

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, September 11, 2023 - 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
4. Minutes to Approve/ Minutes and Correspondence to Receive
Minutes to Approve
 - a) Regular Village Board Meeting – August 28, 2023
Minutes and Correspondence to Receive
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 or “electioneering” will be permitted. Commenters must be orderly, wait to be called, speak from the podium, and direct their comments to the Board. A maximum of 2-minutes per person is allowed and you must return to the audience when signaled to do so. The total time allocated for public comments shall not exceed 30 minutes. 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) 230911-1:ORD Amend Fox Crossing Municipal Code Chapter §218-3 Fire Prevention Code, Adoption of Codes and Standards *First Reading, Second Reading & Adoption*
 - b) 230828-1:ORD Amend Fox Crossing Municipal Code Chapter §388 Comprehensive Plan – Amend Future Land Use Map for Certain Locations from General Government, Institutional and Utilities to Mixed Use, Medium Density Residential, and Low Density Residential *Second Reading & Adoption*
 - c) 230911-1 Expenditures
9. Reports
 - a) Fire Chief Todd Sweeney – Fire Safety Day will be held on Saturday, September 16, 2023 from 10:00 a.m. to 2:00 p.m. at Fire Station #40, 1326 Cold Spring Road
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.

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, August 28, 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, Dale McNamee (via teleconference), and Barbara Hanson.

Also Present: Village Manager Jeffrey Sturgell, Director of Finance Jeremy Searl, Director of Community Development George Dearborn, Fire Chief Todd Sweeney, Police Captain Tim Callan, Utility Superintendent David Tracey, Director of Parks & Recreation Amanda Geiser, Attorney Andrew Micheletti, and Engineer Lee Reibold. Excused: Street Superintendent Randy Gallow and 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) Regular Village Board Meeting – August 14, 2023

Minutes and Correspondence to Receive

b) Planning Commission Meeting Minutes – July 19, 2023

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

5. Public Comments Addressed to the Village Board

Tammy Mackai – 1429 Prairie Lake Circle, Neenah

Ms. Mackai stated she would like to address the Board regarding the proposed land use amendment on the Agenda this evening. She questioned the parcel of property owned by the Neenah Joint School District which is suggested to be amended to medium density. This type of density would allow duplexes, triplexes, or quadplexes to be built which are typically rental properties. The residents of the Condominium Association in that area are hoping it would instead be approved as low density land use to promote single family homes to be built which she feels provide more revenue for the Village. She also suggested protecting the parcel that is currently wetland area. She stated she understands the ordinance on the Agenda is not a zoning ordinance and there currently is no buyer for this property, so she suggested waiting until there is a buyer to make changes to this parcel in any way. She stated currently there are only four single family lots available for purchase in the Village and thinks these would be quite marketable. She suggested separating this parcel out from the others in the Ordinance until a later time when a buyer would come forward for this property.

Detective Nate Gustafson – Village of Fox Crossing Police Department

Detective Gustafson wanted to extend appreciation from the Village Police Department and the Wisconsin Professional Police Association to President Youngquist for his efforts in recent and past union contract negotiations. WPPA Representative Tom Schrank presented President Youngquist with a plaque showing appreciation for his dedication to these negotiations. Mr. Schrank stated he truly looks forward to coming to Fox Crossing and commended President Youngquist on his ethics and integrity throughout their history together.

6. Discussion Items

7. Unfinished Business

8. New Business-Resolutions/Ordinances/Policies

- a) 230828-1:ORD Amend Fox Crossing Municipal Code §388 Comprehensive Plan – Amend Future Land Use Map for Certain Locations from General Government, Institutional and Utilities to Neighborhood Mixed Use, Medium Density Residential, and Low Density Residential First Reading

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to accept the First Reading as submitted. President Youngquist noted that the parcel owned by the Neenah Joint School District is included in this amendment. He stated he is also a resident of the Prairie Lake Condominium Association and understands the concerns expressed during public forum. Director Dearborn stated the Planning Commission voted 4-1 to approve this amendment as is, and reminded the Board and residents that this is a Land Use Amendment, not a zoning change. He stated all surrounding property to the North is already medium density residential which allows 4-9 units per acre, but these could be single family homes as well. Even in a low density residential area, duplexes can be built as low density is considered up to 4 units per acre. He stated we cannot regulate what type of units will be built until the zoning process, and we also cannot regulate if a property is a rental or owner occupied. Trustee Hanson asked if we could pull the parcel in question out of this amendment and vote on the other parcels at this time. Trustee Van Dyke agreed and questioned why we need to change the land use of this parcel now if there is no buyer at this time anyway.

