

Village of Fall Creek
Minutes of Regular Village Board
June 13, 2022

1. **Call to Order:** 6:00 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Village President Tim Raap, Trustees Ryan Aylesworth, Chester Goodman, Karen Herbison, Karen Hurd, Sheena Kaatz, Matt Mattoon. Members Absent: None. Staff Present: Village Administrator/Public Works Director Jared McKee, Police Chief Colin Mumford, Clerk/Treasurer Renee Roemhild. Also Present: 7 citizens.
3. **Pledge of Allegiance**
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and the agenda was posted at the three public places and local newspapers were notified.
5. **Adopt Agenda:**
 - MOTION (Goodman/Mattoon) to adopt the agenda as printed. PASSED, without negative vote.
6. **Recognition of Visitors/Citizen Input:**
 - Charles Kuehn, 297 E Jackson Ave, felt the Board was going in the right direction to address the issue of junk vehicles rather than requiring hard surface parking.
 - Karen Herbison (speaking as citizen), 439 S Victory St, would like the use of Memorial Park on July 9 for a fundraising event for Light Up Fall Creek.
 - Jamie Kaeding, 224 W Washington Ave, requested consideration for changing off street parking rules as times have changed since the ordinance was originally written, suggested allowing the parking of one accessory vehicle anywhere in the yard, not limiting parking to hard surface areas.
 - Lisa Goodman, 328 W Washington Ave, agrees with Jamie but she would like two spots, felt the cost of required hard-surface parking could be a deterrent to people moving to Fall Creek, felt 14 days was a good time frame to allow on-street parking of recreational vehicles.
 - Vern Ming, 133 E Randall Rd, thinks there should be a limit of two recreational vehicles, parking should not be allowed in front yards, but also should not require a hard surface as long as the person is mowing and keeping up on their yard. Also wanted to talk about the speed limit on State St reviewing the Board's prior decision in 2019 to request the County to lower the speed limit, for which the County denied it because of traffic count. Ming feels it is still a problem, stating it is a busy intersection with a daycare there.
 - Westley Bennett, 741 S Liberty St, felt the ordinance regarding parking recreational vehicles was written from the viewpoint of not giving rights to the property owner and felt it should be written from the perspective of all rights, unless harm is being done to someone else.
 - Engineer Gareth Shambeau of Ayres Associates thanked the Board for the opportunity to submit an engineering proposal.
 - Chester Goodman, relating concerns voiced to him as Trustee, stating several people have asked about pickle ball courts and he's received concerns about the old café lot not being mowed.
7. **Approval of Minutes:**
 - MOTION (Goodman/Kaatz) to approve the 5/9/22 Regular Board, 6/2/22 Finance, Personnel & Economic Development Committee, 6/6/22 Special Committee for Review of Engineering Proposals, 6/8/22 Special Committee for Downtown Business District, and 6/9/22 Community Relations, Recreation & Health Committee meeting minutes. PASSED, without negative vote.
8. **Financial Report:**
 - MOTION (Mattoon/Herbison) to approve the 5/31/22 Budget Comparison Report. PASSED, roll call vote: Goodman-yes, Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes.

