

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, January 11, 2021 - 6:00 p.m.
Municipal Complex - Arden Tews Assembly Room
2000 Municipal Drive, Neenah WI 54956
Agenda

1. Call to Order, Pledge of Allegiance and Roll Call
2. Awards/Presentations
 - a) Recognition of Village of Fox Crossing Adult School Crossing Guards – Police Chief Tim G. Seaver
3. Public Hearings
4. Minutes to Approve/ Minutes and Correspondence to Receive
 - Minutes to Approve**
 - a) Special Village Board Meeting – December 14, 2020
 - b) Regular Village Board Meeting – December 14, 2020
 - Minutes and Correspondence to Receive**
 - c) Planning Commission – November 18, 2020
 - d) Neenah Menasha Sewerage Commission – November 24, 2020
5. **Public Comments Addressed to the Village Board.** Individuals properly signed in may speak directly to the Village Board on non-repetitive village matters whether on, or not on the agenda. However, no announcements of candidacy for any elected position will be permitted. Commenters must wait to be called, must speak from the podium, directing their comments to the board. Comments must be orderly. A maximum of 2-minutes per person is allowed and you must return to the audience when signaled to do so. Public comment is not permitted outside of this public comment period. *Note:* The board's ability to act on or respond to public comments is limited by Chapter 19, WI Stats. To address the Village Board, complete the Public Participation signup sheet.
6. Discussion Items
7. Unfinished Business
8. New Business- Resolutions/Ordinances/Policies
 - a) 210111-1 Proclamation by the Village of Fox Crossing for Wisconsin Adult School Crossing Guard Recognition Week
 - b) 210111-2 Preliminary Assessment Resolution Declaring Intent to Exercise Special Assessments for the Installation of Sanitary Sewer Laterals for the Clayton Utilities Sanitary Sewer Main Extension Project
 - c) 201214-2:ORD Amend Fox Crossing Municipal Code Chapter 302-1(A) Offenses Endangering Public Safety, to Adopt Provisions of Wisconsin Statute 961.41(3g) Possession of Controlled Substances *Second Reading & Adoption*
 - d) 210111-3 Amend Village of Fox Crossing Bond Schedule to Add Chapter 302-1A(66.5) and Chapter 302-1A (68.5)
 - e) 210111-4 Reappointment of Village Representative to the Fox Cities Tourism Development Grant Committee – Parks & Recreation Director Amanda Geiser
 - f) 210111-5 Establish Polling Places for 2021 Elections
 - g) 210111-1:ORD An Ordinance to Adopt the Village of Fox Crossing Municipal Code Approved to Date as the General Ordinances for the Village of Fox Crossing *First Reading, Second Reading & Adoption*
 - h) 210111-6 Operator License Applicants
 - i) 210111-7 Expenditures
9. Reports
 - a) President Dale Youngquist – Update on Bond Payments for the Fox Cities Exhibition Center and the Fox Cities Champion Center
 - b) Village Manager Jeffrey Sturgell – Municipal Complex to Remain Closed to the Public through Monday, February 1, 2021; Lobby and Arden Tews Assembly Room will Remain Open for Board/Commission Meeting Purposes; All Village Operations Will Continue via Telephone, Website, Mail, and Dropbox; Recreation Programming and Pre-School to Remain Open and Evaluated on a Week-by-Week Basis
 - c) Clerk Darla Fink – Announce Candidates for Village Offices for the April 6, 2021 Spring Election
10. Closed Session
11. Adjourn

A quorum of Police & Fire, Planning, and Park Commissions may be present, although official action by those bodies will not be taken; the only business to be conducted is for Village Board action.

Those individuals requiring the assistance of a sign language interpreter to participate in this meeting may call 720.7101 a minimum of five business days prior to the meeting.

