

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, May 23, 2022**

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: President Dale Youngquist, Trustees Michael Van Dyke, Kris Koeppe, Gregory Ziegler, Mark Englebert, Dale McNamee, and Barbara Hanson.

Also Present: Village Manager Jeffrey Sturgell, Director of Finance Myra Piergrossi, Deputy Finance Director Jeremy Searl (via teleconference), Director of Community Development George Dearborn, Fire Chief Brian Harbison, Chief of Police Scott Blashka, Utility Superintendent David Tracey, Director of Parks & Recreation Amanda Geiser, Attorney Andrew Rossmeissl, and Engineer Lee Reibold. Excused: Street Superintendent Randy Gallow and Engineer Bradley Werner. There were five attendees.

President Youngquist stated he recently attended a ceremony hosted by VFW Post 2126 where a former Village resident, Kenneth Stumpf, a Medal of Honor recipient, was given special recognition. Mr. Stumpf passed away earlier this year and President Youngquist asked for a moment of silence to recognize Mr. Stumpf along with all of those who have served or are serving in the Armed Forces.

2. Awards / Presentations

3. Public Hearings

4. Minutes to Approve / Minutes and Correspondence to Receive

Minutes to Approve

- a) Special Village Board Meeting – May 9, 2022
- b) Regular Village Board Meeting – May 9, 2022

Minutes and Correspondence to Receive

- c) Park Commission Meeting Minutes – April 13, 2022
- d) Planning Commission Meeting Minutes – April 20, 2022

MOTION: Trustee Van Dyke, seconded by Trustee Hanson to approve the minutes and accept other departmental minutes and correspondence into record. Motion carried unanimously (Trustee Ziegler abstained from voting due to his absence at the May 9th Village Board Meeting).

5. Public Comments Addressed to the Village Board

6. Discussion Items

7. Unfinished Business

8. New Business-Resolutions/Ordinances/Policies

- a) 220523-1 Appointment of Village of Fox Crossing Treasurer – Jeremy Searl

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

- b) 220523-2 Resolution Providing for the Sale of Approximately \$2,890,000 General Obligation Promissory Notes
MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Brad Viegut from Baird Financial gave the Board an overview on this transaction. He stated he normally gives this presentation later in the year, but due to interest rates going up, the timeline has been escalated. This borrowing will cover both Village and Water projects and he stated the interest rate is a conservative estimate but will not be set until the sale takes place. Trustee Ziegler questioned if the Village should be borrowing additional funds for future projects now due to interest rates increasing. Director Piergrossi stated the Village is not allowed to hold borrowed funds without intentions for the spending. Once the amount borrowed surpasses Five Million Dollars, there is a two year spend down period placed on those funds. Currently the amount to be borrowed is just below that Five Million Dollar threshold providing more flexibility for spending. Motion carried.
- c) 220523-3 Zero Lot Line Certified Survey Map – 931 & 933 Highland Park Road
MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Motion carried.
- d) 220523-4 Resolution to Reassign Soccer Lease from Menasha Area Soccer Club, Inc. to Wisconsin United Football Club, Inc.
MOTION: Trustee Van Dyke, seconded by Trustee Hanson to approve as submitted. Kevin Otto, President of the Former Menasha Soccer Club and future Board Member of Wisconsin United Football Club, stated that due to stagnant growth in the local club, they are looking to join forces with this larger club. He stated there are no changes to the Lease with the Village other than the party names changing. Attorney Rossmeyssl advised the Lease states any assignment of this Lease requires Board approval. Motion carried.
- e) 220523-5 Reappointment of Police & Fire Commission Member – Robert Masiak
MOTION: Trustee Englebert, seconded by Trustee McNamee to approve as submitted. Motion carried.
- f) 220509-1: ORD Amend Fox Crossing Municipal Code Chapter §154-5 Dogs/Cats Not to Run at Large, to Address the Use of Dog Parks *Second Reading & Adoption*
MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to accept the Second Reading and Adoption. Motion carried.
- g) 220509-2: ORD Amend Fox Crossing Municipal Code Chapter §372-6 Solid Waste Restrictions and Prohibitions, to Clarify Prohibition of Dumping in Municipal Dumpsters *Second Reading & Adoption*
MOTION: Trustee Hanson, seconded by Trustee McNamee to accept the Second Reading and Adoption. Motion carried.
- h) 220523-6 Operator License Applicants
MOTION: Trustee Ziegler, seconded by Trustee Hanson to approve as submitted. Motion carried.
- i) 220523-7 Expenditures
MOTION: Trustee Ziegler, seconded by Trustee Koeppel to approve the expenditures submitted without exception. Motion carried.