- 9. Approval of Bills:** Clerk-Treasurer Renee Roemhild listed some last-minute bills she would like the Board to consider for approval as part of the Invoice Listing.
- MOTION (Mattoon/Hurd) to accept the Invoice Listing and Payroll Pay Summary Reports of 5/10/22-6/13/22, with the additions requested. PASSED, roll call vote: Herbison-yes, Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes, Goodman-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, stating the Police Department has applied for a grant trying to get funding for a police officer to be in the schools.
- 11. Committee Reports:** Trustee Hurd reported on two recommendations from the recent Community Relations, Recreation & Health Committee meeting: 1) that the Village Board accept the donation of 2 bluebird and 2 wood duck boxes that Beaver Creek built, to be installed near the pond and 2) that the Board approve the installation of a memorial plaque in Randall Park to honor Earl “Bud” Drehmel. Hurd made a motion regarding the bird & duck boxes. McKee apologized as he realized that specific item did not make it on the agenda. (The memorial plaque is on the agenda at 14.E.) President Raap talked about the open meeting laws, stating we try to be as specific on the agenda as possible to let the public know what will be discussed, so he thought it would be better to wait with any motions until we could clearly list the item on the agenda. Hurd concurred. Item will be placed on the next meeting agenda.
- 12. Unfinished Business**
- A. 2nd Reading & Possible Adoption of Ordinance Title 3 Record Retention and Finance, Amending and Repealing Sections of Chapter 31 Finance and Chapter 82 Records**
Public: Administrator/Public Works Director McKee noted some changes to the ordinance since the last meeting and reviewed the changes discussed at the first reading.
- MOTION (Hurd/Mattoon) to hold the second reading of the above ordinance, with the changes discussed and as red-lined, amending and repealing Chapter 31 Finance and Chapter 82 Records to be renamed Title 3 – Record Retention and Finance, and to adopt the ordinance in its entirety, making it a part of the Code of the Village of Fall Creek. Amendment basically combines the two chapters and creates a record retention schedule. PASSED, roll call vote: Hurd-yes, Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes, Goodman-yes, Herbison-yes.
- B. 2nd Reading & Possible Adoption to Amend Ordinance of Title 10 Motor Vehicle and Traffic, Amending and Repealing Sections of Chapter 227 Streets and Sidewalks, Chapter 245 Abandoned and Inoperable Vehicles, Chapter 249 Vehicles and Traffic:**
Discussion took place on valuing the input from the citizens who spoke earlier in the meeting. Police Chief Colin Mumford addressed the Board with information on what the police department is seeing – currently there are 63 residents out of compliance with the hard surface parking regulations. In many cases, unkempt yards and weeds are an issue in the area where the recreational vehicles or trailers are parked. He researched 28 different municipalities in the area and found that most allow street parking of recreational vehicles for only one or two days. 14 days would put us very much out of consistency with other communities. Mumford stated the police department has been receiving complaints from neighbors and they need an ordinance that they can enforce. If the hard surface parking stays into effect, he thinks many recreational vehicles will end up on the street; if the 14 days stays into effect, he is concerned the roadways will become cluttered creating potential visibility issues and that there would be such a long timeframe before the police would be able to alleviate a neighbor’s complaint. Discussion took place about not wanting to be too restrictive, so that people felt like they couldn’t use their property the way they wanted, but also the need to be considerate of complaints from neighbors who feel the recreational vehicle parking is an eyesore and it

devalues their property. Possible solutions were discussed, such as allowing two recreational/trailer items to be parked in the back yard, eliminating the requirement for a hard surface in the back yard but requiring mowing be kept up and defining setback requirements from the lot line, so as to not get too close to the neighbors' property.

- MOTION (Hurd/Aylesworth) to table the second reading until the next meeting, to include the suggested parameters discussed and to bring it back to the Board, rather than back to committee. PASSED, without negative vote.

13. New Business

A. Public Hearing re: Alcoholic Beverage License Applications: President Raap opened the public hearing at 7:35 p.m. There were no comments, so he closed the public hearing.

B. Alcohol Beverage License Applications:

- MOTION (Mattoon/Herbison) to grant the following licenses for the 2022/2023 license year. PASSED, without negative vote.

**Combination Class B Beer & Liquor
Retail License**

(for the sale of fermented malt beverages AND intoxicating liquors for consumption on or off premises where sold)

- Chicken Chasers Bar & Grill LLC
(Allan Roberts, President)
- Southtowne Pub LLC
(d/b/a/ Corner Pub & Grub)
- Team Gizmo's LLC
(Norma Dehnke)

- MOTION (Herbison/Hurd) to grant the following licenses for the 2022/2023 license year. PASSED, without negative vote.

**Combination Class A Beer & Liquor
Retail License**

(for the sale of fermented malt beverages AND intoxicating liquors for consumption off premises where sold)

- Akron LLC
(Navdeep Chib, President)
- E & K Fall Mart LLC
(Evan Anderson, Agent)

C. Cigarette & Tobacco Products Retail License Applications:

- MOTION (Hurd/Herbison) to grant a Cigarette & Tobacco Products Retail License for the 2022/2023 license year to Akron LLC (Akron Stop), E & K Fall Mart LLC (Fall Mart), and Team Gizmo's LLC (Gizmo's Bar & Grill). PASSED, without negative vote.

D. Bartender Operator License Applications:

- MOTION (Hurd/Herbison) to grant bartender operator licenses for the 2022/2023 license year to Tanya Aguilar, Barbara Anderson, Karlie Anderson, Evan Anderson, Leah Biegel, Toby Biegel, Tamara Davis, Michael Dehnke, Norma Dehnke, Carrie D'Lamatter, Cirilo De Santiago-Cruz, Brenda Dowiasch, Natalie Hellegers, Christine Johnson, Courtney Kneifl, Jean Knudtson, Steven Knuth, Patti Lange, Katie Lighthizer, Jeffrey Manor, Cacie Michels, Tania Roberts, Ellie Senn, Sukhan Singh, David Suino, Mackenzie Walker, Richard Ziemann, Hannah Zimmerman. PASSED, without negative vote.
- MOTION (Mattoon/Kaatz) to grant bartender operator licenses for the 2022/2023 license year to Katelyn Knuth, Adam Kuehn, Caroline Hagedorn. PASSED, without negative vote.
- MOTION (Mattoon/Aylesworth) to grant a bartender license for the 2022/2023 license year to Julie Dohms, contingent upon completion of paperwork and background check. PASSED, without negative vote.

