

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, October 10, 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
2. Awards/Presentations
3. Public Hearings
 - a) Intergovernmental Cooperation Agreement Between the City of Menasha and the Village of Fox Crossing
4. Minutes to Approve/ Minutes and Correspondence to Receive
 - Minutes to Approve
 - a) Regular Village Board Meeting – September 26, 2022
 - Minutes and Correspondence to Receive
 - b) Neenah-Menasha Sewerage Commission Meeting Minutes – August 23, 2022
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) 221010-1 Village of Fox Crossing Approval of City of Menasha & Village of Fox Crossing Intergovernmental Cooperation Agreement Under §66.0301, Wis. Stats.
 - b) 221010-1:ORD Ordinance to Accomplish Boundary Line Change Referenced in Intergovernmental Agreement Between the City of Menasha & the Village of Fox Crossing *First Reading, Second Reading & Adoption*
 - c) 221010-2 Change Order #2 and Change Order #3 & Final – Clayton Avenue Water Main Extension Project & Kerry Lane Water Main Replacement Project
 - d) 221010-3 Change Order #2 – West American Drive Stormwater Pond Construction Project
 - e) 221010-4 Authorization to Order a Replacement Minivan for the Administration Department, and a Replacement Minivan for the Police Department, in 2022 for Delivery in 2023
 - f) 221010-5 Authorization to Order a Replacement Fire Pumper Truck for the Fire Department in 2022 for Delivery in 2024
 - g) 221010-6 Appointment of Sustainability Committee Member – Megan Horejs
 - h) 221010-7 Issue Reserve "Class B"/Class "B" Retail License – Bowlero Menasha, LLC d/b/a Sabre Lanes, 1330 Midway Road
 - i) 221010-8 Appointment of Agent – Kimberly Ocasio for Bowlero Menasha, LLC d/b/a Sabre Lanes, 1330 Midway Road
 - j) 221010-9 Issue Mechanical Amusement License – Bowlero Menasha, LLC d/b/a Sabre Lanes, 1330 Midway Road
 - k) 221010-10 Operator License Applicants
 - l) 221010-11 Expenditures
9. Reports
 - a) President Dale Youngquist
 - Budget Workshop #2 following tonight's Board Meeting
 - Budget Workshop #3 – Monday, October 17, 2022 at 5:00 p.m.
 - Budget Workshop #4 – Monday, October 24 following the Regular Village Board Meeting
 - 2023 Village of Fox Crossing Budget Public Hearing to be Held Monday, November 28, 2022, at 6:00 p.m. in the Arden Tews Assembly Room of the Village Municipal Complex, 2000 Municipal Drive
 - b) Parks & Recreation Director Amanda Geiser
 - Fall & Winter Parks & Recreation Special Event Update
 - Annual Trick-or-Treat Hours in the Village – October 31, 2022 from 4:00 p.m. to 7:00 p.m.
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 #221010-1

VILLAGE OF FOX CROSSING APPROVAL OF CITY OF MENASHA & VILLAGE OF FOX CROSSING INTERGOVERNMENTAL COOPERATION AGREEMENT UNDER §66.0301, WIS STATS.

WHEREAS, Wisconsin State Statutes §66.0301 authorizes municipalities to enter into intergovernmental agreements for various purposes, including the establishment and adjustment of the boundary lines between them; and

WHEREAS, the City of Menasha and the Village of Fox Crossing have negotiated the terms of a tentative intergovernmental boundary agreement, a copy of which is attached, providing for a mutual agreed upon boundary between the two municipalities; and

WHEREAS, the Village of Fox Crossing Board of Trustees held a public hearing on the terms of the proposed agreement on October 10, 2022, after due notice as required by Wisconsin State Statute §66.0301(6)(c)1, to solicit public input on the terms of the agreement; and

WHEREAS, the Village Board of Trustees finds that the terms of the proposed agreement are reasonable, and that approval of the agreement will promote orderly development within the affected communities, minimize future intergovernmental conflicts and reasonably protect the economic interests of the Village.

NOW, THEREFORE BE IT RESOLVED, that the Fox Crossing Board of Trustees hereby approves the intergovernmental cooperation agreement between the City of Menasha and the Village of Fox Crossing, as attached.

BE IT FURTHER RESOLVED, the Village President and Village Clerk are hereby authorized to execute the agreement on behalf of the Village upon approval of the same agreement by the City of Menasha.

