Village of Fox Crossing Board of Trustees Regular Meeting Monday, February 28, 2022 - 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
- Awards/Presentations
 - a) Fox Crossing Police Department Accreditation by the Wisconsin Law Enforcement Accreditation Group Presentation Police Chief Scott Blashka
- **Public Hearings**
 - Special Assessments for Installation of Water Mains and Laterals on Clayton Avenue from East Shady Lane to the South Lot Line of 9189 Clayton Avenue
- Minutes to Approve/ Minutes and Correspondence to Receive

Minutes to Approve

Regular Village Board Meeting – January 24, 2022 & February 14, 2022

Minutes and Correspondence to Receive

- b) Planning Commission Meeting Minutes January 19, 2022
- c) Neenah-Menasha Sewerage Commission Meeting Minutes January 25, 2022
- d) Spring Primary Election Results February 15, 2022
- e) Water Main Breaks Report January 2022
- Water Pumpage Report January 2022
- Public Comments Addressed to the Village Board. Individuals properly signed in may speak directly to the Village Board on nonrepetitive 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.
- **Discussion Items**
- **Unfinished Business** 7.
- New Business- Resolutions/Ordinances/Policies

a)	220228-1	Final Resolution Authorizing Special Assessments for the Installation of Water Mains and Laterals for the
		Clayton Avenue Water Extension Project
b)	220228-2	Award Bids & Approve Change Order #1 – Clayton Avenue Water Main Extension Project & Kerry Lane
		Water Main Replacement Project
c)	220228-3	Certified Survey Map – 1075 Appleton Road, Parcel #1211585, and Parcel #1211584
۲J	220228-1	Award Rid - Municipal Compley Poof Peolacement Project

- Award Bid Municipal Complex Roof Replacement Project 220228-4
- 220228-5 2022 Budget Amendment to Provide Funds for the Ninth Street and Mayer Street Neighborhood Sanitary Sewer Main Lining Project
- Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing 220228-6
- 220228-7 Authorization to Order a Replacement Wastewater Department Vactor Truck for Delivery in 2023 g)
- Reappointment of Village Representative to the Fox Cities Sports Facility Advisory Committee Parks & 220228-8 h) Recreation Director Amanda Geiser
- 220228-9 **Operator License Applicants**
- 220228-10 **Expenditures**

Reports

- Street Superintendent Randy Gallow Winnebago County Agriculture & Household Material Clean Sweep Event Friday, April 1, 2022 from 9:00 a.m. to 11:00 a.m. at the Winneconne Public Works Garage, and 2:00 p.m. to 5:00 p.m. at the Fox **Crossing Municipal Complex**
- 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.

FINAL RESOLUTION AUTHORIZING SPECIAL ASSESSMENTS FOR THE INSTALLATION OF WATER MAINS AND LATERALS FOR THE CLAYTON AVENUE WATER EXTENSION PROJECT

WHEREAS, the Village of Fox Crossing Board of Trustees, Winnebago County, Wisconsin, did pass a Preliminary Resolution (#220124-4) on the 24th day of January, 2022, declaring its intention to exercise special assessment powers under WI Statutes, Chapter 66.0703 for the installation of water mains and laterals to certain properties located along Clayton Avenue, and did publish the required statutory Notice of Public Hearing on Special Assessments in the *Post-Crescent*, and did further mail a copy of said Notice of Public Hearing to affected property owners within the required statutory time. A Preliminary Engineer's Report is available for viewing and inspection within regular business hours in the Village Clerk's office; and

WHEREAS, the specially benefited property affected by the installation of new water mains and laterals is the area along Clayton Avenue from East Shady Lane southward to the southern lot line of 9189 Clayton Avenue (see map in attached Engineer's Report); and

WHEREAS, the Village of Fox Crossing Board of Trustees, Winnebago County, Wisconsin, did hold a Public Hearing at the Fox Crossing Municipal Complex, 2000 Municipal Drive, Neenah, Winnebago County, Wisconsin on the 28th day of February, 2022 at 6:00 p.m., pursuant to the published Notice of Public Hearing and a mailing of said Notice to property owners, for the purpose of informing and hearing all interested persons concerning the Preliminary Resolution and the Report of the Village Engineer on the proposed improvements (along Clayton Avenue from East Shady Lane to the southern lot line of 9189 Clayton Avenue) and did hear all persons desiring audience at said hearing.