RES #210111-1

**A PROCLAMATION BY THE VILLAGE OF FOX CROSSING FOR WISCONSIN
ADULT SCHOOL CROSSING GUARD RECOGNITION WEEK**

WHEREAS, school crossing guards provide an invaluable service in helping to ensure the safe passage of our youngest, most vulnerable pedestrians, children walking between home and school; and

WHEREAS, school crossing guards typically serve with dedication in spite of the rigors of harsh weather, split shifts and heavy traffic; and

WHEREAS, for more than five decades, school crossing guards have served communities across Wisconsin; and

WHEREAS, this service has helped to drive down the rates of young pedestrian deaths and injuries, despite increases in traffic volume; and

WHEREAS, school crossing guards help reinforce in the minds of the young people they assist, the importance of traffic-hazard identification and safe street-crossing behavior; and

WHEREAS, local proclamations, police department honors, local news coverage and especially smiles and kind words from children, will help to convey the gratitude of our communities for the life-saving, injury-reducing role that school crossing guards play.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees, along with the Wisconsin Bureau of Transportation Safety, does hereby proclaim January 11 through 15, 2021, SCHOOL CROSSING GUARD RECOGNITION WEEK.

Adopted this 11th day of January, 2021

Requested by: Tim G. Seaver, Police Chief

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #210111-2

PRELIMINARY ASSESSMENT RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER LATERALS FOR THE CLAYTON UTILITIES SANITARY SEWER MAIN EXTENSION PROJECT

A preliminary assessment resolution declaring intent to exercise special assessment powers under Chapter 66.0703 of the WI Statutes.

BE IT RESOLVED by the Board of Trustees of the Village of Fox Crossing, located in Winnebago County, Wisconsin, as follows:

- 1) That the Village Board of Trustees hereby declares its intent pursuant to Chapter 66.0703 of the WI Statutes to levy special assessments upon property within the following described area for improvements upon said property. (*Exhibit A attached*).
 - a) *DESCRIPTION OF SPECIAL ASSESSMENT PROJECT:*
Work shall consist of construction and installation of sanitary sewer laterals to certain properties located along Clayton Avenue.
 - b) *AREA OF SPECIAL ASSESSMENT IMPROVEMENTS:*
Along Clayton Avenue from 9240 Clayton Avenue southward to 9114 Clayton Avenue. Refer to Exhibit A attached.
- 2) Said improvements shall include the required cost of construction and installation, including contract costs, engineering fees, attorney fees and publication expenses of the municipality.
- 3) The Village Board of Trustees shall hereby determine that all such municipal improvements shall be made under Chapter 66.0703 of the WI Statutes and that the amount to be assessed against each affected parcel is based upon a reasonable basis being total construction and material cost including engineering fees, attorney's fees, publication expenses and other appropriated special assessment proceeding costs. The Village Board of Trustees further determines that all said improvements specially benefit the property described in Paragraph 1 above.
- 4) The assessments against affected property owner(s) may be paid in cash or in the number of installments to be determined at the Public Hearing on the proposed assessments and according to the final resolution of the Village Board of Trustees of the Village of Fox Crossing as may be hereinafter adopted.
- 5) The Village Engineers are directed to prepare an Engineer's Report consisting of:
 - a) Preliminary estimates for the entire cost of the proposed construction and installation, including cost of construction, material, engineering fees, attorney fees, publication expenses and other appropriate cost of special assessment proceedings.

- b) A schedule of proposed assessments against affected property prepared under the term and conditions of Chapter 66.0703 of the WI Statutes.
- c) The Engineer's Report shall state that all such assessments are based upon a reasonable basis being total construction and material costs and that all said special assessments benefit the property(s) being assessed.

Upon completing said Engineer's Report the Village Engineers are directed to file a copy of the same in the office of the Village Clerk for public inspection.

- 6) Upon receiving the Engineer's Report of said Village Engineers, the Village Clerk is directed to prepare and publish a Class One Notice of a Public Hearing on said Engineer's Report and upon the Preliminary Special Assessment Resolution as specified in Chapter 66.0703 of the WI Statutes which Notice of Public Hearing shall state the place and time at which the report may be inspected and the place and time at which all persons interested or their agents or attorneys may appear before the Village Board for the Village of Fox Crossing and be heard concerning the matters contained in the Special Assessment preliminary resolution and the Village Engineers' Report at the Public Hearing. A copy of the Notice of Public Hearing together with a scale map (*if available*) showing the general boundary areas of the proposed assessment district/area shall be mailed at least ten (10) days before the hearing date to all interested persons whose post office addresses are known. The Public Hearing shall commence no less than ten (10) days, nor more than forty (40) days after publication. A Public Hearing shall be held in the Arden Tews Assembly Room at the Village of Fox Crossing Municipal Complex, 2000 Municipal Drive, Neenah, WI 54956, Winnebago County, State of WI, on the **8th day of February, 2021 at 6:00 p.m.** during the regularly scheduled Village Board Meeting.