BE IT FURTHER RESOLVED, that the Village Clerk is directed to promptly cause the publication of the approved agreement in the manner required by Wisconsin State Statutes 66.0301(6)(c)2.

Adopted this 10th day of October, 2022

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 #221010-2

**CHANGE ORDER #2 AND CHANGE ORDER #3 & FINAL – CLAYTON AVENUE
WATER MAIN EXTENSION PROJECT & KERRY LANE WATER MAIN
REPLACEMENT PROJECT**

WHEREAS, on February 28, 2022, Advanced Construction, Inc., was awarded the Clayton Avenue Water Main Extension project & Kerry Lane Water Main Replacement project, for the Base Bid amount of \$683,413.00, Alternate A amount of \$9,640.00, Alternate B amount of \$58,475.00, and Alternate Bid C amount of \$28,050, for a total contract amount of \$779,578.00; and

WHEREAS, Change Order #1, approved on February 28, 2022, consisted of a decrease in the amount of \$72,000, resulting in an updated contract amount of \$707,578.00; and

WHEREAS, Change Order #2 reflects an increase of \$4,300 for the following adjustments:

Add Three (3) Additional Valves on Valerie Drive	\$ 4,300.00
Total:	\$ 4,300.00

WHEREAS, Change Order #3 reflects a decrease of \$14,822.80 for the following adjustments:

Final Quantity Adjustments for Base Bid (Water Main Work)	\$ 626.24
Final Quantity Adjustments for Alternate Bid A (Hydrant Replacement)	(\$ 1,500.00)
Final Quantity Adjustments for Alternate Bid B (Box & Rod Replacement)	(\$16,121.00)
Final Quantity Adjustments for Alternate Bid C (Kerry Ln Gravel Backfill)	\$ 421.96
Fix Water Leak	\$ 1,750.00
Total:	(\$14,822.80)

WHEREAS, the overall decrease of \$10,522.80 from Change Order #2 and Change Order #3 items results in a new total contract price of \$697,055.20; and

WHEREAS, it is the recommendation of Village Engineer Brad Werner and Utility Superintendent David Tracey to approve Change Order #2 and Change Order #3 to Advanced Construction, Inc., for a total decrease in the amount of \$10,522.80, resulting in a new contract amount of \$697,055.20.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby approves Change Order #2 and Change Order #3 & Final for a decrease in the amount of \$10,522.80, for the Clayton Avenue Water Main Extension Project & Kerry Lane Water Main Replacement project, to **Advanced Construction, Inc., 2141 Woodale Avenue, Green Bay, Wisconsin**, reflecting a final contract amount of \$697,055.20.

Adopted this 10th day of October, 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

RES #221010-3

**CHANGE ORDER #2 – WEST AMERICAN DRIVE STORMWATER POND
CONSTRUCTION PROJECT**

WHEREAS, on April 25, 2022, Superior Sewer & Water, Inc. was awarded the West American Drive Stormwater Pond (Rocket Pond) Construction contract, in the amount of \$1,646,627.43; and

WHEREAS, on August 22, 2022, the Village Board approved Change Order #1 for an increase in the amount of \$20,692.56; and

WHEREAS, Change Order #2 reflects an increase of \$6,215.30, due to the following:

0.18 Acre Wet-to-Wet Mesic Prairie Planting	\$ 1,063.77
1.82 Acre Mesic Prairie Planting	\$ 8,991.53
Deduct 2.0 Acre Temporary Stabilization	<u>(\$ 3,840.00)</u>
Total:	\$ 6,215.30

WHEREAS, the increase of \$6,215.30 from Change Order #2 items results in a new total contract price of \$1,673,535.29; and

WHEREAS, it is the recommendation of Village Engineer Lee Reibold and Street Superintendent Randy Gallow to approve Change Order #2 to Superior Sewer & Water, Inc., for an increase in the amount of \$6,215.30, resulting in a new contract amount of \$1,673,535.29.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby approves Change Order #2 for the West American Drive Stormwater Pond (Rocket Pond) Construction contract, for an increase in the amount of \$6,215.30 to **Superior Sewer & Water, Inc., 1801 Deer Trail Court, Luxemburg, Wisconsin**, for an adjusted contract amount of \$1,673,535.29.

