

**Village of Fox Crossing Board of Trustees Regular Meeting**  
**Monday, November 9, 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
4. Minutes to Approve/ Minutes and Correspondence to Receive  
Minutes to Approve  
Minutes and Correspondence to Receive
  - a) Neenah Menasha Sewerage Commission – September 29, 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) 201109-1:ORD Amend Fox Crossing Municipal Code Chapter 383 Building Construction – Addition of Article VII Camping Units *First Reading, Second Reading & Adoption*
  - b) 201109-1 Approve Redistribution of Comprehensive Imbursement Funds Paid by the Town of Clayton to the Village of Fox Crossing
  - c) 201109-2 Change Order #1 & Final – Rydell Pedestrian Bridge Installation Project
  - d) 201109-3 Change Order #2 – Storage Building Construction Project
  - e) 201109-4 Approve 2021 Stormwater Utility Rate
  - f) 201109-5 Set 2021 Sanitary Sewer Rates
  - g) 201109-6 Approve 2021 Village Board Meeting Calendar
  - h) 201109-7 Operator License Applicants
  - i) 201109-8 Expenditures
9. **Reports**
  - a) President Dale Youngquist – 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 Koeppel – Results of Electronic Recycling Event held on October 10, 2020
  - c) Village Manager Jeffrey Sturgell – Municipal Complex to Remain Closed to the Public through Monday, November 30, 2020; 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
  - d) Street Superintendent Randy Gallow – Santa Rides Again on the Santa Float December 7 through December 11, 2020
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.*

ORD #201109-1 *First Reading, Second Reading & Adoption*  
**AMEND FOX CROSSING MUNICIPAL CODE CHAPTER 383 BUILDING  
CONSTRUCTION – ADDITION OF ARTICLE VII CAMPING UNITS**

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

Part I. Amend Chapter 383 Building Construction by adding Article VII Camping Units, as follows:

**Article VII Camping Units**

**§383-55 Camping Units State Code Adopted.**

- A. Purpose. The purpose of this code is to establish uniform statewide construction standards and inspection procedures for camping units in accordance with the requirements of ss. 101.63(1), and 145.02 (2)(b), Stats.
- B. Camping Units Code, Chapter 327 and all amendments thereto, is adopted and incorporated by reference and shall apply to all camping units for which construction commenced on or after February 6, 2017.

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: November 9, 2020

Date Adopted: \_\_\_\_\_

*Requested by: George Dearborn, Director of Community Development*

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

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Dale A. Youngquist, Village President

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Attest: Darla M. Fink, Village Clerk

RES #201109-1

**APPROVE REDISTRIBUTION OF COMPREHENSIVE IMBURSEMENT FUNDS PAID  
BY THE TOWN OF CLAYTON TO THE VILLAGE OF FOX CROSSING**

WHEREAS, to resolve boundary disputes between the Town of Clayton and the Village of Fox Crossing, as demonstrated in Winnebago County Circuit Court cases No. 17-CV-1027 and No. 18-CV-990, the Town of Clayton and Village of Fox Crossing entered into an intergovernmental agreement under State Statute 66.0301(6) or 66.0307; and

WHEREAS, the agreement included a payment of “Comprehensive Imbursement” funds from the Town of Clayton to the Village of Fox Crossing; and

WHEREAS, in Village of Fox Crossing Resolution #200127-1, the Village of Fox Crossing Board of Trustees directed the Finance Director to internally distribute the “Comprehensive Imbursement” funds in the following manner:

1. \$2,500,000 into the Water Unassigned Fund
2. \$2,500,000 into the Wastewater Unassigned Fund
3. \$6,500,000 into the Village Capital Projects Fund; and

WHEREAS, the Village of Fox Crossing Board of Trustees now desires to redistribute the funds in the following manner:

1. \$5,000,000 into the Wastewater Unassigned Fund
2. \$6,500,000 into the Village Capital Projects Fund

