

TOWN OF CLAYTON
Town Board of Supervisors
Meeting Minutes
7:00 P.M. on Wednesday, August 6th, 2014
Town Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order:

A. Notice Verification, Roll

1. Town Board Chairman Luebke 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 Luebke	PRESENT
Supervisor Geise	PRESENT
Supervisor Lettau	ABSENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Treasurer Bowen	PRESENT
Town Engineer – Mike Schultz	PRESENT
Town Attorney – Rose Simon	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, July 16th, 2014.

MOTION:

Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, July 16th, 2014.

IV. Open Forum – Non-Agendized Town-related Matters:

V. Correspondence:

- A. July 2014 Building Inspection Report.
- B. Winnebago County Planning and Zoning Town Chair Meeting.
- C. CY 2014 Preliminary Statement of Changes in Equalized Values.
- D. Zoning Reports and Ordinances Portion of the Winnebago County Board Meeting of Tuesday, July 22nd, 2014.

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

- A. County Supervisor Report
- B. Winnebago County Sheriff's Department – Public Concerns and Issues
 - Deputies Olig and Hathaway
 - Increased enforcement on County Road II just west of Highway 76 (not out at right time)

- Fire call – Kudos to CWFD
- Chief Rieckmann questioned attendance at Joint Fire Board meeting
- C. Clayton-Winchester Fire Department
 - Chief Rieckmann presented and reviewed the call log for the year
 - August 16th annual airport disaster training in the morning. Afternoon presentation at Headliners / on-call for event during the Rock for Autism
 - MDA fill boot in Fall 2014
 - Working hard to improve community image
 - 75th Anniversary September 6, 2014 from 12:00 p.m. to 6:00 p.m. all day event. Craft fair starts at 9:00 a.m.
- D. Larsen-Winchester Sanitary District
- E. Administration Comments
 - Engineer Jaworski reporting
 - Reviewed engineering report
 - Ordinance review with Plan Commission and updating
 - Projects on schedule
 - Treasurer Bowen discussed shared revenue report. Kimberly Clark depreciated their personal property values. Trying to catch up on month-end reports to be able to work on 2015 budget.
 - Administrator Johnston discussed Standard and Poor's phone interview.
 - Fence to be put up by Jon Lasee at 8094 Coleman Ridge is an orange plastic fence without a gate. Does not meet the ordinance so he will be sent a letter indicating that he has more time to comply.

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Trina Sauriol
- ii. Jason Meyer
- iii. Melissa Larsen

B. Renewal:

- i. Stephanie Clauson (provisional issued 6/30/14 expiration)

C. The following party has applied for a change of agent for a Class "B" license to sell fermented malt beverages, and a "Class B" license to sell intoxicating liquors in the Town of Clayton for the period of July 1, 2014 through June 30, 2015:

- i. Pub and More, LLC (dba Headliners Bar and Grill), 2788 Towne Court, Neenah, WI 54956.

New Agent: Crista L. Schmidli (former agent Kenneth R. Zastrow)

Attached please find a copy of a Change of Agent Application submitted by Pub and More, LLC (dba Headliners Bar and Grill), 2788 Towne Court, Neenah, WI 54956. Staff has reviewed the Application and completed the background check on Crista L. Schmidli, the prospective new Agent for the facility. Based on the review and the background check the Administration is recommending approval of Crista L. Schmidli as the Agent for Headliners Bar and Grill, 2788 Towne Court, Neenah, WI 54956. If the Board agrees with the Administration's recommendation a motion would be in order to approve Crista L. Schmidli as the Agent for Headliners Bar and Grill, 2788 Towne Court, Neenah, WI 54956.

MOTION:

Motion by: Supervisor Grundman

Seconded by: Supervisor Schmidt

Motion: Motion to approve the Class “B” license to change the agent.

Vote: Motion made by unanimous consent change the agent.

D. The following party has a renewal application for a Class “B” license to sell fermented malt beverages, and a “Class B” license to sell intoxicating liquors is on file in the Town of Clayton, Clerk’s Office for the licensing period July 1, 2014 through June 30, 2015, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

i. Christopher R.D. Clauson (dba The Larsen Tavern), 8338 County Road T, Larsen, WI 54947.

