

Village of Fox Crossing Board of Trustees Regular Meeting
Monday, August 12, 2019 - 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 – July 22, 2019
 - b) Regular Village Board Meeting – July 22, 2019Minutes and Correspondence to Receive
 - c) Sustainability Committee Meeting – June 5, 2019
 - d) Planning Commission Meeting – June 19, 2019
 - e) Park Commission Meeting – July 10, 2019
 - f) Neenah-Menasha Sewerage Commission Meeting – June 25, 2019
 - g) Fox West Regional Sewerage Commission Meeting – July 10, 2019
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) 190812-1:ORD Amend Fox Crossing Municipal Code Chapter 7.02 Discharge of Firearms and Other Dangerous Weapons; Hunting Exhibit B *First Reading, Second Reading & Adoption*
 - b) 190812-1 Initial Resolution Authorizing \$1,990,000 General Obligation Bonds for Street Improvement Projects
 - c) 190812-2 Initial Resolution Authorizing \$200,000 General Obligation Bonds for Parks and Public Grounds Projects
 - d) 190812-3 Initial Resolution Authorizing \$1,460,000 General Obligation Bonds for Storm Sewer Projects
 - e) 190812-4 Initial Resolution Authorizing \$145,000 General Obligation Bonds for Water System Improvements
 - f) 190812-5 Initial Resolution Authorizing \$185,000 General Obligation Bonds for Projects in Tax Incremental District No.3
 - g) 190812-6 Resolution Providing for the Sale of \$3,980,000 Obligation Corporate Purpose Bonds
 - h) 190812-7 Resolution Providing for the Sale of Approximately \$3,845,000 Waterworks System and Sewerage System Revenue Bonds
 - i) 190812-8 Accept Stormwater Detention Pond and Property from Community First Credit Union located at 1575 Dresang Way
 - j) 190812-9 Memorandum of Agreement Between the Village of Fox Crossing and Community First Credit Union for the Maintenance of Stormwater Detention Pond located at 1575 Dresang Way
 - k) 190812-10 Approve Transient Merchant Permit – O'Hauser Park Pavilion - Dynamic Discs
 - l) 190812-11 Operator License Applicants
 - m) 190812-12 Expenditures
9. Reports
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 #190812-1:ORD *First Reading, Second Reading & Adoption*
**AMEND FOX CROSSING MUNICIPAL CODE CHAPTER 7.02 DISCHARGE OF
FIREARMS AND OTHER DANGEROUS WEAPONS; HUNTING, EXHIBIT B**

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

Section 1. Chapter 7.02 has been amended as follows:

WHEREAS, on October 22, 2018, the Village of Fox Crossing Board of Trustees amended Ordinance 7.02 concerning “Discharge of Firearms and Other Dangerous Weapons; Hunting,” to protect the public health and safety of Village of Fox Crossing residents (ordinance #190812-1:ORD); and

WHEREAS, the Department of Natural Resources (DNR) has since recommended amending Exhibit B of Chapter 7.02, to make a minor modification to the map identifying prohibited areas of firearm discharge south of Stroebe Island, in order to improve the balance between hunters’ rights and the safety of Village residents; and

WHEREAS, the Village Board of Trustees finds that the DNR proposed modification to Exhibit B would improve the balance between hunters’ rights and the safety of Village residents.

NOW, THEREFORE, the Village Board does hereby Ordain that Exhibit B of the Current Ordinance be amended and replaced with the following Exhibit B map, as attached.

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: _____

Date Adopted: _____

Requested by: Mark Englebert, Village Trustee #4
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

Exhibit B



RES #190812-1

**INITIAL RESOLUTION AUTHORIZING \$1,990,000 GENERAL OBLIGATION BONDS
FOR STREET IMPROVEMENT PROJECTS**

RESOLVED that the Village of Fox Crossing, Winnebago County, Wisconsin, borrow an amount not to exceed \$1,990,000 by issuing its general obligation bonds for the public purpose of financing street improvement projects.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-2

**INITIAL RESOLUTION AUTHORIZING \$200,000 GENERAL OBLIGATION BONDS
FOR PARKS AND PUBLIC GROUNDS PROJECTS**

RESOLVED that the Village of Fox Crossing, Winnebago County, Wisconsin, borrow an amount not to exceed \$200,000 by issuing its general obligation bonds for the public purpose of financing parks and public grounds projects.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-3

**INITIAL RESOLUTION AUTHORIZING \$1,460,000 GENERAL OBLIGATION BONDS
FOR STORM SEWER PROJECTS**

RESOLVED that the Village of Fox Crossing, Winnebago County, Wisconsin, borrow an amount not to exceed \$1,460,000 by issuing its general obligation bonds for the public purpose of financing sewerage projects, consisting of storm sewer improvements.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-4