NOW, THEREFORE, BE IT RESOLVED, that the Finance Director is directed to distribute the “Comprehensive Imbursement” funds that will be paid by the Town of Clayton to the Village of Fox Crossing in the following manner:

1. \$5,000,000 into the Wastewater Unassigned Fund
2. \$6,500,000 into the Village Capital Projects Fund

Adopted this 9<sup>th</sup> day of November, 2020

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

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

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Dale A. Youngquist, Village President

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Attest: Darla M. Fink, Village Clerk

RES #201109-2

**CHANGE ORDER #1 & FINAL – RYDELL PEDESTRIAN BRIDGE INSTALLATION PROJECT**

WHEREAS, on September 9, 2019, Milbach Construction Services Co., was awarded the Rydell Pedestrian Bridge Installation project, for the total Base Bid and Supplement Bid #1 amount of \$73,683.05; and

WHEREAS, Change Order #1 reflects a decrease of \$9,932.30 for the following items:

Remove 40 feet of Pipe Railing	(\$ 7,590.80)
Remove Supplement Bid #1 (Colored Concrete)	<u>(\$ 2,341.50)</u>
Total:	<u>(\$ 9,932.30)</u>

WHEREAS, the decrease of \$9,932.30 from Change Order #1 items results in a new total contract price of \$63,750.75; and

WHEREAS, it is the recommendation of Village Engineer Lee Reibold and Director of Parks & Recreation Amanda Geiser to approve Change Order #1 to Milbach Construction Services Co. for a decrease in the amount of \$9,932.30, resulting in a new contract amount of \$63,750.75.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby approves Change Order #1 for a decrease in the amount of \$9,932.30, for the Rydell Pedestrian Bridge Installation project, to **Milbach Construction Services Co., 2651 Northridge Drive, Kaukauna, Wisconsin**, reflecting a final contract amount of \$63,750.75.

Adopted this 9<sup>th</sup> day of November, 2020

*Requested by: Amanda Geiser, Director of Parks & Recreation*

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

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Dale A. Youngquist, Village President

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Attest: Darla M. Fink, Village Clerk

RES #201109-3

**CHANGE ORDER #2 – STORAGE BUILDING CONSTRUCTION PROJECT**

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, on September 28, 2020, Change Order #1 was approved reflecting a total increase of \$10,675.50 for temperature control components, and water piping adjustments; and

WHEREAS, Change Order #2 reflects a total increase of \$6,401.82 for the following adjustments:

Electric Service Upgrade	\$ 4,070.00
Add Fire Hydrant Installation	\$ 1,281.50
Additional Work to Install Aggregate Base on West Side	\$ 2,926.00
Eliminate 11 Interior Bollards	<u>(\$ 1,875.68)</u>
Total:	\$ 6,401.82

WHEREAS, the increase of \$6,401.82 from Change Order #2 items results in a new total contract price of \$1,617,273.32; and

WHEREAS, it is the recommendation of Architect Mark Keating of Gries Architectural Group, and Street Superintendent Randy Gallow to approve Change Order #2 to Miron Construction for an increase in the amount of \$6,401.82, resulting in a new contract amount of \$1,617,273.32.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby approves Change Order #2 in the amount of \$6,401.82, for the Storage Building Construction project, to **Miron Construction, Fox Crossing, Wisconsin**, for the adjusted contract amount of \$1,617,273.32.

Adopted this 9<sup>th</sup> day of November, 2020

*Requested by: Randy Gallow, Street Superintendent*

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

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Dale A. Youngquist, Village President

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Attest: Darla M. Fink, Village Clerk

RES #201109-4

**APPROVE 2021 STORMWATER UTILITY RATE**

WHEREAS, the Village of Fox Crossing Stormwater Utility was created in 2009 to manage the stormwater needs of the Village; and

WHEREAS, per the Stormwater Utility ordinance, the stormwater rate will be based on an Equivalent Residential Unit (ERU), which equals 4,177 square feet of impervious surface; and

WHEREAS, the current Stormwater Utility Rate is \$120 per ERU; and

WHEREAS, due to capital project needs, which have resulted in increased debt costs, a Stormwater Utility Rate increase is necessary.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby sets the Stormwater Utility Rate at \$130 per one (1) ERU.

