

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. on Wednesday, September 16th, 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	PRESENT
Town Engineer – Mary Jo Miller	PRESENT
Town Attorney – Ashley Lehocky	PRESENT

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

A. None.

III. Approval of Minutes:

A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, September 2nd, 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, September 2nd, 2015.

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

V. Correspondence:

A. Notice of commencement of proceedings in Rem to Foreclose Tax Liens by Winnebago County under Wis. Stats. 75.5221.

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

- Joint Fire Board meeting was on Monday, September 14th, 2015
- Burt Drews asked about the fire department split and Chair Geise explained and discussed the changes.
- The Clayton Fire Department will have a full-time Fire Chief.
- Winchester may possibly contract with the Town of Clayton for fire protection service.
- Winchester will contract for first responders.

D. Larsen-Winchester Sanitary District

E. Administration Comments

- Chair Geise discussed scheduled meeting with Mayor Hanna with the City of Appleton regarding water services on October 8th, 2015.
- Chair Geise met with the Grand Chute Chair. No issues with Grand Chute.
- Grand Chute Chair to talk with the Town of Greenville relative to the sewer district board votes..
- Relative to John Jesse's position on the Plan Commission would like to be replaced as he cannot fulfill the obligation.
- Engineer Miller reviewed the engineering project and Capital Project status report.
- Reviewed Northeast Asphalt punch list for CY 2014 capital projects and final payment approved.
- Administrator Johnston reported that the Public Works foreman, Scott Pamerter, was taking off the next two days for his wife's surgery. Dave was off Tuesday, September 15th and Wednesday, September 16th.

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Rachel Doberstein
- ii. Gerrid Danforth

B. Renewal:

- i. None

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. Plan Commission recommendation to the Town Board on a refined draft Future Land Use Maps for the eastern quadrants of the Town of Clayton, related Map Legend Classifications, a Draft of the proposed revisions to the Town of Clayton Sanitary District #1 boundary map, and a draft copy of the proposed introductory language to the CY 2015 Town of Clayton Comprehensive Plan Update.

Attached, please find a copy of the Draft Minutes from the Wednesday, September 9th, 2015 Plan Commission Meeting. The Board will find the details of the Commission's actions listed in the Draft copy of the Meeting Minutes. The Commission's motions are summarized in the following list of agenda items:

Staff reviewed the material included in the Commission's packet and was directed by the Commission to include the changes in the Comprehensive Plan Document along with several items recommended by Commission members.

- Chair Knapinski reported on the Plan Commission meeting of September 9th, 2015 regarding the future land use map, etc. More development on the west side of the Town of Clayton.
- Discussed having a public informational meeting in October of 2015 for the Comprehensive Plan and Future Land Use map.

B. Plan Commission recommendation to the Town Board on the definition of a Green Belt and the creation of an Agricultural Enterprise District in the Town of Clayton.

- Chair Knapinski reported on the Plan Commission meeting of September 9th, 2015 regarding the discussion relative to the definition of Green Belt vs. Agricultural Enterprise District (AED).
- Reviewed discussion of future use of the western half of the Town of Clayton.

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):

Attached, please find a copy of the Draft Minutes from the Wednesday, September 9th, 2015 Green Space Committee Meeting. The Board will find the details of the Committee's actions listed in the Draft copy of the Meeting Minutes. The Committee's motions are summarized in the following list of agenda items:

Green Space Committee update to the Town Board on the vandalism at the Clayton Park Pavilion Restrooms.

Update to the Committee on the vandalism at the Clayton Park Restroom facilities; specifically, the men's restroom facilities. Staff has reported the vandalism to the Town's Insurance provider. The damage does not reach the level of the Town's deductible, therefore it is up to the Town to repair and replace the damaged facilities and equipment. Unless otherwise directed, staff intends to keep the restrooms locked until the Park facilities are closed in November. At that time staff will repair those items it can and have a plumber replace the damaged fixtures.

