

Village of Fall Creek
Minutes of Regular Village Board Meeting
August 9, 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, Deputy Clerk Joan Drehmel. Also Present: 5 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:** None.
6. **Adopt Agenda:**
 - MOTION (Strasburg/Mattoon) to adopt the agenda. PASSED, without negative vote.
7. **Approval of Minutes:**
 - MOTION (Mattoon/Kaatz) to approve the 7/12/21 Plan Commission, 7/12/21 Finance, Personnel & Economic Development Committee, 7/12/21 Regular Board, 8/4/21 Public Works, Public Safety & Property Committee meeting minutes. PASSED, without negative vote.
8. **Financial Report:**
 - MOTION (Mattoon/Burch) to approve the 7/31/21 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 #26065-26101, ACH 21008-21009, PYRL 7/13-8/9, and Rural Development bills of \$6,858.72 to Davy Engineering and \$65,336.31 to A-1 Excavating. PASSED, roll call vote: Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes.
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. **Public Works, Public Safety & Property Committee:** Committee Chairperson Sheena Kaatz reported the committee discussed hard surface parking, public nuisances, issues with disorderly property, and ordinances regarding dogs in parks. She also reported on the list of speakers who will be providing info at the September 20 meeting regarding the possibility of accepting septage at the wastewater treatment plant.
12. **Unfinished Business:** None.
13. **New Business**
 - A. **RD Projects (McKinley, Klingbeil Lift Station, Painting Water Tower), Including Contractor Pay Requests, Change Order, Amendment to Engineering Contract:**
 - MOTION (Burch/Kaatz) approving A-1 Excavating change order #4 for clean-up over/under final quantities adjustment. PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes.
 - MOTION (Mattoon/Strasburg) approving A-1 Excavating pay request #6 (Final) in the amount of \$65,336.31. PASSED, roll call vote: Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes.
 - MOTION (Mattoon/Hurd) approving Davy Engineering contract amendment in the amount of \$9,120. PASSED, roll call vote: Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes.

- B. Closeout of RD Projects and Authorization of Additional Expenditure:** Administrator McKee reported the upcoming closeout of the Rural Development projects shows there will be some grant funds remaining and suggested putting it toward the purchase of a new mobile meter reader and software that can read both analog and digital registers. The analog registers that are currently in place in the Village have become obsolete, and to replace all of them with digital would be cost prohibitive.
- MOTION (Hurd/Kaatz) to approve the purchase of a new digital mobile meter reader and software that can read both analog and digital registers, using village funds and the remaining unexpended RD grant funds. PASSED, roll call vote: Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes.
- C. 1st Reading of Amendment to §195 Parks, Regarding Dogs in Parks:** At the 6/29/21 Public Works, Public Safety & Property committee meeting it was recommended to either amend the ordinance to allow dogs in the park, or enforce the current ordinance and post signage that clearly states no dogs are allowed in the park. The committee felt it was important to promote the park as welcoming to dogs and their owners, and clearly state the guidelines while visiting the park. The ordinance amendment presented for a first reading would allow dogs in the park, requiring the dog be leashed and the owner responsible for cleaning up any animal waste. Strasburg noted her experience with a large, boisterous dog among the crowd at Fun Fest in Keller Park. Board discussed adding a reference to Title 6.1.2.A. Animals, Care and Supervision regarding nuisance issues to the ordinance amendment. The Public Works Department can install signage and a sanitation station with bags available for waste removal purposes. The ordinance can be revisited if there are violations.
- MOTION (Mattoon/Herbison) to hold the first reading to §195-1.F. Parks. Amendment allows dogs, cats and domesticated animals in village parks provided they are leashed and the owner cleans up any animal waste. PASSED, with Strasburg voting no.
- D. Bartender Operator License Application:**
- MOTION (Kaatz/Burch) approving bartender/operator license for the remainder of the 2021/2022 license year to Bailey Thomas. PASSED, without negative vote.
- E. Committee Recommendations:**
- a. Administrator McKee updated the board on a meeting he had with Landon Profaizer, Associate Planner for the West Central Regional Planning Commission regarding the EC County Recreation Plan. The EC County Recreation Plan draft and draft survey Profaizer is working on will come back to the parks & recreation committee for review to finalize before sending out to the public for their comments on the use of the park. The committee will then prioritize findings and bring it to the board for approval. President Raap and Trustee Burch have been approached by the Youth Sports Association to consider their comments also. President Raap asked the committee to invite the association to their next scheduled meeting.
- F. Possible Assignment to Committee:**
- a. **Public Works Department Plowing: Public vs. Private Snow Removal:** Trustee Kaatz and Administrator McKee have discussed the village's current policy and past practices and will bring to committee for review.
 - b. **Request for Purchase of Village Lot on Blossom St:** A property owner on Blossom Street has approached the Village about buying a small triangle-shaped piece of land that the Village owns next to the old sewer plant/lift station. They have been maintaining the parcel as they thought it was part of their property, and were considering installing a fence on it. Administrator McKee told the property owner the board would review the request and if interested they would send it to committee for consideration. The non-public road that abuts the property leads to the lift station and could be impacted by a

fence when plowing snow or delivering large equipment. Board consensus was to not pursue the request. Administrator McKee will notify the property owner.

