

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, September 28, 2020 - 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
3. Public Hearings
 - a) Special Assessments for Installation of Water Mains and Laterals, and Sanitary Sewer Mains and Laterals on East Shady Lane from the West Lot Line of Parcels 121-0204 and 121-0198 to Clayton Avenue
4. Minutes to Approve/ Minutes and Correspondence to Receive
 - Minutes to Approve**
 - a) Special Village Board Meeting – September 14, 2020
 - b) Regular Village Board Meeting – September 14, 2020
 - Minutes and Correspondence to Receive**
 - c) Park Commission – September 9, 2020
 - d) Water Main Break Reports May – August, 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) 200928-1 Final Assessment Resolution Declaring Intent to Exercise Special Assessments for Installation of Water Mains and Laterals, and Sanitary Sewer Mains and Laterals for the East Shady Lane Project Phase II
 - b) 200928-2 Change Order #1 – Storage Building Construction
 - c) 200928-3 Appointment of Park Commission Member – Jean Wollerman
 - d) 200928-4 Appointment of Sustainability Committee Member – Laurie Collins
 - e) 200928-5 Expenditures
9. Reports
 - a) Village President Youngquist
 - Announcement of Budget Workshop Dates
 - 2021 Village of Fox Crossing Budget Public Hearing to be held Monday, November 30, 2020 at 6:00 p.m. in the Arden Tews Assembly Room of the Village Municipal Complex, 2000 Municipal Drive
 - b) Trustee Kris Koeppe – Electronics Recycling Event at Fox Crossing Municipal Complex, 2000 Municipal Drive, to be held on Saturday, October 10, 2020 from 8:00 a.m. to Noon
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 #200928-1

**FINAL RESOLUTION AUTHORIZING SPECIAL ASSESSMENTS FOR THE
INSTALLATION OF WATER MAINS AND LATERALS, AND SANITARY SEWER
MAINS AND LATERALS FOR THE EAST SHADY LANE PROJECT PHASE II**

WHEREAS, the Village of Fox Crossing Board of Trustees, Winnebago County, Wisconsin, did pass a Preliminary Resolution (#200824-1) on the 24th day of August, 2020, declaring its intention to exercise special assessment powers under WI Statutes, Chapter 66.0703 for the construction of 2,254 lineal feet of new water and sanitary sewer mains and water and sanitary sewer laterals to certain properties located along East Shady Lane, 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 construction of new water and sanitary sewer mains and laterals is the area East Shady Lane from the west lot line of Parcels 121-0204 and 121-0198 to 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 September, 2020 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 (East Shady Lane from the west lot line of Parcels 121-0204 and 121-0198 to 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 2017-2018 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 advertised for bids 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.

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

- 7.) That should an assessment of \$100,000 or greater be imposed upon a parcel less than ten (10) acres in size, then the property owner may qualify for a payment deferral up to five (5) years with interest at the rate of 2% above the rate of the Village borrowing.

A. Upon initiation of the special assessment, the property owner must make application through the Village of Fox Crossing Finance Department in order to qualify for the deferral under this section.

B. During the five (5) year deferral period, an annual interest rate of 2% above the rate of the Village borrowing will be charged and placed on the annual tax bill of the parcel.

C. Upon the expiration of the five (5) year special assessment deferral period, the principal assessment payment shall then be paid in cash, in full, or in annual installments for fifteen (15) years at an interest rate of 2% above the rate of the Village borrowing.

D. The special assessment deferral shall end, and the balance of the assessments and interest to date will be paid if and when the parcel is modified by a Certified Survey Map and/or the parcel is sold.

- 8.) That the Village of Fox Crossing adopts Wisconsin Statute 66.0721, as amended, for parcels qualifying for the Farmland Special Assessment Deferral. Qualifying property owners must apply to the Fox Crossing Finance Department to receive the deferral.

A. In accordance with Wisconsin Statutes 66.0721, to qualify for the special assessment deferral, the applicant must own thirty-five (35) or more acres of contiguous land which is/was devoted exclusively to agricultural use during the year preceding the assessment. Contiguous land includes parcels that abut a road right-of-way but are on opposite sides of the roadway and any part of either parcel is directly opposite from the other.

B. The land subject to the special assessment produced gross farm profits of not less than \$6,000 for the previous year or \$18,000 over the previous three (3) years.

