

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. on Wednesday, July 1<sup>st</sup>, 2015

Town Meeting Room, 8348 County Road T, Larsen, WI 54947

---

I. Call to Order:

A. Notice Verification, Roll

1. Town Board Chairman Geise called the meeting to order at 7:00 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted at three locations in the Town.
4. Roll

a. Board of Supervisors

Chair Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT
Supervisor Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Treasurer Straw	ABSENT
Deputy Clerk Goffard	PRESENT
Town Engineer – Mary Jo Miller	PRESENT
Town Attorney – Ashley Lehocky	PRESENT
Town Attorney – Rich Carlson	PRESENT

II. Public Hearing(s) and/or Public Information Meeting(s):

III. Approval of Minutes:

- A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, June 17<sup>th</sup>, 2015.

**MOTION:**

Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, June 17<sup>th</sup>, 2015.

IV. Open Forum – Town-related Matters not on the Agenda:

V. Correspondence:

- A. Copy of correspondence from the Winnebago County Treasurer’s Office.

- Correspondence from Winnebago County Treasurer dated June 18, 2015 for Parcel # 006-0755. The Town of Clayton agrees to pay the loss of \$8.45 regarding this property. Attorney Carlson questioned the legality of paying it but not worth the money in pursuing.

- B. Wisconsin Department of Transportation CY 2015/16 Salt Contract information.
- C. Copy of an anonymous complaint about drainage issues from a resident in the Sunburst Subdivision.

VI. Discussion Items (No action will be taken):

- A. County Supervisor Report
- B. Winnebago County Sheriff's Department – Public Concerns and Issues
- C. Clayton-Winchester Fire Department
- D. Larsen-Winchester Sanitary District
- E. Administration Comments
  - Engineer Miller stated that the Fox Valley Asphalt project is complete. Oakcrest subdivision is almost done. Soil to be done on July 2<sup>nd</sup> and then MCC starts the project. The utility relocation on Winncrest and the ditch work is complete. Some culverts may not have covering due to their location. Supervisor Reif stated that he thought the apron end walls looked crooked. Administrator Johnston and Engineer Miller to follow-up on. Oakwood and Oakridge areas will be double chip sealed by Scott Construction.
  - Administrator Johnston discussed meeting with Bob Schmeichel from the Town of Neenah. Courts have approved the annexation application for the Town of Menasha and the statutory criteria has been met. Upcoming meeting on July 2<sup>nd</sup>, 2015 with the City of Neenah on hooking up with their water system. The City of Menasha and City of Neenah oppose Boundary Agreement annexation. Committee meeting to be scheduled in mid August.

VII. Operator Licenses Issued by the Town Clerk:

- A. New:
  - i. Samantha Pirkov-Middaugh
  - ii. Heather Heimmermann
  - iii. Heidi Scholz
- B. Renewal:
  - i. Seth Steinway
  - ii. Danielle Von Neupert

VIII. Business referred by the Plan Commission:

- Town Board receipt, review, and consideration of Plan Commission Referrals (second Town Board meeting of the month):
- A. No Referrals.

IX. Business referred by the Green Space Committee:

- Town Board receipt, review, and consideration of Green Space Committee Referrals (first Town Board meeting of the month):
- A. No Referrals.

## X. Business:

- A. Discussion/Action: Town Board review and consideration of a presentation by the Town's Financial Advisor, Michael Hallmann of Lantern Associates, LLC, on the financial issues and the funding needed to provide Municipal Water and Municipal Sanitary Sewer Utilities to certain areas on the east side of the Town of Clayton.

The Town's Financial Advisor, Michael Hallmann (Mike) of Lantern Associates, LLC, will be making a presentation on the financing sources listed in Chapter 7 (Financing) of the Cedar Corporation, Water & Wastewater Utility Feasibility Study presented at the Board's June 17<sup>th</sup>, 2015 meeting. The Administration has reviewed the financing sources with Mike and has asked him to present the options from the 30,000 foot overview level. Once the Town has developed a more specific plan for the utilities the financing sources can be tailored to the plan. As we sit today there are two areas that staff is focusing on: the first is the Clayton Avenue border with the Town of Menasha, and the second is the CTH "JJ" area in the southeast corner of the Town. The Administration has had conversations with the Town Chair relative to contracting for preliminary engineering for both areas; once that engineering is completed the Town will have a more accurate understanding of the project costs and the funding needed. At that time the Administration will ask Mike to make specific recommendations to the Board on the Town's financing options.

