

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, September 8, 2025 - 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. Minutes to Approve/ Minutes and Correspondence to Receive**
Minutes to Approve
 - a) Special Village Board Meeting – August 25, 2025
 - b) Regular Village Board Meeting – August 25, 2025**Minutes and Correspondence to Receive**
- 4. 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.**
- 5. Discussion Items**
- 6. Unfinished Business**
- 7. New Business- Resolutions/Ordinances/Policies**
 - a) 250908-1:ORD Amend Fox Crossing Municipal Code Chapter §302-1(A) for Offenses Endangering Public Safety *First Reading*
 - b) 250908-1 Expenditures
- 8. Reports**
 - a) Finance Director Jeremy Searl – Results of Village of Fox Crossing 2025 General Obligation Notes and Revenue Bonds Sale
 - b) Trustee Kris Koeppe – Fall Electronic Recycling Event will be held on Saturday, October 11, 2025 from 8:00 a.m. to Noon at the Municipal Complex
 - c) Fire Chief Todd Sweeney – Fire Safety Day will be held on Saturday, September 13, 2025 from 10:00 a.m. to 2:00 p.m. at Fire Station #40, 1326 Cold Spring Road
- 9. Closed Session**
- 10. 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 SPECIAL MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, August 25, 2025**

Minutes

1. Call to Order

Meeting called to order by President Youngquist at 4:00 p.m. Village Clerk Darla Salinas noted those present including: President Dale Youngquist, Trustees Michael Van Dyke, Kris Koepe, Timothy Raddatz, Kate McQuillan, Deb Swiertz, and Barbara Hanson, and staff including: Village Manager Jeffrey Sturgell, Director of Community Development George Dearborn, Chief of Police Scott Blashka, Police Captain Tim Callan, Deputy Finance Director Myra Piergrossi, and Attorney Andy Rossmeissl. There were no attendees.

2. Discussion of the Fox Crossing Assessor Department to Include the Following Items:

- Different Types of Assessment Methods (Revaluation, Interim Market Update, Maintenance) – Attorney Andy Rossmeissl
- How Each Method of Assessment is Conducted – Attorney Andy Rossmeissl
- Board of Review's Goal and Scope of Responsibility – Attorney Andy Rossmeissl
- History of Fox Crossing's Assessor Department – Manager Jeffrey Sturgell
- Overview of Current Contract with Accurate Appraisal – Manager Jeffrey Sturgell
- Expectations of Training Prior to 2026 Board of Review – Attorney Andy Rossmeissl/Clerk Darla Salinas

Attorney Rossmeissl stated he is hoping to have an interactive discussion with the Village Board on the procedures of the Board of Review, how the assessment system works, how the Board of Review hearings are supposed to be run, and the goal of each Board of Review meeting. He started with an introduction to the different types of assessment methods including Revaluation, Interim Market Update, and Maintenance.

Attorney Rossmeissl stated many municipalities use the full revaluation method, wherein the entire municipality is reassessed whenever the municipality gets out of compliance per state regulations or every ten years (whichever is first). Using this method, a municipality would be required to complete a full revaluation whenever the value of the municipality gets to 90% or lower. Municipalities can decide which type of full revaluation they would like (interior view vs. exterior only). However, even when municipalities ask for interior valuations, residents can still deny interior access to their property and that property owner can still object in front of the Board of Review. In non-full revaluation years, these municipalities use Maintenance assessments. In these years, an assessor truly only looks at new construction and building permits that were pulled and establishes a value for those properties to be consistent with the current level of assessment of the municipality. Any sales or comparable property sales are not considered when completing maintenance assessments.

The Village has selected an Interim Market Update method of assessment. In this type of assessment method, the value goes back to the last full municipality revaluation that was

completed, however instead of only adding in new construction and building permits, assessors are also looking at recent sales and current market conditions to reassess all properties in the Village. This is a much superior product as compared to what other municipalities offer and has the goal of the Village always remaining at or near 100% valuation to avoid large swings in property values.

