



## 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

December 16, 2009  
7:00 p.m. – 9:34 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 – December 2, 2009

**MOTION:** (Unanimous consent) Approve December 2, 2009, Town Board meeting minutes (pages 4 & 5) as written

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

- Susan Rubick, 7853 County Road T, Larsen – RW Management Group, Inc., Fire Study: Have you started a project team as recommended to plan the construction (in July 2008) of an east side station? Towns electors have not approved the construction of a fire hall, therefore, you cannot construct a project team without the approval for the construction of a fire station

#### IV. Correspondence

- Winnebago County Solid Waste Management Board (received 12/11/09) – November 2009 Tonnage Report and Solid Waste fees

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

- County Supervisor Report – update from Joanne Sievert: comp plan at county tonight
- Winn. Cty. Sheriff's Dept. – Public Concerns and Issues; Deputy Breister present; question for deputy to watch for thefts in the area that have been occurring; question for deputy – what do we do if domestic chickens/turkeys are on the road repeatedly
- Fire Department Report – Fire Chief present; 99 calls YTD for Fire Department (a record) structures = 4 calls, lots of others CO2 1 grass fire, car crashes
- Administration Comments – Town Administrator: snow event last week with a number of calls from residents regarding plowing during the blizzard; Clerk/Treasurer: Solid Waste medication clean sweep results, agricultural clean sweep results; Shop Foreman: brine system set up; Engineer Schultz: Winnebago County Highway Commissioner to contact Town regarding moving CTH T

#### VI. Zoning – Receipt of Information from Plan Commission

- Rezoning from A-1 (Agri business District) to A-2 (General Farming District) – Robert and Roxanne Berndt, 8204 County Road T, Larsen (Tax Key #006-0551)
- Request by developer for Consideration on landscaping requirements – Rolling Meadows Mini Storage, 3849 County Road II

#### VII. Business

- Discussion / Action** – Resolution 2009-014: A Resolution Recommending Approval of Rezoning for Robert and Roxanne Berndt Tax ID #006-0551 – Rezoning from A-1 (Agri business District) to A-2 (General Farming District) – Robert and Roxanne Berndt, 8204 County Road T, Larsen (Tax Key #006-0551)

**MOTION:** (Geise, Lettau) Approve Resolution 2009-014: A Resolution Recommending Approval of Rezoning for Robert and Roxanne Berndt Tax ID #006-0551 – Rezoning from A-1 (Agri Business District) to A-2 (General Farming District) – Robert and Roxanne Berndt, 8204 County Road T, Larsen (Tax Key #006-0551) along with all recommendations from Plan Commission.  
CARRIED by voice vote.

*Mark Luebke removed himself from the Town Board for Item B.  
Vice-Chair Supervisor Klingenberger Chaired Item B.*

- B. **Discussion / Action** – Request by developer for Consideration on landscaping requirements – Rolling Meadows Mini Storage, 3849 County Road II

**MOTION:** (Lettau, Kiesow) Approve the Plan Commission recommendation of developer installing plantings on the shelf and also allow the French drain on the west end of property to be mowed.  
CARRIED by voice vote.

*Mark Luebke returned to the Town Board as Chair for the remainder of the meeting.*

- C. **Discussion / Recommendation** – Road acceptance and project closeout West American Drive from Campers Boulevard to its eastern terminus

**MOTION:** (Klingenberger, Geise) Place the road acceptance and project close-out of West American Drive from Campers Boulevard to its eastern terminus on the second Town Board meeting in January, 2010.  
CARRIED by voice vote.

- D. **Discussion / Recommendation** – Board Recommendation Relative to Hunting within the Town of Clayton

**MOTION:** (Klingenberger, Kiesow) Direct staff to refer the issue of Hunting within the Town of Clayton to the Plan Commission for further review.  
CARRIED by voice vote.

- E. **Discussion / Recommendation** – Winnebago County Industrial Development Board – IDB Per Capita Grant Application Concept

**MOTION:** (Geise, Lettau) Direct staff to continue the process of application for the Winnebago County Industrial Development Board IDB Per Capita Grant Application Concept.  
CARRIED by voice vote.

**MOTION:** (Unanimous consent) Move to Item I.  
CARRIED.

- F. **Discussion / Action** – Resolution 2009-011: A Resolution Adopting the Town’s CY 2009 Park and Open Space Plan

**MOTION:** (Kiesow, Geise) Adopt Resolution 2009-011: A Resolution Adopting the Town’s CY 2009 Park and Open Space Plan.  
CARRIED by voice vote (Klingenberger = no).

