

Village of Fall Creek
Minutes of Regular Village Board Meeting
February 9, 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, Matt Mattoon, Wayne Steinke, Aaron Wilhelm. Members Arriving Later via phone: Karen Strasburg. Staff Present: Police Chief Chad Dachel, Public Works Director Bryan Kaatz, Clerk-Treasurer Renee Roemhild. Also Present: Representatives from Xcel Energy, two 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/Mattoon) to adopt the agenda as printed. PASSED, without negative vote.
6. **Act on Minutes:**
 - MOTION (Mattoon/Wilhelm) to approve the 11/10/14 Regular Village Board, 1/12/15 Regular Village Board, 1/27/15 Public Hearing & Plan Commission, and 2/2/15 Public Safety Committee meeting minutes. PASSED, without negative vote.
7. **Citizen Input:** None.
8. **Correspondence:** None.
9. **Budget Comparison Report/Financial Considerations:**
 - MOTION (Steinke/Jacobson) to approve the 1/31/15 Budget Comparison Report. PASSED, roll call vote: Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes, Wilhelm-yes, Goodman-yes.
10. **Consider Bills:**
 - MOTION (Mattoon/Steinke) to approve bills #22094-22154, V15015-15042. PASSED, roll call vote: Jenkins-yes, Mattoon-yes, Steinke-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes.
11. **Scheduled Speakers/Issues of Interest**
 - A. **Consider Petition to Rezone 628 S State Street from Single-Family Residential District (R1) to Two-Family Residential District (R2):** President Goodman reported on the public hearing and Plan Commission meeting. Several citizens were in attendance; some against the petition. Goodman stated the Plan Commission denied the request, stating there was not enough information for them to feel comfortable making a decision. Toby Biegel requested permission to speak and asked the Board to approve the petition because it would be good use of the property, stating that if approved he would be hired by Ms. Gustaveson to build a quality duplex with each side being 3-bedroom units consisting of 1800 square feet. Neighboring resident Vern Ming spoke in opposition of the petition.
 - MOTION (Steinke/Jacobson) sending the petition back to the Plan Commission, stating Mr. Biegel should provide his information to the Plan Commission and every effort will be made to hold the meetings as quickly as possible. PASSED, roll call vote: Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes.
 - B. **Consider Petition to Rezone 349 W Lincoln Ave (Parcels 127-1033-09-000, 127-1033-06-020, 127-1033-07-000, 127-1033-10-000, 127-1036-02-000) from Single-Family District (R1) and Multi-Family District (R3) to General Agricultural District (A1):** Trustees Aaron Wilhelm, Bob Jenkins, and Matt Mattoon recused themselves and sat in the audience. President Goodman reported the Plan Commission considered rezoning the property C-2 Commercial instead, as it would fit in with the other properties around it. After some discussion, the Plan Commission recommended approval as petitioned as A-1, unless C-2 was a better option because of assessment for taxes. Goodman reported the assessment is not affected based on the zoning classification.

- MOTION (Jacobson/Steinke) to approve the petition to rezone 349 W Lincoln Avenue (127-1033-09-000, 127-1033-06-020, 127-1033-07-000, 127-1033-10-000, 127-1036-02-000) to General Agricultural District (A1). PASSED, roll call vote: Jacobson-yes, Steinke-yes, Strasburg-yes, Goodman-yes.

C. Consider Petition for Conditional Use Permit to Allow Sale of Seed and Chemicals at 349 W Lincoln Avenue: President Goodman reported that the Plan Commission recommended approving the conditional use permit at 349 W Lincoln Avenue.

- MOTION (Steinke/Jacobson) to approve the conditional use permit to allow the sale of seed and chemicals at 349 W Lincoln Avenue (parcel numbers as listed in item 11.B. above). PASSED, roll call vote: Strasburg-yes, Goodman-yes, Jacobson-yes, Steinke-yes.

Trustees Jenkins, Mattoon and Wilhelm returned to their seats on the board.

D. Consider Petition to Rezone Wellhouse #1 from Urban Transitional District (UT) to Public Properties District (PPD): President Goodman explained that the Plan Commission recommended approving the petition to rezone Wellhouse #1.

- MOTION (Jenkins/Mattoon) to approve petition to rezone Wellhouse #1 from Urban Transitional District (UT) to Public Properties District (PPD). PASSED, roll call vote: Wilhelm-abstain, Goodman-yes, Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes.

E. 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, Including Approval of Prior Closed Session Minutes. At the End of the Closed Session, the Board Will Return to Open Session to Conduct Further Business.

- MOTION (Steinke/Mattoon) @ 7:25 p.m. and to invite Bryan Kaatz and Renee Roemhild into the closed session. PASSED, roll call vote: Goodman-yes, Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes. President Goodman announced that at the end of the closed session, the board would be returning to open session to conduct further business.

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

- MOTION (Jenkins/Mattoon) @ 7:48 p.m. PASSED, roll call vote: Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes.

G. Consider Xcel Energy Request for Easement on East Side of Brickyard Street:

Representatives Dawn Schultz and J.D. Armstrong from Xcel Energy spoke, reviewing the proposed legal document. The Village Board requested written language be included to allow a parking lot in the easement area. Mr. Armstrong stated Xcel would be happy to consent to that type of improvement to the property but requested the Village Board approve the document as worded. Mr. Armstrong agreed it would be permissible to record in the Village minutes that Xcel Energy would allow a parking lot in the easement area.

