

Village of Fall Creek
Minutes of Public Hearing and Regular Village Board Meeting
August 10, 2020

1. **Call to Order:** 6:30 p.m., virtual meeting at Zoom.us & physical meeting at Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Pledge to Flag**
3. **Roll Call:** Members Present: Village President Tim Raap, Trustees Kelli Corbin, Bob Jenkins, Sheena Kaatz, Matt Mattoon, Karen Strasburg. Members Absent: Trustee Joyce Aldrich. Staff Present: Village Administrator/Public Works Director Jared McKee, Police Chief Chad Dachel, Public Works Crew Jamie Kaeding, Clerk-Treasurer Renee Roemhild. Also Present: 14 citizens. Those noted in attendance include those attending via the virtual meeting.
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and an agenda (including instructions if wishing to attend the virtual meeting) was posted at the three public places and local newspapers were notified.
5. **Adopt Agenda:**
 - MOTION (Corbin/Kaatz) to adopt the agenda. PASSED, without negative vote.
6. **Act on Minutes:**
 - MOTION (Mattoon/Raap) to approve the 6/3/20 Special Village Board, 6/8/20 Finance & Personnel Committee, 6/24/20 Public Hearing & Special Village Board, 7/1/20 Inland Lake, 7/2/20 Special Village Board, 7/8/20 Plan Commission, 7/13/20 Regular Village Board, 7/22/20 Inland Lake, and 8/5/20 Finance & Personnel Committee meeting minutes. PASSED, without negative vote.
7. **Citizen Input:** None.
8. **Correspondence:** None.
9. **Budget Comparison Report/Financial Considerations:**
 - MOTION (Raap/Strasburg) to approve the 7/31/20 Budget Comparison Report and the Clerk-Treasurer's monthly report. PASSED, roll call vote: Corbin-yes, Jenkins-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes. The Board moved ahead to agenda item #12.A.
12. **Police Department**
 - A. **Monthly Report:** Police Chief Chad Dachel presented the monthly report of cases/calls for service.
 - B. **Consider Bartender Operator License Application:**
 - MOTION (Mattoon/Corbin) to deny the application of Avey Larson. PASSED, without negative vote.
13. **Public Works Department**
 - A. **Monthly Report:** Public Works Crew Member Jamie Kaeding presented the monthly report regarding public works and utility departments. At 7:00, the Board went to agenda item #11.
11. **Scheduled Speakers/Issues of Interest**
 - A. **At 7:00 p.m.: Public Hearing re: Special Assessments for Kopplin Road Project:**

President Tim Raap opened the public hearing by describing the need for the project and outlining standard special assessment procedures, along with reviewing the research done to confirm the most equitable way of assessing this project to the benefitting properties. Raap then gave anyone who wished to speak on the matter the opportunity to do so.

Administrator/Public Works Director Jared McKee gave an overview of the uniqueness of this project as the road lies on the boundary line of the Village. Ownership of part of the road is shared half and half between the Village and the Town of Lincoln, thereby making it necessary to do the project in conjunction with the Town of Lincoln. As the Town of Lincoln

owns the section of the road that runs north/south in addition to their section of the road that runs east/west, they are the majority partner in this project and will be taking the lead. The Village has let bids for their portion of the project: 50% of the south half of the road that runs east/west, roughly 2600 square feet of asphalt. The assessment numbers were calculated using the best possible estimates available at this time. After project completion, the assessments will be recalculated and if the project cost comes in lower than estimated, an adjustment can be made and refunds given at that time.

Questions/comments from the audience included:

- Has anything in particular caused the deterioration? The current road surface didn't have a great layer of asphalt. What we are putting down will be 2" of asphalt and will have more durability than what is currently there.
- Regarding the Countryside Coop property and the LP trucks and tanker that travel the road frequently for that business, is 2" of asphalt thick enough? McKee has talked with Town of Lincoln regarding the possibility of 3" of asphalt instead. They said they have had very good results everywhere in their jurisdiction with 2". He feels confident in their assessment of the need and since we are the junior partner on this project, we defer to them.
- Questioned if the Board was aware of how much traffic is on that road that is not neighboring property owners? Yes, that is common for many roads in the Village.
- Wondering the justification for special assessing this project when it hadn't been done in the past for other work like the chip sealing? State Statutes gives the Village the right to special assess to share costs. The Village's policy has been to assess for reconstruction projects but not for maintenance costs, such as chip sealing. Raap stated the Board cannot pick and choose which reconstruction projects to assess; they must stay consistent with their policy that other Village property owners have abided by. The first step is to determine if the project is an assessable project, which this project is because it is reconstruction and not maintenance. The second step is to determine the most equitable way to split the costs. State Statutes allows different formulas for calculating special assessments. The most common method splits the cost based on a "front footage" basis for abutting properties. As this road directly serves more properties than just the two properties that have abutting footage, a more equitable manner needed to be used. Looking at the tools available in the State Statutes, the "per lot" basis was chosen. This is not the first time the Board has reviewed its ordinances and policies regarding special assessments. The Board consistently looks at every project's unique elements for the intent of determining the most equitable way of assessing the project.

B. Close Public Hearing and Village Board Discussion on Input Received:

- MOTION (Kaatz/Mattoon) to close the public hearing at 7:45 p.m. PASSED, without negative vote.

The Board discussed maintaining consistency with past assessments, along with recognizing the comments given at the public hearing.