- Extensive discussion regarding options for the Town of Clayton. Discussed the bond market, promissory notes, low rates or funding through state funded plans. The Clean water grant could have space reserved depending on the fund which are available and offers very low rates around 2.2% or so. This would be less money than the bond market. The initial resolution for the Town of Clayton would be before the board to give authority to borrow the money which the town has access to these funds. The levy can be raised for debt services. Quarles and Brady is open to this resolution for the Town Board.
- Administrator Johnston discussed adding sewer and water services to the Town of Clayton residents and businesses. On average the water pipes last around 60 to 80 years. Interested in hooking into the water system from the City of Neenah. The Town of Clayton needs to determine what the cost will be for setting up initial service, user fees, fee structure and special assessments to be charged when the system is in place. The Town of Neenah is planning on fighting the Town of Menasha annexation as well.

- B. Discussion/Action: Town Board review and consideration of a proposal submitted, at the Administration's request, by Appleton Asphalt, Inc. W5883 Easter Lily Drive, Appleton for pavement repair work on Fairview Road between Oakwood Avenue and STH "76".

Staff has been receiving a significant number of complaints about the condition of Fairview Road from Oakwood Avenue to STH "76". A survey of the road has confirmed that the road is in poor shape especially in the area east of Larsen Materials. The Administration attributes this problem to the construction standard of the road and the relatively heavy trucking coming from Larsen Materials and the school buses. The Administration has reviewed the Town's 5-year Capital Reconstruction Plan and would like to place Fairview Road between Oakwood Avenue and STH "76" on the Plan in CY 2021. In order for this schedule to work the Town Board will need to take the following actions:

1. Stabilize Fairview Road between Oakwood Avenue and STH "76".
2. Create a Truck Route for the Town that will require that Larsen Materials use Fairview Road only as a connector to STH "76".
3. Reconstruct Fairview Road between Larsen Materials and STH "76" as a heavy duty road.

- 4. At the Board’s discretion, eliminate the angle parking on Fairview Road in front of Clayton School.

The attached paving proposal is the first step in stabilizing the road. The Administration is proposing to cut out the failed sections of the road and repave them rather than continually patch the potholes. The next step in the process would be to double chip seal Fairview Road between Oakwood Avenue and STH “76” in CY 2016. This should buy the Town approximately six to eight years of road life allowing for the total reconstruction of the road in CY 2021. The cost of the proposal submitted by Appleton Asphalt is \$9,890.00 if Town staff cuts and removes the failing pavement areas; the estimated cost of double chip sealing the road in CY 2016 is approximately \$40,000.00. The only significant issue with the project is timing; the project needs to be finished before school starts in fall of both CY 2015 and CY 2016. If the Board agrees with the Administration’s proposal, a motion would be in order to approve the proposal submitted by Appleton Asphalt, Inc. at a cost not to exceed \$9,890.00 with the funding to come from the Town’s CY 2015 Public Works, Street Maintenance Budget. Additionally, the motion should direct the Administration to fund the double chip sealing of Fairview Road between Oakwood Avenue and STH “76” in the Town’s CY 2016 Budget.

- Administrator Johnston discussed cutting the pavement and re-pave the problem areas. The goal is to have the repair work done by August 2015 before school starts. This roadway would be chip sealed the summer of 2016 and possibly create a truck route for this road before the work is complete. The road was not originally built to withstand heavy traffic. Clayton School would prefer to have angle parking away from the school since the congestion before and after the school day is pretty busy. The road work will not be able to be complete until the CY 2021. This road has had constant patching which makes it a rougher road to travel on.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Lettau

Motion: To we direct staff to approve payment in the amount of \$9,890 to Appleton Asphalt to cut and remove the failing pavement areas on Fairview Road between Oakwood Avenue and STH “76”.

Motion carried by unanimous consent.

C. Discussion/Action: Town Board review and consideration of Resolution 2015-008 A Resolution Creating A Comprehensive Plan, Public Participation Plan. As the Board knows, the Plan Commission is updating the Town’s Comprehensive Plan and in order to satisfy the statutory requirements of the Comprehensive Planning process the Town needs a Public Participation Plan. Staff has been following the statutory requirements but would feel more comfortable if a Plan outlining the process were approved by the Board in a Resolution format. The attached draft copy of Resolution 2015-008 A Resolution Creating A Properly Adopted Comprehensive Plan, Public Participation Plan will satisfy the State’s Public Participation requirements and eliminate any questions on staff’s process. A motion would be in order to adopt Resolution 2015-008 A Resolution Creating A Comprehensive Plan, Public Participation Plan and to direct staff to publish the document as required.

Approved by unanimous consent.

D. Discussion/Action: Town Board review and consideration of a staff request to use a credit/debit card collection system for municipal billing services such as building permits, park reservations, server licenses, liquor licenses, and tax collections etc.