G. Inland Lake Protection & Rehabilitation District Annual Meeting (at 8:15 p.m.)

a. Citizen Input:

Dane Zook – gave an update on the Fall Creek Pond Management Plan that was completed, application for permits, bidding process to implement the plan, and grant funding.

Richard Ziemann – suggested the Public Works Department could spend more time on the pond and less time on lawns.

Jamie Kaeding – replied to comments he has heard regarding the Public Works Department’s neglect of the pond. They are spending approximately 6 hours a week harvesting weeds. He noted the public may not be aware of the trade-off to weed harvesting as turtle, fish, snails and other aquatic organisms are also removed from the pond. The public should understand the Management Plan is only attainable with time.

Ryan Aylesworth – thanked the efforts of the Public Works Department, noting the multi-year plan will benefit the pond as it will be easier to maintain in the future.

Tim Raap – noted the Village Board approved and supports the management plan. The pond is a lynch-pin in the community, both for fishing, recreation and aesthetics. It is good to be involved and voice opinions and ideas, and it is also good to recognize the work that is being done, both by the Public Works Department and the committee that worked on the plan to manage the pond in the future.

b. Clerk/Treasurer Report:

A question arose at the 8/10/20 Annual meeting regarding the makeup of the Inland Lake District board. A second meeting was held 9/8/20 confirming the Village Board is the governing authority of the district.

- MOTION (Hurd/Herbison) to approve the 8/10/20 Annual Meeting and the 9/8/20 Second Annual meeting minutes. PASSED, without negative vote.

Total revenues for the year ended 12/31/2020 were \$10,748.74 with total expenses of \$3,893.40. Revenues so far this year are \$9,265.91 with expenses of \$779.83. Current bank balance is \$70,958.31.

- MOTION (Mattoon/Kaatz) to approve the treasurer’s report as presented. PASSED, roll call vote: Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes.

c. Administrator/Public Works Director’s Report: Administrator/Public Works Director McKee commented that 2020 was the first year that weeds were not harvested on the pond because the annual permit to harvest weeds was not renewed in the spring of 2020 due to a staff shortage, and the DNR asked the Village not to harvest weeds because they were conducting a fish survey. The Fall Creek Pond Management Plan enabled the Village to obtain a 5-year permit and to extend the footprint in which to harvest weeds. Since July 1st approximately 100 cubic yards of organic material has been removed from the pond. He commended the Public Works Departments efforts as it is a time-consuming process that takes the better part of a whole day, and he asked for patience from the public as the work is being done.

d. Establish Budget for 2022 & Set Levy: The board discussed a new budget line item for wages, and a possible resolution stating that any revenues received over expenses would be designated as inland lake future plans.

- MOTION (Hurd/Mattoon) to approve the 2022 budget at \$9,300. PASSED, roll call vote: Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes.
- MOTION (Herbison/Hurd) to set the levy at \$9,000. PASSED, roll call vote: Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes.

President Raap closed the Inland Lake Protection & Rehabilitation District Annual Meeting at 9:40 p.m.

H. Move to Convene in Closed Session Per Wis. Stat. 19.85(1)(c) Considering Employment, Promotion, Compensation or Performance Evaluation Data of Any Public Employee Over Which the Governmental Body has Jurisdiction or Exercises Responsibility, namely, Discuss Potential Employment Contract. At the End of the Closed Session, the Board Will Be Going into Open Session to Conduct Further Business. Roll Call Vote on Motion to Convene into Closed Session.

J. Move to Convene in Closed Session Per Wis. Stat. 19.85(1)(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, Namely, Discussion re: Progress re: Raether Property & Business Park. At the End of the Closed Session, the Board Will be Going into Open Session to Conduct Further Business.

- MOTION (Herbison/Burch) to move into closed session @ 9:46 p.m. for both 19.85(1)(c) and 19.85(1)(e). PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes.

I. Move to Return to Open Session and Action, if Any, on Matters Discussed in Closed Session.

- MOTION (Kaatz/Burch) to return to open session @ 10:58 p.m. PASSED, roll call vote: Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes.

- MOTION (Herbison/Strasburg) for 19.85(1)(c) authorizing President Raap, Trustee Kaatz and Administrator McKee leeway in the hiring process when offering the position to Candidate #1. PASSED, without negative vote.

K. Move to Return to Open Session and Action, if Any, on Matters Discussed in Closed Session. No action taken for 19.85(1)(e).

14. Adjournment:

- MOTION (Herbison/Kaatz) @ 10:59 p.m. PASSED, without negative vote.

Joan Drehmel, Deputy Clerk