

Village of Fall Creek
Minutes of Regular Village Board Meeting
August 10, 2015

1. **Call to Order:** 6:30 p.m. Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Pledge to Flag**
3. **Roll Call:** Members Present: President Chester Goodman, Trustees Tina Jacobson, Bob Jenkins, Wayne Steinke, Karen Strasburg, Aaron Wilhelm. Members Absent: Matt Mattoon. Staff Present: Police Chief Chad Dachel, Public Works Director Bryan Kaatz, Clerk-Treasurer Renee Roemhild. Also Present: 6 citizens.
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and an agenda was posted in the three public places & newspapers were notified.
5. **Adopt Agenda:**
 - MOTION (Steinke/Wilhelm) to adopt the agenda as printed. PASSED, without negative vote.
6. **Act on Minutes:**
 - MOTION (Steinke/Wilhelm) to approve the 7/13/15 Regular Board and the 8/4/15 Public Hearing & Plan Commission meeting minutes. PASSED, without negative vote.
7. **Citizen Input:** The Public Works Department was thanked for their hard work in cleaning up debris after the storm.
8. **Correspondence:** An email of thanks from Greg Leonard, Conservation Technician at E.C. County Land Conservation Division on behalf of the farmers who spearheaded the Golden Triangle Agricultural Enterprise Area petition.
9. **Budget Comparison Report/Financial Considerations:**
 - MOTION (Steinke/Strasburg) to approve the 7/31/15 Budget Comparison Report. PASSED, roll call vote: Jacobson-yes, Jenkins-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes.
10. **Consider Bills:**
 - MOTION (Wilhelm/Jacobson) to approve bills #22471-22518, V15244-15283. PASSED, roll call vote: Jenkins-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes.
11. **Scheduled Speakers/Issues of Interest**
 - A. **Consider Petition to Rezone 628 S State Street:** President Chester Goodman reported the Village Board brought the petition regarding the rezone of 628 S State Street up again because the "for sale" signs on the property indicated a change in plans may have occurred. When Ms. Gustaveson applied back in March of this year, she had indicated her plans were to build one duplex, in which she would reside in one half and rent out the other half. Members of the Village Board began receiving concerned comments questioning if more than one duplex was going to be constructed when residents saw the "for sale" signs go up. President Goodman explained the zoning amendment approved by the Village Board on 3/18/15 was for the entire parcel. The parcel is large enough to allow for subdivision, but any request to do so would have to come back before the Plan Commission and the Village Board. It was also noted that the resolution passed on 6/04/13, in which the special assessments were levied on that parcel for the 2013 State Street projects, indicated that if any subdivision on the parcel occurred within 10 years of the resolution date, the deferred assessment for the "new construction" assessments would become active and the standard payment options would apply.

Kelley Gustaveson addressed the Board, indicating some uncertainty in her plans. Several citizens spoke; some in favor of the rezone, some not. President Goodman reported on the 8/4/15 Plan Commission meeting, stating a motion to approve the petition to rezone to R1 was made, but did not pass.

- MOTION (Steinke/Wilhelm) to rezone 628 S State Street from Two-family Residential (R2) to Single Family Residential (R1). FAILED, roll call vote: Steinke-yes, Strasburg-yes, Wilhelm-no, Goodman-no, Jacobson-no, Jenkins-no.

B. Bret Luedtke, Eagle Scout Project: Public Works Director Bryan Kaatz informed the Board he has been in contact with the Eau Claire County Highway Department. They have agreed to allowing welcome signs placed along CTH "K" on the north and south entrances to the Village, as long as certain regulations are complied with. Clerk-Treasurer Renee Roemhild reported on relaying those regulations to Bret Luedtke.

C. Consider WI Dept of Transportation Program: Safe Routes to School Plan:

- MOTION (Jenkins/Steinke) to table item to coordinate with school. PASSED, without negative vote.