Agent: Christopher Clauson

The Administration has completed the Certified Survey Map process for the property. Attached please find a copy of the Title Insurance documentation and the docketed judgments on the property. As is evident from the title commitment and the judgments, there are significant liens on the property (approximately \$67,000.00 +/- and interest) that will need to be satisfied before any property exchange can be finalized. The Administration is frustrated by this process and the lack of honesty involved. However, the Administration’s recommendation is to table this issue until the Board’s Wednesday, August 20th, 2014 meeting. This recommendation is based on not wanting to confuse any of the issues and on the understanding that the offer to purchase comes with a contract sunset date of August 28th, 2014. Please be advised that Mr. Clauson has the opportunity to clear the liens and close on the sale of the property prior to that date. If the Board is comfortable with the Administration’s recommendation, it should refer the issue to its Wednesday, August 20th, 2014 meeting.

- Attorney Simon discussed the liens against the title and leasing the building and payments could be applied to purchasing the property
- Mr. Chris Clauson spoke regarding the lien for child support for about \$15,000. Another lien in the amount of \$40,000. If he can get lien releases that would help the sale. The board will give Mr. Clauson until August 19, 2014 at 12:00 p.m. to clear these liens.

MOTION:

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman

Motion: Motion to postpone this issue to the August 20, 2014 meeting.

Vote: Motion made by unanimous consent to postpone this issue.

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 Resolution 2014-0XX A Resolution Transferring Funds from the Town’s General Fund Reserve Account to Partially Fund the Cost for the Town’s CY 2014 Chip Sealing Projects.

Attached please find a draft copy of Resolution 2014-009 A Resolution Transferring Funds from the Town’s General Fund Reserve Account to Partially Fund the Cost for the Town’s CY 2014 Chip Sealing Projects. When the Board authorized the Town’s CY 2014 Chip Sealing projects it exceeded the Town’s CY 2014 Chip Sealing Budget Line Item. As part of the project approval process the Administration recommended that the Town’s General Fund Reserve be used to cover the funding shortfall with the intent of replacing the funds with the Town’s CY 2014 Audited General Fund, Fund Balance Carryover. The attached Resolution is the document that formally approves and authorizes the transfer from the Town’s reserve account to the project funding line item. The total transfer is approximately \$50,000.00. In order to complete the process, a motion and a roll call vote would be in order to approve Resolution 2014-009 A Resolution Transferring Funds from the Town’s General Fund Reserve Account to Partially Fund the Cost for the Town’s CY 2014 Chip Sealing Projects.

MOTION:

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: Motion to approve Resolution 2014-009 A Resolution Transferring Funds from the Town’s General Fund Reserve Account to Partially Fund the Cost for the Town’s CY 2014 Chip Sealing Projects.

Vote: Motion made by unanimous consent to postpone this issue.

Chair requested roll call vote:

Supervisor Schmidt: Aye

Supervisor Lettau: Absent

Supervisor Geise: Aye

Supervisor Grundman: Aye

Chair Luebke: Aye

Vote: Motion carries unanimously.

- B. Discussion/Action: Town Board review and consideration of Resolution 2014-0XX A Resolution Transferring Funds from the Town’s CY 2014 Designated Reserve Account for Legal Services to the CY 2014 Budget Lien Item for Legal Services.

Attached please find a draft copy of Resolution 2014-010 A Resolution Transferring Funds from the Town’s CY 2014 Designated Reserve Account for Legal Services to the CY 2014 Budget Line Item for Legal Representation. The Town Board, at its Wednesday, July 16th, 2014 meeting, authorized an agreement with the Town Attorney’s Office to have the Town Attorney present at the Board’s regularly scheduled meetings. The agreement comes with a fee of \$500.00 per month. The attached Resolution authorizes the transfer of funds from the Town’s CY 2014 General Fund Reserve Account of Legal Services to the Town’s CY 2014 Town Representation Budget Line Item. In order to complete the process, a motion

would be in order to approve Resolution 2014-010 A Resolution Transferring Funds from the Town's CY 2014 Designated Reserve Account for Legal Services to the CY 2014 Budget Line Item for Legal Representation.

MOTION:

Motion by: Supervisor Grundman

Seconded by: Supervisor Schmidt

Motion: Motion to approve Resolution 2014-010 A Resolution Transferring Funds from the Town's CY 2014 Designated Reserve Account for Legal Services to the CY 2014 Budget Line Item for Legal Representation.