C. Upon initiation of the special assessment, the property owner must apply for the qualifying farmland deferral through the Village of Fox Crossing Finance Department. A yearly farmland deferral administration fee will be imposed upon each parcel that is deferred. Should a parcel already have a farmland deferral administration imposed from another special assessment deferral, there shall be only one fee imposed on the parcel.

D. The special assessment deferral shall terminate if any requirements to maintain the deferral under Wisconsin Statutes 66.0721, as amended, are no longer met. This would include if a parcel to which the deferral applies is subdivided and any portion of the subdivided parcel is no longer used exclusively for agriculture. The deferral also terminates if the exempt parcel is not devoted exclusively to agricultural use for a period of one year or more.

- 9.) 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.
- 10.) 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 September, 2020

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 #200928-2

CHANGE ORDER #1 – STORAGE BUILDING CONSTRUCTION

WHEREAS, on July 27, 2020, Miron Construction was awarded the Storage Building Construction project, for the Base Bid amount of \$1,600,196; and

WHEREAS, Change Order #1 reflects a total increase of \$10,675.50 for the following adjustments:

Add Temperature Control Components and Labor	\$ 6,813.00
Change from 1 inch to 2 inch Water Piping to Wash Down Station	\$ 2,892.00
Subcontractor Management Fee (10%)	<u>\$ 970.50</u>
Total:	\$10,675.50

WHEREAS, the increase of \$10,675.50 from Change Order #1 items results in a new total contract price of \$1,610,871.50; and

WHEREAS, it is the recommendation of Architect Mark Keating of Gries Architectural Group, and Street Superintendent Randy Gallow to approve Change Order #1 to Miron Construction for an increase in the amount of \$10,675.50, resulting in a new contract amount of \$1,610,871.50.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby approves Change Order #1 in the amount of \$10,675.50, for the Storage Building Construction project, to **Miron Construction, Fox Crossing, Wisconsin**, for the adjusted contract amount of \$1,610,871.50.

Adopted this 28th day of September, 2020

Requested by: Randy Gallow, Street Superintendent

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #200928-3

APPOINTMENT OF PARK COMMISSION MEMBER – JEAN WOLLERMAN

WHEREAS, due to Park Commissioner James Wise relocating outside of the Village of Fox Crossing, a vacancy exists on the Park Commission; and

WHEREAS, Commissioner Wise had been serving the term beginning July 1, 2014 through June 30, 2021; and

WHEREAS, the Park Commission solicited applicants for the vacancy; and

WHEREAS, the Park Commission interviewed candidates and voted to recommend Village President Youngquist appoint Ms. Jean Wollerman to serve as a member of the Park Commission; and

WHEREAS, the Village President nominates Jean Wollerman for the vacancy on the Park Commission; and

WHEREAS, an oath of office shall be administered by the Village Clerk upon appointment.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Trustees hereby approves the appointment of Jean Wollerman to the Park Commission, for the term ending June 30, 2021.

Adopted this 28th day of September, 2020

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 #200928-4

APPOINTMENT OF SUSTAINABILITY COMMITTEE MEMBER – LAURIE COLLINS

WHEREAS, due to Sustainability Committee member James Wise relocating outside of the Village of Fox Crossing, a vacancy exists on the Sustainability Committee; and

WHEREAS, Mr. Wise had been serving the term beginning July 1, 2019 through June 30, 2021; and

WHEREAS, the Village President nominates Laurie Collins for the vacancy on the Sustainability Committee; and

WHEREAS, an oath of office shall be administered by the Village Clerk upon appointment.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Trustees hereby approves the appointment of Laurie Collins to the Sustainability Committee, for the term ending June 30, 2021.

Adopted this 28th day of September, 2020

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 #200928-5

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$1,149,636.48

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

Pending:		
General Fund	\$	34,510.41
Special Revenue Fund	\$	62,374.39
Debt Fund	\$	-
Capital Projects Fund	\$	590,338.35
Water Fund	\$	171,067.20
Sewer Fund	\$	52,534.37
Stormwater Fund	\$	10,995.76
Trust & Agency Fund	\$	-
Special Processed Payments	\$	227,816.00
Total:	\$	<u>1,149,636.48</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 28th day of September, 2020

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