12. Police Department

A. Monthly Report: A written report of monthly cases/calls for service was read aloud in Police Chief Dachel's absence.

B. Consider Request to Extend Hours of Amplified Music at Chicken Chasers Bar & Grill, LLC:

- MOTION (Jenkins/Steinke) to approve request to extend hours of amplified music at Chicken Chasers Bar & Grill, LLC for September 12, 2015. PASSED, without negative vote.

C. Consider Request for Use of Village Hall Parking Lot for Fall Creek Fall Merchant Festival:

- MOTION (Steinke/Jenkins) to approve the request to use the Village Hall parking lot for the Fall Merchant Festival on October 10, 2015. PASSED, without negative vote.

13. Public Works Department

A. Monthly Report: Public Works Director Bryan Kaatz gave his monthly report on various matters concerning the public works and utility departments. He also noted the help that Todd Kuehl offered with the use of his clam truck during the storm damage clean-up.

B. Consider Business Park East Project, Including Contractor's Pay Request:

- MOTION (Jenkins/Steinke) to approve the Contractor's Pay Request in the amount of \$103,838.29 to Heartland Contractors Inc. PASSED, roll call vote: Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes, Steinke-yes.

C. Consider Wellhouse #1, Including Contractor's Pay Request & Change Orders:

- MOTION (Jenkins/Jacobson) to approve the Change Order #1 for B& B Electric and Change Order #2 for Municipal Well & Pump. PASSED, roll call vote: Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes, Steinke-yes, Strasburg-yes.
- MOTION (Steinke/Wilhelm) to approve the Contractor's Pay Request #2 in the amount of \$10,719.63 to Municipal Well & Pump. PASSED, roll call vote: Goodman-yes, Jacobson-yes, Jenkins-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes.
- MOTION (Jenkins/Steinke) to approve the Contractor's Pay Request #1 in the amount of \$102,575.00 to Springlake Contracting Inc. PASSED, roll call vote: Jacobson-yes, Jenkins-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes.

D. Consider Chipping Brush Pile at Burnsite:

- MOTION (Jenkins/Steinke) to approve chipping brush at burnsite at a cost not to exceed \$1,000, upon President Goodman and Public Works Director Kaatz's discretion. PASSED, roll call vote: Jenkins-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes.

14. Committee Reports: None.

15. General Business

A. Financial Update/Considerations: Capital Plans and Loans: Clerk-Treasurer Renee Roemhild presented draft plans for Capital Projects and Capital Equipment/Repairs. Effort was made to include a cost analysis for prior projects/expenses to provide a greater picture

for the Board, allowing them to make more informed decisions when planning for the future. Roemhild also reported on making application to the State Trust Fund requesting consideration for a Utility Revenue Bond to refinance the loan for the Wastewater Treatment Plant. The Board of Commissioners of Public Lands has denied the request at this time.

B. Consider Capital Purchase: Tabled.

The Village Board convened at 8:10 p.m. and reconvened at 8:20 p.m.

C. Consider Needs at Village Parks, Tennis Court Lights, Playground Equipment, etc.:

- MOTION (Steinke/Jacobson) to table the item until Trustee Matt Mattoon was present. PASSED, without negative vote.

D. Consider Replacement of Marquee/Announcements Sign at Fall Creek Valley

Memorial Park: Trustee Karen Strasburg reported that a potential donor spoke to her about replacing the marquee in Memorial Park. She contacted LaCrosse Sign Company and Jay's Sign Company, both in Eau Claire, for estimates and will bring back information as it becomes available to her. The donor would like to see the project completed this fall.

E. Consider Updates to the Village's Section in the Eau Claire County Outdoor

Recreation Plan: Trustee Wayne Steinke reported the Parks & Rec Committee met and reviewed the plan. They did not recommend any changes.

F. Consider Nuisance Geese Population Affecting Village Parks: Chairman Goodman

reported that he and Trustees Mattoon and Steinke have done some research on "Away With Geese", a company that sells low amber lights that blink every 3 seconds, disrupting the sleep patterns of geese and causing them to move to another location. The price for 5 to 6 lights is \$2,000 but they are not guaranteed to operate during the day. The location of the geese is known during the day, but not at night. No action taken.

