



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

November 18, 2009
7:00 p.m. – 9:04 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, Town Engineer Schultz

Meeting properly posted; three locations in the Town.

II. Approval of Minutes

- Regular Town Board Meeting – November 4, 2009

MOTION: (Unanimous Consent) Approve minutes of Regular Town Board Meeting of November 4, 2009.

CARRIED.

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

- William Rubick, 7853 County Road T, Larsen – Question: How can we have a capital improvement fund when Attorney Carlson stated at annual meeting we cannot tax people to create a savings account? Response: Town Administrator explained line item of Capital Improvements consists of \$750,000.00 for Larsen Road project, and Capital Expense budget consists of computers, file cabinets, chipper, balance of rear deck mower, fencing project, fire fighting apparatus, storage facility for lions at Clayton Park; Supervisor Klingenberger stated that per our auditors, we should be capitalizing road projects

IV. Correspondence – none

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

- County Supervisor Report – Joanne Sievert: provided a pie chart (breakdown of County expense categories) for Winnebago County's portion of the taxes we pay; potential sales tax being discussed
- Winn. Cty. Sheriff's Dept. – Public Concerns and Issues; No Deputy present; Supervisor Lettau – someone contacted her regarding traffic on 76 by Clayton School being extremely heavy and asked we communicate this information to Sheriff's Department
- Fire Department Report – Fire Chief not present; no update
- Administration Comments – Town Administrator: Larsen Co-op annual meeting December 8, 2009, at Crystal Falls Banquet Facility; Clerk/Treasurer: fall water testing program bottle distribution complete, will offer a spring water testing program, new emergency management notification system information; Shop Foreman: gravel on trail, cleaning trees out of Clayton Park trail; Chair Luebke: ClaytonFest 2010 Dessert Barn – Lioness will not participate, therefore, will need an organization to spearhead the desserts

VI. Zoning – Receipt of Information from Plan Commission

Town Board received the following two items:

- CSM Approval – Robert and Roxanne Berndt, 8204 County Road T, Larsen (Tax Key #006-0551)
- Request by developer for an extension of Site Plan Approval Timeline (Rolling Meadows Mini Storage, 3849 County Road II)

VII. Business

A. Operator’s License

- New – Brad J. Waegli
Brad J. Waegli not present.
MOTION: (Lettau, Geise) Deny operator license for Brad J. Waegli.
CARRIED by voice vote.
- Appeal – Amanda L. Gadicke
Amanda L. Gadicke present.
MOTION: (Geise, Kiesow) Approve operator license for Amanda L. Gadicke.
CARRIED by voice vote (Lettau = nay).

B Certified Survey map (CSM) Approval – Robert and Roxanne Berndt, 8204 CTH T, Larsen, WI (Tax Key #006-0551)

MOTION: (Geise, Lettau) Approve CSM for Robert and Roxanne Berndt, 8204 CTH T, Larsen, WI, along with all recommendations of staff and plan commission.
CARRIED by voice vote.

Recommendations:

1. Dedicating that portion of the property identified as (AREA DEDICATED TO THE PUBLIC) on the survey.
2. Showing the existing farm access point on CTH “T” on the proposed CSM (farm access point is on Lot 2 – new map has been submitted indicating existing farm access point is on Lot 2).
3. Placing the Town’s Right-To-Farm language on the CSM.
4. Documentation of the approval of the proposed CSM by any overlying unit of government with jurisdiction.

C. Request by developer for an extension of Site Plan Approval Timeline (Rolling Meadows Mini Storage, 3849 County Road II)

Mark Luebke removed himself from the Board for this item.

MOTION 1: (Geise, Kiesow) Approve the Site Plan extension for Rolling Meadows Mini Storage, 3849 County Road II.
FAILED by voice vote.

MOTION 2: (Geise, Kiesow) Accept the Attorney’s interpretation that the developer has two years from approval for completing all provisions in the approved site plan for Rolling Meadows Mini Storage, 3849 County Road II, including landscaping and fence.
CARRIED by voice vote.

Mark Luebke returned to the Board for the remainder of meeting.