Vote: Motion made by unanimous consent to approve.

Chair requested roll call vote:

Supervisor Schmidt: Aye

Supervisor Lettau: Absent

Supervisor Geise: Aye

Supervisor Grundman: Aye

Chair Luebke: Aye

Vote: Motion carries unanimously.

- C. Discussion/Action: Town Board review and consideration of Resolution 2014-011 A Resolution Transferring Funds from the Town's Public Works Capital Equipment Replacement Account to Fund the Purchase of an F550 Utility Truck, a V-Plow, a Slater, and Related Accessory Equipment.

The Town Board has authorized replacement of the oldest plow truck in the fleet (a 1998 International single axle plow truck) with a Ford F550 from L&S Truck Center at a municipal discounted cost of \$53,647.00. The truck from L&S Truck Center comes with a dump box and the listed additional equipment. The Board also approved the purchase and installation of a Boss V-plow, a salter with a central hydraulic system, and some other accessory equipment at a cost of \$30,306.00. The total for the truck with the added equipment is \$83,953.00. The Board also approved an additional salter with a central hydraulic system for the existing F550 at a cost of \$19,673.00. The total costs for the approved equipment is \$103,626.00. Funding for the purchases is to come from the Town's Public Works Capital Equipment Replacement Fund (at this time the balance in the Fund is \$162,176.79). The attached Draft Resolution transfers funds from the Town's Public Works Capital Equipment Replacement Account to the Capital Equipment Fund for the Purchase of an F550 Utility Truck, a V-Plow, a salter, and related accessory equipment. If the proposed transfer is approved, the balance in the Public Works Capital Equipment Replacement Account would be \$58,550.79 and a motion would be in order to approve Resolution 2014-011 A Resolution Transferring Funds from the Town's Public Works Capital Equipment Replacement Account to the CY 2014 Budget, Capital Equipment Fund for the Purchase of an F550 Utility Truck, a V-Plow, a Salter, and Related Accessory Equipment.

MOTION:

Motion by: Supervisor Schmidt

Seconded by: Supervisor Geise

Motion: Motion to approve 2014-011 A Resolution Transferring Funds from the Town’s Public Works Capital Equipment Replacement Account to Fund the Purchase of an F550 Utility Truck, a V-Plow, a Salter, and Related Accessory Equipment.

Vote: Motion made by unanimous consent to approve.

Chair requested roll call vote:

Supervisor Schmidt: Aye

Supervisor Lettau: Absent

Supervisor Geise: Aye

Supervisor Grundman: Aye

Chair Luebke: Aye

Vote: Motion carries unanimously.

- D. Discussion/Action: Town Board review and consideration of Resolution 2014-012 A Resolution supporting the development of a dog park on the northern end of Winnebago County.

Over the past few years the County Parks Commissioner, Rob Way (Rob) has been working with a citizens group to locate a site for, and to develop a dog park in the northern end of Winnebago County. It appears that the group has found a suitable location that is available for the facility in the Town of Neenah. It is the Administration’s understanding that the selected site is the P. H. Glatfelter Company property on Larsen Road east of Clayton Avenue (see attached property information). Both the citizens group and the County Parks Commissioner have asked area municipalities for support with the development of the project. Attached please find a copy of a Resolution from the City of Menasha supporting the development of a dog park on the northern end of Winnebago County. Also attached is a draft copy of Resolution 2014-012 A Resolution Supporting the Development of a Dog Park on the Northern End of Winnebago County. If the Board is comfortable with the language in the Resolution and with the concept of a dog park at the site, a motion would be in order to approve Resolution 2014-012 A Resolution Supporting the Development of a Dog Park on the Northern End of Winnebago County. The Administration would also like to add the comment that the development of the dog park may, over time, increase the use of the Larsen Road Trail.

MOTION:

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: Motion to approve Resolution 2014-012 A Resolution supporting the development of a dog park on the northern end of Winnebago County.

Vote: Motion made by unanimous consent to approve.

Chair requested roll call vote:

Supervisor Schmidt: Aye

Supervisor Lettau: Absent

Supervisor Geise: Aye

Supervisor Grundman: Aye

Chair Luebke: Aye

Vote: Motion carries unanimously.