C. Consider Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefitted Property in the Village of Fall Creek Wisconsin for the 2020 Kopplin Road Project:

- MOTION (Mattoon/Kaatz) to adopt RESOLUTION #2020-0810A authorizing public improvements and levying special assessments against benefitted property for the 2020 Kopplin Road project. PASSED, roll call vote: Jenkins-abstain, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Corbin-yes.

10. Consider Bills:

- MOTION (Raap/Mattoon) to accept the Check Register Report for payment of bills #25513-25555, CC2062-2077, RDW1027, RDS1028, V20223-20251. Motion also approving payment

of the bill for the appraisal bill for Josh Briggs/Above Grade Appraisal. PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Corbin-yes, Jenkins-yes.

12. Public Works Department

B. Consider RD Projects (McKinley, Klingbeil Lift Station, Painting Water Tower, Randall Ave. Watermain Project), Including Change Order, Substantial Completion, Contractor Pay Requests:

- MOTION (Raap/Strasburg) approving Change Order #2 for A-1 Excavating in the amount of \$95,319.60 for the McKinley Avenue Reconstruction Project to add in the watermain looping for Randall Road. PASSED, roll call vote: Mattoon-yes, Raap-yes, Strasburg-yes, Corbin-yes, Jenkins-yes, Kaatz-yes.
- MOTION (Mattoon/Kaatz) approving the Certificate of Substantial Completion for the Klingbeil Lift Station Project for contractor Winona Mechanical. PASSED, Raap-yes, Strasburg-yes, Corbin-yes, Jenkins-yes, Kaatz-yes, Mattoon-yes.
- MOTION (Corbin/Raap) @ 8:19 p.m. to suspend the meeting to hold the Inland Lake District Annual Meeting and to return after the completion of that meeting. PASSED, without negative vote.
- MOTION (Raap/Corbin) @ 8:57 p.m. to resume the Village Board meeting. PASSED, without negative vote.

C. Discuss Condition of Kopplin Road

- a. **Portion of North/South Road Owned by Town of Lincoln-Consider Damage:** Raap reported the Town of Lincoln has submitted a bill but after discussion with them, it may be revised. No action at this time.

13. Committee Related

- A. **Community & Economic Development:** Discussion took place regarding starting up the “welcome” baskets again.

B. Finance & Personnel

- a. **Consider Scope of Engagement with Quarles & Brady for Issuance on \$1,730,000 Refunding Bonds, Series 2020A:**

- MOTION (Mattoon/Raap) to approve the agreement with Quarles & Brady as bond counsel for the issuance of \$1,730,000 refunding bonds for a cost of \$9,625. PASSED, roll call vote: Strasburg-yes, Corbin-yes, Jenkins-yes, Kaatz-yes, Mattoon-yes, Raap-yes.
- b. **Consider the Economic Development Strategy of the Village as it Relates to General Fund, Including Consideration of Resolution for Financial Strategies with Increased Emphasis on Economic Development Efforts:** Committee Chairperson Tim Raap reported on the previous strategy specified in December of 2017 which had put a high emphasis on debt service reduction. Having accomplished much progress in that area, the committee felt it important to shift the priority to economic development.
 - MOTION (Mattoon/Kaatz) to adopt RESOLUTION #2020-0810B for financial strategies with increased emphasis on economic development efforts. PASSED, roll call vote: Corbin-yes, Jenkins-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes.
 - MOTION (Raap/Mattoon) in light of the better interest rates secured by the recent refinancing and the positive effect made by the efforts to reduce the principal balance of the debt for the wastewater treatment plant, motion to reallocate the \$40,000 annual amount in debt service that has been used to make an extra payment on the wastewater treatment plant loan to instead make the new debt service payment for the Raether property loan, consequently the General Fund’s supplement to the Sewer Fund since 2017 will cease. PASSED, roll call vote: Jenkins-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Corbin-yes.

- c. **Consider Progress re: Purchase of and Plan re: Development of Raether Land:** Raap detailed the report from the 8/5/20 Finance Committee meeting. After months of work

beginning in January of 2020, Raap was able to report on the strategies and discussions leading up to the successful submission of the Village's offer to purchase the Raether property in the amount of \$625,000. Work is continuing on the items listed as contingencies in the offer, with the hope of having loan closing by mid-September.

- d. **Consider Amendments to Personnel Policy:** Raap reported on the changes recommended by the Administrator/Public Works Director and the Finance & Personnel Committee.
 - MOTION (Raap/Mattoon) approving the amendments to the Personnel Policy as discussed, allowing a one-year grace period regarding the use of comp-time as listed in subsection 14. PASSED, without negative vote.
- e. **Consider Request for Direction re: 2021 Budget Priorities:** McKee reported on the priorities arrived at during the Finance & Personnel Committee meeting, and asked if any other Board members had anything they wanted to add. He will begin working with the departments, putting together a preliminary budget for the Board's review.

C. Parks & Recreation: No report.

D. Public Property & Health: No report.

E. Public Safety: No report.

F. Public Works & Streets/Sidewalks: Some updates were given regarding the progress regarding the widening of the driveway at Freedom Street.

14. General Business

- a. **Consider Appointments:** President Tim Raap appointed John Kuehn to replace the term of Tom Williamson on the Plan Commission. Term expires April of 2023.
 - MOTION (Strasburg/Mattoon) affirming above appointment. PASSED, without negative vote.

15. Adjourn:

- MOTION (Kaatz/Corbin) @ 9:52 p.m. PASSED, without negative vote.

Renee Roemhild, Clerk-Treasurer