



# 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

February 3, 2010  
7:00 p.m. – 8:31 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 – January 20, 2010  
**MOTION:** (Unanimous consent) Approve January 20, 2010, Town Board meeting minutes as written.  
CARRIED by voice vote.

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

- Arden Schroeder, 9458 State Road 76, Neenah – Fairview Rd at Oakwood Ave. culvert needs something put in there, appreciates pre-wetting but asked why are we doing so much, several roads (e.g., Shady Ln.) where there are areas that the sun doesn't shine on so why aren't we doing it there
- John Jorgensen, Oshkosh, WI – Spring Primary Judge race candidate introduced himself

### IV. Correspondence

- Winnebago County Sheriff Department (received 1/26/2010) – Underage alcohol compliance check, Captain Ron's
- Winnebago County Sheriff Department (received 1/26/2010) – Underage alcohol compliance check, The Rodeo Bar
- Winnebago County Sheriff Department (received 1/26/2010) – Underage alcohol compliance check, The Woodshed Bar & Grill
- Winnebago County Sheriff Department (received 1/26/2010) – Underage alcohol compliance check, Willie Beamon's
- State of Wisconsin, Department of Revenue (received 1/20/2010) – Notice to Jason Towne for illegal activity

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

- A. County Supervisor Report – Joanne Sievert present: County did pass that police officers in the County now have the right to cite underage (under 18) smokers county-wide, investigating the possibility of a county-wide health department that may include cities
- B. Winnebago County Sheriff's Dept. – Deputy Breister present: home break-ins still occurring at various times during the day/evening/night, resident asked for clarification regarding a new law regarding passing on the right when a vehicle is turning now allowed only if remaining on the blacktop
- C. Clayton-Winchester Fire Chief Report – no report
- D. Administration Comments – Town Administrator: Attended Outagamie County Airport Ordinance Ad-Hoc Committee meeting today with next meeting scheduled at 9:00 a.m. on February 24, 2010; Clerk/Treasurer: Newsletter mailing Thursday, Spring Primary Election is February 16, 2010, Census 2010 Short Form of 10 questions takes 10 minutes to complete, Auditors were here today and completed the 2009 financial audit
  - Tentative Open Book – Tuesday, April 27, 2010
  - Tentative Board of Review – Wednesday, May 26, 2010

### VI. Business

- A. Operator's License
  - New – Eileen M. Dudash

**MOTION:** (Geise, Kiesow) Approve operator license for Eileen M. Dudash.  
CARRIED by voice vote. (Nay = Lettau, Luebke)

