

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex - Arden Tews Assembly Room
Monday, January 27, 2020**

Minutes

1. Call to Order, Pledge of Allegiance, and Roll Call

Meeting called to order by President Youngquist at 6:01 p.m. The Pledge of Allegiance was recited. Village Clerk Karen Backman took roll call and noted those present: President Dale Youngquist, Trustees Michael Van Dyke, Kris Koeppel, Gregory Ziegler, Mark Englebert, Dale McNamee, and Barbara Hanson.

Also Present: Village Manager Jeffrey Sturgell, Director of Finance Myra Piergrossi, Director of Community Development George Dearborn, Fire Chief Brian Harbison, Chief of Police Tim G. Seaver, Street Superintendent Randy Gallow, Utility Superintendent David Tracey, Director of Parks & Recreation Amanda Geiser, Attorney Andrew Rossmeissl, Engineer Lee Reibold, Engineer Bradley Werner, and incoming Village Clerk Darla Fink. There were 11 attendees.

2. Awards / Presentations

3. Public Hearings

4. Minutes to Approve / Minutes and Correspondence to Receive
Minutes to Approve

a) Regular Village Board Meeting - January 13, 2020

Minutes and Correspondence to Receive

b) Park Commission Meeting - December 11, 2019

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve the minutes and accept other departmental minutes and correspondence into record. Motion carried with Trustee Van Dyke abstaining due to absence at previous meeting.

5. Public Comments Addressed to the Village Board

President Youngquist announced that City of Neenah Mayor Dean Kaufert was present to comment. The Board suggested allowing the Mayor additional time to speak.

MOTION: Trustee McNamee, seconded by Trustee Van Dyke to suspend the two minute maximum for public comment and allow the Mayor to speak for five minutes. Motion carried.

Mayor Kaufert referred to the upcoming resolutions approving agreements with the Town of Clayton, and current related issues faced, when the Town of Clayton approached the City of Appleton for water and sewer to be run through Fox Crossing property to Clayton's residents. He stated he first heard of this last Friday and referred to the Memorandum of Understanding. Mayor Kaufert spoke of good partnerships with, and advocating for the municipalities, and requested a meeting with the Village of Fox Crossing to further discuss this as well as more time "in the spirit of the community" to better understand the agreement.

President Youngquist stated he did not agree with Neenah's understanding and will go on to cover each agreement, what they mean, and preferred not to debate the agreements.

6. Discussion Items

a) Stormwater Pond location update with Engineer Nick Vande Hey

Nick Vande Hey spoke on the urbanization of Irish Road and the Stormwater Pond location project. Maps were presented (see attached) to illustrate Concept A (Pfeiffer property on the south end of parcel), Concept B (Pfeiffer property near Oakview Drive cul-de-sac), and Concept C (Strohmeier property, currently dry retention area), as possible locations for the Stormwater Pond, including projected costs of each. He discussed the elevation, grading, and drainage issues to explain the advantages and disadvantages of each of the Concepts he provided; noted was the Kimberly-Clark property which he stated would not work due to its elevation. Some Board

members spoke briefly of the possibility of relocating or expanding certain pond sites discussed above. Street Superintendent Gallow discussed the amount of acreage the Options would cover.

7. **Unfinished Business**

8. **New Business-Resolutions/Ordinances/Policies**

President Youngquist explained on behalf of the Board the amount of time and effort that went into getting the Intermunicipal Agreements with the Town of Clayton detailed in items a), b), and c) below. He thanked select Board and staff members for their contributions to these Agreements.