Trustee McQuillan asked for more information on the percentages of valuation that Attorney Rossmeissl referred to. He stated this ratio compares how a municipality is valued to fair market value, with a goal of staying as close to 100% as possible. Manager Sturgell stated the Wisconsin Department of Revenue's Equalization Office is responsible for setting an overall equalization value for each municipality to make sure all municipality's residents are paying their fair share of taxes to the special taxation districts and school districts.

Attorney Rossmeissl stated he was always under the impression that the comparables that an assessor brings into Board of Review are the same properties that are used to determine a subject property's value in the first place, which is not true. The State requires all assessors to use the Wisconsin Assessor's Manual which prescribes the use of an incredibly complex computerized assessment system that looks at sales across separate categories to come up with a value for every single property in a municipality. Therefore, all properties are compared to numerous properties in the Village rather than just the three most similar comparables, making it a much more sophisticated and precise system. The only reason assessors bring comparables to the Board of Review is because it would be impossible for Board of Review members to analyze the vast amount of information held in the computer system, so they instead bring a few which they use to defend the assessed value of the subject property.

Per State Statute, the rules of engagement for Board of Review place the burden of proof on the objector. If in any circumstance there is conflicting information, the "tie" always goes to the assessor's value. If there is a tied vote amongst the Board members, the "tie" would go to the assessor's value.

Trustee Koeppe asked for more information on the uniformity requirement. Attorney Rossmeissl advised that uniformity means something to the assessor, but not to the Board of Review. Uniformity requires that all properties need to be assessed using the same method, such as not using new data vs. data that is five years old from one property to the next. The Board of Review's job is to follow the Markarian Hierarchy when determining the value of an assessed property. The Markarian Hierarchy states there are three levels to determine a properties assessment: 1) Recent arm's length sale of the subject property (typically within the past year), 2. Comparable Sales – not comparable assessments, and 3. Other extenuating factors or unique exceptions.

Attorney Rossmeissl advised this Board of Review got sidetracked during our objector meetings due to residents bringing in their property's assessed value as compared to their neighbors' assessed values and wondering why they aren't assessed the same. The Supreme Court states Boards of Review are not to be comparing assessments to one another but comparing assessed values to recent comparable sales. Trustee McQuillan asked how the Board should handle cases where an objector brings in a thoughtful case. Attorney Rossmeissl stated the presumption of validity is always with the assessor unless an objector successfully rebuts the assessor's information. Many residents will bring in "feel good information" which is not evidence at all, but just their opinion of the value of their property. Most residents that are bringing in comparables, are actually bringing in comparable assessments, not comparable sales. In this

situation, an assessor could choose not to even present a case because the objector effectively presented no case to invalidate the assessor's value.

Trustee Van Dyke asked about the concept of fair and equitable assessments and how that is applied during Board of Review. Attorney Rossmeissl stated that overall type of review doesn't come at the Board of Review level. Any evidence brought in by an objector must address one of the prongs of the Markarian Hierarchy. Even an Appraiser's opinion of value comes down to the comparables used, and if they rebut the assessor's value of the property.

Prior to Board of Review, property owners can go to Open Book and meet with an assessor which is the "mediation" level. If there is still disagreement, the owner can bring their objection to the Board of Review as their first level of arbitration or due process. If after Board of Review, a property owner still objects to their value, they can appeal the Board of Review's determination to Circuit Court. The Board of Review is not the final level of recourse. At the Circuit Court level, they will go through cases on a very detailed level, whereas Board of Review is a very high-level review to determine whether an objector has evidence to rebut the assessor's opinion of value.

Multiple Board Members asked if we provide residents any type of educational guides. Clerk Salinas advised all the current materials from the Department of Revenue are on our website, and she provides this guidance to all objectors prior to them appearing at Board of Review so they are aware of their burden of proof.

Attorney Rossmeissl explained that the procedure for each hearing at the Board of Review should follow the same model to be most successful, with each case having three distinct parts that are compartmentalized. First, the objector presents their case. The assessor gets to question the objector and then the Board of Review gets to question the objector. Second, the assessor presents their case. The objector gets to question the assessor and then the Board of Review gets to question the assessor. The Board should then ask each party to briefly summarize their case and then close all testimony. At this point, the case goes to the Board of Review members to deliberate amongst themselves and ask any questions of the attorney prior to making and voting on a Motion. He also recommended starting each case with a short, scripted disclaimer noting the Board of Review is required to uphold the assessor's value unless proven incorrect. Attorney Rossmeissl advised that we will be providing the Board with a script for next year's Board of Review to keep each case on track.