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

- 1.) That the Engineer's Report drafted by McMahon Associates, Inc. pertaining to the project and all plans and specifications are hereby approved and adopted.
- 2.) That the Village of Fox Crossing Board of Trustees are aware that the work for the improvements shall be carried out in accordance with the Engineer's Report.
- 3.) That payment of said improvements be made by assessing the cost to abutting property owners in accordance with the schedule of assessments as determined in the Engineer's Report as authorized under Chapter 66.0703, WI Statutes 2019-2020 as amended in the exercise of the Village of Fox Crossing police powers.
- 4.) That all costs to area property owners shown in the Engineer's Report are true and correct, have been determined on a reasonable basis, and are hereby confirmed. That all improvements for which assessments are being made are determined to specially benefit the real estate in the area being assessed by the Village of Fox Crossing Board of Trustees.
- 5.) That the Village of Fox Crossing negotiated costs for this project, and that the Village of Fox Crossing is further directed to carry out the work for said improvements, all as aforementioned.

6.) That the assessment shall be paid in cash, in full, or in annual installments (based on the table below) with all deferred payments to bear interest at the rate of 2% above the rate of the Village borrowing, which will be charged per annum on the unpaid balance. That the balance of the assessments and interest to date will be paid if and when the benefited real estate is sold. A minimum \$250 principal payment must be made in a year.

Assessment Amount	<u>Installment Term</u>
\$500 - \$4,999	Five (5) years
\$5,000 - \$19,999	Ten (10) years
\$20,000 - greater	Fifteen (15) years

- 7.) The Village Clerk of the Village of Fox Crossing is directed to publish the resolution as a Class One (1) Notice in the *Post-Crescent*, Appleton, Wisconsin.
- 8.) The Village Clerk shall mail a copy of this Final Resolution and a statement of the final assessment to each property owner affected whose name appears on the assessment roll and whose post office address is known or can, with reasonable diligence, be ascertained. Assessments may be revised whereas the assessment may be less; however, the assessments shall not exceed the Engineer's Report pursuant to Chapter 66, WI Statutes.

Adopted this 28th day of February, 2022

Requested By: Darla M. Fink, Village Clerk

Submitted By: Dale A. Youngquist, Village President

AWARD BIDS & APPROVE CHANGE ORDER #1 – CLAYTON AVENUE WATER MAIN EXTENSION PROJECT & KERRY LANE WATER MAIN REPLACEMENT PROJECT

WHEREAS, on January 28, 2022, sealed bids for the Clayton Avenue Water Main Extension project & Kerry Lane Water Main Replacement project were due in the office of the Utility Department by 10:00 a.m., at which time they were publicly opened and read; and

WHEREAS, nine (9) bids were received: (bid tabulation enclosed)

<u>Contractor</u>	Base Bid	Alternate A	Alternate B	Alternate C	<u>Total</u>
Advanced Construction, Inc.	\$683,413.00	\$ 9,640.00	\$ 58,475.00	\$28,050.00	\$ 779,578.00
Donald Hietpas & Sons, Inc.	\$710,415.00	\$14,700.00	\$ 67,850.00	\$16,050.00	\$ 809,015.00
David Tenor Corporation	\$715,745.00	\$ 9,760.00	\$ 66,737.50	\$32,500.00	\$ 824,742.50
Dorner, Inc.	\$738,695.00	\$11,606.00	\$ 64,917.00	\$20,342.00	\$ 835,560.00
Robert J. Immel Excavating, Inc.	\$747,662.75	\$12,935.00	\$104,077.00	\$29,415.00	\$ 894,089.75
PTS Contractors, Inc.	\$756,626.00	\$12,100.00	\$ 72,412.50	\$24,350.00	\$ 865,488.50
Superior Sewer & Water, Inc.	\$766,085.01	\$ 8,960.00	\$ 63,750.00	\$32,107.00	\$ 870,902.01
Kruczek Construction Inc.	\$777,777.77	\$15,200.00	\$ 60,600.00	\$30,500.00	\$ 884,077.77
De Groot, Inc.	\$923,259.34	\$14,362.20	\$ 83,931.00	\$28,987.00	\$1,050,539.54