- G. **Discussion / Action** – Resolution 2009-015: A Resolution Adopting an Official Map for the Town of Clayton – CY 2009 Official Map Ordinance

**MOTION:** (Geise, Kiesow) Adopt Resolution 2009-015: A Resolution Adopting an Official Map for the Town of Clayton – CY 2009 Official Map Ordinance.  
CARRIED by voice vote (Klingenberger = no).

- H. **Discussion / Action** – Resolution 2009-012: A Resolution Adopting the CY 2009 Update of the Town’s Comprehensive Plan

**MOTION:** (Lettau, Kiesow) Approve Resolution 2009-012: A Resolution Adopting the CY 2009 Amendment to the Town’s Comprehensive Plan Ordinance.  
CARRIED by voice vote (Klingenberger = no).

*Town Board addressed Item J next.*

- I. **Discussion / Action** – Resolution 2009-013: A Resolution Entering Into A Fire Protection Agreement For Fire protection In A Designated Area With The Town of Neenah – Final Draft of a Fire Protection Agreement with the Town of Neenah

**MOTION:** (Lettau, Klingenberger) Move forward to submit the revised draft to the Town of Neenah with the inclusion of clarification of how we will deal with vehicles being dispatched without a full complement of staff, if there would be a reduction in the fees with less than a full complement of staff, and if we can gain agreement bring it back to the Board.  
CARRIED by 3-2 roll call vote.

(Klingenberger = yes, Kiesow = no, Luebke = yes, Lettau = yes, Geise = no)

Town Board addressed Item F next and continued through the rest of the agenda.

- J. **Discussion / Action** – Resolution 2009-016: A Resolution Approving a Union Contract and Budget Adjustments – Board Approval of Union Contract with Teamsters General Union Local 662, representing the Town of Clayton Public Works Employees

**MOTION:** (Klingenberger, Geise) Approve Resolution 2009-016: A Resolution Approving a Union Contract and Budget Adjustments – Board Approval of Union Contract with Teamsters General Union Local 662, representing the Town of Clayton Public Works Employees with the clarification of and clean-up of the leave-of-absence language in the family medical leave section.  
 CARRIED by voice vote.

- K. **Discussion / Action** – Resolution 2009-010: A Resolution Setting the Town’s CY 2010 Municipal Fee Schedule – Board Action

**MOTION:** (Lettau, Klingenberger) Adopt Resolution 2009-010: A Resolution Setting the Town’s CY 2010 Municipal Fee Schedule.  
 CARRIED by voice vote.

- L. **Discussion / Action** – Resolution 2009-008: A Resolution Appointing Election Workers for the 2010 to 2011 Election Cycle

**MOTION:** (Lettau, Klingenberger) Adopt Resolution 2009-008: A Resolution Appointing Election Workers for the 2010 to 2011 Election Cycle.  
 CARRIED by voice vote.

- M. **Discussion / Recommendation** – Board direction to posting notice for a Christmas Dinner to be held on Saturday, January 9, 2009

**MOTION:** (Geise, Klingenberger) Recommend staff to post a notice for the Christmas Dinner to be held on January 9, 2010.  
 CARRIED by voice vote.

- N. **Discussion / Recommendation** – Board direction to Staff relative to continued payment for Town Employees serving as Clayton-Winchester Fire Department Volunteers

**MOTION:** (Kiesow, Klingenberger) Continue to pay Town employees the difference between their hourly wage for the Fire Department and the wage of the Town of Clayton when serving as the Clayton-Winchester Fire Department.  
 CARRIED by voice vote.

- O. **Discussion / Action** – Approval of the legal services agreement with Silton, Seifert, & Carlson, S.C.

**MOTION:** (Geise, Kiesow) Approve the legal services agreement with Silton, Seifert, & Carlson, S.C.  
 CARRIED by voice vote.

- P. **Discussion / Action** – Approval of the labor legal services agreement with Gill & Gill, S.C.

**MOTION:** (Klingenberger, Lettau) Approve the labor legal services agreement with Gill & Gill, S.C., at a rate of \$7,500.00 per year.  
 CARRIED by voice vote.

**VIII. Upcoming Meeting Attendance**

**IX. Board Member Requests for Future Agenda Items**

**X. Approval of Disbursements**

**MOTION:** (Klingenberger, Geise) Approve payment of the agreed-to ratification bonus to our Union 662 members immediately.  
 CARRIED by voice vote.

**MOTION:** (Unanimous consent) Approve disbursements.  
 CARRIED.

**III. Adjournment – 9:34pm**

**MOTION:** (Unanimous consent) Adjourn.  
 CARRIED.

Respectfully Submitted, Susan Nester-Huebner, Clerk