Adopted this 10th day of October, 2022

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 #221010-4

**AUTHORIZATION TO ORDER A REPLACEMENT MINIVAN FOR THE
ADMINISTRATION DEPARTMENT, AND A REPLACEMENT MINIVAN FOR THE
POLICE DEPARTMENT, IN 2022 FOR DELIVERY IN 2023**

WHEREAS, according to the Village's Equipment Replacement Schedule, the Administration Department's Minivan (109), and the Police Department's Minivan (962), are scheduled to be replaced in 2023; and

WHEREAS, due to material and supply shortages, the window for placing the order for the replacement minivans in order to receive delivery of the vehicles in 2023 is rapidly closing; and

WHEREAS, the Village Manager and Police Chief seek authorization to order replacement minivans for their respective Departments in 2022, with delivery of the vehicles to occur in 2023.

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that the Village Manager and Police Chief are authorized to order replacement minivans for the Administration and Police Departments in 2022, for delivery scheduled in 2023.

Adopted this 10th day of October, 2022

*Requested by: Jeffrey Sturgell, Village Manager
Scott Blashka, Police Chief*

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #221010-5

AUTHORIZATION TO ORDER A REPLACEMENT FIRE PUMPER TRUCK FOR THE FIRE DEPARTMENT IN 2022 FOR DELIVERY IN 2024

WHEREAS, according to the Village's 2022 Equipment Replacement Schedule, the Fire Department's Fire Pumper Truck (E241) is scheduled to be replaced in 2023; however, due to material and supply shortages, and increasing costs, ordering a Pumper Truck now in 2022 will set the cost in 2022, but be for delivery in 2024; and

WHEREAS, Fire Chief Harbison seeks authorization to order a replacement Fire Pumper Truck for the Fire Department in 2022, with delivery of the vehicle to occur in 2024.

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that the Fire Chief is authorized to order a replacement Fire Pumper Truck for the Fire Department in 2022, for delivery scheduled in 2024.

Adopted this 10th day of October, 2022

Requested by: Brian Harbison, Fire Chief

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #221010-6

APPOINTMENT OF SUSTAINABILITY COMMITTEE MEMBER – MEGAN HOREJS

WHEREAS, long term Sustainability Committee member Veronica Kasperek has decided to step down from her seat on the Committee to pursue other activities; and

WHEREAS, the term of Sustainability Committee member Veronica Kasperek expires on June 30, 2024; and

WHEREAS, the Village President recommends the appointment of Megan Horejs to the Sustainability Committee for the remainder of Committee member Kasperek's two (2) year term, commencing July 1, 2022 and expiring June 30, 2024.

WHEREAS, Ms. Horejs is not a resident of Fox Crossing, but has education and experience in the field of sustainable and environmental policy, and works in the Village of Fox Crossing; and

WHEREAS, the Village President requests a residency waiver under Village ordinance §15-8(B).

WHEREAS, upon acceptance, an Oath of Office shall be administered by the Village Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Fox Crossing Board of Trustees hereby approves the appointment of Megan Horejs to the Sustainability Committee for the remainder of the vacant two (2) year term, commencing on July 1, 2022 and expiring June 30, 2024.

BE IT FURTHER RESOLVED, that the Board waives the residency requirement under Chapter §15-8(B) of Village ordinances.

Adopted this 10th day of October, 2022

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 #221010-7

**ISSUE RESERVE “CLASS B”/CLASS “B” RETAIL LICENSE – BOWLERO
MENASHA, LLC D/B/A SABRE LANES, 1330 MIDWAY ROAD**

WHEREAS, Bowlero Menasha, LLC has made proper application with the Village Clerk’s office for a combination Reserve “Class B”/Class “B” Retail License and the applicant has paid the appropriate fees; and

WHEREAS, an additional Reserve “Class B” Liquor License fee in the amount of \$10,000.00 has been paid and receipted; and

WHEREAS, issuance is pending satisfactory inspections by the Fire, Building, Community Development, and Winnebago County Health Departments, background check by the Police Department, and a report from the Finance Department indicating real estate taxes, personal property taxes, and all outstanding claims are paid in full; and

WHEREAS, the Clerk’s office submits the following for Village Board approval:

Reserve “Class B”/Class “B” Liquor & Fermented Malt License

Bowlero Menasha, LLC d/b/a Sabre Lanes

1330 Midway Road, Menasha

Kimberly Ocasio (Agent)

NOW, THEREFORE, BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that the combination Reserve “Class B”/Class “B” Retail License is hereby granted to Bowlero Menasha, LLC d/b/a Sabre Lanes, pending the above conditions, for the upcoming licensing period of July 1, 2022 through June 30, 2023.

