adopt Agenda:**
 - MOTION (Mattoon/Strasburg) to adopt the agenda. PASSED, without negative vote.
7. **Approval of Minutes:**
 - MOTION (Burch/Strasburg) to approve the 6/14/21 Regular Board, 6/23/21 Community Relations, Recreation & Health Committee and 6/29/21 Public Works, Public Safety & Property Committee meeting minutes. PASSED, without negative vote.
8. **Financial Report:**
 - MOTION (Mattoon/Burch) to approve the 6/30/21 Budget Comparison Report. PASSED, roll call vote: Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes.

9. Approval of Bills:

- MOTION (Mattoon/Herbison) to accept the Check Register Report for payment of bills #26024-26064, ACH 21001-21006, PYRL 6/15-7/12, and Rural Development bill of \$2823.27 to Davy Engineering. PASSED, roll call vote: Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes.
- MOTION (Hurd/Kaatz) to move agenda items #13A & 13F up. PASSED, without negative vote.

13. New Business

A. Lions Club Requests for Fun Fest, Including But Not Limited To: (Note: All items considered together. See motion after letter e.)

a. Application for Temporary Class “B” License to Sell Fermented Malt Beverages

b. Application for License for Large Gatherings or Assemblies

c. Application for Fireworks Permit Per §199-4.B (Item for Information): No action needed.

d. Park Contract Requesting Use of Keller Park for Ball Tournament

e. Letter Requesting the Following Items

i. Waiver of Fees Related to Keller Park Usage & Large Gathering Application

ii. Extension of Park Hours

iii. Permission for Camping in Keller Park for Carnival Workers per §195-1.B.:

- MOTION (Hurd/Kaatz) approving the Temporary Class “B” Retailers License for the sale of fermented malt beverages at picnics or similar gatherings from 7/29/21-8/1/21; approval of the license for large gatherings for 7/29/21-8/1/21; approval for use of Keller Park for a ball tournament from 7/29/21-8/1/21; acceptance of request for waiver of fees, extension of park hours, and permission for camping for carnival workers to the Fall Creek Lions Club. PASSED, without negative vote.

F. Consider Sign and Building Permit in Downtown Business District @ 155 E. Lincoln Ave.: President Raap reported the Plan Commission met and recommended approval.

- MOTION (Mattoon/Kaatz) approving the sign and building permit application of Allan & Tania Roberts for 155 E. Lincoln Ave. PASSED, without negative vote.

10. Report of Village Administrator: Administrator/Public Works Director Jared McKee gave his monthly report highlighting departmental duties accomplished in the month.

11. Committee Reports

a. Community Relations, Recreation & Health Committee: Hurd reported on items the committee has been working on, including migrating to a new email service, chicken survey, website improvements, and community garden.

b. Finance, Personnel & Economic Development Committee: Raap reported the committee met at 5:30 today and several items are on the agenda to be discussed later in this meeting.

c. Public Works, Public Safety & Property Committee: Kaatz reported the committee assessed regulations and enforcement of sections of Village Code as related to recent citizen concerns. An item for action later in this meeting relates to dogs in Keller Park. The committee will be revisiting the Emergency Response Plan.

12. Unfinished Business: None.

13. New Business

B. Applications for Bartender Operator License:

- MOTION (Hurd/Kaatz) approving bartender/operator license for the remainder of the 2021-2022 licensing year to Abigail Huse, and temporary bartender/operator licenses to Fred Strasburg and Lois Salinas. PASSED, without negative vote.

C. Committee Recommendations

a. Finance, Personnel & Economic Development (If Committee Recommends on 7/12/21)

- i. **Administrator Duties & Responsibilities:** No recommendation from the committee.
 - ii. **Police Department Coverage/Service Level:**
 - MOTION (Strasburg/Mattoon) to keep the police department coverage level the same with 2 full-time officers and 1 part-time officer. PASSED, without negative vote.
Administrator/PWD McKee had been asked to hold on the hiring process until the matter could be reviewed, but now will continue the process of filling the open position.
 - iii. **Policy Regarding Delinquent Accounts on Tax Roll and Writing Off Bad Debt:**
 - MOTION (Mattoon/Herbison) to adopt Resolution #2021-0712A Establishing Policy for Handling Delinquent Accounts and Establishing Authority Levels to Write-off Accounts Receivable. PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes.
 - iv. **Writing Off Delinquent Accounts:**
 - MOTION (Mattoon/Herbison) to adopt Resolution #2021-0712B Write-Off Accounts Receivable in the amount of \$886.75. PASSED, roll call vote: Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes.
 - v. **Policy Regarding Payment to St. Paul's Lutheran Church for Folding Newsletter:** No recommendation from the committee.
 - b. **Public Works, Public Safety & Property**
 - i. **Amending Ordinance or Enforcing Current Ordinance in Regards to Dogs in Parks:**
 - MOTION (Hurd/Herbison) to begin the process to change the ordinance to allow domesticated animals in public parks pursuant to other regulations, such as being on a leash, etc. PASSED, without negative vote.
- D. Possible Assignment to Committee**
- a. **Accepting Septage at Wastewater Treatment Plant:** Trustees Karen Herbison and Karen Hurd presented an idea for consideration of as a means to financially assist the Village – waste pumpers that pump from residential locations that do not have municipal sewer service are interested in having another place to dump their waste. Discussion followed as to our current sewer plant, its capacity, the process in which the plant “cleans up” the waste, the Utility’s financial situation, and their proposal to accept septage as a means to gain revenue feeling there is capacity in the wastewater treatment plant to do this. Questions were asked requesting more understanding of their analysis of the capacity, concerns were voiced regarding what the risks and expenses would be, what the septage would do to the effectiveness of the facility, etc. A desire was expressed to allow the entire Board the ability to hear advice directly from wastewater professionals when considering this idea.
 - MOTION (Hurd/Herbison) to refer the topic of accepting septage to the Committee of the Whole. PASSED, without negative vote.
 - b. **Repaving or Repairing Public Parking Lot West of Village Hall:** No action taken. Will be considered during the annual budget process.
 - c. **Notification to Trustees of Potential Citations of Villagers Out of Compliance With Weeds, Vehicles, or Other Village Code Violations to Enable Action of Community Help/Involvement in Rectifying Infringement Before the Issuance of Citations:** No action taken.

14. Adjournment:

- MOTION (Kaatz/Mattoon) @ 9:21 p.m. PASSED, without negative vote.

Renee Roemhild, Clerk-Treasurer