E. Garbage & Refuse Hauler License Applications :

- MOTION (Mattoon/Hurd) to grant a Residential & Commercial Garbage Hauler's license for the 2022/2023 license year to Waste Management, and a Refuse Hauler's license to GFI Environmental, Express Disposal, Johnson Roll-Off Service, Right Away Roll-Off, and Waste Management. PASSED, without negative vote.

F. Consider Lions Club Requests for Fun Fest, Including But Not Limited To,

a) Park Contract Requesting Use of Keller Park for Ball Tournament,

- b) **Application for License for Large Gatherings or Assemblies,**
- c) **Application for Fireworks Permit: As Investigated by the Fire Chief and Approved by the Village President:** No action needed.

d) **Letter Requesting the Following Items:**

1. **Waiver of Fees Related to Keller Park Usage & Large Gathering Application**
2. **Extension of Park Hours**
3. **Permission for Camping in Keller Park for Carnival Workers per §195-1.B.:**
 - MOTION (Hurd/Kaatz) approving use of Keller Park for a ball tournament from 7/28/22-7/31/22; approval of the license for large gatherings for 7/28/22-7/31/22; acceptance of request for waiver of fees, extension of park hours, and permission for camping for carnival workers to the Fall Creek Lions Club. PASSED, without negative vote.
 - MOTION (Kaatz/Mattoon) to have Finance, Personnel & Economic Development Committee review rental fees for village properties. PASSED, without negative vote.

G. Public Works: Review Sewer Compliance Maintenance Annual Report & Consider Related Resolution: McKee reported on the CMAR annual report.

- MOTION (Kaatz/Aylesworth) to adopt RESOLUTION 2022-0613A Compliance Maintenance. PASSED, roll call vote: Kaatz-yes, Mattoon-yes, Raap-yes, Aylesworth-yes, Goodman-yes, Herbison-yes, Hurd-yes.

H. Request for Legal Guidance for Ordinance Title 2, Article 3: Raap stated Trustee Hurd emailed him requesting some items be put on the next agenda, and challenging the action taken at the May regular board meeting to remove a plan commission member. Raap stated the discussion had been clear at the May meeting, both in citing the State Statutes and referring to a legal article from the League of Wisconsin municipalities. Hurd stated she would not like to request legal guidance but would like the ordinance clarified.

- MOTION (Hurd/Herbison) to refer the matter to committee and to add language as worded in the State Statutes in our ordinance. PASSED, without negative vote.

I. Onboarding Tips for New Municipal Board Members (may be moved in order on agenda): Raap reviewed the onboarding tips as discussed last year at this time, as a refresher for current board members, while giving new board members the basics of trustee duties and open meeting laws.

14. Committee Recommendations

A. Consider Proposals for Engineering Services: McKee reviewed the proposals and the committee's recommendations.

- MOTION (Kaatz/Hurd) to accept the recommendation of the Public Works, Public Safety & Property Committee, naming Ayres Associates as the village consulting engineer, pending approval of the global contract. PASSED, roll call vote: Mattoon-yes, Raap-yes, Aylesworth-abstain, Goodman-abstain, Herbison-yes, Hurd-yes, Kaatz-yes.

B. 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. At the End of the Closed Session, the Board Will be Going into Open Session to Conduct Further Business: Not needed.

C. Move to Return to Open Session and Action, if Any, on Matters Discussed in Closed Session: Not needed.

D. Downtown District Recommendations: President Raap reported the special committee met on 6/8/22 and focus task groups were formed to which research topics were assigned for group members to review and report back. No recommendations for the Board yet.

E. Memorial Plaque for Bud Drehmel at Memorial Park:

- MOTION (Hurd/Herbison) to accept the recommendation of the Community Relations, Recreation & Health Committee to allow a memorial plaque for Earl “Bud” Drehmel be installed in the park. PASSED, without negative vote.

15. Possible Assignment to Committee

A. Consider Cameras at Keller Park: Trustee Kaatz reported the damage she found on a recent visit to the park, stating it may be time to have the conversation about security cameras at Keller Park. Other Board members concurred. Police Chief Mumford preferred a system the PD could see “live-time” if something was going on.

- MOTION (Mattoon/Aylesworth) to have Administrator/Public Works Director McKee and Police Chief Mumford get information and cost estimates for a system, and bring it to the Public Works, Public Safety & Property Committee. PASSED, without negative vote.

16. Adjournment: @ 8:48 p.m.

Renee Roemhild, Clerk-Treasurer