- a) **200127-1 Approve Intermunicipal Agreement Between the Town of Clayton and the Village of Fox Crossing**
MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. President Youngquist explained with the settled lawsuits and stated the Village would receive approximately \$11.5 million dollars and an additional \$220,000.00 for legal costs incurred. Clayton will receive water and wastewater services and Fox Crossing will purchase approximately 28 acres and would not annex within the Town of Clayton for ten (10) years; additionally, there would be no extra-territorial jurisdiction within the Town of Clayton. The funds received would help to limit borrowing and pay for the purchase of a new fire truck, the replacement and construction of a new storage building to the west of the Municipal Complex, and land purchase for detention ponds. President Youngquist announced that this Agreement is contingent on the passage of all three agreements and expressed that Fox Crossing has opposed and will continue to oppose Clayton's incorporation. On roll call vote, motion carried 7-0.
- b) **200127-2 Approve Agreement for the Provision of Water Service Between the Town of Clayton and the Village of Fox Crossing**
MOTION: Trustee McNamee, seconded by Trustee Koeppel to approve as submitted. President Youngquist explained that the Agreement provides that Clayton pays for all infrastructure costs including meters and described the service area. On roll call vote, motion carried 7-0.
- c) **200127-3 Approve Agreement for the Conveyance of Wastewater Between the Town of Clayton, Town of Clayton Sanitary District No. 1, and the Village of Fox Crossing**
MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. President Youngquist explained this Agreement also provides that Clayton pays for all infrastructure cost including meters. On roll call vote, motion carried 7-0.
- d) **200127-4 Award Bids - East Shady Lane Water and Sanitary Sewer Main Extension Phase II Project, Installation and Materials**
MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. The Contractor Bid was awarded to Dornier, Inc., the lowest responsible bidder and the Vendor Bid was awarded to Ferguson Waterworks, the lowest responsible bidder. Superintendent Tracey explained they came in under budget on this project. Motion carried.
- e) **200127-5 Approve Offer to Purchase Agreement for Parcels No. 121470407, 121052708, 121052709, 121052701, and 121052604, Located at the Intersection of County Highway CB and County Highway II**
MOTION: Trustee Ziegler, seconded by Trustee Koeppel to approve as submitted. President Youngquist asked Realtor Dennis Jochman if the Sellers would be receptive to changing the date to remove personal property to which Jochman advised they were willing. Trustee Van Dyke questioned the need to complete the purchase now, or delay the closing date until more information is available (Easement on the property), and questioned whether the Village will be allowed to construct the pond under the existing power lines. Jochman spoke on the negotiations and stated he would inform the Sellers of the parcels to maintain insurance on the buildings and personal property located within, until closing date. He also noted the annual income from the tower located on the property. President Youngquist thanked Jochman for working with the Sellers to reduce the purchase price of these parcels. On roll call vote, motion carried 7-0.

- f) 200127-6 2020 Budget Amendment to Provide Funds for the Construction of a New Storage Building and Brush Dropoff Area Located on the Municipal Complex Site, and the Land Purchase of Vacant Parcel No. 121021007 Located at the Intersection of East Shady Lane and Clayton Avenue
MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Director Piergrossi explained how the funds will be allocated for this project and discussed the limited need to borrow funds for the new storage building due to incoming proceeds from the Town of Clayton Agreements. On roll call vote, motion carried 7-0.
- g) 200127-7 Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing
MOTION: Trustee Van Dyke, seconded by Trustee Ziegler to approve as submitted. Motion carried.
- h) 200127-8 Resolution Creating a Census 2020 Complete Count Committee to Plan and Conduct Local Educational Initiatives, Publicity and Promotional Activities to Increase Community Awareness and Participation in the 2020 Census
MOTION: Trustee Van Dyke, seconded by Trustee Ziegler to approve as submitted. Trustee McNamee will be taking the lead on this Committee; he cited previous involvement in the 2010 Census and offered recommendations for residents to reply to the census to achieve an accurate count. Members of the Committee will be appointed at a future meeting. Motion carried.
- i) 200127-9 Operator License Applicants
MOTION: Trustee Ziegler, seconded by Trustee Van Dyke to approve as submitted. Motion carried.
- j) 200127-10 Expenditures
MOTION: Trustee Ziegler, seconded by Trustee Koeppel to approve the expenditures submitted without exception. Motion carried.

9. Reports

10. Closed Session

11. Adjourn

At 7:18 p.m., **MOTION:** Trustee Hanson, seconded by Trustee Ziegler to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Village Clerk

Note: These minutes are not considered official until acted upon at an upcoming meeting; therefore, are subject to revision.