- Our office contacted the insurance company and sent them the incident report.
- At this time the staff is leaving the restrooms closed until the end of season and then it will contract a plumber to repair the plumbing damage.
- The Public Works employees will replace the soap dispenser.
- Discussed putting this issue in the Claytonite newsletter with a notice regarding vandalism to contact the police. Staff to add into the next newsletter.

Green Space Committee recommendation to the Town Board on park and trail improvements for the Town's CY 2016 Budget.

Following some discussion relative to the condition of the park and playground facilities the Committee recommended that the Board consider a closed circuit television recording surveillance system in both parks and the Municipal Building. Additionally the Committee recommended that the Board include funding in the Town's CY 2016 Park Budget to improve condition of the surface of the Friendship Trail.

X. Business:

- A. Discussion/Action: Town Board review and consideration of Resolution 2015-011 A Resolution Supporting Proposed Amendments to Chapter 23 of the County's Code of Ordinances.

Attached please find a Draft copy of Resolution 2015-011 A Resolution Supporting Proposed Amendments to Chapter 23 of the County's Code of Ordinances. Also attached is the supporting documentation provided by the County Planning and Zoning Department. The proposed changes to the County Code involve the definition section of the Code and are being made at the request of a State Agency. The Administration is recommending that the Board approve the listed Resolution. If the Board agrees with the recommendation a motion would be in order to approve Resolution 2015-011 A Resolution Supporting Proposed Amendments to Chapter 23 of the County's Code of Ordinances.

MOTION:

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: To approve Resolution 2015-011.

Vote: **Chair requested roll call vote:**

Supervisor Lettau: Aye

Supervisor Reif: Aye

Chair Geise: Aye

Supervisor Grundman: Aye

Supervisor Schmidt: Aye

Motion carried unanimously.

- B. Discussion/Action: Town Board review and consideration of a Pay Request submitted by Scott Construction, Inc., 560 Munroe Avenue, Lake Delton, P.O. Box 340, WI 53940 for the Town's CY 2015 Chip Sealing Projects.

Attached please find a copy of Pay Request No. 1 (Final Payment) from Scott Construction, Inc. for the Town's CY 2015 Chip Sealing Projects. The Administration would like to remind the Board that the Town's CY 2015 Chip Sealing projects were change to drop North Loop Road from the West Town Line to Medina Junction Road and Medina Junction Road from North Loop Road to Fairview Road. The listed projects were dropped in order to add Oakwood Avenue from Larsen Road to Oakridge Road which failed as a result of the heavy winter frost. The change resulted in a bid that was higher than the Budgeted funding by \$22,313.68, as it did at the time of the change the Administration still expects to cover the shortfall with the Public Works Department's fund balance carryover. The attached pay request reflects the approved changes. Both the Town Administrator and the Town Engineer have reviewed the pay request and are recommending that it be approved. If the Board agrees with staff's recommendation, a motion would be in order to approve the Pay Request No. 1 (Final Payment) submitted by Scott Construction, Inc. for the Town's CY 2015 Chip Sealing Projects at a cost of \$97,313.68 with the funding to come from the Town's CY 2015 Public Works Budget.

MOTION:

Motion by: Supervisor Lettau

Seconded by: Supervisor Grundman

Motion: To approve Pay Request No. 1 submitted by Scott Construction Inc. for the Town's CY 2015 Chip Sealing Project at a cost of \$97,313.68 with the funding to come from the Town's CY 2015 Public Works Budget.

Vote: Carried by unanimous consent.

- C. Discussion/Action: Town Board review and consideration of Pay Request #2 and Change Order #2 submitted by MCC, Inc. 2600 Roemer Road, Appleton, WI 54912 for the Town's CY 2015 Roadway Capital Improvements Projects.