Trustee Van Dyke retracted his previous Motion, Trustee Koeppel retracted his second of the previous Motion.

MOTION: Trustee Van Dyke to remove parcel #121021901 from this Ordinance Amendment and approve the others as submitted, seconded by Trustee Koeppel for the amended Motion for a First Reading. On roll call vote, Motion carried 7-0.

- b) 230828-1 Certified Survey Map – 1007 Wheeler Road

MOTION: Trustee Van Dyke, seconded by Trustee Patzwald to approve as submitted. Motion carried.

- c) 230828-2 Special Event License for Saint Mary Catholic High School Homecoming Parade Held September 29, 2023

MOTION: Trustee Ziegler, seconded by Trustee Van Dyke to approve as submitted. Motion carried.

- d) 230828-3 Operator License Applicants

MOTION: Trustee Ziegler, seconded by Trustee Koeppel to approve as submitted. Motion carried.

- e) 230823-4 Expenditures

MOTION: Trustee Ziegler, seconded by Trustee Koeppel to approve the expenditures submitted without exception. Motion carried.

9. Reports

- a) Village Manager Jeffrey Sturgell – Winnebago County will host a Public Information Meeting Regarding the County Highway P Reconstruction Project from Midway Road to Appleton Road on Tuesday, August 29, 2023 at 5:00 p.m. in the Maple Room of the Fox Crossing Community Center Located at 1000 Valley Road

Manager Sturgell stated there is a public information meeting being held tomorrow at the Fox Crossing Community Center regarding the reconstruction project of County Highway P. The construction is set to occur in 2025 with Winnebago County taking the lead on this project. He reminded residents that this is a joint project with the County and City of Menasha where 80% of this is being paid by a grant, and the remaining 20% is being split between the three entities. Winnebago County will be running the meeting, but he wanted the Village Board and residents to be aware that it is occurring if there are questions.

10. Closed Session**11. Adjourn**

At 6:40 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.

ORD #230911-1:ORD *First Reading, Second Reading & Adoption*
AMEND FOX CROSSING MUNICIPAL CODE CHAPTER §218-3 FIRE PREVENTION CODE, ADOPTION OF CODES AND STANDARDS

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

Part I. Chapter §218-3 Fire Prevention Code, Adoption of Codes and Standards, is hereby repealed to read as follows (amendment in red):

Article I Fire Prevention Code

...

Chapter §218-3 Adoption of Codes and Standards.

- A. This code shall be known as the "Fox Crossing Fire Prevention Code." This code adopts but is not limited to the State of Wisconsin Department of Safety and Professional Services Administrative Codes (DSPS), the Wisconsin Enrolled Building Code, the National Fire Protection Association (NFPA) incorporated standards and codes as published in the National Fire Codes (NFC), and the International Fire Code® 2015 (IFC) shall be adopted in place of DSPS Chapter 314, Subchapter I, § 314.001(2), save and except those portions such as are hereinafter deleted, modified, or amended by any section of this code. The same, including any future modifications or amendments, are hereby adopted and incorporated as fully as if set out at length herein. Not less than one printed copy of the adopted issue of the International Fire Code and one electronic copy of the adopted standards and codes of the National Fire Codes, electronic access by NFPA Link, shall be filed in the office of the Fire Department. ~~and~~ The provisions thereof shall be controlling within the limits of the Village of Fox Crossing.
- B. Any facility whose design and construction occurred before the effective date of this code is governed by the codes in effect at the time of design and/or construction. The provisions in DSPS Chapter 314 and the International Fire Code will apply to the use and operation of all public buildings and places of employment that exist on or after the effective date of this code.