Adopted this 10th day of October, 2022

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 #221010-8

APPOINTMENT OF AGENT – KIMBERLY OCASIO FOR BOWLERO MENASHA, LLC D/B/A SABRE LANES, 1330 MIDWAY ROAD

WHEREAS, Bowlero Menasha, LLC has submitted a *Schedule for Appointment of Agent* with the Village Clerk to appoint Kimberly Ocasio as Agent for Bowlero Menasha, LLC d/b/a Sabre Lanes, located at 1330 Midway Road, Menasha; and

WHEREAS, the Police Chief has certified that upon checking municipal and state criminal records, to the best of his knowledge, said Agent was found satisfactory and he has no objection to the Agent appointment.

NOW, THEREFORE, BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that the appointment of Kimberly Ocasio as Agent for Sabre Lanes is hereby approved.

Adopted this 10th day of October, 2022

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 #221010-9

**ISSUE MECHANICAL AMUSEMENT LICENSE – BOWLERO MENASHA, LLC D/B/A
SABRE LANES, 1330 MIDWAY ROAD**

WHEREAS, Bowlero Menasha, LLC d/b/a Sabre Lanes has made proper application with the Village Clerk's office for a Mechanical Amusement license and the proper fees have been paid and receipted; and

WHEREAS, satisfactory inspection was conducted by the Village Code Compliance Officer and no reason was found to withhold the issuance of any license; and

WHEREAS, the Village Clerk submits the following for Village Board approval:

Mechanical and Other Amusements
Sabre Lanes, 1330 Midway Road, Menasha

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Trustees hereby grants a Mechanical Amusement License to the above applicant for the licensing period of July 1, 2022 through June 30, 2023.

Adopted this 10th day of October, 2022

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 #221010-10

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:

Hannah Chelinsky – 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, 2022 - June 30, 2024.

Adopted this 10th day of October, 2022

Requested by: Scott Blashka, Police Chief

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk

RES #221010-11

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$1,685,067.20

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

Pending:		
General Fund	\$	95,274.04
Special Revenue Fund	\$	15,147.54
Debt Fund	\$	-
Capital Projects Fund	\$	360,004.33
Water Fund	\$	59,644.24
Sewer Fund	\$	30,442.59
Stormwater Fund	\$	489,979.92
Trust & Agency Fund	\$	234.00
Special Processed Payments	\$	634,340.54
Total:	\$	<u>1,685,067.20</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 10th day of October, 2022.

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: October 4, 2022
 For Village Board Meeting of: October 10, 2022

REGULAR PROCESSED CHECKS	AMOUNT
General Fund	\$95,274.04
Special Revenue Funds	\$15,147.54
Debt Fund	\$0.00
Capital Projects Fund	\$360,004.33
Water Fund	\$59,644.24
Sewer Fund	\$30,442.59
Stormwater Fund	\$489,979.92
Trust & Agency Fund	\$234.00
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Total Bills for	October 10, 2022
	<u><u>\$1,050,726.66</u></u>

SPECIAL PROCESSED PAYMENTS

CHECK #	PAYEE	DEPT. /PURPOSE	AMOUNT
44390-44471	Village Specials	**See Attached Listing**	\$100,146.47
ACH	Employee Benefits Corp	Flex Spending Claims	\$579.37
ACH	DTCC	GO Interest Payments	\$275,889.88
ACH	American Express	Sept CC Fees	\$4.29
ACH	WDC	Deferred Comp	\$5,946.21
VOID	Holiday Inn	Void	(\$180.00)
ACH	Plug N Pay	Sept CC Fees	\$15.00
ACH	Plug N Pay	Sept CC Fees	\$15.00
44783-44789	Payroll	Payroll	\$1,243.05
ACH	Payroll	Payroll	\$178,698.48
ACH	Payroll	Taxes	\$71,982.79
			<hr/>
Total Special Processed Payments			<u><u>\$634,340.54</u></u>
 GRAND TOTAL			 <u><u>\$1,685,067.20</u></u>