- New – Eugene D. Gibson  
*Supervisor Geise abstained from voting on this operator license.*  
**MOTION:** (Klingenberger, Kiesow) Approve operator license for Eugene D. Gibson.  
CARRIED by voice vote.
- B. **Discussion / Action** – Distribution/Town of Clayton Engineering Request for Proposals (RFQ)  
**MOTION:** (Geise, Klingenberger) Approve Posting and Distribution of Town of Clayton Engineering Request for Proposals (RFQ) to the following engineering firms (listed in alphabetical order):
- Ayers & Associates, 3376 Packerland Drive, DePere, WI
  - Davel Engineering, 1811 Racine Road, Menasha, WI 54952
  - Foth, 2737 S. Ridge Road, P.O. Box 19012, Green Bay, WI 54307-9012
  - Harris & Associates, Inc., 2718 N. Meade Street, Appleton, WI 54911
  - Mach IV Engineering & Surveying LLC, 2701 Larsen Road, Green Bay, WI 54303
  - Martenson & Eisele, 1377 Midway Road, Menasha, WI 54952-0449
  - McMahon Group, 1445 McMahon Road, Neenah, WI 54956
  - Mead & Hunt, 1345B North Road, Green Bay, WI 54313-5723
  - Omni & Associates, 1 North Systems Drive, Appleton, WI 54914-1654
  - Robert E. Lee & Associates, Inc., 4664 Golden Pond park Court, Hobart, WI 54155
- CARRIED by voice vote.
- C. **Discussion / Action** – Request for consideration on the Town's solid waste and recycling fee by Woodfield Development, LLC  
Jack Yogerst present to represent Woodfield Development, LLC.  
**MOTION:** (Klingenberger, Geise) Deny request for consideration on the Town's solid waste and recycling fee by Woodfield Development, LLC.  
CARRIED by voice vote. (Nay = Luebke)
- D. **Discussion / Action** – James Cotter, Adjustment to lot mowing bill  
**MOTION:** (Klingenberger, Lettau) Deny James Cotter the Adjustment to lot mowing bill for tax ID #006-1447 (based on the following information):
- On or about June 30<sup>th</sup>, 2009, Mr. Shandonay was sent the original notification of the Town's requirement for mowing the Lot in question.
  - On or about July 17<sup>th</sup>, 2009, Mr. Shandonay was sent a second notification of the town's requirement for mowing the Lot in question with a date certain when the Town would start mowing nonconforming lots.
  - On Thursday, September 10<sup>th</sup>, 2009, Mr. Shandonay was sent, by Certified Mail, the original notification of the Town's invoice for mowing the Lot in question with a date certain for payment of September 30<sup>th</sup>, 2009.
  - The Postal Service was unable to deliver the Town's certified mail notice and Mr. Shandonay made no effort to pick up the letter from his local post office.
  - On or about September 30<sup>th</sup>, 2009, the Postal Service returned Mr. Shandonay's letter to the Town.
  - On or about December 10<sup>th</sup>, 2009, a note was placed in Mr. Shandonay's file indicating that the lot mowing fee would be Special Assessed with the CY 2009 Tax Bill.
- CARRIED by voice vote.
- E. **Discussion / Action** – Resolution 2010-004, A Resolution Opposing the State Department of Revenue (DOR) County Assessment Proposal  
**MOTION:** (Klingenberger, Lettau) Adopt Resolution 2010-004, A Resolution Opposing the State Department of Revenue (DOR) County Assessment Proposal.  
CARRIED by voice vote.

- F. **Discussion / Action** – Review of a proposal from the RW Management Group, Inc., to update the Fire Response Time Analysis Study for the Town of Clayton and to provide the Town with a Fire Equipment Analysis

**MOTION:** (Geise, Kiesow) Carry over to the 2<sup>nd</sup> TB meeting in February the review of a proposal from the RW Management Group, Inc., to update the Fire Response Time Analysis Study for the Town of Clayton and to provide the Town with a Fire Equipment Analysis.  
CARRIED by voice vote.

- G. **Discussion / Action** – Green Space Committee recommendation on State Department of Natural Resources (DNR) Stewardship Grant Compliant Appraisals for the purchase of potential development property

**MOTION:** (Lettau, Kiesow) Postpone to the 2<sup>nd</sup> TB meeting in February the discussion of the Green Space Committee recommendation on State Department of Natural Resources (DNR) Stewardship Grant Compliant Appraisals for the purchase of potential park development property for the following properties:

- Sabee property on Shady Land and State Road 76
- Tom Ruesch property west of Clayton School on Fairview Road
- Borchert property on the southwest corner of Fairview Road and State Road 76

CARRIED by voice vote.

**VII. Upcoming Meeting Attendance**

- WI Towns Association District Meetings (Ripon Friday, February 5, 2010 = Mark)

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

- Look at an ordinance establishing the Town's ability to charge people if we pick up their animal to bring it to the animal shelter
- Look at an ordinance that would provide a type of rating system for alcohol establishments when considering license renewals
- Review Committee for Engineering RFQ – appointment of three members
- Review of a proposal from the RW Management Group, Inc., to update the Fire Response Time Analysis Study for the Town of Clayton and to provide the Town with a Fire Equipment Analysis
- Green Space Committee recommendation on State Department of Natural Resources (DNR) Stewardship Grant Compliant Appraisals for the purchase of potential park development property

**IX. Approval of Disbursements**

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

**X. Adjournment – 8:31p**

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

Respectfully Submitted, Susan Nester-Huebner, *Clerk*