WHEREAS, it is the recommendation of Engineer Brad Werner and Utility Superintendent David Tracey to award the Base Bid, Alternate Bid A, Alternate Bid B, and Alternate Bid C to the lowest responsible bidder, Advanced Construction, Inc., for the Base Bid amount of \$683,413.00, the Alternate Bid A amount of \$9,640.00, the Alternate Bid B amount of \$58,475.00, and the Alternate Bid C amount of \$28,050.00, resulting in the total amount of \$779,578.00, with final quantity adjustments made by change order to reflect actual quantities; and

WHEREAS, the acceptance of Alternate Bid C allows for the removal of Base Bid line item 19 (Water Main Slurry Backfill) from the Base Bid through a Change Order for the deduct amount of \$72.000; and

WHEREAS, it is the recommendation of Engineer Brad Werner and Utility Superintendent David Tracey to approve Change Order #1 for the deduct amount of \$72,000, resulting in an updated contract amount of \$707,578.00; and

WHEREAS, two (2) bids were received for the materials necessary to complete the work as directed in Alternate Bid A and Alternate Bid B:

<u>Vendor</u>	Materials Bid A	Materials Bid B	<u>Total</u>
Ferguson Waterworks	\$22,580.00	\$4,499.00	\$27,079.00
Core & Main	\$23,214.00	\$4,646.00	\$27,860.00

WHEREAS, it is the recommendation of Engineer Brad Werner and Utility Superintendent David Tracey to award Materials Bid A and Materials Bid B to Ferguson Waterworks for the total amount of \$27,079.00.

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees to hereby award the Base Bid and Alternate Bid A, Alternate Bid B, and Alternate Bid C for the Clayton Avenue Water Main Extension project & Kerry Lane Water Main Replacement project, to the lowest responsible bidder, Advanced Construction, Inc., 2141 Woodale Avenue, Green Bay, Wisconsin, for the total amount of \$779,578.00.

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BE IT FURTHER RESOLVED, that the removal of Base Bid line item #19, as submitted in Change Order #1, for a deduct of \$72,000 to the contract be approved, resulting in an updated contract amount of **\$707,578.00**.

BE IT FURTHER RESOLVED, that the Village of Fox Crossing Board of Trustees hereby awards Materials Bid A and Materials Bid B to Ferguson Waterworks, 5350 North Richmond Street, Appleton, Wisconsin, for the total amount of \$27,079.00.

Adopted this 28th day of February, 2022

Requested by: David Tracey, Utility Superintendent Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

<u>CERTIFIED SURVEY MAP – 1075 APPLETON ROAD, PARCEL #1211585, AND PARCEL #1211584</u>

WHEREAS, the applicant, Jeremy Balthazor, requests approval of a Certified Survey Map (CSM) to combine the parcel located at 1075 Appleton Road (parcel #1211586) with adjacent vacant parcels #1211585 and #1211584; and

WHEREAS, the Village of Fox Crossing Planning Commission reviewed this item at their February 16, 2022 meeting and recommended approval of the Certified Survey Map with the following conditions:

1. All taxes and assessments shall be paid prior to the Village affixing signatures on the

2. The applicant shall provide the Village wi	ith a final copy of the recorded CSM.
Planning Commission:6 Aye0 Na	ay 1 Excused 0 Abstain
NOW, THEREFORE, BE IT RESOLVED that hereby recommends approval of the Certified Sur	
Adopted this 28 th day of February, 2022	
Requested by: George Dearborn, AICP, Director Submitted by: Dale A. Youngquist, Village Presid	• • •
	Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

AWARD BID - MUNICIPAL COMPLEX ROOF REPLACEMENT PROJECT

WHEREAS, on February 16, 2022, sealed bids for the Municipal Complex Roof Replacement project were due in the office of the Street Department by 10:00 a.m., at which time they were publicly opened and read; and

WHEREAS, one (1) bid was received: (bid enclosed)

Contractor Bid

Security Luebke Roofing \$176,750.00

WHEREAS, it is the recommendation of Superintendent Randy Gallow to award the Bid to the lowest responsible bidder, Security Luebke Roofing, in the total amount of \$176,750.00.

