

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, October 10, 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 Englebort (via teleconference), and Barbara Hanson. Excused: Trustee Dale McNamee.

Also Present: Village Manager Jeffrey Sturgell, Director of Finance Jeremy Searl, Fire Chief Brian Harbison, Chief of Police Scott Blashka, Utility Superintendent David Tracey, Director of Parks & Recreation Amanda Geiser, Attorney Andrew Rossmeyssl, Engineer Bradley Werner, and Engineer Lee Reibold. Excused: Director of Community Development George Dearborn and Street Superintendent Randy Gallow. There were 31 attendees.

2. Awards / Presentations

3. Public Hearings

a) Intergovernmental Cooperation Agreement Between the City of Menasha and the Village of Fox Crossing

MOTION: Trustee Koeppe, seconded by Trustee Ziegler to open the Public Hearing.
Motion carried.

Village Manager Sturgell gave an overview of the Intergovernmental Agreement to be voted on by the Board this evening. He stated there are two sections in the Agreement. The first is a boundary line change swapping eight parcels between the City of Menasha and the Village of Fox Crossing. The second part of the Agreement is the reconstruction project for Airport Road which will include resurfacing the area from Racine Road to Mayer Street with concrete to include sidewalk repairs and curb and gutter replacement as needed. The Village is responsible for 65.5% of the cost of this reconstruction project, and the City of Menasha is responsible for 34.5% of the cost and is the lead agent for the design of this project. The Agreement also includes annual payments from the City to the Village of \$6,000 for a period of ten years.

Belinda Singh - 542 E. Harding Drive

Miss Singh stated she doesn't agree with the property value amounts provided during Manager Sturgell's presentation and believes the assessment values are far too low, especially on the lot where the proposed Kwik Trip will be. She stated she works at a gas station on Midway Road, and is familiar with this type of business. She stated Kwik Trip Corporation publicly stated years ago their intentions to place a Kwik Trip on every block and every exit ramp and believes they are monopolizing the market and putting small family owned businesses out of business.

Steve Krueger - 1270 Frances Way

Mr. Krueger stated he feels the Village is coming out ahead with this land swap. This has been debated three separate times and the Airport Road reconstruction has already been

taken care of. He stated it shouldn't be the responsibility of any public government to protect any business. He stated he feels that reversing this whole agreement now because of a minor mistake on notices would be foolish and short sighted.

Virender Singh – A.V. Foodmart – 2412 Red Fescue Court

Mr. Singh stated he feels the main reason for this agreement is because the City of Menasha wants a third Kwik Trip. He stated the Village's justification showing this swap is a win/win for the Village because of the increase of \$322,000 in assessments and \$60,000 in payments from the City is incorrect. The City is going to take that \$150,000 property formally owned by Bubba's Pub and turn it into a \$3 Million Kwik Trip. He stated the Village should consider the loss to its revenue if his \$866,000 value business (A.V. Foodmart) goes under and the Village will then just have another empty lot. This agreement is not made to help the Village and is only helping the City. He stated earlier this year, that Trustee Englebert stated this Agreement was to clean up some of the remnant parcels left from when the Village incorporated, but now he feels that he is a remnant as well and is the only Village property left in that area. He requested the Board delay their decision on this matter and requested a Closed Session meeting with the Board and representatives for A.V. Foodmart to further discuss this Agreement and land transfer.

Rajwant Singh Mann – A.V. Foodmart – 2412 Red Fescue Court

Mr. Singh is the operational manager at A.V. Foodmart and stated from his experience gas station competition is not good for any business. The Kwik Trip on Green Bay Road took business from all other surrounding businesses as will this new Kwik Trip including Piggly Wiggly, local Citgo Stations, Walgreens, and McDonalds. He also feels Kwik Trip does not offer employment to people of color. He stated the location that was previously Bubba's Pub would be the perfect location for a restaurant. He asked the Board to not rush this decision, do better calculations, and ask somebody who knows about the gas station industry before deciding.

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

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

Minutes to Approve

a) Regular Village Board Meeting – September 26, 2022

Minutes and Correspondence to Receive

b) Neenah-Menasha Sewerage Commission Meeting Minutes – August 23, 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**

6. **Discussion Items**

7. **Unfinished Business**

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

a) 221010-1 Village of Fox Crossing Approval of City of Menasha & Village of Fox Crossing Intergovernmental Cooperation Agreement Under §66.0301, Wis. Stats.

