

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, February 28, 2022**

Minutes

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

Meeting called to order by President Youngquist at 6:00 p.m.

MOTION: Trustee Van Dyke, seconded by Trustee Hanson to nominate Trustee Ziegler to preside over the meeting due to President Youngquist's virtual attendance. Motion carried.

The Pledge of Allegiance was recited.

Village Clerk Darla Fink took roll call and noted those present: President Dale Youngquist (via teleconference), Trustees Michael Van Dyke, Kris Koeppe, Gregory Ziegler, Mark Englebert (via teleconference), Dale McNamee (via teleconference), 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 Scott Blashka, Street Superintendent Randy Gallow, Utility Superintendent David Tracey, Director of Parks & Recreation Amanda Geiser, and Attorney Andrew Rossmessl. Excused: Engineer Lee Reibold and Engineer Bradley Werner. There were fifteen (15) attendees.

2. Awards / Presentations

a) Fox Crossing Police Department Accreditation by the Wisconsin Law Enforcement Accreditation Group Presentation – Police Chief Scott Blashka

Chief Blashka went through the requirements to achieve full accreditation and stated the Village is now one of only 46 agencies statewide that is fully accredited. He presented the plaque the department received for this recognition. He thanked the full Police Department staff and Village Board for their assistance and support in achieving this award.

3. Public Hearings

a) Special Assessments for Installation of Water Mains and Laterals on Clayton Avenue from East Shady Lane to the South Lot Line of 9189 Clayton Avenue

MOTION: Trustee Van Dyke, seconded by Trustee Koeppe to open the Public Hearing for the Special Assessments for Installation of Water Mains and Laterals on Clayton Avenue from East Shady Lane to the South Lot Line of 9189 Clayton Avenue. Motion carried.

Village Manager Sturgell gave a presentation on the assessment process and provided a description of the project and estimated costs, the assessment schedule, and payment options for affected residents. The purpose of this project is to install water mains and provide water services to certain properties located on Clayton Avenue as a number of these property's wells are failing their inspections. Manager Sturgell listed the project total costs and cost by owner for this special assessment. He provided payment options for the residents to include full payment within 30 days or installment payments over ten years at a rate 2% higher than what the Village borrows at. Trustee Ziegler opened up this Hearing for public input.

Zack Parish – 9228 Clayton Avenue

Mr. Parish stated he has spoken with Superintendent Tracey multiple times and feels he has been given multiple different reasons for the need for this project. He simply wants to know

why the Village is deciding to complete this project now. Superintendent Tracey stated he has indeed spoken with Mr. Parish and last year when their conversations began, this project was on the upcoming five year plan but they would not be completing the project unless the need changed. In the fall of 2021, he was informed of residents on Clayton Avenue that could not meet well inspection qualifications required by Wisconsin state statute and Village ordinance. At that time, the decision was made to go forward with this project due to its high priority.

Mr. Parish asked why the residents with the well problems can't just correct their wells, rather than assessing all residents on this road. He stated his frustration is that this should have been done last year when they were completing the sewer project in this area which would have reduced costs to the residents for this project. Superintendent Tracey advised he was able to get this project at a lower cost per foot than the project completed last year. Mr. Parish stated he disagrees and from the documentation he was sent, it appears this project is more than 50% higher. Trustee Ziegler asked the resident to also consider the difficulty in getting materials in the current environment and the rising interest rates. Village Manager Sturgell confirmed this section of Clayton Avenue was not a priority as there are other water projects throughout the Village that were determined as a higher need. Unfortunately, when these residents' well tests failed, the Village realized this project was now the priority as it is the Village's obligation to run water lines to these residents so they have access to clean water. If they asked these residents to drill new wells which then fail again, these residents would have wasted thousands of dollars for a project that would ultimately be completed at some time in the future. Manager Sturgell also explained the cost per foot of this project is actually less when comparing this project to the previously completed Shady Lane project.

Nick Gebert – 1920 Bridgeview Drive

Mr. Gebert stated he feels this project is being done because the Village ran a pipe to Clayton so we're now forced to run these water mains. He stated with the upcoming increase to the water rates, the Village wants more residents using their water to pay these extra costs. He thinks the Board should be better at planning out these projects. Trustee Hanson stated the Village is governed by PSC and the water rates are not in the Village's control. Mr. Gebert stated the Board can request water rate increases at any time, but instead waited until a large customer like Clearwater Paper leaves before they request this increase. Director Piergrossi confirmed this rate case was started well before Clearwater announced they were leaving the Village. The rate case was actually put on hold due to loss of Clearwater so the Village could update our consumption numbers. Director Piergrossi stated the Village can request rate increases more frequently, however we did not qualify for a simple rate case and need to go through the full rate case which is now being done. She noted the Village has one of the lowest water rates in the area compared to other local municipalities.

MOTION: Trustee Koeppe, seconded by Trustee Van Dyke to close the Public Hearing. Motion carried.

4. Minutes to Approve / Minutes and Correspondence to Receive

Minutes to Approve

a) Regular Village Board Meeting – January 24, 2022 & February 14, 2022

Minutes and Correspondence to Receive

b) Planning Commission Meeting Minutes – January 19, 2022

c) Neenah-Menasha Sewerage Commission Meeting Minutes – January 25, 2022

d) Spring Primary Election Results – February 15, 2022

e) Water Main Breaks Report – January 2022

f) Water Pumpage Report – January 2022

MOTION: Trustee Van Dyke, seconded by Trustee Hanson to approve the minutes and accept other departmental minutes and correspondence into record. Motion carried.

