



TOWN OF CLAYTON

Regular Meeting of the Town Board of Supervisors Meeting Minutes

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Town Office Building
8358 County Road T
Larsen, WI 54947

October 21, 2009
7:00 p.m. – 10:39 p.m.

I. Call to Order

Called to order at 7:00 p.m. by Chairperson Luebke

Present: Town Chairperson Luebke, Supervisors Geise, Kiesow, Klingenberger, and Lettau

Staff Present: Town Administrator Johnston, Clerk/Treasurer Nester-Huebner, Public Works Foreman Pamerter

Meeting properly posted; three locations in the Town.

II. Approval of Minutes

- Special Town Board Meeting with Closed Session – October 7, 2009
MOTION: (Unanimous Consent) Approve minutes of Special Town Board Meeting, with closed session, of October 7, 2009.
CARRIED.
- Regular Town Board Meeting – October 7, 2009
MOTION: (Unanimous Consent) Approve minutes of Regular Town Board Meeting of October 7, 2009.
CARRIED.
- Special Town Board Meeting – October 12, 2009
MOTION: (Unanimous Consent) Approve minutes of Special Town Board Meeting of October 12, 2009.
CARRIED.

III. Open Forum – Non-Agendized Town-related Matters

None.

IV. Correspondence

- Winnebago County
 1. Solid Waste Management Board (Received 10/14/2009) – September 2009 Recycling Tonnage Report
 2. Sheriff Department (Received 10/16/2009) – Tavern check report regarding Rodeo Bar & Grill; Town Board directed staff to forward the communication to the Fire Department to have a conversation with the proprietor relative to the capacity and do a site visit
- Wisconsin Department of Commerce (Received 10/16/2009) – Conditional Approval of Club House for Winagamie Golf Club, 3501 Winnegamie Drive

V. Discussion Items (No action will be taken.)

- A. County Supervisor Report – No report
- B. Winn. Cty. Sheriff's Dept. – Public Concerns and Issues; Deputy Putzer present; reported that from our 16-Sept-2009 Town Board meeting communication regarding the intersection of State Highway 76 & Windfield Drive, the Sheriff's Department conducted directed patrols on 14-October through 20-October and issued various citations, none of which were for passing on right; they can continue if directs them to do so; Town Board requested additional random directed patrols
- C. Fire Department Report – No report
- D. Administration Comments – Public Works Foreman: finishing ditch mowing; they are cutting cattails and removing them from ditches once cut; vandalism to soda vending machine in Clayton Park so machine will be removed from park for the winter and staff will be requesting the Town Board to not have the machine re-installed in the spring; Clerk/Treasurer: Census 2010 newsletter from US Census Bureau available for residents

VI. Zoning

A. Site Plan Approval

1. Winagamie Golf Course, 3501 Winnegamie Drive, Neenah, WI 54956

MOTION: (Geise, Kiesow) Approve site plan for the addition to Winagamie Golf Course club house along with the landscape plan, erosion control plan, and all recommendations of staff, except remove recommendation number two [number two is listed as letter “b” in the list below]. CARRIED by voice vote.

Staff recommendations:

- a. Waiver of as-built fee based on the following facts –
 - o Scope and unique location of project
 - o Project is a simple, relatively small addition to an existing building, the landscaping proposed for the future is minimal
 - o Site and adjoining properties are used as a single recreational facility that extends approximately 100 acres
 - b. Submission of landscaping plan for parking lot area prior to substantial completion of construction project
 - c. Developer agreeing to the lighting stipulations of Site Plan Agreement
 - d. Developer agreeing to the outside storage stipulations of Site Plan Agreement
 - e. Developer agreeing to a Site Plan Agreement and associated recording costs
 - f. Site Plan being valid for a period of one year from date of its execution
 - g. Documentation of approval of proposed project by any overlying unit of government with jurisdiction
 - h. Plus any conditions required by Plan Commission and Town Board
- #### 2. Lasting Color, 2835 W. American Drive, Neenah, WI 54956
- MOTION:** (Geise, Kiesow) Approve the site plan for the addition of the cold storage building to the Lasting color property subject to the landscaping plan, erosion control plan, building elevation plan, and all the recommendations from staff along with the fact that they come back to the Town Board with drawings and elevations for the second enclosure.

AMENDMENT TO MOTION: (Luebke, Lettau) Require the immediate removal of the two plywood enclosures over the bins, the issue regarding the bins and previous approval of the bins, and/or enclosing the bins, will come back with a detailed plan on what is being done, and the landscaping plan, and the remainder of the recommendations from the Plan Commission and Town Administrator will move forward.
CARRIED by voice vote.

AMENDED MOTION: Approve the site plan for the addition of the cold storage building to the Lasting color property subject to the landscaping plan, erosion control plan, building elevation plan, and all the recommendations from staff along with the fact that they come back to the Town Board with drawings and elevations for the second enclosure and require the immediate removal of the two plywood enclosures over the bins, the issue regarding the bins and previous approval of the bins, and/or enclosing the bins, will come back with a detailed plan on what is being done, and the landscaping plan, and the remainder of the recommendations from the Plan Commission and Town Administrator will move forward.
CARRIED by voice vote.