MOTION: Trustee Van Dyke, seconded by Trustee Koeppe to approve as submitted. On roll call vote, Motion carried 5-0-1 (Trustee Hanson abstained).

- b) 221010-1:ORD Ordinance to Accomplish Boundary Line Change Referenced in Intergovernmental Agreement Between the City of Menasha & the Village of Fox Crossing
First Reading, Second Reading & Adoption
MOTION: Trustee Van Dyke, seconded by Trustee Ziegler to approve as submitted. On roll call vote, Motion carried 5-0-1 (Trustee Hanson abstained).
- c) 221010-2 Change Order #2 and Change Order #3 & Final – Clayton Avenue Water Main Extension Project & Kerry Lane Water Main Replacement Project
MOTION: Trustee Van Dyke, seconded by Trustee Koeppe to approve as submitted. Motion carried.
- d) 221010-3 Change Order #2 – West American Drive Stormwater Pond Construction Project
MOTION: Trustee Van Dyke, seconded by Trustee Koeppe to approve as submitted. Motion carried.
- e) 221010-4 Authorization to Order a Replacement Minivan for the Administration Department, and a Replacement Minivan for the Police Department, in 2022 for Delivery in 2023
MOTION: Trustee Hanson, seconded by Trustee Ziegler to approve as submitted. On roll call vote, Motion carried 6-0.
- f) 221010-5 Authorization to Order a Replacement Fire Pumper Truck for the Fire Department in 2022 for Delivery in 2024
MOTION: Trustee Ziegler, seconded by Trustee Hanson to approve as submitted. On roll call vote, Motion carried 6-0.
- g) 221010-6 Appointment of Sustainability Committee Member – Megan Horejs
MOTION: Trustee Koeppe, seconded by Trustee Van Dyke to approve as submitted. Motion carried.
- h) 221010-7 Issue Reserve “Class B”/Class “B” Retail License – Bowlero Menasha, LLC d/b/a Sabre Lanes, 1330 Midway Road
MOTION: Trustee Hanson, seconded by Trustee Van Dyke to approve as submitted. Motion carried.
- i) 221010-8 Appointment of Agent – Kimberly Ocasio for Bowlero Menasha, LLC d/b/a Sabre Lanes, 1330 Midway Road
MOTION: Trustee Hanson, seconded by Trustee Van Dyke to approve as submitted. Motion carried.
- j) 221010-9 Issue Mechanical Amusement License – Bowlero Menasha, LLC d/b/a Sabre Lanes, 1330 Midway Road
MOTION: Trustee Hanson, seconded by Trustee Koeppe to approve as submitted. Motion carried.
- k) 221010-10 Operator License Applicants
MOTION: Trustee Ziegler, seconded by Trustee Van Dyke to approve as submitted. Motion carried.
- l) 221010-11 Expenditures
MOTION: Trustee Ziegler, seconded by Trustee Koeppe to approve the expenditures submitted without exception. Motion carried.

9. Reports

a) President Dale Youngquist

- Budget Workshop #2 following tonight’s Board Meeting
- Budget Workshop #3 – Monday, October 17, 2022 at 5:00 p.m.

- Budget Workshop #4 – Monday, October 24 following the Regular Village Board Meeting
- 2023 Village of Fox Crossing Budget Public Hearing to be Held Monday, November 28, 2022, at 6:00 p.m. in the Arden Tews Assembly Room of the Village Municipal Complex, 2000 Municipal Drive

President Youngquist advised of the upcoming Budget Workshop schedule. The Budget Public Hearing will be held on November 28th at 6:00 p.m. in the Arden Tews Assembly Room.

b) Parks & Recreation Director Amanda Geiser

- Fall & Winter Parks & Recreation Special Event Update
- Annual Trick-or-Treat Hours in the Village – October 31, 2022 from 4:00 p.m. to 7:00 p.m.

Director Geiser gave the Board an update on the upcoming Fall and Winter programs for her department. The Trick-or-Treat trail at Fritsch park will be held October 18th, the Mother/Son Dance will be held for the first time at the Community Center on November 12th, Breakfast with Santa will be held at the Community Center on December 3rd, and the Ugly Sweater Shuffle will be held on the Loop-the-Lake Trail on December 10th.

She announced the Trick-or-Treat hours for the Village will be on Halloween evening from 4:00 p.m.-7:00 p.m.

10. Closed Session

11. Adjourn

At 6:45 p.m., **MOTION:** Trustee Hanson, seconded by Trustee Koeppe 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.