5. Public Comments Addressed to the Village Board**Steve Bartell – 1436 Westcreek Lane**

Mr. Bartell stated he is speaking today as the representative for his neighborhood. He described a decade long problem and stated he has a signed petition by nearly 70 individuals including residents from Irish Road south of Highway 10. He stated this is a quality of life issue with severe and continuous traffic noise which can be unbearable and doesn't allow these residents to sleep with their windows open because of excessive noise on Highway 10. Not only is the traffic level significant but there is also continuous "jake braking" by semis which happens every hour. Since the development of the Westcreek Lane neighborhood, traffic on Highway 10 has increased by 412%. Mr. Bartell described a solution for this problem which includes signage on both ends of this neighborhood regarding "jake braking" and a sound barrier wall from Irish Road through the off-ramp on County Road CB. He stated he is aware of the significant cost of a sound barrier wall, but he has spoken to multiple representatives and is hoping for a collaborative effort between the Village, Winnebago County, and State of Wisconsin to help fund this wall. He invited any Village staff or the Village Board to visit his neighborhood to witness the constant noise for themselves.

6. Discussion Items**7. Unfinished Business****8. New Business-Resolutions/Ordinances/Policies****a) 220228-1 Final Resolution Authorizing Special Assessments for the Installation of Water Mains and Laterals for the Clayton Avenue Water Extension Project**

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Motion carried.

b) 220228-2 Award Bids & Approve Change Order #1 – Clayton Avenue Water Main Extension Project & Kerry Lane Water Main Replacement Project

MOTION: Trustee Van Dyke, seconded by Trustee McNamee to approve as submitted. Motion carried.

c) 220228-3 Certified Survey Map – 1075 Appleton Road, Parcel #1211585, and Parcel #1211584

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Trustee Hanson stated she has worked with Code Enforcement Officer Glasel on getting the owners to clean this property up. She is aware the Board can't withhold approval of this CSM but she wanted her concerns on the record. Attorney Rossmeyssl confirmed that if the property and request meets statutory standards, the Board cannot add additional requirements for approval of this CSM. Motion carried 6-1 with Trustee Hanson voting nay.

d) 220228-4 Award Bid – Municipal Complex Roof Replacement Project

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Trustee Hanson stated she doesn't like to see projects with only one bid and asked if there is anyone else interested in this project that would submit a bid. Superintendent Gallow stated he had five companies take out plans to look at the project, but all but the sole bidder came back stating they have a backlog of projects from last year to complete and cited concerns of getting supplies to be able to complete this project. He advised this project was posted in two trade magazines and in the Post Crescent. Trustee Hanson asked how the Board would know if this bid was high or low since it is the only one. Superintendent Gallow advised this bid came in under budget and after speaking with architects on typical prices, this bid was in the acceptable range. Trustee McNamee stated we can't force companies to bid and questioned why we would want to penalize the company that did bid just to see others' prices. Trustee Van Dyke stated he agrees with Trustee McNamee and also expressed a concern

over putting this back out for bid and receiving zero bids next time and then we're stuck.
Motion carried.

- e) 220228-5 2022 Budget Amendment to Provide Funds for the Ninth Street and Mayer Street Neighborhood Sanitary Sewer Main Lining Project

MOTION: Trustee Van Dyke, seconded by Trustee McNamee to approve as submitted. On roll call vote, Motion carried 7-0.

- f) 220228-6 Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Motion carried.

- g) 220228-7 Authorization to Order a Replacement Wastewater Department Vector Truck for Delivery in 2023

MOTION: Trustee Van Dyke, seconded by Trustee Hanson to approve as submitted. Motion carried.

- h) 220228-8 Reappointment of Village Representative to the Fox Cities Sports Facility Advisory Committee – Parks & Recreation Director Amanda Geiser

MOTION: Trustee Hanson, seconded by Trustee Koeppel to approve as submitted. Motion carried.

- i) 220228-9 Operator License Applicants

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Chief Blashka advised the applicant recommended for denial showed a propensity for alcohol related offenses, specifically a number of Operating While Intoxicated convictions. Motion carried.

- j) 220228-10 Expenditures

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve the expenditures submitted without exception. Motion carried.

9. Reports

- a) Street Superintendent Randy Gallow – Winnebago County Agriculture & Household Material Clean Sweep Event – Friday, April 1, 2022 from 9:00 a.m. to 11:00 a.m. at the Winneconne Public Works Garage, and 2:00 p.m. to 5:00 p.m. at the Fox Crossing Municipal Complex

Superintendent Gallow stated Fox Crossing has been asked to host the Winnebago County Household Hazardous Materials Clean Sweep Event on Friday, April 1st from 2:00 p.m.-5:00 p.m. in the Municipal Complex garage. This event will be held by appointment only and he provided information on how to make appointments online on the Village website.

10. Closed Session

11. Adjourn

At 7:07 p.m., **MOTION:** Trustee Hanson, seconded by Trustee Koeppel to adjourn. Motion carried.

Respectfully submitted,

Darla M. Fink, Village Clerk

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