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: September 11, 2023

Date Adopted: _____

Requested by: Todd Sweeney, Fire Chief

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

ORD #230828-1:ORD *Second Reading & Adoption*
AMEND FOX CROSSING MUNICIPAL CODE CHAPTER §388 COMPREHENSIVE PLAN – AMEND FUTURE LAND USE MAP FOR CERTAIN LOCATIONS FROM GENERAL GOVERNMENT, INSTITUTIONAL AND UTILITIES TO NEIGHBORHOOD MIXED USE, MEDIUM DENSITY RESIDENTIAL, AND LOW DENSITY RESIDENTIAL

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

Part I. Recitals

WHEREAS, the Village of Fox Crossing Planning Commission has completed the notification requirements of Fox Crossing Chapter §388 Comprehensive Plan; and the requirements of Wisconsin Statutes 66.1001; and

WHEREAS, a Class II Public Notice has been placed in the *Post-Crescent*; and

WHEREAS, this amendment to the 2018 Village of Fox Crossing Comprehensive Plan will amend the Future Land Use Map at three (3) locations respectively, as identified in Attachments 1,2 and 3, from Government, Institutional and Utilities to Neighborhood Mixed Use, and Low Density Residential; and

WHEREAS, the Village of Fox Crossing Planning Commission held a Public Hearing on this item at their August 16, 2023 meeting, and recommended approval of this Comprehensive Plan amendment:

Planning Commission: 4 Aye 1 Nay 2 Excused 0 Abstained

THEREFORE BE IT ORDAINED, the Village of Fox Crossing Board of Trustees hereby approves this Future Land Use Map amendment to Chapter §388 Comprehensive Plan of the Fox Crossing Municipal Code, as partially recommended by the Village Planning Commission, and shown in Attachments 1, 2 and 3.

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

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

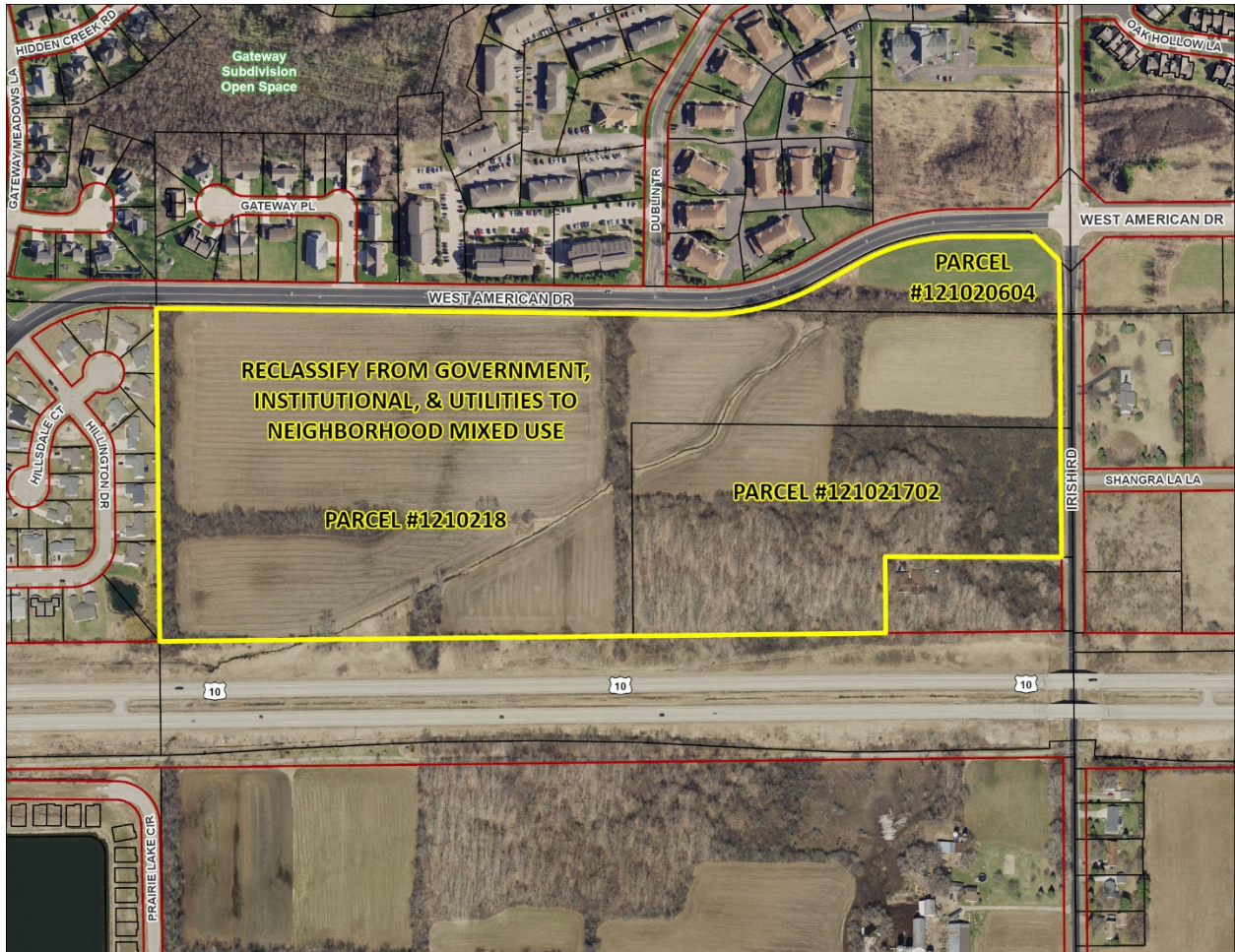
Requested by: George Dearborn, Director of Community Development