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees to hereby award the Base Bid for the Municipal Complex Roof Replacement project, to the lowest responsible bidder, **Security Luebke Roofing**, **3921 E. Endeavor Drive**, **Appleton**, **Wisconsin**, for the total amount of \$176,750.00.

Adopted this 28th day of February, 2022

Requested by: Randy Gallow, Street Superintendent Submitted by: Dale A. Youngquist, Village President

2022 BUDGET AMENDMENT TO PROVIDE FUNDS FOR THE NINTH STREET AND MAYER STREET NEIGHBORHOOD SANITARY SEWER MAIN LINING PROJECT

WHEREAS, the Wastewater Department has determined that the sanitary sewer main system for Ninth Street and the Mayer Street neighborhood is failing and needs repair and improvement; and

WHEREAS, the sanitary sewer main lining project is estimated to cost \$1,240,000.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of Trustees that the 2022 Village of Fox Crossing budget is amended to provide funds for the Ninth Street and Mayer Street Neighborhood Sanitary Sewer Main Lining project, as attached.

Adopted this 28th day of February, 2022

Requested by: David Tracey, Utility Superintendent Submitted by: Dale A. Youngquist, Village President

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING

WHEREAS, the Village of Fox Crossing, Winnebago County, Wisconsin (the "Municipality") plans to undertake Road Reconstructions and Resurfacings, Stormwater, Water, and Sewer Infrastructure Improvements, Replacement of the Municipal Complex Roof, and purchase of a Leaf Collection Unit (the "Project"); and

WHEREAS, the Municipality expects to finance the Project on a long-term basis by issuing taxexempt general obligation bonds, revenue bonds or general obligation promissory notes (the "Bonds"); and

WHEREAS, because the Bonds will not be issued prior to commencement of the Project, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance monies from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Municipality, that:

<u>Section 1. Expenditure of Funds</u>. The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available.

<u>Section 2. Declaration of Official Intent</u>. The Municipality hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$6,205,572.

<u>Section 3. Unavailability of Long-Term Funds</u>. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the Village Clerk's office within 30 days after its approval, in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

Adopted, recorded and approved this 28th day of February, 2022

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

<u>AUTHORIZATION TO ORDER A REPLACEMENT WASTEWATER DEPARTMENT VACTOR TRUCK FOR DELIVERY IN 2023</u>

WHEREAS, according to the Village's Equipment Replacement Schedule, the Wastewater Department Vactor truck is scheduled for replacement in 2023; and

WHEREAS, due to material and supply shortages, ordering a replacement Vactor truck takes approximately a year to receive; and

WHEREAS, Utility Superintendent Tracey seeks authorization to order a replacement Vactor truck in 2022, with delivery of the truck to occur in 2023; and

WHEREAS, funds for the replacement vehicle are available in the Equipment Replacement Fund.

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that Superintendent Tracey is authorized to order a replacement Vactor truck for the Wastewater Department in 2022, for delivery scheduled in 2023.