- E. Discussion/Action: Town Board review and consideration of Resolution 2014-013 A Resolution transferring funds from the Town's Public Works Capital Replacement Account to the Town's CY 2014 Public Works Maintenance Account Line Item.

Over the course of the past few years the Administration has been advising the Board that in order to propose a balanced budget within the limitations placed on the process by local budgetary philosophy and State Laws, the Administration has had to squeeze most of the flexibility out of the individual line items. This process has been particularly onerous on the Public Works Budget. Over the past few years the Public Works Maintenance Budget has been hit extremely hard and the expenditures in the line items have exceeded the budgeted amount. One of the reasons the Public Works Budget is hit so hard is because of the cost of maintaining the large equipment and the process of funding the replacement of the same equipment. With the change in the Town's Plowing Policy and the change in the type of equipment used to plow, there will be approximately a \$58,550.79 balance in the Public Works Capital Equipment Replacement Account. In order to do some of the deferred maintenance to several pieces of the Public Works Department equipment, the Administration would respectfully ask the Board to transfer \$50,000.00 into the Public Works Department's CY 2014 Budget, Maintenance Line Item from the Public Works Capital Equipment Replacement Account. The deferred maintenance the Administration is would like to do consists primarily of safety items such as replacing the tires on the newest (2009) International plow truck, replacing the tires on the heavy duty trailer, repairing the brakes on the heavy duty trailer, and safety maintenance on the plastic box of the 2005 International. Any unused funds in the line item at the end of the year would be allocated, at the Board's discretion, following the Town's Annual Audit. If the Board agrees with the Administration, a motion would be in order to approve Resolution 2014-013 A Resolution Transferring Funds from the Town's Public Works Capital Replacement Account to the Town's CY 2014 Public Works Maintenance Account Line Item.

- Administrator Johnston discussed the current condition of the backhoe trailer which is in need electric brakes and tires. Other maintenance needed on the work trucks. Will be selling the existing truck this Fall and most of the maintenance is up to do date.

MOTION:

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Motion: Motion to approve Resolution 2014-013 A Resolution transferring funds from the Town's Public Works Capital Replacement Account to the Town's CY 2014 Public Works Maintenance Account Line Item.

Vote: Motion made by unanimous consent to approve.

Chair requested roll call vote:

Supervisor Schmidt: Aye

Supervisor Lettau: Absent

Supervisor Geise: Aye

Supervisor Grundman: Aye

Chair Luebke: Aye

Vote: Motion carries unanimously.

- F. Discussion/Action: Town Board review and consideration of a Policy and Procedure Manual for the active enforcement of violations of the Town's Ordinances.

Attached, please find a draft copy of the Enforcement of Ordinances and Issuance of Citations document for the Board's Review; also attached is a copy of a citation issued by an adjoining community. The Administration's recommendation for a Policy for this process would be progressive: the first letter would come from Town staff, the second letter would come from the Town's Attorney, and the third step would be issuing the citation. The Administration is looking for direction from the Board relative to approving and publishing the Ordinance, implementing the process, and assigning the responsibility for issuing the citation. Issuing the citation can be done in a variety of ways; the most efficient would be a municipal or County Officer. However, as this is not always the best option, the Board may wish to assign the responsibility to a Board member or a designated member of staff. The only exception for citation issuance would be Zoning Code and Uniform Dwelling Code violations that should be issued by the Building Inspector. If the Board wishes to use a sworn officer to issue violations, the Town would need to have an agreement with the County Sheriff or some other municipal law enforcement agency. In general, staff is looking for direction from the Board relative to how it wishes to implement the process and what limitations it would like to place on the process. If the Board would like to use a sworn officer to issue citations, does it have a preference for the agency? And is it willing to enter into a contract with the designated agency? Both staff and the Town's Attorney will be present to advise the Board and to answer any questions Board members may have.

Vote: Motion made by unanimous consent.

- G. Discussion/Action: Town Board review and consideration of a proposal to replace the aging cistern pump in the Town's Offices located at 8348 CTR "T" Larsen, WI 54947.

When the Town remodeled the Community/Fire Hall, no provisions were made for replacing the aging cistern pump in the facility due to cost restrictions. With the changes in the building facilities and in the Clayton/Winchester Volunteer Fire Department's (Department) process, it is important that the cistern and the pumping facilities be updated. It is the Administration's understanding, based on conversations with long term members of the Department, that the existing submerged cistern pump was installed used in the 1990's. Attached, please find a proposal from CTW Corporation to replace the pump and filtration system in the cistern. The replacement pump would be above ground with a screened pickup in the cistern facility. The Administration has asked the provider to quote a redundant pumping system that would involve two motors placed on the same pump. The request is based on pumping systems used by municipal water utilities whose systems are required, by the Department of Natural Resources, to have redundant systems for public health and safety. The redundant function is provided by two motors on one pump so that, if one motor fails, the second motor can be used to pump water from the cistern. When the Town remodeled the Town/Fire Hall facility it installed a standalone emergency

generator that can power the building. This proposal would carry that redundancy to the cistern pumping system. The cost of the single pump and motor is \$14,988.00, the cost of the redundant system (two motors with one pump) is \$24,923.00. Staff has reviewed this material with the Fire Chief and the Officer charged with developing the proposal to replace the pump. As a point of reference, the Officer has no preference (he just wants the pump to work with some degree of certainty); staff and the Fire Chief have a preference for the redundant system. Based on past experience, the Town has installed the generator to guarantee power to the building during an emergency. The redundant pumping system guarantees the ability to pump from the system; however, please be advised that nothing is fail proof. Staff and the Department are trying to provide the best option within the framework of what is reasonable and financially affordable. If the Board would like to proceed with the project, the bulk of the funding is available in the Fire Impact Fee Account Balance (\$23,277.24) with the remaining cost to come from the Town's Office Capital Equipment Budget. Additionally, staff would like to request \$2,500.00 to fund the recommended replacement of the 60 amp breaker with an 80 amp breaker. This would bring the total cost of the project to \$17,488.00 or \$27,423.00 depending on the Board's choice of systems: single or redundant. If the Board would like to approve the project as recommended, a motion would be in order to approve the replacement of the pumping system in the Town/Fire Hall building, as recommended, at a cost not to exceed \$27,423.00 with the funding to come from the Town's Fire Impact Fee Fund Balance and the Town's CY 2014 Office Capital Equipment Line Item.

- Reviewed research of pumps and systems relative to replacing pump/system properly.
- Discussed cost of system.
- Discussed impact fee balance.
- Chief Rieckmann discussed his view/opinion of system.

MOTION:

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Motion: Motion to approve the replacement of the system in the Town Fire building as recommended at a cost not to exceed \$27,423 with the funding to come from the Town's Fire Impact fee and the balance from the Town's CY 2014 Office Capital Equipment line item.

Vote: Motion made by unanimous consent.

- H. Discussion/Action: Town Board review and consideration of authorizing the payment of Pay Request #2 for the Fox Valley Asphalt Development Project.

Attached, please find a copy of Pay Request # 2, in the amount of \$38,646.93, submitted by Vinton Construction Company, 2705 North Rapids Road, Manitowoc, WI 54221-1987 for the Fox Valley Asphalt Development Project. The Town Engineer has reviewed and recommended approval of the Pay Request and the Town Treasurer has the funds in the Developer's escrow account to pay the bill. Once the Board approves the Pay Request, staff will make the draw in the Letter of Credit and pay Vinton Construction Company the \$38,646.93. If the Board is comfortable with staff's recommendation, a motion would be in order to approve the pay request and to direct the Treasurer to draw the funds on the Developer's Letter of Credit and forward the money to Vinton Construction Company.

Vote: Motion made by unanimous consent.

- I. Discussion/Action: Town Board review and consideration of authorizing the payment of Pay Request #4 for Phase 1 of the Ridgeway Drive Subdivision Project.

Attached, please find a copy of Pay Request # 4 (the final pay request for Phase 1) in the amount of \$13,269.57, submitted by MCC, Inc., 2600 North Roemer Road, Appleton, WI 54912-1137. The Town Engineer has reviewed and recommended approval of the Pay Request. The Town Treasurer has reviewed the pay request and agrees with the Town Engineer. Once the Board approves the Pay Request, staff will make the final payment for Phase 1 of the Ridgeway Drive Project to MCC, Inc., 2600 North Roemer Road, Appleton, WI 54912-1137. If the Board is comfortable with staff's recommendation, a motion would be in order to approve the pay request and to direct the Treasurer to make the payment to MCC, Inc., 2600 North Roemer Road, Appleton, WI 54912-1137.

Vote: Motion made by unanimous consent.

- J. Discussion/Action: Town Board review and consideration of proposals for the following Town CY 2014 road maintenance projects:
 - a. Various road patching projects.
 - b. Various crack filing projects.
 - c. Various line striping projects.

During the Public Forum for the Braun Court Capital Construction Project several residents asked staff if some minor changes could be made to the project; specifically, the proposed changes would attempt to deal with drainage issues on the southeast side of the project area. The Administration advised the residents that staff would present the option to the Board; however, staff's recommendation would include special assessing the full burden costs of the additional work to the benefited property owners. Unfortunately, the process of confirming that the proposed changes would work, engineering the proposed changes, and approving the Change Order for the proposed changes would have to occur before the next Town Board Meeting. In order facilitate the process the Administration is asking the Board to authorize the Town Chair to approve the changes as long as the residents agree to a Special Assessment for the full burden costs of the changes. If the Board is comfortable with this process, a motion would be in order to authorize the Town Chair to approve specific changes to the Braun Court Capital Project based on the benefited property owners agreeing to the Special Assessment of the full burden costs of the Change Order to the Braun Court Capital Reconstruction Project.

- Administrator Johnston discussed this regarding the previous meeting held for the residents of this area.

Vote: Motion made by unanimous consent.

- K. Discussion/Action: Town Board review and consideration of proposals for the following Town CY 2014 road maintenance projects:
 - a. Various road patching projects.
 - b. Various crack filing projects.

c. Various line striping projects.

Attached, please find the responses to the Town's Request For Proposals (RFP) for the listed work. Staff received one proposal for the road patching projects from Fox Valley Asphalt, 7526 STH "76", Neenah, WI 54956 (FVA). Since the RFP's listed work were received as two documents the Administration is going to review the proposals as they were received.

1. The proposal for the road patching from FVA was provided on a 'per square foot of pavement surface' basis applied at a cost of \$2.23 per square foot and \$26.00 per linear foot of curb installed. These prices are relatively high when compared to the cost of paving long stretches of road surface and the cost of machine-installed curb. However, the costs are justified by the need for multiple small patches on several roads, the costs of moving from site to site, and the limited amount of hand-formed curb. The attached spreadsheet provides an exact cost for the listed projects; please be advised that these costs may be reduced if the individual patches are smaller. The actual project costs will be based on the amount of asphalt and curb installed. Of the listed projects, there are three intersection repairs (Saquaro Court, Shenandoah Trail and Fondotto Drive) where the paving costs are likely to be significantly less than the estimated cost, and one of the projects, Woodcrest Drive at a cost of \$26,983.00 that the Administration is recommending that the Board delay until CY 2014 when the entire subdivision is scheduled to be repaved. Please be advised that even with the proposed savings and reductions to the project list, the projects are still over budget by a significant amount (approximately \$21,485.02). Since the proposed work is long term maintenance, the Administration is recommending that the funding shortfall come from the Town's CY 2014 debt issue. If the Board agrees with the Administration's recommendation, a motion would be in order to approve the road patching project as recommended with the additional funding to come from the Town's CY 2014 debt issue.
2. The Town received two proposals for the crack sealing: the first from Fahrner Asphalt Sealers at a cost of \$29,997.00 and the second from Fox Valley Asphalt at a cost of \$19,565.00. Staff has reviewed the proposals and is comfortable that they meet the Town's specifications. The Administration is recommending that the project be awarded to Fox Valley Asphalt, 7526 STH "76", Neenah, WI 54956 at a cost not to exceed \$19,600.00. . Please be advised that the proposal for the projects is over budget by a significant amount (approximately \$12,065.00). Since the proposed work is long term maintenance, the Administration is recommending that the funding shortfall come from the Town's CY 2014 debt issue. If the Board agrees with the Administration's recommendation, a motion would be in order to approve the crack sealing project as recommended with the additional funding to come from the Town's CY 2014 debt issue.