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

Attachment 1: Future Land Use Map Amendment



Attachment 2: Future Land Use Map Amendment



Attachment 3: Future Land Use Map Amendment



#71623-1

**RESOLUTION: RECOMMENDING AMENDMENT OF THE
VILLAGES FUTURE LAND USE FOR THE
VILLAGE OF FOX CROSSING COMPREHENSIVE
PLAN ORDINANCE CHAPTER 388 TO THE
VILLAGE OF FOX CROSSING BOARD OF
TRUSTEES**

WHEREAS, the Village of Fox Crossing own Planning Commission has completed the notification requirements of the Village of Fox Crossing Chapter 388 Comprehensive Plan; and the requirements of Wisconsin Statutes 66.1001; and

WHEREAS, a Class II Public Notice has been placed in the Post Crescent and

WHEREAS, this amendment to the 2018 Village of Fox Crossing Comprehensive Plan will amend the Future Land Use Map at three locations as shown in Attachment 1 from Government, Institutional and Utilities to Mixed Use, Medium Density Residential, and Low Density Residential; and

WHEREAS, the Village of Fox Crossing Planning Commission held a public hearing on this item at their August 16, 2023 meeting and recommended approval of this Comprehensive Plan amendment

Planning Commission: 4 Aye 1 Nay 2 Excused — Abstained: and

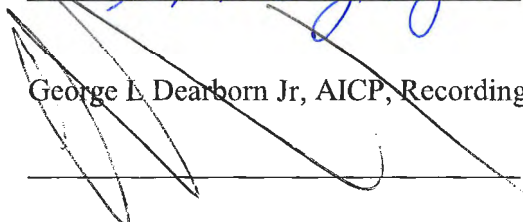
NOW, THEREFORE, BE IT RESOLVED by the Village of Fox Crossing Planning Commission that this future land use amendment as shown in Attachment 1 is recommended for approval to the Board of Trustees of the Village of Fox Crossing.

Requested by: George L. Dearborn Jr, AICP Director of Community Development
Submitted by: Dennis Jochman, Planning Commission Chair

Dennis Jochman, Chair



George L. Dearborn Jr, AICP, Recording Secretary



PLANNING COMMISSION MEMO

Date: July 12, 2023
To: Village Planning Commission Members
From: Community Development Department Staff
RE: Agenda Item 1 – Future Land Use Amendment East Shady Lane and other properties

Overview

A number of properties are shown on the Villages Future Land Use Map as Government, Institutional and Utilities, which is no longer valid for these properties. The following properties are proposed for amendment to other future land uses to correctly reflect their future uses. These changes are due to land sales and pending land sales that effect there future use as government institutional and utilities.

The first proposed amendment is for the Neenah School district property located on the southwest corner of West American Drive and Irish Road identified on the attached map as location 1. This current land use is proposed to be changed to Neighborhood Mixed Use.

