

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, October 23, 2023**

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, Jason Patzwald, and Barbara Hanson.

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

2. Awards / Presentations

3. Public Hearings

4. Minutes to Approve / Minutes and Correspondence to Receive

Minutes to Approve

- a) Budget Workshop #1 – October 2, 2023
- b) Regular Village Board Meeting – October 9, 2023

Minutes and Correspondence to Receive

- c) Park Commission Meeting Minutes – September 13, 2023
- d) Planning Commission Meeting Minutes – August 16, 2023

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

5. Public Comments Addressed to the Village Board

6. Discussion Items

7. Unfinished Business

8. New Business-Resolutions/Ordinances/Policies

- a) 231023-1 Resolution Authorizing the Issuance and Sale of \$9,955,000 Waterworks System and Sewerage System Revenue Bonds of the Village of Fox Crossing, Winnebago and Outagamie Counties, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds

MOTION: Trustee Van Dyke, seconded by Trustee Patzwald to approve this Resolution with a modified amount of \$9,755,000. Brad Viegut from Baird was present to provide a final pricing summary for the first three Resolutions this evening. He stated there are five components being accomplished with this financing including: re-funding the 2021 NAN (which funded water and sewer projects), re-funding the 2022 NAN (which funded water, sewer, and stormwater projects), funding water projects for \$2,515,000, funding CIP \$1,960,000, and funding stormwater projects for \$2,675,000. He noted the figures in the final resolutions are slightly different than in the resolutions for approval tonight as these

numbers were finalized today. Interest rates came in a bit higher than projected due to the current market, however Moody's Investor Service confirmed the Village's AA2 rating, and upgraded the Village's water and sewer rating which improves the interest rates we were provided by approximately .2%. Motion carried via voice vote.

- b) 231023-2 Resolution Authorizing the Issuance and Sale of \$2,965,000 General Obligation Promissory Notes

MOTION: Trustee Van Dyke, seconded by Trustee Patzwald to approve this Resolution with a modified amount of \$2,985,000. Motion carried via voice vote.

- c) 231023-3 Resolution Authorizing the Issuance of \$2,702,000 General Obligation Promissory Notes and the Issuance and Sale of a \$2,702,000 Note Anticipation Note in Anticipation Thereof

MOTION: Trustee Van Dyke, seconded by Trustee Hanson to approve this Resolution with a modified amount of \$2,701,000. Motion carried via voice vote.

- d) 231023-4 Certified Survey Map – 212 & 218 North Lake Street

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

- e) 231023-5 Approve Easement and Right-of-Way Agreements, Temporary Access Agreement, and Supplemental Agreement Between the Village of Fox Crossing and ANR Pipeline Company

MOTION: Trustee Hanson, seconded by Trustee Ziegler to defer action on this Resolution until a future meeting. Manager Sturgell displayed a map to explain what areas these agreements are affecting. The pipeline originally ran in the same location where the Secura building was built. At that time, they paid to divert the pipeline down the south line of Secura's property, which is the north side of the Village's old landfill property. The pipeline then crosses County Road CB and into Woodland Prairie Park. In the last few years, ANR Pipeline determined the current pipe is undersized and needs to be upgraded. Their plan is to leave the existing pipe, and run a larger pipe alongside the current one. In order to do this, numerous additional easements are needed from several property owners. The current Resolution approves four separate agreements to access Village property and deals with the methane vents and probes. ANR Pipeline is providing the Village \$50,000 up front for replacement of the affected methane vents, and will reimburse the Village for further costs if the project goes over this initial amount. Attorney Rossmeissl reviewed all of the agreements and there was only one change he requested that was denied by ANR Pipeline regarding exclusivity. He explained the current language gives ANR exclusive access to the easement area, meaning the Grantor cannot use the easement, only the Grantee is allowed. The Village can access the property as long as it does not interfere with ANR's work, however the Village can also request specific permission if we are looking to make changes or add structures in the easement areas. Trustee Koeppe asked how this will affect the future plans for Woodland Prairie Park. Manager Sturgell reminded the Board that the pipeline and easement already exist. These agreements are simply expanding that easement area. Director Geiser advised that these increased easement areas should not affect the plans for Woodland Prairie Park, however she would be interested in further discussions with ANR Pipeline about any future trails crossing the easement area. After further discussion by the Village Board and Staff, it was determined that further conversations should occur with ANR Pipeline before any action is taken on these agreements. Motion carried via voice vote.

- f) 231023-6 Change Order #2 & Final – 2023 Road Resurfacing Program to Include the Resurfacing of East Shady Lane West of Irish Road, the Fire Station #40 Parking Lot Project, the Fritse Park Parking Lot Addition, the Friendship Trail Paving Project, and the Gavin Curb Ramp Installation
MOTION: Trustee Ziegler, seconded by Trustee Hanson to approve as submitted. Motion carried via voice vote.
- g) 231023-7 Change Order #1 & Change Order #2 – Installation of Fiber Optic Network Connecting the Village Offices to O’Hauser Park and the Winchester Road Fiber Optic Network
MOTION: Trustee Van Dyke, seconded by Trustee Ziegler to approve as submitted. Manager Sturgell advised this originally should have been two Change Orders, however earlier today this was updated to only need Change Order #1, as we will not need to purchase the additional fiber originally expected for an approximate \$10,000 savings. Motion carried via voice vote.
- h) 231023-8 Temporary Class “B”/”Class B” Retailer’s License – St. Mary’s Catholic Schools
MOTION: Trustee Ziegler, seconded by Trustee Patzwald to approve as submitted. Motion carried via voice vote.
- i) 231023-9 Operator License Applicants
MOTION: Trustee Ziegler, seconded by Trustee Koepp to approve as submitted. Motion carried via voice vote.
- j) 231023-10 Expenditures
MOTION: Trustee Ziegler, seconded by Trustee Koepp to approve the expenditures submitted without exception. Motion carried via voice vote.

9. Reports

- a) Village President Dale Youngquist – 2024 Village of Fox Crossing Budget Public Hearing to be held Monday, November 27, 2023 at 5:00 p.m. in the Arden Tews Assembly Room of the Village Municipal Complex, 2000 Municipal Drive

President Youngquist advised the Budget Public Hearing will be held on Monday, November 27th at 5:00 p.m. in the Arden Tews Assembly Room and encouraged interested residents to attend.

- b) Trustee Kris Koepp – Results of Electronic Recycling Event held on October 14, 2023

Trustee Koepp provided the results of the Electronic Recycling Event held on October 14th. This event was sponsored by the Sustainability Committee and 9,953 lbs. of electronic recycling was collected which officially put the Village over half million lbs. total collected. He thanked all of the volunteers for their efforts, and stated they are already looking at dates for next year.

10. Closed Session

11. Adjourn

At 6:49 p.m., **MOTION:** Trustee Hanson, seconded by Trustee Van Dyke to adjourn. Motion carried via voice vote.

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.