Staff recommendations – Approval of proposed Site Plan subject to the following conditions:

- a. Confirmation by Town’s Engineer that proposed construction does not exceed the capacity of the existing stormwater management pond
- b. Provision of an as-built plan for the stormwater management changes to the site
- c. Meeting minimum planting sizes called for in the Ordinance
- d. Agreement by Developer to lighting stipulations of the Site Plan Agreement
- e. Agreement by Developer to a Site Plan Agreement and associated recording costs
- f. Site Plan being valid for a period of one year from date of its execution
- g. Documentation of approval of proposed project by any overlying unit of government with jurisdiction
- h. Any additional conditions placed on the Site Plan by the Town’s Plan Commission or Town Board

- B. Discussion/Amendments/Recommendation to Town’s Open Burning Ordinance
MOTION: (Klingenger, Lettau) Approve receipt of the Updated Town Open Burning Ordinance and pass it on to Fire Chief and Staff.
CARRIED by voice vote.
- C. Review the Park and Open Space Plan approved by the Green Space Committee
Briefly reviewed and received the Park and Open Space Plan.
- D. Review the Official Map Ordinance and Map
Briefly reviewed and received the Official Map Ordinance and Map.
- E. Review the Updated Comprehensive Plan
Briefly reviewed and received the Updated Comprehensive Plan.

VII. Business

- A. Operator’s License
 - New – Jill M. Murphy
MOTION: (Unanimous consent) Approve operator license for Jill M. Murphy.
CARRIED.
- B. Approve forwarding the Park and Open Space Plan approved by the Green Space Committee and Plan Commission to public hearing
MOTION: (Kiesow, Geise) Receive and approve forwarding the Park and Open Space Plan to a public forum and public hearing, with proper notice.
CARRIED by voice vote.
- C. Approve forwarding the Official Map Ordinance and Map to public hearing
MOTION: (Klingenger, Kiesow) Receive and approve forwarding the Official Map Ordinance and Map to a public forum and public hearing, with proper notice.
CARRIED by voice vote.
- D. Approve forwarding the Updated Comprehensive Plan to public hearing
MOTION: (Klingenger, Kiesow) Receive and approve forwarding the Updated Comprehensive Plan to a public forum and public hearing, with proper notice.
CARRIED by voice vote.
- E. Distribution to the Board of the Town Elector CY 2010 Budget Summary Information
Distributed CY 2010 Budget Summary Information and supporting background documentation
- F. Request to enclose a Town drainage ditch at 2718 Cassy Lane (Plat of Breaker Ridge)
Reviewed drainage as-built for Cassy Lane drainage basin.
- G. Approval of a professional Services Contract for Breaker Ridge Topographic Survey
Topographic Survey will provide information regarding what may need to be done.
MOTION: (Klingenger, Kiesow) Proceed with the \$1,273.50 for the study for the ditching in Breaker Ridge Subdivision and reserve the right to special assess to the benefit of the properties within the subdivision.
CARRIED by voice vote.
- H. Participation in 10-year Winnebago County Solid Waste System Rebate Program
MOTION: (Lettau, Geise) Approve participation in the 10-year Winnebago County Solid Waste System Rebate Program using a tonnage of 1475 as a base and we authorize the Town Chair to sign the participation agreement.
CARRIED by voice vote.
- I. James Cotter – Adjustment of Lot Mowing Bill
MOTION: (Kiesow, Klingenger) Allow Mr. Cotter to pay his contract price for mowing of \$73.00.
CARRIED by voice vote.
- J. Contract Renewal for Tony’s Cemetery Service – Approval for requesting a 1-year renewal
MOTION: (Lettau, Klingenger) Refer it back to staff for a one-year contract and include the additional costs for hauling excess fill away.
CARRIED by voice vote.

- K. Presentation and Approval of Town Administrator's Performance Evaluation
MOTION 1: (Geise, Klingenberger) Approve performance evaluation of Town Administrator Richard Johnston.
FAILED by voice vote.
Board amended performance evaluation ratings.
MOTION 2: (Geise, Klingenberger) Approve amended performance evaluation of Town Administrator Richard Johnston.
CARRIED by voice vote.
MOTION 3: (Geise, Klingenberger) Refer this back to the Town Chairman to take to the attorney to draft a proposed two-year contract considering salary, benefits, and all other considerations, to bring back to the Board for consideration.

VIII. Upcoming Meeting Attendance

- A. Public Forum / Information Session (November 16, 2009) – Park & Open Space Plan; Official Map Ordinance; Comprehensive Plan
B. Public Hearing (December 2, 2009) – Park & Open Space Plan; Official Map Ordinance; Comprehensive Plan
C. Town Board (December 16, 2009) – Adopt the following: Park & Open Space Plan; Official Map Ordinance; Comprehensive Plan

IX. Board Member Requests for Future Agenda Items

- Luebke: November Agenda – Vacation carry-over

X. Approval of Disbursements

MOTION: (Lettau, Geise) Approve disbursements.
CARRIED by voice vote.

XI. Adjournment – 10:39pm

MOTION: (Unanimous consent) Adjourn.
CARRIED.

Respectfully Submitted,
Susan Nester-Huebner, Clerk