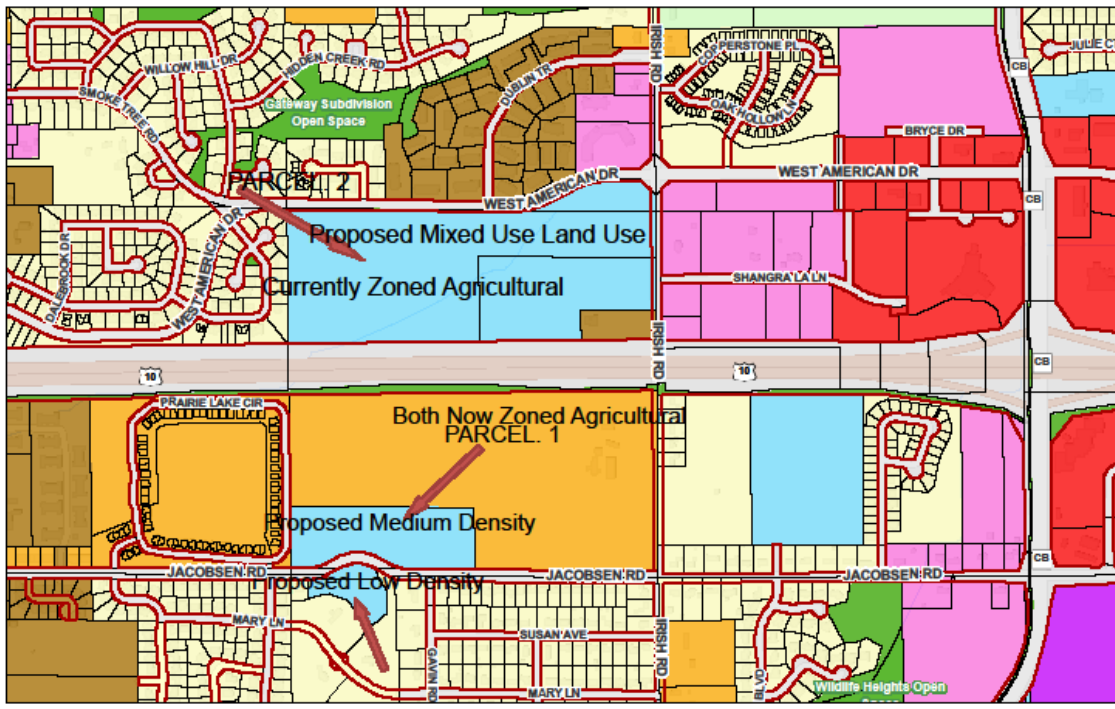
The second proposed amendment is for another property currently also owned by the Neenah School District. This property is located on the north and south side of Jacobsen road just east of Prairie Lake Circle and identified on the attached map as location 2. The property on the north side of Jacobsen Road is proposed to be changed to Medium Density Residential and the portion of the property on the south side of Jacobsen Road is proposed to be changed to Low Density Residential. The property on the south side of the road is all wetlands.

The third proposed amendment is for a parcel owned by the Village. This parcel is located on the north side of Jacobsen Road midway between County CB and Irish Road and bordered on the North by State Highway 10. This parcel is identified on the attached map as location 3. This parcel is proposed to be changed to Low Density Residential.

Staff Recommendation

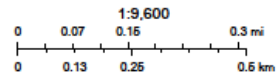
Staff recommends approval of these changes. Proper notices have been given to surrounding local governments along with public hearing notices and a special notice has been sent to property owners surrounding location 3 that is the future pond location for Church pond. This is not required for a land use change but was promised during the informational meeting held on the Church Pond project.