- MOTION (Jenkins/Mattoon) granting an easement on the east side of Brickyard Street that crosses the SW corner of Lot #1 of CSM Map #3026, Vol 17, Pg 66 (in the Industrial Park). This easement is for overhead only and parking is an allowable use in the easement area. Approval is contingent upon the Village selling a parcel of land in the industrial park to Xcel Energy for their substation. Xcel's compensation to the Village for the easement shall be \$2,160. PASSED, roll call vote: Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes.

H. Consider Xcel Energy Request for Easement on West Side of Brickyard Street:

- MOTION (Mattoon/Steinke) granting two easements on the west side of Brickyard Street that affects part of the SW 1/4 - NW 1/4, Outlot 50, Assessor's Plat (in the

Industrial Park). One easement is for Electrical Overhead running along the east side of the property for a width of 100' and the other is for Underground Distribution, also running along the east side of the property for a width of only 10'. Parking is allowable. Approval is contingent upon the Village selling a parcel of land in the industrial park to Xcel Energy for their substation. Xcel's compensation to the Village for the easement shall be \$9,720. PASSED, roll call vote: Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes.

The board recessed at 8:50 p.m. and reconvened at 8:20 p.m.

12. Police Department

A. Monthly Report: Police Chief Chad Dachel presented the monthly report of cases/calls for service.

B. Consider Police Department Staffing and Wage Scale: The Public Safety Committee met February 2nd and recommended approval of the following wage scale for the department:

Training of New Officers	\$10.00/hour
Starting Pay	\$13.50/hour
(determined as first shift on own and would start the 6-month clock)	
6 months	\$13.75/hour
12 months	\$14.00/hour
(New Officer with 10+ years experience starting wage)	
18 months	\$14.25/hour
24 months	\$14.50/hour
30 months	\$14.75/hour
36 months	\$15.00/hour

- MOTION (Mattoon/Jacobson) to approve the part-time employee wage scale as defined above. 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 department, noting that Dustin Keith started as the new employee on February 2nd, and that the bid opening for Pumphouse #1 is February 24th.

B. Consider East Business Park Project, Including Street Lighting, Change Order, and Contractor Pay Request:

- MOTION (Steinke/Jenkins) to approve the purchase of five wooden street light poles through Xcel Energy at a cost not to exceed \$12,000 for placement on Brickyard Street. PASSED, roll call vote: Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes, Mattoon-yes.
- MOTION (Jenkins/Steinke) to approve the revised change order #1 for Haas Sons in the amount of \$299,323.00. PASSED, roll call vote: Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes.
- MOTION (Jenkins/Mattoon) to approve payment of the Contractor's Pay Request #1 to Haas Sons in the amount of \$234,293.43. PASSED, roll call vote: Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes

C. Consider Training Requests:

- MOTION (Steinke/Wilhelm) to approve the request of Bryan Kaatz to attend the Annual Conference in Green Bay, with mileage, meals, and lodging paid by the Village, and the request of Josh Kaeding to attend a Wastewater training class in Chippewa Falls on March 18-19. PASSED roll call vote: Goodman-yes, Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes.

D. Consider Changing Burn Site Hours of Operation:

- MOTION (Steinke/Mattoon) to approve the changing the hours of the burn site would be in operation, per the discretion of the Public Works Director. PASSED, without negative vote.

14. Committee Reports: None.

15. General Business

A. Consider Use of Len Madsen Memorial Money: Pat Madsen gave memorial money to be used at the Village Hall.

- MOTION (Strasburg/Steinke) to purchase new folding chairs for the Village Hall and to place a memorial plaque in Village Hall honoring President Len Madsen's dedicated service to the Village. PASSED, without negative vote.

B. Consider Capital Equipment Purchase:

- MOTION (Steinke/Mattoon) to approve purchase of laptop computer in the amount of \$782.26 for use by the Village President for Village Board related correspondence. PASSED, roll call vote: Jacobson-yes, Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes.

C. Consider Lions Club Fun Fest Contribution:

- MOTION (Steinke/Mattoon) to approve a donation of \$500 towards the Fall Creek Lions Club Fun Fest. PASSED, roll call vote: Jenkins-yes, Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes.

D. Update re: Summer Rec Program: Parks & Rec Chairperson Matt Mattoon updated the Board on possible additional programming that could be offered through the Village in the summer months. Matter was referred for discussion at the Special Village Board meeting with the School Board.

E. Move to Convene in Closed Session Per Wis. Stat. 19.85(1)(c) For the Purpose of Employment, Promotion, Compensation or Performance Evaluation Data of Any Public Employee Over Whom the Village Board Exercises Responsibility. At the End of the Closed Session, the Board Will Return to Open Session to Conduct Further Business.

- MOTION (Steinke/Jacobson) @ 9:12 p.m., and to invite Chad Dachel and Renee Roemhild into the closed session. PASSED, roll call vote: Mattoon-yes, Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes. President Goodman announced that at the end of the closed session, the board would be returning to open session to conduct further business.

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

- MOTION (Jacobson/Steinke) @ 9:25 p.m. PASSED, roll call vote: Steinke-yes, Strasburg-yes, Wilhelm-yes, Goodman-yes, Jacobson-yes, Jenkins-yes Mattoon-yes.

16. Adjourn:

- MOTION (Jacobson/Steinke) @ 9:25 p.m. PASSED, without negative vote.

Renee Roemhild, Clerk-Treasurer