BE IT FURTHER RESOLVED that the rate will become effective January 15, 2021.

Adopted this 9<sup>th</sup> day of November, 2020

*Requested by: Myra Piergrossi, Director of Finance*

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

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Dale A. Youngquist, Village President

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Attest: Karen Backman, Village Clerk

RES #201109-5

**SET 2021 SANITARY SEWER RATES**

WHEREAS, Fox Crossing Utilities has received projected 2021 budget cost increases from the Fox West Sewerage Commission, along with increased debt payment costs; and

WHEREAS, it is necessary to increase rates due to the increase in the projected treatment plant expenses and increased debt payment costs; and

WHEREAS, on October 26, 2020, the Village Board, at its budget workshop, reviewed the projected Fox Crossing Utilities' costs for 2021; and

WHEREAS, the Wastewater Utility needs a 10% overall revenue increase; and

WHEREAS, the lateral repair fund charge is applicable to all single family (including 1 and 2 unit condominiums), duplex or mobile home residential customers—private sewer systems are excluded; and

WHEREAS, with the lateral repair charge, Fox Crossing Utilities will pay 50% of the repair costs, to a maximum of \$2,000, when a village-approved contractor is utilized; and

WHEREAS, the Fox Crossing Utilities will pay 50% for the installation of backflow check valves, up to a maximum of \$300; and

WHEREAS, the sewer summer credit calculations will remain the same, as stated in resolution #060508-2:UD.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees authorizes the Finance Director to increase sewer rates, effective January 15, 2021, as attached, to result in an overall 10% sanitary sewer revenue increase.

Adopted this 9<sup>th</sup> day of November, 2020

*Requested by: Myra R. Piergrossi, Finance Director*

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

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Dale A. Youngquist, Village President

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Attest: Darla M. Fink, Village Clerk

RES #201109-6

**APPROVE 2021 VILLAGE BOARD MEETING CALENDAR**

WHEREAS, the Village of Fox Crossing Board of Trustees desires to set the dates and times for the 2021 Village meetings; and

WHEREAS, the meeting dates for regularly scheduled Village Board meetings are usually scheduled for the second and fourth Mondays of the month, except for meeting dates that fall on or near a holiday, as directed in Fox Crossing Municipal Code Chapter 2.02(2)(a).

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees hereby approves and establishes the regular 2021 meeting calendar, as attached.

Dated this 9<sup>th</sup> day of November, 2020

*Requested by: Darla M. Fink, Village Clerk*

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

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Dale A. Youngquist, Village President

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Attest: Darla M. Fink, Village Clerk

RES #201109-7

**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:

Sarah Huff – Approved  
Savannah Rosenberg – Approved  
Brooke Schultz – Approved  
Thomas Spilski - Approved  
Hannah Stefaniak – Approved  
Jessica Striepling – Approved  
Jacquelyn Viehman - 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 9<sup>th</sup> day of November, 2020

*Requested by: Tim G. Seaver, Police Chief*

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

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Dale A. Youngquist, Village President

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Attest: Darla M. Fink, Village Clerk

RES #201109-8

**EXPENDITURES**

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$1,083,368.55

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

Pending:		
General Fund	\$	180,062.91
Special Revenue Fund	\$	62.39
Debt Fund	\$	-
Capital Projects Fund	\$	20,942.98
Water Fund	\$	302,289.30
Sewer Fund	\$	151,938.23
Stormwater Fund	\$	24,918.41
Trust & Agency Fund	\$	9,624.59
Special Processed Payments	\$	393,529.74
Total:	\$	<u>1,083,368.55</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 9th day of November, 2020

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

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Dale A. Youngquist, Village President

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Attest: Darla Fink, Village Clerk