Adopted this 28th day of February, 2022

Requested by: David Tracey, Utility Superintendent Submitted by: Dale A. Youngquist, Village President

REAPPOINTMENT OF VILLAGE REPRESENTATIVE TO THE FOX CITIES SPORTS FACILITY ADVISORY COMMITTEE – PARKS & RECREATION DIRECTOR AMANDA GEISER

WHEREAS, on June 11, 2018, the Village Board approved the Cooperation Agreement for the Fox Cities Sports Facility, to partner with nine (9) other local municipalities to finance and construct the Fox Cities Sports Facility located in Grand Chute; and

WHEREAS, a Sports Facility Advisory Committee was established to provide the participating communities an opportunity to advise on the operations of the Fox Cities Sports Facility and ensure that the facility is operated for its intended tourism generating purpose at the highest possible standards; and

WHEREAS, the Village of Fox Crossing is authorized one (1) representative on the advisory committee; and

WHEREAS, the Charter for the committee states that "appointees will serve at the pleasure of the highest elected official in the municipality"; and

WHEREAS, Parks & Recreation Director Amanda Geiser is the current Fox Crossing representative to the Committee, with her term expiring December 31, 2021; and

WHEREAS, Village President Youngquist nominates Parks & Recreation Director Amanda Geiser for reappointment to a three (3) year term on the Fox Cities Sports Advisory Committee beginning January 1, 2022, and ending December 31, 2024.

NOW, THEREFORE BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby appoints Parks & Recreation Director Amanda Geiser for a three (3) year term on the Fox Cities Sports Advisory Committee beginning January 1, 2022, and ending December 31, 2024.

Adopted this 28th day of February, 2022

Requested by: Dale A. Youngquist, Village President Submitted by: Dale A. Youngquist, Village President

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:

Lisa Bright – Approved Amy Mulder – Approved William Neubert – Approved Alexander Cousineau – Approved Heather Rhode – Denied

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 28th day of February, 2022

Requested by: Scott Blashka, Police Chief

Submitted by: Dale A. Youngquist, Village President

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$918,258.39

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

Pending:		
General Fund	\$	69,275.87
Special Revenue Fund	\$	68,076.92
Debt Fund	\$	-
Capital Projects Fund	\$	8,554.59
Water Fund	\$	133,274.28
Sewer Fund	\$	5,029.07
Stormwater Fund	\$	2,584.50
Trust & Agency Fund	\$	-
Special Processed Payments		631,463.16
Total:	\$	918,258.39

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 28th day of February, 2022.

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

VILLAGE OF FOX CROSSING 2000 Municipal Drive Neenah, WI 54956

EXPENDITURE SUMMARY

For Accounts Payable Period Ending: February 22, 2022
For Village Board Meeting of: February 28, 2022

REGULAR PROCESSED CHECKS		
General Fund		\$69,275.87
Special Revenue Funds		\$68,076.92
Debt Fund		\$0.00
Capital Projects Fund		\$8,554.59
Water Fund		\$133,274.28
Sewer Fund		\$5,029.07
Stormwater Fund		\$2,584.50
Trust & Agency Fund		\$0.00
Total Bills for	February 28, 2022	\$286,795.23

SPECIAL PROCESSED PAYMENTS

CHECK #	PAYEE		DEPT. /PURPOSE	AMOUNT
	Village Specials	2/9-2/22/2022	**See Attached Listing**	\$189,055.68
ACH	Employee Benefits Corp	2/10-2/22/2022	Flex Spending Claims	\$4,630.06
VOID	B & H Photo		VOID	(\$1,284.97)
ACH	ETF	2/14/2022	Medical Ins	\$129,771.32
ACH	WI Retirment	2/14/2022	Retirment	\$74,198.84
ACH	Employee Benefits Corp	2/18/2022	Dec FSA Admin Fee	\$32.00
ACH	Employee Benefits Corp	2/18/2022	Feb FSA Admin Fee	\$90.20
ACH	Employee Benefits Corp	2/17/2022	Jan FSA Admin Fee	\$130.30
ACH	Employee Benefits Corp	2/17/2022	Feb FSA Admin Fee	\$130.30
ACH	WI Deferred Comp	2/18/2022	Deferred Comp	\$6,810.64
ACH	WI DOR	2/17/2022	Suspension Fees	\$6.00
42519-42530	Payroll	2/17/2022	Payroll	\$2,360.83
ACH	Payroll	2/17/2022	Payroll	\$159,525.92
ACH	Payroll	2/17/2022	Taxes	\$66,006.04
Total Special Prod	Total Special Processed Payments			\$631,463.16

GRAND TOTAL \$918,258.39