Manager Sturgell went through the history of the assessor department for Fox Crossing to understand how we got to the type of assessment method we currently provide. He provided a year-by-year history including type of assessment method, cost for the assessor department, and who provided assessment services dating back to 2010. The annual-interim assessment method has been used by the Village since 2019. He also provided a copy of the current contract with Accurate Appraisal to each Board Member for their information. The Board asked if the contract auto-renews at the end of the term. Attorney Rossmeissl advised the contract does not auto-renew and will need to be renegotiated in 2029 or the Board can choose to go out for proposal from other companies. Manager Sturgell advised eventually we will want to do a full revaluation to make sure all the data we have for the Village is accurate, but we are under no obligation to do it at any point as long as we stay within the 10% threshold as mandated by the State.

Attorney Rossmeissl advised we will have a group in-person training prior to the 2026 Board of Review to briefly go over today's topics and complete the required training for that year.

3. **Adjourn Workshop and Convene to Regularly Scheduled Village Board Meeting at 6:00 p.m.**
At 5:56 p.m., **MOTION:** Trustee Van Dyke, seconded by Trustee Swiertz to adjourn. Motion carried via voice vote.

Respectfully submitted,

Darla M. Salinas, CMC, WCMC
Village Clerk

Note: These minutes are not considered official until acted upon at an upcoming meeting; therefore, are subject to revision.

**VILLAGE OF FOX CROSSING
BOARD OF TRUSTEES REGULAR MEETING
Municipal Complex – Arden Tews Assembly Room
Monday, August 25, 2025**

Minutes

1. Call to Order, Pledge of Allegiance, and Roll Call

Meeting called to order by President Youngquist at 6:02 p.m. The Pledge of Allegiance was recited.

Village Clerk Darla Salinas took roll call and noted those present: President Dale Youngquist, Trustees Michael Van Dyke, Kris Koeppe, Timothy Raddatz, Kate McQuillan, Deb Swiertz, and Barbara Hanson.

Also Present: Village Manager Jeffrey Sturgell, Deputy Finance Director Myra Piergrossi, Director of Community Development George Dearborn, Assistant Fire Chief Shawn Bordeaux, Chief of Police Scott Blashka, Police Captain Tim Callan, Director of Public Works Joe Hoechst, and Attorney Andrew Rossmeissl. Excused: Director of Parks & Recreation Amanda Geiser, Engineer Lee Reibold, and Engineer Bradley Werner. There were five 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 11, 2025

Minutes and Correspondence to Receive

b) Planning Commission Meeting Minutes – July 16, 2025

c) Park Commission Meeting Minutes – July 23, 2025

d) Water Main Breaks Report – July 2025

e) Water Pumpage Report – July 2025

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

5. Public Comments Addressed to the Village Board

Dean Spoehr – 1340 Stead Drive, Menasha

Mr. Spoehr stated he is concerned about the recent information in the media surrounding local municipalities/counties working with ICE to detain/imprison offenders. He asked if we intend to have Village personnel working with ICE, how that will affect resources for the rest of the Village, and what the cost is for providing these resources. Chief Blashka stated currently the Village Police Department doesn't have anyone trained to work with ICE, however the County jail has procedures in place. He stated our department works with other departments (ICE, FBI, DEA, Federal Marshals, etc.) when assistance is requested but to date we haven't been requested by ICE. Mr. Spoehr stated he is aware of nine counties that have signed an agreement with ICE lately, specifically for jail operations. Chief Blashka stated there is no effect for law enforcement out on the road and noted we're not doing anything differently in Fox Crossing. Mr. Spoehr thanked the Police Department and stated he just wanted his concern on the record for the Village Board.

6. Discussion Items

7. Unfinished Business**8. New Business-Resolutions/Ordinances/Policies**

- a) 250825-1 Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$5,500,000 General Obligation Promissory Notes

MOTION: Trustee Van Dyke, seconded by Trustee Hanson to approve as submitted. Baird Representative Brad Viegut presented information to the Village Board on these Resolutions. He provided the timeline of borrowing utilizing the same procedure as last year which was very effective. He gave a summary of parameters for each borrowing, estimated interest rates, maturity dates, purpose for these notes (levy supported, storm, TID, water, and sewer), and amortization schedules. He stated this borrowing is typical for what the Village has been doing to fund capital projects. Trustee Koeppel asked about the ability to refinance if interest rates would significantly drop. Mr. Viegut stated the general obligation note and revenue bonds have 10-year call features built in, however the parameters of these resolutions allow for flexibility to choose the best financing method. Motion carried via voice vote.

- b) 250825-2 Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,290,000 Waterworks System and Sewerage Revenue Bonds of the Village of Fox Crossing, Winnebago and Outagamie Counties, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds

MOTION: Trustee McQuillan, seconded by Trustee Hanson to approve as submitted. Motion carried via voice vote.

- c) 250825-3 Developer Agreement and Escrow, Security and Deposit Account Control Agreement – Horizon Crossing Subdivision

MOTION: Trustee Van Dyke, seconded by Trustee Koeppel to approve as submitted. Deputy Finance Director Piergrossi stated she has reviewed many Developer Agreements in the past and wanted to make sure the Board understands the draw-down type of escrow that is included in this agreement. She stated the agreement still includes a final financial backup to ensure the Village remains whole, however we have tried not to allow special assessments in the past as new homeowners are typically confused and unhappy purchasing a property with a special assessment recorded against it. Deputy Director Piergrossi stated the amount of the escrow is also concerning to her, as the amount doesn't include contingencies for engineering costs or potential price increases, and typically an escrow is for an amount higher than the amount of the project. Trustee Hanson asked who provides the guarantee for the funds if/when the escrow is depleted. Attorney Rossmeissl stated this is a garden variety Developer Agreement, however the mix-up of ownership is unique where some of the lots are owned by the developer, and some are owned by Habitat for Humanity. He stated the form of security was a sticking point during negotiations, where the developer was unable or unwilling to provide a letter of credit or bond. He stated it is the Board's decision whether to approve the agreement with the escrow agreement, knowing that if the developer can't complete the funding, the Village has reserved the right to special assess the new owners without an opportunity for them to contest. Attorney Rossmeissl stated he is unsure as to the developer's opposition to the letter of credit; however, he was told by their attorney that it just wasn't possible. Trustee Hanson noted her concern over the escrow amount not meeting the recommended amount from the Village Engineer. Director Dearborn stated this year his department has only issued eight single-family permits and there are no other lots available to develop in the Village. Builders and buyers are asking for lots to develop on, but there just aren't any available in our community. John Weyenberg, President and CEO for Habitat for Humanity of the Fox Cities, was present and advised this arrangement with the developer is something new for them, however they believe a mixed income neighborhood creates a successful neighborhood. Trustee Van Dyke asked if Mr. Weyenberg had any

insight into the developer's issue regarding the letter of credit. Mr. Weyenberg stated he knows this developer prefers the use of cash and doesn't typically take loans for his developments. Trustee McQuillan stated she agrees there is a need for housing in the Village, however with this Developer Agreement not following the Village's typical protocol and the engineer's disagreement on the escrow figures and draw-down concept, she is not comfortable approving this. Trustee Koeppe expressed his concern about setting a precedent by approving this agreement and feels the escrow amount should match the engineer's recommendation. Attorney Rossmeissl stated he doesn't believe this agreement sets a precedent as every project is evaluated based on individual circumstances. Mr. Weyenberg stated Habitat for Humanity owns the land and will seek another developer if this agreement would not be approved. Motion denied via voice vote.

At 7:00 p.m., President Youngquist left the meeting and nominated Trustee Van Dyke to preside over the remainder of the meeting.

- d) 250825-4 Certified Survey Map – 4807 West Prospect Avenue & 2591 South Casaloma Drive

MOTION: Trustee McQuillan, seconded by Trustee Hanson to approve as submitted. Director Dearborn stated this was recommended for approval by the Planning Commission. Motion carried via voice vote.

- e) 250825-5 Operator License Applicants

MOTION: Trustee Swiertz, seconded by Trustee Hanson to approve as submitted. Motion carried via voice vote.

- f) 250825-6 Expenditures

MOTION: Trustee Koeppe, seconded by Trustee McQuillan to approve the expenditures submitted without exception. Motion carried via voice vote.

9. Reports

10. Closed Session

11. Adjourn

At 7:03 p.m., **MOTION:** Trustee Hanson, seconded by Trustee Koeppe to adjourn. Motion carried via voice vote.

Respectfully submitted,

Darla M. Salinas, CMC, WCMC
Village Clerk

Note: These minutes are not considered official until acted upon at an upcoming meeting; therefore, are subject to revision.

ORD #250908-1 *First Reading*

**AMEND FOX CROSSING MUNICIPAL CODE CHAPTER §302-1(A) FOR OFFENSES
ENDANGERING PUBLIC SAFETY**

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

Part I. Chapter §302-1(A) Offenses Endangering Public Safety, is hereby amended to read as follows (amendment in red):

§302-1(A)(5) Offenses endangering public safety.

- A. State laws adopted. The provisions of the following Wisconsin Statutes are hereby adopted by reference and made a part of this code so far as applicable. Whenever this chapter incorporates by reference specific sections of the Wisconsin Statutes or generally refers to them, such reference shall mean the Wisconsin Statutes, as from time to time amended, repealed, or modified by the Wisconsin Legislature.

...

- (5) Section ~~940.19(1)~~ 940.60, Battery; substantial battery; aggravated battery.

...

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 8, 2025

Date Adopted: _____

Requested by: Scott Blashka, Chief of Police

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Salinas, Village Clerk

RES #250908-1

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$512,470.74

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

Pending:	
General Fund	\$ 46,449.66
Special Revenue Fund	\$ 128.96
Debt Fund	\$ -
Capital Projects Fund	\$ 7,178.26
Water Fund	\$ 51,012.77
Sewer Fund	\$ 20,979.25
Stormwater Fund	\$ 15,448.28
Trust & Agency Fund	\$ -
Special Processed Payments	\$ 371,273.56
Total:	<u>\$ 512,470.74</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 8th day of September, 2025.

Requested by: Jeremy Searl, Finance Director
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Salinas, Village Clerk

VILLAGE OF FOX CROSSING
2000 Municipal Drive
Neenah, WI 54956

EXPENDITURE SUMMARY

For Accounts Payable Period Ending: September 2, 2025
For Village Board Meeting of: September 8, 2025

REGULAR PROCESSED CHECKS		AMOUNT
General Fund		\$46,449.66
Special Revenue Funds		\$128.96
Debt Fund		\$0.00
Capital Projects Fund		\$7,178.26
Water Fund		\$51,012.77
Sewer Fund		\$20,979.25
Stormwater Fund		\$15,448.28
Trust & Agency Fund		\$0.00
Total Bills for		September 8, 2025
		<u>\$141,197.18</u>

SPECIAL PROCESSED PAYMENTS

CHECK #	PAYEE		DEPT. /PURPOSE	AMOUNT
	Village Specials	8/20-9/2/2025	**See Attached Listing**	\$79,666.15
ACH	Employee Benefits Corp	8/20-9/2/2025	Flex Spending Claims	\$1,376.18
ACH	North Shore	8/28/2025	Deferred Comp	\$1,450.00
ACH	WDC	8/28/2025	Deferred Comp	\$6,745.63
54744-54745	Payroll	8/28/2025	Payroll	\$153.26
ACH	Payroll	8/28/2025	Payroll	\$201,220.50
ACH	Payroll	8/28/2025	Taxes	\$80,661.84
Total Special Processed Payments				<u>\$371,273.56</u>
GRAND TOTAL				<u><u>\$512,470.74</u></u>