**INITIAL RESOLUTION AUTHORIZING \$145,000 GENERAL OBLIGATION BONDS
FOR WATER SYSTEM IMPROVEMENTS**

RESOLVED that the Village of Fox Crossing, Winnebago County, Wisconsin, borrow an amount not to exceed \$145,000 by issuing its general obligation bonds for the public purpose of financing water system improvements.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-5

**INITIAL RESOLUTION AUTHORIZING \$185,000 GENERAL OBLIGATION BONDS
FOR PROJECTS IN TAX INCREMENTAL DISTRICT NO. 3**

RESOLVED that the Village of Fox Crossing, Winnebago County, Wisconsin, borrow an amount not to exceed \$185,000 by issuing its general obligation bonds for the public purpose of providing financial assistance to community development projects under Section 66.1105, Wis. Stats., by financing projects in the Village's Tax Incremental District No. 3.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-6

RESOLUTION PROVIDING FOR THE SALE OF \$3,980,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS

WHEREAS, the Village Board of the Village of Fox Crossing, Winnebago County, Wisconsin (the "Village") has adopted initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following amounts:

- \$1,990,000 to finance street improvement projects;
- \$200,000 to finance parks and public grounds projects;
- \$1,460,000 to finance sewerage projects, consisting of storm sewer improvements;
- \$145,000 to finance water system improvements; and
- \$185,000 to finance projects in Tax Incremental District No. 3.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Combination of Issues. The issues referred to in the preamble hereof are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds" (the "Bonds"). The Village shall issue the Bonds in an amount not to exceed \$3,980,000 for the purposes above specified.

Section 2. Sale of Bonds. The Village Board hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Village Board shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Bond Sale. The Village Clerk be and hereby is directed to cause notice of the sale of the Bonds to be disseminated in such manner and at such times as the Village Clerk may determine and to cause copies of a complete, official Notice of Bond Sale and other pertinent data to be forwarded to interested bidders as the Village Clerk may determine.

Section 4. Official Statement. The Village Clerk (in consultation with Robert W. Baird & Co. Incorporated) shall cause an Official Statement concerning this issue to be prepared and distributed. The appropriate Village officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-7

**RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$3,845,000
WATERWORKS SYSTEM AND SEWERAGE SYSTEM REVENUE BONDS**

WHEREAS, the Village of Fox Crossing, Winnebago County, Wisconsin (the "Village") is presently in need of approximately \$3,845,000 for the public purpose of financing additions, improvements and extensions to the Village's Waterworks System and Sewerage System; and

WHEREAS, it is desirable to borrow said funds through the issuance of Waterworks System and Sewerage System Revenue Bonds pursuant to Section 66.0621, Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Issuance of the Bonds. The Village shall issue its Waterworks System and Sewerage System Revenue Bonds in the principal amount of approximately \$3,845,000 (the "Bonds") for the purpose above specified.

Section 2. Sale of Bonds. The Village Board hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Village Board shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Bond Sale. The Village Clerk be and hereby is directed to cause notice of the sale of the Bonds to be disseminated in such manner and at such times as the Village Clerk may determine and to cause copies of a complete, official Notice of Bond Sale and other pertinent data to be forwarded to interested bidders as the Village Clerk may determine.

Section 4. Official Statement. The Village Clerk (in consultation with Robert W. Baird & Co. Incorporated) shall cause an Official Statement concerning this issue to be prepared and distributed. The appropriate Village officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-8

**ACCEPT STORMWATER DETENTION POND AND PROPERTY FROM
COMMUNITY FIRST CREDIT UNION LOCATED AT 1575 DRESANG WAY**

WHEREAS, the Village of Fox Crossing entered into a Development Agreement with Community First Credit Union regarding the construction of a new Community First Credit Union facility located at 1575 Dresang Way; and

WHEREAS, in accordance with the Development Agreement, Community First Credit Union would construct a stormwater detention pond to Village specification standards; and

WHEREAS, upon completion of the pond, Community First Credit Union would dedicate the pond and property, as identified as Lot 2 in Exhibit A, to the Village of Fox Crossing; and

WHEREAS, the required stormwater detention pond improvements have been completed by Community First Credit Union, and reviewed and approved by the Street Superintendent; and

WHEREAS, Village staff recommends the stormwater detention pond and property located at 1575 Dresang Way be accepted, as attached.