Adopted this 11th day of January, 2021

Requested by: Darla M. Fink, Village Clerk

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

ORD #201214-2 *Second Reading & Adoption*

**AMEND FOX CROSSING MUNICIPAL CODE CHAPTER 302-1(A) OFFENSES
ENDANGERING PUBLIC SAFETY, TO ADOPT PROVISIONS OF WISCONSIN
STATUTE 961.41(3G) POSSESSION OF CONTROLLED SUBSTANCES**

The Village Board of Trustees of the Village of Fox Crossing does ordain as follows:

Part I. Amend Chapter 302-1(A), to adopt provisions of Wisconsin Statute 961.41(3g) Possession of Controlled Substances, as follows (additions in red):

§ 302-1 Offenses endangering public safety.

A. State laws adopted. The provisions of the following Wisconsin Statutes are hereby adopted by reference and made a part of this code so far as applicable. Whenever this chapter incorporates by reference specific sections of the Wisconsin Statutes or generally refers to them, such reference shall mean the Wisconsin Statutes, as from time to time amended, repealed, or modified by the Wisconsin Legislature.

(64) Section 961.41(3g)(am), Possession of heroin.

(65) Section 961.41(3g)(b), Possession of controlled substance.

(66) Section 961.41(3g)(c), Possession of cocaine/coca.

(66.5) Section 961.41(3g)(d), Possession of hallucinogenic and stimulant drugs.

(67) Section 961.41(3g)(e), Possession of marijuana.

(68) Section 961.41(3g)(em), Possession of synthetic cannabinoids.

(68.5) Section 961.41(3g)(f), Possession of Gamma-hydroxybutyric acid, gamma-butyrolactone, 1,4-butanediol, ketamine, or flunitrazepam.

(69) Section 961.41(3g)(g), Possession of methamphetamine.

Part II. All ordinances or parts of ordinances contradicting the provisions of this ordinance are hereby repealed.

Part III. This ordinance shall take effect and be in full force from and after its passage and publication or posting.

Date Introduced: December 14, 2020

Date Adopted: _____

Requested by: Tim G. Seaver, Police Chief
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #210111-3

AMEND VILLAGE OF FOX CROSSING BOND SCHEDULE TO ADD CHAPTER 302-1A(66.5) AND CHAPTER 302-1A(68.5)

WHEREAS, on July 13, 2020, the Village of Fox Crossing Board of Trustees adopted the Village of Fox Crossing Bond Schedule (previously listed as Appendix D of the former Fox Crossing Municipal Code); and

WHEREAS, it is necessary, from time to time, to amend the Fee Schedule to ensure appropriate fees are charged to maintain adequate Village services.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby amends the Village of Fox Crossing Bond Schedule, as attached, effective January 11, 2021.

Adopted this 11th day of January, 2021

Requested by: Darla M. Fink, Village Clerk

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #210111-4

**REAPPOINTMENT OF VILLAGE REPRESENTATIVE TO THE FOX CITIES
TOURISM DEVELOPMENT GRANT COMMITTEE – PARKS & RECREATION
DIRECTOR AMANDA GEISER**

WHEREAS, the Village of Fox Crossing has one (1) seat on the Fox Cities Tourism Development Grant Committee; and

WHEREAS, Village President Dale Youngquist hereby nominates Parks & Recreation Director Amanda Geiser to be reappointed for a two (2) year term beginning January 1, 2021 and ending December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that Director Amanda Geiser be reappointed to represent the Village of Fox Crossing on the Fox Cities Tourism Development Grant Committee for a two (2) year term beginning January 1, 2021 and ending December 31, 2022.