D. Site Plan Approval – Lasting Color, 2835 West American Dr., Neenah, WI (Tax Kay #006-033703)

MOTION: (Geise, Kiesow) Approve site plan for Lasting Color, 2835 West American Drive per staff memorandum, to include no hanging door roofs or cloths, the doors to be either aluminum or white, roof color change, doors to be white or aluminum, and project to be completed within two years, including the four middle doors on storage building to have doors on them, with substantial construction on the project to be completed by April 1, 2010.
CARRIED by voice vote.

E. Agreement for Professional Services – Lasting Color

MOTION: (Klingenberger, Lettau) Approve the Agreement for Professional Services for Lasting Color in the amount of \$500.00 to be billed to Lasting Color.
CARRIED by voice vote.

F. Proposed Amendment to the Larsen Road Reconstruction Engineering Contract to Authorize Stormwater Management System Modeling

MOTION: (Kiesow, Geise) Approve proposed amendment to the Larsen Road Reconstruction Engineering Contract to Authorize Stormwater Management System Modeling at a cost of \$2,712.00.
CARRIED by voice vote.

- G. Agreement for Professional Services – Center Road-Winnegamie Drive Culvert Bypass
MOTION: (Klingenberger, Kiesow) Accept the Agreement for Professional Services for Center Road-Winnegamie Drive Culvert Bypass from Martenson & Eisele and direct staff not to proceed with any action at this time.
 CARRIED by voice vote.
- H. Review and Approval of a Renewal of the Winnebago County 911 Joint Powers Agreement
MOTION: (Lettau, Geise) Approve Renewal of the Winnebago County 911 Joint Powers Agreement and authorize Town Board Chair to sign the document.
 CARRIED by voice vote.
- I. Resolution #2009-006 – A Resolution Guaranteeing Perpetual Maintenance of the Town’s Clayton and Royer Cemeteries
MOTION: (Lettau, Klingenberger) Accept Resolution #2009-006 – A Resolution Guaranteeing Perpetual Maintenance of the Town’s Clayton and Royer Cemeteries.
 CARRIED by voice vote.
- J. Resolution #2009-007 – A Resolution Authorizing Signatories for a Cemetery Fiduciary Maintenance Account at First Business Bank
MOTION: (Lettau, Klingenberger) Accept Resolution #2009-007 – A Resolution Authorizing Signatories for a Cemetery Fiduciary Maintenance Account at First Business Bank.
 CARRIED by voice vote.
- K. Review of Bohm Lawn Care Contract for CY 2010
 Town of Clayton has three (3) one-year contracts with Bohm Lawn Care for 2009, 2010, and 2011.
- L. Special Event Request by the Rodeo Bar and Grill
 Jason Towne present.
MOTION: (Geise, Klingenberger) Approve the concept of the Special Event Request for the Rodeo Bar and Grill for August 12, 13, 14, and 15, 2010, and refer it back to staff to work with Mr. Towne to obtain details and bring it forward to the first Town Board meeting in January.
 CARRIED by voice vote.
- M. Board direction to staff relative to delinquent and past due Personal Property tax bills
MOTION: (Klingenberger, Geise) Direct Town Administrator to pursue collection of delinquent past due Personal Property tax bills.
 CARRIED by voice vote.

VIII. Upcoming Meeting Attendance

- A. Special Town Meeting of Electors, Public Hearing, & Presentation of Proposed 2010 Budget (7:00p, November 23, 2009)
- B. Special Town Meeting of Electors (Immediately following presentation of proposed budget, November 23, 2009) – Approve Transportation Budget & Adopt 2009 Tax Levy to be paid in 2010
- C. Special Town Board Meeting (Immediately following Special Town Meeting of Electors, November 23, 2009) – Resolution to Approve the Town’s Transportation Budget and Set the Town Levy
- D. Public Hearing (December 2, 2009) – Park & Open Space Plan; Official Map Ordinance; Comprehensive Plan
- E. 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 – none

X. Approval of Disbursements

MOTION: (Unanimous consent) Approve disbursements.
CARRIED.

XI. Adjournment – 9:04pm

MOTION: (Unanimous consent) Adjourn.
CARRIED.

Respectfully Submitted,
Susan Nester-Huebner, Clerk