G. Consider 1st Reading of Amendment to Ordinance §249-4.C. & § 249-5.2, Vehicles and Traffic, Long-term Parking:

- MOTION (Jenkins/Wilhelm) to hold the first reading of the above ordinance. Amendment clarifies inconsistencies between the two subsections of the Village Code. PASSED, without negative vote.

H. Consider 1st Reading of Amendment to Ordinance §268-45.3, Zoning, Signs:

- MOTION (Jenkins/Strasburg) to hold the first reading of the above ordinance. Amendment establishes a daily fine for noncompliance. PASSED, without negative vote.

I. Consider 2nd Reading & Possible Adoption of Ordinance to Amend §249.6 Disorderly Conduct with a Motor Vehicle:

- MOTION (Jenkins/Steinke) to hold the second reading and adopt the above ordinance, making it a part of the Code of the Village of Fall Creek. Ordinance establishes a definition and penalty for said ordinance. PASSED, roll call vote: Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes.

J. Consider Village Website and Logo: Additional samples of the logo were presented, with the Board making comments requesting further changes. Remaking of the website is still in progress.

K. Consider Post-Issuance Compliance Policy:

- MOTION (Jenkins/Steinke) to table the item for the next Regular Board meeting. PASSED, without negative vote.

L. Consider Agreement with Prochnow Assessing:

- MOTION (Steinke/Jenkins) to approve the agreement with Prochnow Assessing for 2016-2018. Cost for 2016 & 2018 is \$4,000. A revaluation of all real estate will take place in 2017; the cost for that year will be \$16,000. PASSED, roll call vote: Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes, Steinke-yes.

M. Consider Welcome to Fall Creek Baskets: Trustee Karen Strasburg suggested providing welcome baskets to new residents, highlighting the area businesses and organizations.

- MOTION (Jenkins/Steinke) supporting the idea if it is implemented through an organization or entity other than the Village. PASSED, without negative vote.
 - N. Consider Application for License for Large Gathering or Assemblies:** Clarification of hours of operation listed on the application was needed before it could be approved.
 - MOTION (Jenkin/Steinke) to table the item until the next Regular Board meeting. PASSED, without negative vote.
 - O. Consider Applications for Temporary Class "B"/"Class B" Retailers' (Picnic) License:**
 - MOTION (Steinke/Jenkins) to grant a Temporary Class "B"/"Class B" Retailers' (Picnic) license to United Cerebral Palsy of West Central Wisconsin for an event to be held from September 26 and 27. PASSED, without negative vote.
 - MOTION (Steinke/Wilhelm) to grant a Temporary Class "B"/"Class B" Retailers' (Picnic) license to Fall Creek Lions Club for an event to be held on September 12. PASSED, without negative vote.
 - P. Consider Bartender Operator License Application:** Trustee Jenkins recused himself.
 - MOTION (Steinke/Strasburg) to grant a bartender operator license for the remainder of the 2015/2016 license year to David L. Chambers. PASSED, without negative vote.
 - Q. Move to Convene in Closed Session Per Wis. Stat. 19.85(1)(g) Conferring with Legal Counsel for the Governmental Body 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. At the End of the Closed Session, the Board Will be Going into Open Session to Conduct Further Business.**
 - MOTION (Jenkins/Steinke) @ 8:32 p.m., and to invite Public Works Director Bryan Kaatz and Clerk-Treasurer Renee Roemhild into the closed session. PASSED, roll call vote: Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes, Steinke-yes, Strasburg-yes. President Goodman announced that at the end of the closed session, the board would be returning to open session to conduct further business.
 - R. Move to Return to Open Session and Action, if Any, on Matters Discussed in Closed Session:**
 - MOTION (Jenkins/Steinke) @ 8:50 p.m. PASSED, without negative vote.
- 16. Adjourn:**
- MOTION (Jacobson/Steinke) @ 8:50 p.m. PASSED, without negative vote.

Renee Roemhild, Clerk-Treasurer