

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, April 12, 2021**

Minutes

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

Meeting called to order by President Youngquist at 6:00 p.m. The Pledge of Allegiance was recited.

Village Clerk Darla Fink took roll call and noted those present in person: President Dale Youngquist, Trustees Michael Van Dyke, Kris Koeppe, Gregory Ziegler, Mark Englebert, and Barbara Hanson. Trustee Dale McNamee was present via teleconference.

Also Present: Village Manager Jeffrey Sturgell, Director of Finance Myra Piergrossi (via teleconference), Director of Community Development George Dearborn, Assistant Fire Chief Todd Sweeney, Chief of Police Tim G. Seaver, Street Superintendent Randy Gallow, Utility Superintendent David Tracey, Director of Parks & Recreation Amanda Geiser, Attorney Andrew Rossmeissl, and Director of Information Technology Tim Plagenz (via teleconference). Excused: Engineer Lee Reibold and Engineer Bradley Werner. There were three attendees in person and three attendees via teleconference.

2. Awards / Presentations

a) Governor's Proclamation of Municipal Treasurer's Appreciation Week April 18-24, 2021 – Village President Dale Youngquist

President Youngquist advised Governor Evers has proclaimed the week of April 18th through April 24th to be Municipal Treasurer's Appreciation Week. He thanked Director Piergrossi and her staff for their contributions to the Village.

3. Public Hearings

a) Amend Chapter §218 Article VIII of the Fox Crossing Municipal Code to Regulate Open Burning in the Village of Fox Crossing, to Include the Prohibition of the Burning of Leaves

MOTION: Trustee Hanson, seconded by Trustee McNamee to open the Public Hearing. Motion carried.

Village Manager Jeffrey Sturgell thanked those from the public for joining. He gave a brief presentation on the history of the leaf burning issue, the initiation of the new leaf collection program, and a summary of the proposed Ordinance amendment. He explained, in the early 2000's, residents split into two groups, those against leaf burning and those for. In 2007, the issue came to a head, where a compromise was reached to allow leaf burning to continue under certain weather and location restrictions. The Ordinance has not changed since that time. During the drafting of the 2020 Budget, the Board determined if there was another option to offer the residents, other than burning or bagging leaves, the Board would consider a leaf burning ban (with the collection of bagged leaves to continue). At that time the Board decided to purchase two leaf vacuums for the Village to begin using in Fall of 2021. Manager Sturgell provided the website information where the proposed Ordinance amendment can be viewed as well as the other materials available to the public regarding this issue.

Brett Heeney, 1470 Jacobsen Road, attending via teleconference

Mr. Heeney stated he doesn't have any issues with the leaf burning prohibition, however his concern is in regard to some of the generalized strike outs within the Ordinance amendment.

Buckthorn, an invasive species, is overwhelming his property and he is concerned this amendment would inhibit his ability to burn the buckthorn, cut trees, have maintenance fires, inhibit the agricultural burning of animal carcasses, etc. He stated he would like to see an agricultural exemption within the Ordinance. Assistant Fire Chief Todd Sweeney stated he is familiar with the property and thinks the Ordinance is pretty straightforward as written as far as any fires being 30 feet from any structure or property line. Chief Sweeney stated he will reach out to Mr. Heeny to discuss this issue in more detail.

Trustee McNamee reiterated the intent of the Ordinance amendment, and stated it is not meant to prevent residents from burning wood, having small bonfires, etc., but is rather in reference to the restriction of burning leaves and rubbish. He thinks buckthorn would be considered an acceptable item to burn in an approved burn pit. Trustee Englebert stated he has had a couple residents ask about buckthorn as well, and stated it is his interpretation with how the new amendment is written, that they would not be able to burn that. Manager Sturgell stated if a resident is looking to have a maintenance fire, they would need to work with the Fire Department and obtain the appropriate permit. He stated he will work with Chief Sweeney on this language clarification prior to presenting to the Board for a first reading.

MOTION: Trustee Hanson, seconded by Trustee Ziegler to close the Public Hearing. Motion carried.

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

Minutes to Approve

a) Regular Village Board Meeting – March 22, 2021

Minutes and Correspondence to Receive

b) Neenah Menasha Sewerage Commission – February 23, 2021

c) April 6, 2021 Spring Election Results

d) Water Pumpage Reports – January 2021, February 2021

e) Water Main Break Reports – January 2021, February 2021 & March 2021

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

5. **Public Comments Addressed to the Village Board**

6. **Discussion Items**

7. **Unfinished Business**

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

a) 210412-1 Street and Utility Acceptance for Mary Lane Road and Utility Extension

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

b) 210412-1: ORD Amend Fox Crossing Municipal Code Chapter §302-8 Loud and Unnecessary Noise, to Restrict the Use of Jake Brakes *First Reading*

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Community Development Director George Dearborn explained this Ordinance will provide a tool for enforcing the non-emergency use of jake braking throughout the Village. Motion carried.

c) 210412-2: ORD Amend Fox Crossing Municipal Code Chapter §350-50(B) In-Ground Private Residential Swimming Pool Requirements, to Allow Certain Pool Covers In-Lieu of Fencing Requirements *First Reading*

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

- d) 210412-2 Appointment of Village Representative to the Fox Cities Sports Facility Advisory Committee – Parks & Recreation Director Amanda Geiser
MOTION: Trustee Englebert, seconded by Trustee Hanson to approve as submitted. Motion carried.
- e) 210412-3 Acceptance of a 2021 Task Force Speed/Aggressive Driving Grant
MOTION: Trustee Van Dyke, seconded by Trustee Hanson to approve as submitted. Motion carried.
- f) 210412-4 A Resolution to Designate the Month of May, 2021, as No Mow May
MOTION: Trustee Koeppé, seconded by Trustee Van Dyke to approve as submitted. Trustee Koeppé provided background that the Village received a memo requesting to pass an Ordinance similar to the City of Appleton, which would allow bees to better pollinate and become a stronger population. He clarified residents would still need to maintain noxious weeds, but can otherwise choose not to mow for the month of May. Motion carried.
- g) 210412-5 Operator License Applicants
MOTION: Trustee Ziegler, seconded by Trustee Van Dyke to approve as submitted. Motion carried.
- h) 210412-6 Expenditures
MOTION: Trustee Ziegler, seconded by Trustee Koeppé to approve the expenditures as submitted. Motion carried.

9. Reports

- a) President Dale Youngquist – Open Book will be held Tuesday, April 27 from 4:00 p.m. to 7:00 p.m., Thursday, April 29 from 9:00 a.m. to 4:00 p.m., and Monday, May 3 from 4:00 p.m. to 7:00 p.m.

President Youngquist listed the dates/times for Open Book and Board of Review. He advised the Assessor will be in person for the Open Book dates in the Arden Tews Assembly Room.

- b) Trustee Kris Koeppé – Spring Electronic Recycling Event will be held Saturday, April 17, 2021 from 8:00 a.m. to Noon at the Municipal Complex

Trustee Koeppé advised they will be using the municipal garage for this event as has been done in the past. He stated there are fees for certain types of electronics and all of this information is on the Village website. They will be taking extra safety precautions due to COVID-19, and ask that residents stay in their vehicles. The volunteers will unload their trunks, trailers, etc. He stated they will also be collecting plastic bags as they have done for a number of years.

10. Closed Session

11. Adjourn

At 6:49 p.m., **MOTION:** Trustee Hanson, seconded by Trustee Koeppé 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.