



TOWN OF CLAYTON

Regular Meeting of the Town Board of Supervisors Meeting Minutes

April 7, 2010
7:00 p.m. – 10:23 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 – March 17, 2010
MOTION: (Unanimous consent) Approve March 17, 2010, Town Board meeting minutes as written.
CARRIED.

III. Open Forum – Non-Agendized Town-related Matters – none

- Building Inspector Report – March

IV. Correspondence – none

- Associated Appraisal Consultants, Inc. (Mark Brown, Assessor) (received 3/31/2010) – Status of 2010 Open Book and Board of Review

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

- County Supervisor Report – Joanne Sievert present: no new updates.
- Winnebago County Sheriff's Dept. – No deputy present.
- Clayton-Winchester Fire Chief Report – Bob Breaker present, representing the CWFD: 25 calls YTD, Sec/Capt John Jesse retired, special election Dave DeKeyser nominated to succeed John Jesse; Nick Seelow nominated as 2nd Captain to succeed Dave DeKeyser.
- Administration Comments – Town Administrator: Budget YTD report, request from M&E for notice of intent for Larsen Road project fee/check, open burning ordinance resolution; Clerk/Treasurer: Spring Election Results for Town Board Supervisor seats – Supervisor 3 Ann Schmidt, Supervisor 4 Russell D. Geise; Winneconne School Referendum lost in TOC, 669 total voters; memo regarding the surrender of the Alcohol License by Westridge of the Fox Valley, Inc. – the new owner has applied for the alcohol license and will come before the Board on April 21; memo regarding background checks for operator licenses – caution that the background checks we perform for each applicant may result in numerous people with the same name; legislative update regarding legislature; Shop Foreman: Yard Waste Site cleaning it up, next week installing culvert in Clayton Park; Chair Luebke: thanked Town Board Supervisor Patsy Kiesow for her 10 years of service to the Town of Clayton – this is Patsy's last Town Board Meeting as Town Board Supervisor.

VI. Business

- Operator's License
 - New – Samantha J. Prince (present)
 - New – Keith P. Schreiner
 - New – Jacki L. Zeller (present)
 - New – Mark K. Coniff
 - New – Jessica S. Harris (present)
 - New – Sonia R. Zimmerman
MOTION: (Geise, Kiesow) Approve new operator licenses for Samantha J. Prince, Keith P. Schreiner, Jacki L. Zeller, Mark K. Coniff, Jessica S. Harris, and Sonia R. Zimmerman.
CARRIED by unanimous voice vote.

- B. **Discussion / Action** – Second Reading and Approval of Resolution #2010-011 enacting the Town’s revised Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance

Chair Luebke read Resolution #2010-011 enacting the Town’s revised Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance

MOTION: (Lettau, Klingenberger) Adopt Resolution #2010-011 enacting the Town’s revised Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance.
 CARRIED by unanimous voice vote.

- C. **Discussion / Action** – Green Space Committee recommendation for approval of additional funds for State Department of Natural Resources (DNR) Stewardship Grant compliant appraisals for purchase of potential park development property

MOTION: (Kiesow, Geise) Increase the approved amount to \$3,750.00 and if it comes back more refer it back to the Green Space Committee.
 CARRIED by voice vote (Nay = Klingenberger).

- D. **Discussion / Action** – Board review and approval of a 5-year Capital Improvement Plan for the Town’s Roads

MOTION: (Klingenberger, Lettau) Approve the 5-year Capital Improvement Plan for the Town’s Roads as presented and request continuing with establishing a 10-year plan.
 CARRIED by voice vote (Nay = Kiesow, Geise).

- E. **Discussion / Action** – Board approval of a Life Expectancy and Capital Replacement Schedule for the Town’s rolling stock

MOTION: (Klingenberger, Geise) Approve the Life Expectancy and Capital Replacement Schedule for the Town’s rolling stock.
 CARRIED by unanimous voice vote.