The Administration would like to advise the Board that it intends to recommend an increase in the Town's CY 2015 Budget, Public Works road maintenance line items. The proposed increase is intended to reflect the required increase in the expenditures for Town Road maintenance. The Administration will recommend that the funding for this process come from an increase in the debt service levy. Staff is going to ask for these changes based on the need to properly maintain the Town Roads.

MOTION:

Motion by: Supervisor Schmidt

Seconded by: Supervisor Geise

Motion: Motion to approve the 2014 road maintenance projects.

Vote: Motion made by unanimous consent.

- L. Discussion/Recommendation: Town Board review and consideration of a request for consideration submitted by John Nygaard, 8034 Cavandish Road, Neenah, WI 54956 for a Lawn Mowing Special Assessment for property located at 8034 Cavendish Road, Neenah, WI 54956, specifically identified as Tax ID # 006-1619.

Attached please find a request from John Nygaard, 8034 Cavendish Road, Neenah, WI 54956 for consideration on a Special Assessment for a lawn mowing bill. As part of the Ordinance enforcement process staff provided the proper notice to the owner of record, however, the property was in the process of being sold. As a result of the sale the new owner did not receive the notice and he is now asking for consideration on the \$125.00 bill for mowing the property. The Administration is recommending that the Board approve the requested refund. Additionally, staff is having a stamp, with the attached notice, prepared so that it can advise area Title Companies that they need to confirm their documentation 24 hours prior to closings. This additional step should eliminate the recurrence of this problem. If the Board agrees with the recommendation, a motion would be in order to approve a \$125.00 refund for John Nygaard, 8034 Cavendish Road, Neenah, WI 54956.

Vote: Motion made by unanimous consent.

- M. Discussion/Recommendation: Town Board review and direction to staff relative to the provision of Municipal Sanitary Sewer and Municipal Water services to the southeast and northeast quadrants of the Town of Clayton.

Based on the attached e-mail from the Chair of the Town of Greenville, it appears that the simple solutions to providing municipal sanitary sewer and water utilities to the northeast and southeast quadrants of the Town are not available. With this understanding that the Town is at a crossroads, staff needs confirmation of the Board's intent. In order to proceed with the investigation of the use of large scale onsite systems the Town will need to spend money on engineering and planning studies. These activities will eventually be needed in order to receive regulatory approval and funding for the development of the proposed utility projects. The Administration would respectfully request that the Board take action to affirm its intent to proceed with the research needed for the proposed projects. The Administration would like to advise the Board that the long term alternative to not proceeding with the process is likely to be the loss of high value development and/or the eventual loss of territory and taxable value.

MOTION:

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman

Motion: Motion to direct staff to look at long-term alternative planning for municipal sanitary sewer or water services to the southeast and northeast quadrants of the Town of Clayton.

Vote: Motion made by unanimous consent

- N. Discussion/Recommendation: Town Board review and direction to staff relative to a third party review of the construction standards of the Town's Minimum Road Standards Ordinance.

Attached please find a copy of the Town's Minimum Road Standards Ordinance as well as copies of several e-mails relating to a review of the Town's Ordinance. As a result of the bids for the Whispering Meadows Development Project, the Administration has asked the Town's Engineer to review the specifications of the Town's Minimum Road Standards Ordinance. The question was: "Are the Ordinance specifications driving the cost of the development of public infrastructure in the Town?" The attached e-mails summarize the opinions of several experts on the subject. Additionally, the Administration has always indicated to the Board that the Minimum Road Standards Ordinance is intended to provide a benefit to the Town over time. The primary benefit of the Ordinance consists of reducing the long term maintenance costs of the Town Roads. As indicated in one of the attached e-mails, had the existing Ordinance been in place 20+ years ago and the roads properly maintained, the cost of replacing the asphalt surface would be limited to milling and resurfacing the road. Additionally, the Ordinance is intended to err on the side of caution; specifically, the Ordinance makes the road base stronger than it needs to be. If the Board would like staff to do any additional investigation or review relative to the subject, direction to staff would be in order.

NO ACTION TAKEN

- XI. Upcoming Meeting Attendance:
- XII. Board Member Requests for Future Agenda Items:
- XIII. Review of Disbursements:
- XIV. Adjournment:
Motion made by unanimous consent to adjourn at 8:30 p.m.

Respectfully submitted,

Laurie L. Goffard, Administrative Assistant