Adopted this 11th day of January, 2021

Requested by: Dale A. Youngquist, Village President

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #210111-5

ESTABLISH POLLING PLACES FOR THE 2021 ELECTIONS

WHEREAS, per Wis. Stat. 5.25(3), the Village Clerk requests that the Village Board establish polling places for the 2021 Elections as follows:

Fox Crossing Municipal Complex

2000 Municipal Drive, Neenah

District 27, Wards 1 & 7
District 29, Wards 2 & 14
District 28, Ward 4

Apple Valley Presbyterian Church

1750 Olde Buggy Drive, Neenah

District 29, Ward 3
District 28, Wards 5 & 6

Fox Crossing Community Center

1000 Valley Road, Menasha

District 27, Ward 8
District 26, Ward 9
District 4, Ward 10

Fox Cities United Pentecostal Church

1445 Midway Road, Menasha

District 26, Ward 11
District 4, Wards 12 & 13

Fox Crossing Fire Station #40

1326 Cold Spring Road, Neenah

Central Count Location – Absentee Ballots
Wards 1-14

NOW, THEREFORE, BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that the polling places for the 2021 Elections are hereby established as indicated above.

Adopted this 11th day of January, 2021

Requested by: Darla M. Fink, Village Clerk

Submitted by: Darla M. Fink, Village Clerk

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

ORD #210111-1:ORD *First Reading, Second Reading and Adoption*
**AN ORDINANCE TO ADOPT THE VILLAGE OF FOX CROSSING MUNICIPAL
CODE APPROVED TO DATE AS THE GENERAL ORDINANCES FOR THE
VILLAGE OF FOX CROSSING**

The Village of Fox Crossing Board of Trustees does ordain as follows:

WHEREAS, it is in the best interest of the Village of Fox Crossing to update the Municipal Code (Code of Ordinances) of the Village of Fox Crossing; and

WHEREAS, ordinances adopted, amended or repealed by the Village Board of Trustees in the year 2020 to date, have been incorporated in the Municipal Code of the Village of Fox Crossing as codified on September 27, 1976, and thereafter, and further incorporated in the Municipal Code of the Village of Fox Crossing have been Ordinances enacted, amended or repealed for years preceding 2020 to date; and

WHEREAS, a copy of the Code of Ordinances, as amended through year 2020 to date, has been on file and open for inspection at the office of the Village Clerk for not less than two (2) weeks pursuant to Section 66.0103, WI Statutes, and posting of which date precedes by not less than two (2) weeks of the date of adoption of this Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby adopts the code of Ordinances in book form, entitled, "Municipal Code of the Village of Fox Crossing" as to all new Ordinances adopted, amended, or repealed, all in the year 2020 to date and including all years prior, as the general Ordinances in and for the Village of Fox Crossing, Winnebago County, Wisconsin.

EFFECTIVE DATE: This Ordinance shall take effect the day following passage, publication, and posting as required by law.

Accepted this 11th day of January, 2021

Requested by: Darla M. Fink, Village Clerk

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #210111-6

OPERATOR LICENSE APPLICANTS

WHEREAS, the operator license applicants for the upcoming two-year term, listed below, have made proper application with the Police Department; and

WHEREAS, all applicants either currently hold a valid two-year server license elsewhere, or have successfully completed the mandatory alcohol awareness training program, or have scheduled the course; and

WHEREAS, background checks have been conducted by the Police Department; and

WHEREAS, the Police Chief submits the applicants with a recommendation of approval as follows:

Laia Spang – Approved

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees recommends the above applicants recommended for approval be approved, pending payment, successful background checks, and completion of a state-approved alcohol awareness training program, for the licensing period beginning July 1, 2020 - June 30, 2022.

Adopted this 11th day of January, 2021

Requested by: Tim G. Seaver, Police Chief

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #210111-7

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$2,663,450.85

WHEREAS, the disbursements are categorized below & the detail is attached:

Pending:		
General Fund	\$	163,788.96
Special Revenue Fund	\$	96,020.46
Debt Fund	\$	-
Capital Projects Fund	\$	77,356.20
Water Fund	\$	46,652.09
Sewer Fund	\$	47,274.47
Stormwater Fund	\$	216,772.78
Trust & Agency Fund	\$	-
Special Processed Payments	\$	2,015,585.89
Total:	\$	<u>2,663,450.85</u>

NOW, THEREFORE BE IT RESOLVED, the Village of Fox Crossing Board of Trustees hereby authorizes the above expenditures to be paid by the Finance Department with the exception of none.

Adopted this 11th day of January, 2021

Requested by: Myra R. Piergrossi, Finance Director
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk