

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, March 12, 2018 - 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) Special Village Board Meeting – February 12, 2018
 - b) Regular Village Board Meeting – February 26, 2018Minutes and Correspondence to Receive
 - c) Park Commission Meeting – January 10, 2018
 - d) Neenah-Menasha Sewerage Commission Meeting – January 23, 2018
 - e) Fox West Regional Sewerage Commission Meeting – February 7, 2018
 - f) Water Pumpage Report – February 2018
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) 180312-1 2017 Year-End Budget Amendments
 - b) 180312-2 2018 Budget Amendments to Provide Funds for Various Items in the Utility, Police, Fire, Street, Legislative, Information Technology, and Parks & Recreation Departments
 - c) 180312-3 Award Bid – 2018 Reconstruction of Water and Sanitary Sewer Mains on Dunning Street, Frances Street, Frances Way, Lakeview Lane, Sunset Lane, Maplecrest Drive, and Woodlawn Lane
 - d) 180312-4 Second Amendment to the Boundary Memorandum of Understanding between the City of Neenah and Village of Fox Crossing
 - e) 180312-5 First Amendment to Incorporation Memorandum of Understanding between the Town of Neenah and the Village of Fox Crossing
 - f) 180312-6 Secondhand Article & Jewelry Dealer License – Charmed Story of Wisconsin, 3003 W. Prospect Avenue
 - g) 180312-7 Operator License Applicants
 - h) 180312-8 Expenditures
 - i) 180226-1:ORD Amend Village of Fox Crossing Municipal Code Chapter 31 Zoning Ordinance – Rezone 1557 Maloa Street from B-3 General Business District to R-3 Suburban Medium Density District *Second Reading and Adoption*
 - j) 180226-2:ORD Amend Fox Crossing Municipal Code Chapter 7.12 Indecent Conduct and Language, Adding Section 7.12 (2) Sexting Prohibited *Second Reading and Adoption*
 - k) 180312-9 Resolution Authorizing the Execution and Delivery of Documents Relating to the Fox Cities Exhibition Center Project
9. **Reports**
 - a) Community Development Director George Dearborn – Municipal Separate Storm Sewer System (MS-4) Annual Report
 - b) Clerk Karen Backman – Spring Election April 3, 2018 – Polls Open 7:00 a.m. to 8:00 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 #180312-1

2017 YEAR-END BUDGET AMENDMENTS

WHEREAS, the Village of Fox Crossing has certain departments/activities that are over budget in the 2017 Village of Fox Crossing Budget; and

WHEREAS, budget amendments are necessary to close out the 2017 Village of Fox Crossing Budget; and

WHEREAS, attached is a detailed listing of the budget amendments to bring the department/activity totals into balance.

NOW, THEREFORE BE IT RESOLVED, the Village of Fox Crossing Board of Trustees hereby authorizes the Finance Director to amend the 2017 Village of Fox Crossing Budget, as attached.

Adopted this 12th day of March, 2018

Requested by: Myra Piergrossi, Finance Director

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #180312-2

2018 BUDGET AMENDMENTS TO PROVIDE FUNDS FOR VARIOUS ITEMS IN THE UTILITY, POLICE, FIRE, STREET, LEGISLATIVE, INFORMATION TECHNOLOGY, AND PARKS & RECREATION DEPARTMENTS

WHEREAS, numerous departments are requesting to rollover funds from the 2017 Budget into the 2018 Budget, or requesting funds for items previously not identified in the 2018 Budget.

NOW, THEREFORE BE IT RESOLVED by the Village Board of Trustees that the 2018 Village of Fox Crossing budget is amended, as attached, to provide funds for the various items in the Utility, Police, Fire, Street, Legislative, Information Technology, and Parks & Recreation Departments.

Adopted this 12th day of March, 2018

Requested by: Myra Piergrossi, Finance Director

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #180312-3

AWARD BID – 2018 RECONSTRUCTION OF WATER AND SANITARY SEWER MAINS ON DUNNING STREET, FRANCES STREET, FRANCES WAY, LAKEVIEW LANE, SUNSET LANE, MAPLECREST DRIVE, AND WOODLAWN LANE

WHEREAS, bids for the 2018 water and sanitary sewer main reconstruction projects were properly advertised in the *Post-Crescent*, and due in the Utility Office by 10:00 a.m. on February 28, 2018, at which time they were publicly opened and read; and

WHEREAS, the following five (5) bids were received:

	<u>Base Bid</u>
Donald Hietpas & Sons, Little Chute	\$ 1,293,092.25
Dorner Inc., Luxemburg	1,454,471.53
DeGroot Construction, Inc., Green Bay	1,461,465.60
Advance Construction, Inc., Green Bay	1,515,639.15
PTS Contractors, Inc., Green Bay	1,628,673.00; and

WHEREAS, it is the recommendation of Brad Werner, Utility Engineer, and David Tracey, Utility Superintendent, to award the bid to the lowest, most responsible bidder: Donald Hietpas & Sons, for the Base Bid of \$1,293,092.25.

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees that the bid for the 2018 Reconstruction of Water and Sanitary Sewer Mains on Dunning Street, Frances Street, Frances Way, Lakeview Lane, Sunset Lane, and Maplecrest Drive project be awarded to **Donald Hietpas & Sons, 1450 E. North Avenue, Little Chute, Wisconsin, 54140**, for the total bid amount of **\$1,293,092.25**.

BE IT FURTHER RESOLVED, the Village President and Village Clerk are authorized to execute the Notice of Award.

Adopted this 12th day of March, 2018

Requested by: David Tracey, Utility Superintendent

Submitted by: Dale A. Youngquist, Commission President

Dale A. Youngquist, Commission President

Attest: Karen Backman, Utility Secretary

RES #180312-4

SECOND AMENDMENT TO THE BOUNDARY MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NEENAH AND THE VILLAGE OF FOX CROSSING

WHEREAS, on September 28, 2015, the Town of Menasha Board of Supervisors adopted Resolution #150928-1:TB Approve Boundary Memorandum of Understanding Between the City of Neenah and the Town of Menasha; and

WHEREAS, the Memorandum of Understanding (MOU) established a common boundary line between the City of Neenah and the Town of Menasha should portions of the Town of Menasha incorporate into a village; and

WHEREAS, the MOU expressed the City's and Town's desire to enter into a general boundary agreement under Wisconsin Statutes 66.0301(6), and cooperative boundary agreement under Wisconsin Statutes 66.0307; and

WHEREAS, the MOU anticipated that the steps to create a permanent boundary agreement would be completed by March 1, 2016; and

WHEREAS, on March 14, 2016, the First Amendment to the MOU, which extended the deadline of creating a permanent boundary agreement until September 1, 2016, was approved by the Town of Menasha Board of Supervisors; and

WHEREAS, on April 20, 2016, the Town of Menasha incorporated into the Village of Fox Crossing; and

WHEREAS, the Village of Fox Crossing and the City of Neenah have not been able to complete the process of creating a permanent boundary agreement and wish to extend the deadline of the MOU to September 1, 2019.

NOW, THEREFORE BE IT RESOLVED, the Village Board of Trustees hereby approves the Second Amendment to the Boundary Memorandum of Understanding between the City of Neenah and the Village of Fox Crossing, as attached, to extend the deadline under the agreement to September 1, 2019.

BE IT FURTHER RESOLVED, the Village Board of Trustees directs the Village President and Village Clerk to sign and execute the necessary paperwork.

Adopted this 12th day of March, 2018

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #180312-5

FIRST AMENDMENT TO INCORPORATION MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF NEENAH AND THE VILLAGE OF FOX CROSSING

WHEREAS, in October 2015, the Town of Menasha Board of Supervisors approved the Incorporation Memorandum of Understanding (MOU) between the Town of Neenah and the Village of Fox Crossing (Resolution #151026-1:TB); and

WHEREAS, the MOU addressed the utility agreements that were in place between the Town of Menasha Utility District and the Town of Neenah prior to the incorporation; and

WHEREAS, the MOU also contained a boundary provision, in which the Town of Menasha and the Town of Neenah agreed to maintain the common boundary between the two communities in place at the time of incorporation for a period of two (2) years; and

WHEREAS, the Town of Menasha incorporated into the Village of Fox Crossing on April 20, 2016; and

WHEREAS, the current MOU between the Town and Village will expire on April 19, 2018; and

WHEREAS, both parties agree to extend the timeframe for the boundary provision for a period of six (6) months, with an automatic renewal of another six (6) months, unless either party gives written notice to the other party on or before August 1, 2018 exercising that party's option to terminate the extension period; and

WHEREAS, both parties agree that during the extension period, both parties will participate in good faith toward the negotiation of an intergovernmental agreement between them under Wisconsin Statute 66.0301(6) or 66.0307.

NOW, THEREFORE BE IT RESOLVED, the Village Board of Trustees hereby approves the First Amendment to Incorporation Memorandum of Understanding between the Town of Neenah and the Village of Fox Crossing, as attached.

BE IT FURTHER RESOLVED, the Village Board of Trustees directs the Village President and Village Clerk to sign and execute the necessary paperwork.

Adopted this 12th day of March, 2018

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #180312-6

SECONDHAND ARTICLE & JEWELRY DEALER LICENSE – CHARMED STORY OF WISCONSIN, 3003 W. PROSPECT AVENUE

WHEREAS, the Secondhand Article & Jewelry Dealer license applicant listed below has made proper application with the Village Clerk's office and the proper fees have been paid and received; and

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

Secondhand Article & Jewelry Dealer License
Charmed Story of Wisconsin – 3003 W. Prospect Avenue
Quintin R. Meyer, Owner

NOW, THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby grants approval of the Secondhand Article & Jewelry Dealer License above pending satisfactory inspections, background checks, and a report from the Finance Department that all outstanding invoices and taxes have been satisfied, for the licensing period of January 1, 2018 through December 31, 2018.

Adopted this 12th day of March, 2018

Requested by: Karen Backman, Village Clerk
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #180312-7

OPERATOR LICENSE APPLICANTS

WHEREAS, the operator license applicant listed below has made proper application with the Police Department; and

WHEREAS, all applicants must either currently hold a valid two-year server license elsewhere, have successfully completed the mandatory alcohol awareness training program, or have scheduled the course; and

WHEREAS, a background check has been conducted by the Police Department; and

WHEREAS, the Police Chief submits the applicant(s) as follows:

Brooke A. Utley

Approve

NOW, THEREFORE BE IT RESOLVED by the Village of Fox Crossing Board of Trustees, the above applicant is recommended for approval and is hereby granted an operator license, pending payment and successful completion of a state-approved alcohol awareness training program, for the licensing period of **JULY 1, 2016 – JUNE 30, 2018.**

Adopted this 12th day of March, 2018

Requested by: Tim G. Seaver, Police Chief

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #180312-8

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$ 1,350,240.22

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

Pending:		
General Fund 2018	\$	160,446.27
Special Revenue Fund 2018	\$	19,675.73
Debt Fund 2018	\$	-
Capital Projects Fund 2018	\$	32,950.00
Water Fund 2018	\$	68,880.38
Sewer Fund 2018	\$	32,408.90
Stormwater Fund 2018	\$	15,120.86
Trust & Agency Fund 2018	\$	8,786.31
Park Commission Processed Payments	\$	-
Special Processed Payments	\$	1,011,971.77
Total:	\$	<u>1,350,240.22</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 12th day of March, 2018

Requested by: Myra R. Piergrossi, Finance Director

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

ORD #180226-1:ORD *Second Reading & Adoption*

AMEND VILLAGE OF FOX CROSSING MUNICIPAL CODE CHAPTER 31 ZONING ORDINANCE – REZONE 1557 MALOA STREET FROM B-3 GENERAL BUSINESS DISTRICT TO R-3 SUBURBAN MEDIUM DENSITY DISTRICT

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

Section 1. Chapter 31, Zoning Ordinance, and the Zoning Map made a part thereof, is hereby amended by changing parcel 12100340601, 1557 Maloa Street, from B-3 (General Business) to R-3 (Suburban Medium Density) as shown in Attachment 1.

Section 2. All ordinances or parts of ordinances contradicting the provisions of this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in full force from and after its passage and publication or posting according to law.

Date Introduced: **February 26, 2018**

Date Adopted: _____

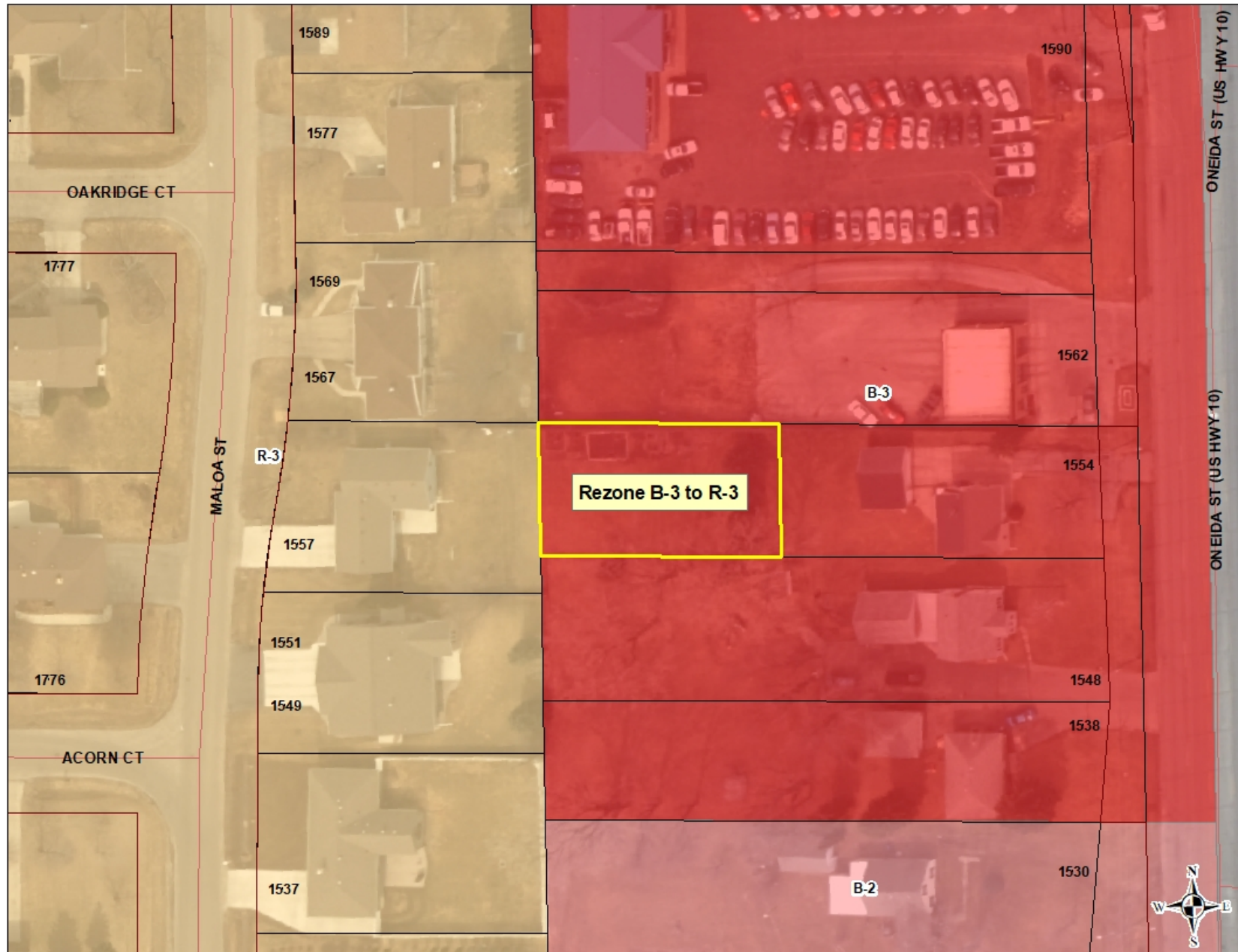
Requested by: George Dearborn, AICP, Director of Community Development

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

ATTACHMENT 1: Proposed Zoning Map Amendment



AMEND FOX CROSSING MUNICIPAL CODE CHAPTER 7.12 INDECENT CONDUCT AND LANGUAGE, ADDING SECTION 7.12 (2) SEXTING PROHIBITED

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

Part I. Municipal Code Chapter 7 Public Protection, Orderly Conduct & Firearm-Gun Control is hereby amended by adding section 7.12 (2) Sexting Prohibited, as follows:

7.12 Indecent Conduct and Language / **Sexting Prohibited**

(1) No person shall use any indecent, vile, profane, or obscene language or conduct themselves in any indecent, lewd, lascivious or obscene manner within the Village.

(2) **Sexting is not permitted within the Village. A person commits the offense of Sexting by knowingly:**

(a) **Using any device capable of electronic data transmission to transmit to a Minor any image or recording of Nudity that is Harmful to Minors.**

(b) **Possessing an image or recording that was transmitted or distributed by a Minor that depicts Nudity that is Harmful to Minors. A person does not violate this subsection if all of the following apply:**

(i) **The person did not solicit the image or recording.**

(ii) **The person took reasonable steps to report the image or recording to a school or law enforcement official.**

(iii) **The person did not re-transmit the image or recording to third party other than a law enforcement official.**

(c) **Soliciting the transmission or distribution of any image or recording by a Minor that depicts Nudity that is Harmful to Minors.**

(d) **Definitions as used in this section:**

“Minor” means any person less than 18 years of age.

“Nudity” means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernibly turgid state. A mother’s breastfeeding of her baby does not under any circumstance constitute “nudity”, irrespective of whether or not the nipple is covered during or incidental to feeding.

“Harmful to Minors” means the possession or electronic transmission of an image or recording depicting the Nudity of a Minor except when possessed or transmitted exclusively for recognized scientific or medical purposes.

(e) **Application of Ordinance to First Offenses only. No person shall be cited under the provisions of this subsection (2) that has previously been convicted under this subsection (2), has been charged under a state statute prohibiting**

AMEND FOX CROSSING MUNICIPAL CODE CHAPTER 7, ADDING SECTION 7.12 (2) INDECENT CONDUCT AND LANGUAGE/SEXTING PROHIBITED

the same or similar conduct, or who has completed an educational course in lieu of citation or criminal charges relating to the same or similar conduct.

Part II. This ordinance shall take effect and be in full force from and after its passage and publication.

Date Introduced: **February 26, 2018**

Date Adopted: _____

Requested by: Tim G. Seaver, Chief of Police

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #180312-9

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE FOX CITIES EXHIBITION CENTER PROJECT

WHEREAS, the Village of Fox Crossing, Wisconsin (the “**Municipality**”), certain other municipalities in the Fox Cities area (together with the Municipality, the “**Municipalities**”), the Redevelopment Authority of the City of Appleton, Wisconsin (the “**Authority**”), the Fox Cities Room Tax Commission (the “**Commission**”), and the Fox Cities Performing Arts Center, Inc. (the “**PAC**”) have entered into an Exhibition Center Cooperation Agreement, dated as of November 24, 2015 (the “**Original Cooperation Agreement**”), pursuant to which the Municipalities, the Authority, and the Commission agreed, among other things, to enact resolutions, ordinances, and all other municipal acts necessary to effect a 3% room tax (the “**Exhibition Center Room Tax**”), in addition to the room taxes then being collected, to be pledged to pay debt service on bonds to be issued by the Authority (the “**Bonds**”) to finance the construction and equipping of the Fox Cities Exhibition Center (the “**Exhibition Center**”) and related payments or deposits such as costs of issuance, a debt service reserve fund, a stabilization fund, and any capitalized interest; and

WHEREAS, the Municipality adopted an ordinance (the “**Room Tax Ordinance**”), that levied a 10% room tax (the “**Room Tax**”), which included the Exhibition Center Room Tax, restated other existing room tax percentage allocations, including the 2% PAC Room Tax (the “**PAC Room Tax**”) pledged to pay debt service on bonds issued by the Authority to finance or refinance the Fox Cities Performing Arts Center (the “**PAC Bonds**”), and set forth the priority of application of payments of the Room Tax; and

WHEREAS, in connection with the execution of the Original Cooperation Agreement, the Municipalities and the Commission also entered into an Amended and Restated Room Tax Commission and Tourism Zone Agreement, dated as of November 24, 2015 (the “**Commission and Zone Agreement**”), to restate a prior agreement, to confirm the establishment of the Fox Cities Tourism Zone, to confirm the establishment of the Commission and its powers, duties, and membership, to appoint the Fox Cities Convention & Visitors Bureau (the “**CVB**”) as a tourism entity to provide the administrative support for collecting and allocating a portion of the Room Tax, and to confirm the Municipalities’ agreements set forth in the Original Cooperation Agreement with respect to the Exhibition Center and the Room Tax; and

WHEREAS, the Original Cooperation Agreement and the Tourism Entity Agreement, dated December 31, 2015, by and between the Commission and the CVB (the “**Tourism Entity Agreement**”) contemplate that when the Bonds are issued to finance the Exhibition Center, a Pledge and Security Agreement will be entered into by and among the Municipalities, the Commission, and a trustee (the “**Pledge and Security Agreement**”) to provide for the pledge of the Exhibition Center Room Tax for the payment of the Bonds; and

WHEREAS, pursuant to the Pledge and Security Agreement, the Exhibition Center Room Tax will be required to be paid to the trustee for the Bonds; and

WHEREAS, subsequent to the execution of the Original Cooperation Agreement, the Commission and Zone Agreement, and the Tourism Entity Agreement, certain facts and assumptions contemplated in said agreements have changed, including that

- (i) the Bonds have not yet been issued,
- (ii) the Pledge and Security Agreement has not been entered into,
- (iii) the PAC Bonds are being called for redemption in full on March 1, 2018, at which time the PAC Cooperation Agreement (defined in the Original Cooperation Agreement) will terminate and the PAC Room Tax will be reallocated,
- (iv) a municipality that is party to the Original Cooperation Agreement has been incorporated as a village, and
- (v) the City of Appleton, Wisconsin has constructed the Exhibition Center with its own funds; and

WHEREAS, the hotelkeepers, motel operators, and other persons or entities furnishing accommodations that are available to the public in the Municipality and obligated to collect the Room Tax (the “**Operators**”) have been forwarding the PAC Room Tax directly to the trustee for the PAC Bonds; and

WHEREAS, it is necessary and desirable to amend and restate the Original Cooperation Agreement and amend the Commission and Zone Agreement to reflect current facts and assumptions, and to enter into the Pledge and Security Agreement as contemplated under the above agreements; and

WHEREAS, there have been presented to the Municipality substantially final drafts of an Amended and Restated Cooperation Agreement, a First Amendment to the Amended and Restated Room Tax Commission and Tourism Zone Agreement, and a Pledge and Security Agreement (collectively, the “**Exhibition Center Documents**”);

NOW, THEREFORE, BE IT RESOLVED by the Village Board (the “**Governing Body**”) of the Municipality as follows:

Section 1. Approval of Exhibition Center Documents.

The terms and provisions of the Amended and Restated Cooperation Agreement, the First Amendment to the Amended and Restated Room Tax Commission and Tourism Zone Agreement, and the Pledge and Security Agreement are hereby approved. The Village President and Clerk are hereby authorized for and in the name of the Municipality to execute and deliver the Exhibition Center Documents in substantially the forms thereof presented herewith, with such insertions therein or corrections or changes thereto as shall be approved by such officers consistent with this resolution, their execution thereof to constitute conclusive evidence of their approval of any such insertions, corrections, or changes.

Section 2. Notification to Operators; Exhibition Center Room Tax to Trustee.

The officers of the Municipality are hereby directed to cause notice to be delivered to each Operator that, effective April 1, 2018, (i) the PAC Room Tax (2%) shall no longer be forwarded to the trustee for the PAC Bonds, (ii) the Exhibition Center Room Tax (3%) shall instead be forwarded to the trustee for the Bonds on the quarterly dates set forth in the Pledge and Security Agreement, and (iii) the remaining Room Tax (7%), which includes the PAC Room Tax, shall be forwarded to the Municipality.

Section 3. General Authorizations.

The officers of the Municipality are hereby each authorized to execute, publish, file, and record such other documents, instruments, notices, and records and to take such other actions, including entering into additional agreements and amending existing agreements, as shall be necessary or desirable to accomplish the purposes of this resolution and to comply with the obligations of the Municipality under the Commission and Zone Agreement and the Exhibition Center Documents, as each may be amended and restated, and to facilitate the issuance of the Bonds. In addition, the representatives of the Municipality that serve as commissioners on the Commission are hereby authorized and directed to take any necessary action on behalf of the Municipality with respect to actions taken by the Commission relating to the Bonds and the Exhibition Center Room Tax allocated to the payment, either directly or indirectly, of debt service on the Bonds.

Section 4. Effective Date.

This resolution shall be effective immediately upon its passage. To the extent that any prior resolutions of the Governing Body are inconsistent with the provisions hereof, this resolution shall control, and such prior resolutions shall be deemed amended to such extent as may be necessary to bring them in conformity with this resolution.

* * * * *

Adopted this 12th day of March, 2018

Requested by: Jeffrey Sturgell, Village Manager
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

CERTIFICATIONS BY CLERK

I, Karen J. Backman, hereby certify that I am the duly qualified and acting Clerk of the Village of Fox Crossing, Wisconsin (the “**Municipality**”), and as such I have in my possession, or have access to, the complete corporate records of said Municipality and of its Village Board (the “**Governing Body**”) and that attached hereto is a true, correct, and complete copy of the resolution (the “**Resolution**”) entitled:

Resolution Authorizing the Execution and Delivery of Documents relating to the Fox Cities Exhibition Center Project

I do hereby further certify as follows:

1. **Meeting Date.** On February ____, 2018, a meeting of the Governing Body was held commencing at _____ p.m.
2. **Posting.** On February ____, 2018 (and not less than 24 hours prior to the meeting), I posted or caused to be posted at the Municipality’s offices in Fox Crossing, Wisconsin a notice setting forth the date, time, location, and subject matter (including specific reference to the Resolution) of said meeting.
3. **Notification of Media.** On February ____, 2018 (and not less than 24 hours prior to the meeting), I communicated or caused to be communicated, the date, time, location, and subject matter (including specific reference to the Resolution) of said meeting to those news media who have filed a written request for such notice and to the official newspaper of the Municipality.
4. **Open Meeting Law Compliance.** Said meeting was a regular meeting of the Governing Body that was held in open session in compliance with Subchapter V of Chapter 19 of the Wisconsin Statutes and any other applicable local rules and state statutes.
5. **Members Present.** Said meeting was duly called to order by the Village President (the “**Presiding Officer**”), who chaired the meeting. Upon roll call, I noted and recorded that there were _____ members of the Governing Body present at the meeting, such number being a quorum of the Governing Body.
6. **Consideration of and Roll Call Vote on Resolution.** Various matters and business were taken up during the course of the meeting without intervention of any closed session. One of the matters taken up was the Resolution. A proper quorum of the Governing Body was present for the consideration of the Resolution, and each member of the Governing Body had received a copy of the Resolution. All rules of the Governing Body that interfered with the consideration of the Resolution, if any, were suspended by a two-thirds vote of the Governing Body. The Resolution was then introduced, moved, and seconded, and after due consideration, upon roll call, _____ of the Governing Body members voted Aye, _____ voted Nay, and _____ Abstained.

7. **Adoption of Resolution.** The Resolution was supported by the affirmative vote of a majority of a quorum of the members of the Governing Body in attendance. The Presiding Officer then declared that the Resolution was adopted, and I recorded the Resolution.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the Municipality, if any, hereto on February ____, 2018.

Karen Backman, Village Clerk

[SEAL]