Fox Crossing Public Web Map



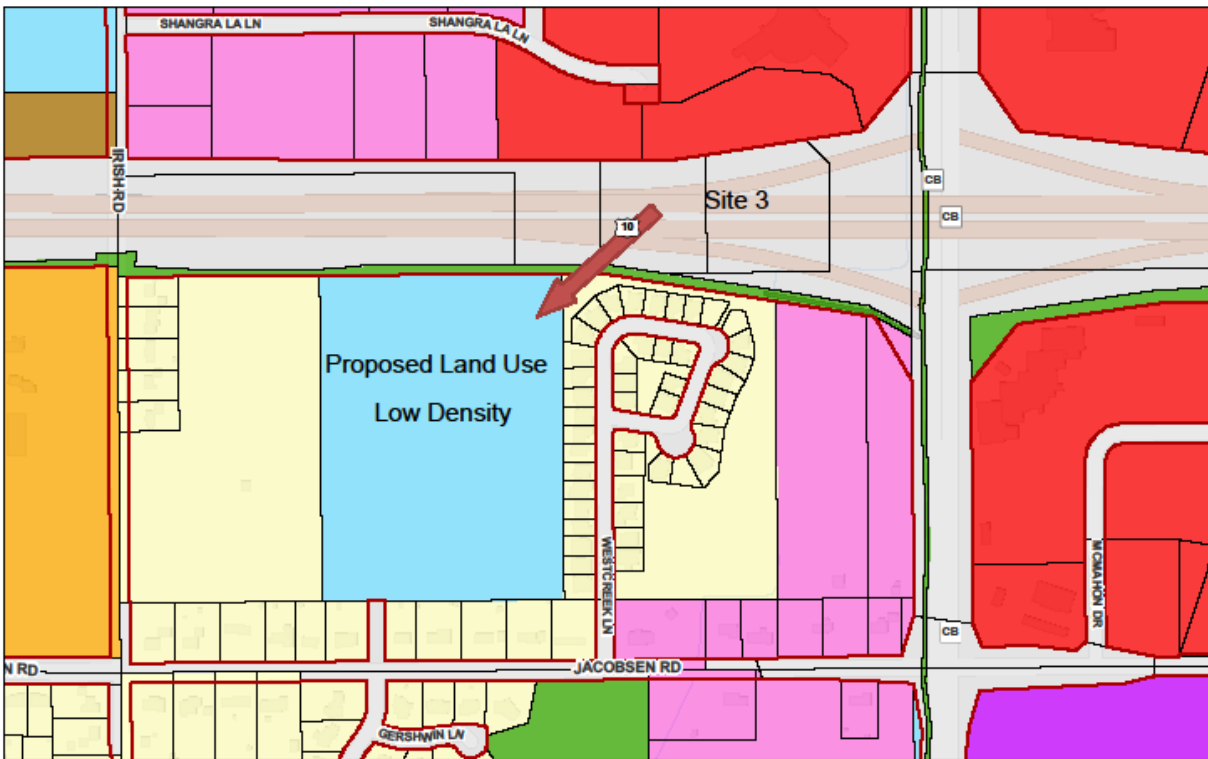
6/13/2023, 2:10:41 PM

- Fox Crossing Municipal Boundary
- Road ROW
- Parcels - Fox Crossing
- Future Land Use
- Rural Lands & Urban Reserve
- Parks, Recreation, & Conservancy
- Government, Institutional & Utilities
- Low Density Residential
- Medium Density Residential



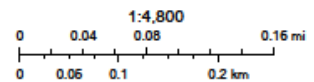
Village of Fox Crossing
Winnebago County, Outagamie County, Calumet County GIS

Fox Crossing Public Web Map



6/13/2023, 3:54:30 PM

- Fox Crossing Municipal Boundary
- Road ROW
- Parcels - Fox Crossing
- Future Land Use
- Parks, Recreation, & Conservancy
- Government, Institutional & Utilities
- Low Density Residential
- Medium Density Residential
- High Density Residential



Village of Fox Crossing
Winnebago County, Outagamie County, Calumet County GIS

RES #230911-1

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$1,451,992.69

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

Pending:		
General Fund	\$	83,959.38
Special Revenue Fund	\$	409.33
Debt Fund	\$	-
Capital Projects Fund	\$	83,699.00
Water Fund	\$	112,837.61
Sewer Fund	\$	30,934.30
Stormwater Fund	\$	750,892.91
Trust & Agency Fund	\$	-
Special Processed Payments	\$	389,260.16
Total:	\$	<u>1,451,992.69</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 September, 2023.

Requested by: Jeremy Searl, 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: September 5, 2023
 For Village Board Meeting of: September 11, 2023

REGULAR PROCESSED CHECKS	AMOUNT
General Fund	\$83,959.38
Special Revenue Funds	\$409.33
Debt Fund	\$0.00
Capital Projects Fund	\$83,699.00
Water Fund	\$112,837.61
Sewer Fund	\$30,934.30
Stormwater Fund	\$750,892.91
Trust & Agency Fund	\$0.00
	<hr/>
Total Bills for	September 11, 2023
	<u><u>\$1,062,732.53</u></u>

SPECIAL PROCESSED PAYMENTS

CHECK #	PAYEE	DEPT. /PURPOSE	AMOUNT
	Village Specials	8/21-9/5/2023	\$112,062.07
	Employee Benefits Corp	8/21-9/6/2023	\$1,571.23
ACH	Paymentus	8/29/2023	\$2,648.90
ACH	WDC	8/31/2023	\$6,425.45
ACH	Plug & Pay	9/5/2023	\$46.72
ACH	WI DOT	9/6/2023	\$3.00
48045-48049	Payroll	8/31/2023	\$1,416.05
ACH	Payroll	8/31/2023	\$188,412.24
ACH	Payroll	8/31/2023	\$76,674.50
			<hr/>
Total Special Processed Payments			<u><u>\$389,260.16</u></u>
GRAND TOTAL			<u><u>\$1,451,992.69</u></u>