

*Village of Fall Creek*  
*Minutes of Special Village Board Meeting*  
*May 1, 2023*

1. **Call to Order:** 5:00 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: Administrator/Public Works Director Jared McKee, Clerk/Treasurer Renee Roemhild. Also Present: 4 residents.
3. **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. Village President Tim Raap handed out information regarding the conduct of public meetings per Village ordinances and *Roberts Rules of Order*. He said he's received some comments about maintaining order in the meetings. Per our Village Code, members should ask for the floor when they want to speak and there will be a designated time for the public to talk, rather than allowing comments from the audience throughout the meeting. Raap stated he thinks this will help bring more order and organization to the meeting.
4. **Adopt Agenda:**
  - MOTION (Mattoon/Goodman) to adopt the agenda. PASSED, without negative vote.
5. **Randall Road & Utility Project, Including Proposed Special Assessments:** Village President Raap again gave an overview of the special assessment process and the timeline, stating this meeting is to talk about the proposed special assessments before the public hearing. Administrator Jared McKee reviewed the Village ordinances related to special assessments and the Randall Road urbanization project, detailing which construction items were considered reconstruction and which items were considered new construction. McKee then provided the individual estimated special assessments for the affected properties, stating the numbers were based on the bid prices that came in last week.

McKee stated that due to the high cost of special assessments, in the past the Village Board tried to relate the cost of the special assessments to the valuation of the property as a means of comparison because inflation factors and dollar values differ widely between years. McKee stated we updated that comparison and included equalized valuations to give a more accurate comparable. Also stating that no comparison will be perfect because the projects themselves have differences, McKee said this is the best comparison we can provide. McKee reviewed the comparison, stating the “**special assessment to property value ratios**” of the Randall Road project are right in line with the prior projects. He stated it is understood that no property owners like to have special assessments charged to their property, and no Board members want to give their friends and neighbors big bills, but the ordinances were set years ago as a means for the Village to afford necessary capital projects.

Trustee Sheena Kaatz stated it was important to remember that many people have paid special assessments in the past and their numbers felt high at the time too. Kaatz questioned that if some change is considered to the ordinance, would we reimburse those who were assessed in the past as well? McKee responded that there is a provision in the ordinance in which the Board could deviate from the cost-share standards on a case-by-case basis if it deemed appropriate. He said his understanding was that when the McKinley project went in, construction prices were very high and the thought was that prices would come back down, so the Board did make an adjustment for that project.

Trustee Chester Goodman stated he was on the Board at the time when the idea of comparing the value the property owner was getting (their special assessment) to the value of their property because it was what they thought was the best way to compare projects over many years. He stated he feels now that the issue should be looked at again and has been researching the policies of like-sized communities.

Trustee Karen Hurd questioned what would happen if homeowners decided to sell and leave the Village because of the special assessment. McKee stated the assessment is required to be paid before a property can be sold. Hurd stated she thought the Board should consider a referendum to increase taxes, as an option. Hurd stated the Village will be getting an increase in the State Shared Revenue and maybe there are ways to trim things out of our budget.

Trustee Ryan Aylesworth asked for details on the reason for the project. McKee said this project was on the Village's Capital Plan and was needed for several reasons: part of the project includes replacement of very old underground utilities and is taking the opportunity to deepen the sewer mains to avoid the need for a very costly lift station in the future, part of the project fixes the road grade and provides for storm water issues. McKee also passed out the future needed capital reconstruction projects, listing the priority:

1. **E. Tyler/E. Truman/S. White** for an estimated project cost of \$1,864,000
2. **S. Wisconsin** for an estimated project cost of \$2,565,000
3. **S. Victory** for an estimated project cost of \$2,759,000.

McKee said the situation with this project is that Randall Road is one of a few roads left that does not have sidewalk and that creates somewhat of an equity problem. McKee said he had someone in his office recently that had very strong feelings that they had to pay for their sidewalk so others should have to pay for sidewalk too. McKee said there is a collective issue here that everyone pays for the sidewalk in front of their house even though everyone gets to walk on it. Trustee Chester Goodman stated that reasoning was fine if everyone gets sidewalk on the same day (at the same cost) but that is not the situation here, so he wanted to know what equalizes it. McKee responded that issue is created by the time value of money in 1980 vs 2023, which is what the comparison ratio between special assessment and property value was trying to address. Goodman stated he understood but felt the system was broken and that it should be looked at for the future, but stated he realized it was too late to change things for this project.

Hurd stated she thought the Board should think about the possibility of not having special assessments at all, with the whole Village taking on the cost of capital projects. Hurd stated we talked about taking on interim debt and thought we should take out a temporary bridge loan to cover this until we can make a wise decision.

Raap stated there has been talk specifically about sidewalk, repeating comments from property owners that they don't want to pay for sidewalk because all residents walk on it. But Raap said it is really just a mechanism that was chosen by past Boards for determining a proportionate cost-share of the project. Raap stated you could have that cost-share tied to a different element of the project instead, for example water laterals that are only for the benefit of the property owner, but it would still be a proportionate cost-share of the project.

Raap stated the if the Board wants to make a change to the level of the cost-share, there will be factors to consider:

- how to respond to residents that previously had to pay the defined level of cost-share,
- how to come up with funds to pay for the projects listed on the priority list if you are reducing or eliminating the funds received from special assessments,
- comments made about having a referendum to raise taxes is then making everyone pay for the capital projects, even if they have already paid special assessments on their property in the past,
- referendums for public infrastructure do not seem to be accepted by residents in other communities,
- when looking at the debt spreadsheet that was presented at the last meeting, many times we received about 30% of the project costs in grants but that was not enough to eliminate the need for special assessments,
- it's not just this project to think about, it's future projects too - it's important to have a wholistic view,
- the comment about additional money expected for Shared Revenue does not give a complete picture because for years the Shared Revenue has not kept pace with the increase in Village operating costs due to high inflation that the Village faces just like everyone else.

Raap encouraged Board members to look at the spreadsheet and if considering changing the cost-share proportions to make sure they think about how they want new construction to be handled as well as reconstruction, and how they want to be defining new construction.

Hurd left the meeting at 6:00 p.m. Mattoon left the meeting at 6:18 p.m.

Herbison asked for details on what the public hearing is like. Members responded by giving examples and stating the process that is followed.

#### **6. Adjournment:**

- MOTION (Herbison/Aylesworth) at 6:22 p.m. PASSED, without negative vote.

Renee Roemhild, Clerk/Treasurer