- F. **Discussion / Action** – Board review of the Town’s Designated Reserve Fund Allocations and approval of the allocation of the Town’s CY 2009 Audited Budget Surplus

MOTION: (Lettau, Klingenerger) Approve the following allocation of the Town’s CY 2009 Audited Budget Surplus as follows:

Total to Allocate from Dec. 31, 2009, Audit	\$160,058.00
Less: Amount Allocated for Capital Improvements	\$5,438.54
Less: General Government Contingency (Carry Forward)	\$5,594.11
Less: Town Fire Truck Replacement Account	\$57,753.60
Less: Plow Truck Replacement Account	\$33,842.79
Less: Utility Truck Replacement Account	\$45,000.00
Less: Rubber-Tired Backhoe Replacement Account	\$12,428.96
TOTAL remaining to allocate	\$0.00

CARRIED by unanimous voice vote.

- G. **Discussion / Action** – Board approval of the addition of a Wisconsin Department of Employee Trust Funds Audit footnote to the Town’s CY 2009 Audited and Management Letter

MOTION: (Luebke, Lettau) Approve the addition of a Wisconsin Department of Employee Trust Funds Audit footnote to the Town’s CY 2009 Audit and Management Letter.
 CARRIED by unanimous voice vote.

- H. **Discussion / Action** – Board approval of a weed control and fertilizing plan for the Town’s Parks

MOTION: (Geise, Kiesow) Approve the weed control and fertilizing plan for the Town’s parks for a total of \$888.00 for the first application for Clayton and Trail Head Parks through Evergreen Lawn Care and Snow Removal, LLC.
 CARRIED by unanimous voice vote.

- I. **Discussion / Recommendation** – Board approval of a Developer’s Agreement with Ms. Holly Galassi for the extension of Darrow Road approximately 180 feet to the north in the existing road right-of-way.

Ms. Holly Galassi present; presented handout for discussion.

MOTION: (Geise, Klingenberger) Continue to negotiate the details of the Developer’s Agreement with Ms. Galassi and return to the April 21, 2010, Town Board meeting with a revised agreement.
CARRIED by unanimous voice vote.

- J. **Discussion / Recommendation** – Board award of a Contract to construct the extension of Darrow Road approximately 180 feet to the north in the existing road right-of-way.

MOTION: (Klingenberger, Geise) Approve the Draft Developer’s Agreement for the extension of Darrow Road approximately 180 feet to the north in the existing road right-of-way, and award the contract to construct the extension to Tom VanHandel Corp., at a cost not to exceed \$32,110.08, contingent on the Developer providing a letter of credit or cash escrow for the bid cost of the project, plus engineering, and a 15% contingency.
CARRIED by unanimous voice vote.

- K. **Discussion / Action** – Board review and action on a request by Marjorie and Milton Westphal for a 1-year extension on the removal of the structure from Town-owned property located at 2990 County Road “II”, Neenah. Specifically know as TAX ID #006-0391-05.

MOTION: (Klingenberger, Kiesow) Grant a one-year extension to Marjorie and Milton Westphal for the removal of the structure from Town-owned property located at 2990 County Road “II”, Neenah. Specifically know as TAX ID #006-0391-05
CARRIED by voice vote.

- L. **Discussion / Action** – Board direction to staff on the renewal and participation level for the Town’s membership in the Fox Cities Online organization.

MOTION: (Klingenberger, Kiesow) Authorize \$50.00 membership in the Fox Cities Online organization.
CARRIED by unanimous voice vote.

- M. **Discussion / Recommendation** – Board direction to staff relative to creating a road sign inventory and a road sign replacement schedule.

Board directed staff to create a road sign inventory and a road sign replacement schedule.

- N. **Discussion / Recommendation** – Green Space Committee recommendation to research the use of closed circuit cameras in Trail Head Park for the purposes of reducing criminal activities in the Park.

Green Space Committee Member Patty Stanek present.

Green Space Committee Chair Warren Griffith present.

Board directed staff to look into cameras.

- O. **Discussion / Recommendation** – Board direction to staff relative to the potential agenda items for consideration at the Town’s Annual Electors Meeting.

VIII. Upcoming Meeting Attendance – none

IX. Board Member Requests for Future Agenda Items – none

X. Approval of Disbursements

MOTION: (Unanimous consent) Approve disbursements as presented.
CARRIED.

XI. Adjournment – 10:23p

MOTION: (Unanimous consent) Adjourn.
CARRIED.

Respectfully Submitted, Susan Nester-Huebner, *Clerk*