9. Reports

a) President Dale Youngquist

- *Board of Review will be held Monday, June 6, 2022 at 4:30 p.m. at the Municipal Complex in the Arden Tews Assembly Room, 2000 Municipal Drive, Neenah; Objectors shall*

provide Written or Oral Notice of Intent to Object to their Assessment to the Village Clerk at least 48 Hours in Advance of Board of Review

President Youngquist reminded the public of the upcoming Board of Review date/time. He advised that any Objector should notify the Village Clerk of their intent to object at least 48 hours in advance of the Board of Review.

- Applications for Appointment to the Sustainability Committee are Being Accepted Until June 3, 2022; Applications for Appointment to the Park Commission are Being Accepted Until June 30, 2022

President Youngquist formally announced the openings on the Sustainability Committee and Park Commission. He asked anyone interested in applying to complete the Application for Appointment found on the Village website by the deadlines listed.

- Neenah-Menasha Memorial Day Parade will be held on Monday, May 30, 2022

President Youngquist stated members of the Village Board and Fire Department will be participating in the parade. Chief Harbison stated he will be speaking at the ceremony at the cemetery as well.

- b) Parks & Recreation Director Amanda Geiser & Village Manager Jeffrey Sturgell – Request from Bird Rides, Inc, to Allow Electric Bird Scooters in the Village of Fox Crossing

Village Manager Sturgell began by showing a video describing the Bird Rides. Director Geiser stated these Bird scooters are currently operating in Appleton and they have requested to allow the scooters in Fox Crossing, Neenah, and Menasha. This proposal went in front of the Park Commission and the consensus was to give this program a one year trial specifically on the Village's portion of the Loop-the-Lake Trail, which is what Neenah and Menasha are asking us to agree to. She stated she is currently looking to get the Boards' thoughts on this before moving forward with the Memorandum of Understanding.

Director Geiser explained the scooters would be restricted to only the Loop-the-Lake trail when in Fox Crossing, however Neenah and Menasha have chosen to expand their approved area a bit more due to their downtown areas. The program uses GPS to geo-fence the area where riders are allowed to start/stop their rides. Manager Sturgell explained the process for approval would include first obtaining the Board's verbal approval to move forward tonight, followed by an amendment to the Ordinance and approval and signing of the MOU with Bird Rides, Inc. The current Village Ordinance states no motorized equipment can be used in the Village unless authorized by the Police Department. Chief Blashka explained that we already have numerous electric bikes being operated throughout the Village, which is not currently being enforced due to the large amount that are on our trails every day.

Board Members had numerous questions including speed of scooters, age at which a rider can rent a scooter, liability to the Village, amount of pedestrian traffic already on this trail, etc. Director Geiser explained the minimum age to rent is 18 years old, and the scooters will have a maximum speed of 12 MPH in the Village. Attorney Rossmeissl explained he will review the liability clauses when he reviews the Memorandum of Understanding.

Manager Sturgell stated the MOU has already been fully reviewed by Appleton, Neenah, and Menasha. The Village will need to review this document but it will likely be quite similar to the other local municipalities. He explained that he was initially not interested in this program, but since has received calls from both Neenah and Menasha pushing hard for the Village to be on board with the Loop-the-Lake section as they see this area as a recreation destination in the Fox Valley.

President Youngquist stated he would like to see us cooperate with the local municipalities and asked the Board for their thoughts. The Board approved moving forward with this process on a one year trial contract.

10. **Closed Session**

11. **Adjourn**

At 7:21 p.m., **MOTION:** Trustee Van Dyke, seconded by Trustee Hanson 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.