

Village of Fall Creek
Minutes of Regular Village Board Meeting
January 10, 2022

1. **Call to Order:** 6:32 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: 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. **Adopt Agenda:**
 - MOTION (Mattoon/Kaatz) to adopt the agenda with moving agenda item #12A behind #15E. (Posted agenda had noted that item #12A would likely move down and be discussed after agenda item #15E.) PASSED, without negative vote.
6. **Recognition of Visitors/Citizen Input:** The Board read an update regarding the Fall Creek Pond Preservation Team from Dane Zook.
7. **Approval of Minutes:**
 - MOTION (Mattoon/Hurd) to approve the 12/13/21 Regular Board Meeting. PASSED, without negative vote.
8. **Financial Report:**
 - MOTION (Mattoon/Burch) to approve the 12/31/21 Preliminary 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/Kaatz) to accept the Invoice Listing and Payroll Pay Summary Reports of 12/14/21-1/10/22. 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 the departmental duties accomplished since the last regular board meeting and stated in an effort of providing more transparency on the agenda, he listed the following topics for the Board's consideration:
 - A. **Payoff Debt for Raether Property:** McKee stated the Board could consider paying off the Raether loan, gave a quick overview of the timing reasons for payoff now and explained the interest savings that would be realized. A motion was not made because of the agenda item later in the meeting.
 - B. **Brian Larson's Developer's Agreement/Lot Sale:** McKee reported he has been working with a company that is interested in purchasing a lot in the Industrial Park for an electrical shop; the ¾ acre lot south of MailSource. McKee stated he drafted a Developer's Agreement similar to the one approved for H&S Fence. He reviewed the important points of the agreement, along with summarizing the *TIF District's Project Plans* and financial standing. He stated Brian Larson is willing to proceed with purchasing a lot and signing the Developer's Agreement.
 - MOTION (Herbison/Hurd) to refer this item to the Finance, Personnel and Economic Development Committee. PASSED, without negative vote.
 - C. **Personnel Policy:** McKee stated some amendments are needed to the Personnel Policy such as addressing maternity leave, changes that will encourage new hires, etc. He provided the Board with a draft so they could more easily review his recommended changes and stated a

decision does not need to be made tonight; he was just wanting them to start thinking about the proposed changes.

- MOTION (Hurd/Herbison) to refer this item to the Finance, Personnel and Economic Development Committee. PASSED, without negative vote.

D. Parking Ordinance: McKee stated he thinks the end goal is to send this to committee and provided a background as to the concerns that have been brought to him.

- MOTION (Hurd/Herbison) to refer this item to the Public Works, Public Safety & Property Committee. Some will be discussed as part of the Zoning Amendments already referred to Finance Committee. PASSED, without negative vote.

11. Committee Reports: None.

The motion at the beginning of the meeting moved the closed session down to be discussed at the end of the meeting. The Board proceeded to Agenda #13 C. and then back to 13.A.

13. New Business

C. Requests re: Parking Variances: McKee reported there are two requests for parking variances. The parking ordinances have already been referred to the Public Works, Public Safety and Property Committee for review. Charles Kuehn spoke regarding his request.

- MOTION (Hurd/Herbison) to allow Charles Kuehn for a period of six months to continue to park his vehicles on his lawn the way he has been, and in that time the committee will review the parking ordinances and the subject will be revisited. PASSED, without negative vote.
- MOTION (Mattoon/Hurd) to approve the request of David & Susan Bougie, 408 E Washington Ave., to extend the deadline to comply with the Village ordinance until June 30th. PASSED, without negative vote.

A. Set Date for Open Book and Board of Review:

- MOTION (Hurd/Mattoon) to set the date for Open Book as April 14th from 2:30 – 4:30 p.m. and Board of Review as June 1st from 5:00 – 7:00 p.m. PASSED, without negative vote. The ordinances regarding the number of members on the Board of Review were referred to the Finance, Personnel & Economic Development Committee.

B. Raether Home Rental and Contract Terms: Discussion took place on renting the Raether home. As rental agreements have been under the scope of the Administrator's duties, he started the process but after some initial concerns, requested the Board's input on whether they would like the lease to be month-to-month or year-long. The terms of the contract were discussed.

- MOTION (Hurd/Herbison) directing Administrator McKee to rent the property on a month-to-month basis. PASSED, without negative vote.

D. Approval of Police Department Use of Force Policy: McKee reported the State is requiring municipalities have to have a Use of Force Policy.

- MOTION (Mattoon/Burch) to adopt the proposed Use of Force Policy and publish on the Village website as required by the State. PASSED, without negative vote.

E. Consider Bartender Operator License Applications:

- MOTION (Herbison/Kaatz) approving a bartender operator license to Emily Erickson for the remainder of the 2021/2022 license year. PASSED, without negative vote.

14. Committee Recommendations: None.

15. Possible Assignment to Committee: The following topics were discussed. Items A through D were referred to the Finance, Personnel & Economic Development Committee.

A. Raether Property Economic Development

B. TID #2 Economic Development

C. Crystal Creek Economic Development/Build Out

D. Debt Strategy

E. Newsletter Oversight:

- MOTION (Kaatz/Mattoon) to remove the Board Member Corner from the newsletter. PASSED, voice vote with Hurd abstaining.

12. Unfinished Business

A. 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, Consider Agreement re: Economic Development. At the End of the Closed Session, the Board Will be Going into Open Session to Conduct Further Business.

- MOTION (Mattoon/Burch) @ 8:34 p.m. and inviting Administrator McKee and Clerk-Treasurer Roemhild into the closed session. PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes.

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

- MOTION (Herbison/Kaatz) @ 9:40 p.m. PASSED, roll call vote: Mattoon-yes, Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes.
- MOTION (Strasburg/Herbison) to move forward with preparing a shared conceptual master plan with a developer. PASSED, roll call vote: Raap-yes, Strasburg-yes, Burch-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes.

13. Adjournment: @ 9:42 p.m.

Renee Roemhild, Clerk Treasurer