NOW, THEREFORE, BE IT RESOLVED, the Village of Fox Crossing Board of Trustees hereby accepts the stormwater detention pond and property from Community First Credit Union located at 1575 Dresang Way, as attached.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen J. Backman, Village Clerk

RES #190812-9

**MEMORANDUM OF AGREEMENT BETWEEN THE VILLAGE OF FOX CROSSING
AND COMMUNITY FIRST CREDIT UNION FOR THE MAINTENANCE OF
STORMWATER DETENTION POND LOCATED AT 1575 DRESANG WAY**

WHEREAS, the Village of Fox Crossing entered into a Development Agreement with Community First Credit Union regarding the construction of a new Community First Credit Union facility located at 1575 Dresang Way; and

WHEREAS, in accordance with the Development Agreement, Community First Credit Union would construct a stormwater detention pond to Village specification standards; and

WHEREAS, upon completion of the pond, Community First Credit Union would dedicate the pond and property, as identified as Lot 2 in Exhibit A, to the Village of Fox Crossing; and

WHEREAS, the Village of Fox Crossing and Community First Credit Union have negotiated a Memorandum of Agreement, as identified in Exhibit B, to clarify the future maintenance responsibilities between Fox Crossing and Community First Credit Union.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Fox Crossing hereby approves the Memorandum of Agreement for the maintenance of the stormwater detention pond located at 1575 Dresang Way between the Village of Fox Crossing and Community First Credit Union, as attached.

Adopted this 12th day of August, 2019

Requested by: Jeffrey Sturgell, Village Manager

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #190812-10

**APPROVE TRANSIENT MERCHANT PERMIT – O’HAUSER PARK PAVILION –
DYNAMIC DISCS**

WHEREAS, applicant Tyler O. Searle, representing Dynamic Discs, has requested to sell disc golf supplies at the pavilion in O’Hauser Park during an event on August 16, 2019 to be held from 12:00 p.m. to 8:00 p.m.; however sales may be conducted until 9:00 p.m.; and

WHEREAS, the Park Commission approved the vending of golf supplies at their July 24, 2019 meeting; and

WHEREAS, Section 9.025 of the Village’s municipal code requires payment of a \$150.00 fee per seller, a \$2000.00 surety bond or equivalent insurance, a copy of the seller’s permit which will be kept on file, a background check performed by the Police Department, and limits the duration of the permit to August 16, 2019; and

WHEREAS, the applicant, Tyler O. Searle, has made proper application with the Village Clerk’s office for a Transient Merchant Permit to conduct vending at O’Hauser Park Pavilion, insurance has been provided, and the proper fees have been paid and receipted; and

WHEREAS, the applicant has conducted business in other communities outside of the Village of Fox Crossing, and therefore, the Village Clerk recommends issuance of the Transient Merchant Permit for Tyler O. Searle.

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees approves issuance of a Transient Merchant Permit for Tyler O. Searle for **August 16, 2019 from 12:00 p.m. to 9:00 p.m.** at O’Hauser Park Pavilion.

Approved this 12th day of August, 2019

Requested by: Karen Backman, Village Clerk

Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk

RES #190812-11

OPERATOR LICENSE APPLICANTS

WHEREAS, the operator license applicant(s) listed below have made proper application with the Police Department; and

WHEREAS, all applicant(s) either currently holds a valid two-year server license elsewhere, 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 applicant(s) as follows:

Austin Mikoulinskii	Approve
Deborah King	Approve
Kimberly Johnson	Deny
Nicole Hartl	Approve

NOW, THEREFORE, BE IT RESOLVED that the Village of Fox Crossing Board of Trustees recommend the above applicant(s) be approved pending payment, successful background check, and completion of a state-approved alcohol awareness training program for the licensing period of **JULY 1, 2018 – JUNE 30, 2020.**

BE IT FURTHER RESOLVED that the applicant above recommended for denial, be DENIED.

Adopted this 12nd day of August, 2019

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 #190812-12

EXPENDITURES

WHEREAS, the Village of Fox Crossing has outstanding invoices totaling: \$ 1,184,149.70

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

Pending:		
General Fund	\$	68,063.85
Special Revenue Fund	\$	48,970.33
Debt Fund	\$	-
Capital Projects Fund	\$	34,240.43
Water Fund	\$	156,450.38
Sewer Fund	\$	186,660.18
Stormwater Fund	\$	23,994.61
Trust & Agency Fund	\$	-
Park Commission Processed Payments	\$	13,184.90
Special Processed Payments	\$	652,585.02
Total:	\$	<u>1,184,149.70</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 August, 2019

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

Dale A. Youngquist, Village President

Attest: Karen Backman, Village Clerk