Attached, please find a copy of Change Order # 2 and Pay Request # 2 in the amount of \$177,525.15, submitted by MCC, Inc., 2600 North Roemer Road, Appleton, WI 54912-1137. The Change Order is in the amount of \$3,340.50 and was required to correct a minor storm water drainage issue and to add 2' road side shoulders to the project area. The Town Board will need to approve the Change Order even though work has been completed. The Administration authorized the Change Order work so that the project could be completed in a timely manner. Both the Town Engineer and the Town Administrator have reviewed the pay request and agree that it is correct and should be paid. If the Board is comfortable with staff's recommendation, two motions would be in order, the first would be to approve Change Order #2 to the Town's CY 2015 Capital Construction Projects in the amount of \$3,340.50, the second to approve the pay request #2 in the amount of \$177,525.15 and to direct the Treasurer to make the payment to MCC, Inc., 2600 North Roemer Road, Appleton, WI 54912-1137.

MOTION:

Motion by: Supervisor Schmidt

Seconded by: Supervisor Lettau

Motion: To approve Change Order # 2 for the Town's CY 2015 Capital Construction Projects in the amount of \$3,340.50.

Vote: Carried by unanimous consent.

MOTION:

Motion by: Supervisor Grundman

Seconded by: Supervisor Schmidt

Motion: To approve Pay Request # 2 in the amount of \$177,525.15 and to direct the Treasurer to make the payment to MCC, Inc., 2600 North Roemer Road, Appleton, WI 54912-1137.

Vote: Carried by unanimous consent.

- D. Discussion/Action: Town Board review and consideration of staff's proposal for adding and/or removing property from the Town of Clayton Sanitary District #1 (northeast quadrant of the Town of Clayton).

Attached are copies of the maps and lists of properties that identify, the properties that are in the original Sanitary District, the properties that are proposed to be removed from the Sanitary District and the properties that are proposed to be added to the Sanitary District. With some minor variations required by the County the adjusted boundaries recommended by staff mirror the boundaries of Study Area 1 in the report on Municipal Sanitary Sewer and Municipal Water

Utility recently presented by Cedar Corporation. Staff is scheduling Board action on the process for the October 7th, 2015 Town Board Meeting. The Class 2 Public Notice of the Board’s pending action in the Appleton Post-Crescent on Wednesday, September 23rd, 2015 and Wednesday, September 30th, 2015. Additionally, a letter will go out to all of the residents in the area that are in the Sanitary District, to those who will be added to the Sanitary District and to those who will be removed from the Sanitary District. The Administration has placed this item on the Board’s agenda in order to show the Board the final proposed Sanitary District boundaries and to provide the Board with information relating to the issue.

NO ACTION TAKEN.

- E. Discussion/Action: Town Board review and consideration of a staff request to solicit an engineering proposal to redesign the failing outfall area of the eastern pond in the Plat of Strawberry Fields (Cavendish Road).

Attached please find several photographs of the referenced storm water management pond. If one looks carefully at the outfall of the pond it is evident that the pipe has lifted causing water to be trapped in the pond. Also visible in the photographs is the manifold device the County required the Town to install. The Administration is concerned about the integrity of the retention pond berm in the area of the outfall pipe. Specifically, if the berm were to fail the water released from the pond would run into a drainage easement between to relative expensive homes to the south and depending on the volume of water released would likely damage both homes and the roadway before it finds its way into the Strawberry Estates storm water management pond. In order to avoid the potential problem staff has been pumping down the level of the water in the retention pond. The Administration has an idea of how to fix the issue, however, in order to guarantee that it will work an Engineer will need to approve the design. Since this is a critical issue staff is working on the solution and will likely have a proposal for the Board to consider at its Wednesday, September 16th, 2015 meeting. Please be advised that any cost associated with this work will be billed to the Town’s Storm Water Management Utility.

- Administrator Johnston discussed the issues with water in this area and described the photographs which were presented. Extensive discussion on the details of the drainage issues in this area.
- Direct staff to solicit engineering proposals to redesign the outfall area. Possible for the estimate to be around \$10,000.

- XI. Upcoming Meeting Attendance:
- XII. Board Member Requests for Future Agenda Items:
- XIII. Review of Disbursements:
- XIV. Adjournment:
MOTION:
Motion made by unanimous consent to Adjourn at 8:03 p.m.

NO ACTION TAKEN

Respectfully submitted,
Laurie Goffard, Deputy Clerk