In order to satisfy resident requests and to streamline the payment process, Town Treasurer, Tori Straw (Tori), would like to implement a credit/debit card collection system for municipal billing services such as building permits, zoning permits, park reservations, server licenses, liquor licenses, and tax collections etc. Tori has consulted with area communities that use credit and debit card systems and has been advised that for security, payment guarantee, and privacy reasons the Town should use a third party provider for this type of service. An example of a provider used by area communities is GovPayNet (see attached documentation). Staff would like to find a provider, set up a service, create a formal Policy, and then have the Board approve the process before the Town commits to any contract or agreement. Tori is looking at taking the project live before the CY 2015/16 tax paying season (September of CY 2015). The only concern the Administration has is making sure that the system is working and that there will be no failures with the implementation of the project. Additionally, the Administration will need to see some fallback steps for staff in case there are issues with the project. The Administration believes that Tori is on the right track, we simply need to have an escape clause if necessary. Staff should have sufficient time to work out the bugs with the project by using the system for other payments collected by the Town before the tax collection process starts. If staff is not comfortable with the process it will simply not use the collection system for tax payments until CY 2016/17. If the Board is comfortable with the project, direction to staff would be in order to develop the system and the Policy and present those items to the Board for approval before implementing the project.

- Administrator Johnston discussed beginning to use credit cards for the tax collection season from 2016-2017 to give us enough time to work out any issues we may have with the system. Fees for paying by credit card would be paid for by the customer.

**MOTION:**

Motion by: Supervisor Reif

Seconded by: Supervisor Schmidt

Motion: To direct staff to research GovPayNet for collection of fees in the Town of Clayton.

Motion carried by unanimous consent.

E. Discussion/Action: Town Board review and consideration of an Intermunicipal Agreement Between the Town of Clayton, the Town of Vinland, and the Town of Winneconne for Building Inspection Services to be provided by the Town of Clayton’s Building Inspector.

Attached please find a copy of the draft of the Intermunicipal Agreement between the Town of Clayton, the Town of Vinland, and the Town of Winneconne for Building Inspection Services to be provided by the Town of Clayton’s Building Inspector. The draft document has been submitted to the Town of Vinland and the Town of Winneconne for their approval. If the Board agrees with the final draft of the Intermunicipal Agreement Between the Town of Clayton, the Town of Vinland, and the Town of Winneconne for Building Inspection Services to be provided by the Town of Clayton, a motion would be in order to direct the Administration to submit the document to the Town of Vinland and the Town of Winneconne for their final approval and signatures. Once the Administration has received the fully executed document it will be presented to the Board along with the Building Inspector’s Job Description and the Employment Agreement for the position with an expected starting and appointment date of Monday, August 3<sup>rd</sup>, 2015.

Approved by unanimous consent.

- F. Discussion/Action: Town Board review and consideration of a Building Inspector Job Description to be used for the Town of Clayton Building Inspector position.

Attached please find a copy of a final draft of the Job description for the Town’s Building Inspector Position. The only change from the original draft presented to the Board is the inclusion of the responsibility to assist the Zoning Administrator and to serve as staff to the Board of Zoning Appeals. If the Board is comfortable with the Building Inspector’s Job Description as presented, a motion would be in order to approve the Building Inspector’s Job Description and to include it in the Town’s list of Job Descriptions.

Approved by unanimous consent.

- G. Discussion/Action: Town Board review and consideration of the Treasurer’s Monthly Budget Reports and for providing the monthly reports as a routine agenda line item.

Attached please find copies of the month-to-date, as of the end of the previous month, Budget Reports through May of CY 2015. Also attached is a memorandum from the Town Treasurer, Tori Straw (Tori), explaining any questionable line items. From the May Report forward, the Board will be receiving copies of the monthly reports as part of the Town Board Agenda for the second meeting of the month. Because Revenues are sporadic over the course of the year and not within the control of staff or the Board, they are not included in the Treasurer’s Monthly Reports. If the Board would like to have them included in the Monthly Reports please ask and we will include them. Each month Tori will be submitting a memorandum along with the Treasurer’s Monthly Report that explains the reasons for any questionable discrepancies in the General Fund and Capital Fund Expense Budget Line Items. Please review Tori’s reports and staff will be ready to answer any questions the Board may have.

**NO ACTION TAKEN.**

- XI. Upcoming Meeting Attendance:  
Towns Association Meeting on July 9<sup>th</sup>, 2015 at the Menasha Fire Station 40 located at 1326 Cold Spring Road in Neenah.
- XII. Board Member Requests for Future Agenda Items:  
Upgrade the Clayton Park bathroom mirrors. Supervisor Schmidt suggested tempered glass mirrors.
- XIII. Review of Disbursements:  
None.
- XIV. Adjournment:  
**MOTION:** To Adjourn at 8:11 p.m. by unanimous consent.

**NO ACTION TAKEN**

Respectfully submitted,

Laurie Goffard, Deputy Clerk