

TOWN OF CLAYTON
Town Board of Supervisors
Meeting Minutes

7:00 P.M. – 7:31 P.M. on Wednesday, October 5, 2011

Town Office Meeting Room, 8358 County Road T, Larsen, WI 54947

I. Call to Order:

A. Pledge of Allegiance, Notice Verification, Roll

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

a. Board of Supervisors

| | |
|-----------------------------|---------|
| Chair Luebke | PRESENT |
| Supervisor Lettau | PRESENT |
| Supervisor Grundman Erdmann | PRESENT |
| Supervisor Schmidt | PRESENT |
| Supervisor Geise | PRESENT |

b. Staff

| | |
|-------------------------------|---------|
| Administrator Johnston | PRESENT |
| Clerk Nester-Huebner | PRESENT |
| Public Works Foreman Pamentor | PRESENT |
| Town Engineer Madsen | PRESENT |

II. Public Hearing:

A. No Public Hearing.

III. Approval of Minutes:

A. Special Town Board Meeting (Budget Workshop #3) – Tuesday, September 13th, 2011

MOTION:

Motion by: Unanimous consent

Approve the Special Town Board Meeting (Budget Workshop #3) minutes of Tuesday, September 13th, 2011, as written.

CARRIED.

B. Special Town Board Meeting (Budget Workshop #4) – Tuesday, September 20th, 2011

MOTION:

Motion by: Unanimous consent

Approve the Special Town Board Meeting (Budget Workshop #4) of Tuesday, September 20th, 2011, as written.

CARRIED.

C. Regular Town Board Meeting – Wednesday, September 21st, 2011**MOTION:**

Motion by: Unanimous consent

Approve the Regular Town Board Meeting minutes of Wednesday, September 21st, 2011, as written.

CARRIED.

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

A. No open forum items.

V. Correspondence:

A. East Central Wisconsin Regional Planning Commission – Member community/county Technical Assistance project requests for its 2012 Work Program.

B. Oshkosh Public Library – Minutes of the Library Board of July 26, 2011

C. Winnebago County

1. Sheriff – Underage Alcohol Compliance Check

2. Solid Waste Management Board – Commodity percentages for January-June 2011

3. Zoning Department – No documents for Town of Clayton to review in October

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

A. County Supervisor Report

1. County Supervisor Joanne Sievert present, no report

B. Winnebago County Sheriff's Department – Public Concerns and Issues

1. No Sheriff Deputy present

C. Clayton-Winchester Fire Department

1. No CWFD member present

2. Update: 74 calls year-to-date

D. Larsen Winchester Sanitary District

1. No LWSD member present

E. Administration Comments

1. Administrator: Copy of the complete draft budget (updated from October 4, 2011, budget workshop); communication from a resident on Tribute Drive regarding drainage; staff computer system infected with a virus

2. Clerk: On September 30, 2011, the Governor signed legislation that moves the Presidential Preference Primary from February to the April Election

3. Public Works Foreman: Strawberry Fields drainage project is almost complete but still need to complete a little ditching

4. Engineer: Striping on Larsen Road is scheduled to be completed within the next week

5. Chair Luebke: no report

6. Supervisor Lettau: no report

7. Supervisor Grundman Erdmann: no report

8. Supervisor Schmidt: no report

9. Supervisor Geise: no report

VII. Licenses and Permits:

A. Discussion/Action – Consideration and approval of Operator Licenses:

1. New – Ashley R. Marisch (Not present)

MOTION:

Motion by: Unanimous consent
Approve the Operator License for Ashley R. Marisch.
CARRIED

VIII. Zoning – Town Board receipt, review, and consideration of Plan Commission Referrals:
A. No Referrals.

IX. Green Space – Town Board receipt, review, and consideration of Green Space Committee Referrals:
A. No Referrals.

X. Business:

A. Discussion/Action: Second reading and Town Board review and consideration of Resolution #2011-024: A Resolution Creating an Ordinance Prohibiting the Carrying of Concealed Weapons in buildings owned and/or leased by the Town of Clayton.

1. Each Town Board member received a copy of Resolution #2011-024: A Resolution Creating an Ordinance Prohibiting the Carrying of Concealed Weapons in Buildings Owned and/or Leased by the Town of Clayton.
2. The Resolution was created to implement the Board’s directive relative to the concealed carrying of weapons in Town Buildings.
3. The Ordinance language was transferred verbatim from the document the Board approved at its September 7th, 2011, meeting.
4. The Board will hold the second reading and consider approval of the document at its Wednesday, October 5th, 2011, meeting.
5. If the Board is comfortable with the draft Ordinance, a motion to approve Resolution #2011-024: A Resolution Creating an Ordinance Prohibiting the Carrying of Concealed Weapons in Buildings Owned and/or Leased by the Town of Clayton would be in order.
6. Additionally, the Board should direct the Clerk to post the Resolution and the Ordinance as a step in the approval process.
7. Audience members did not object to the waiving of the second reading of Resolution #2011-024; Board unanimously waived the second reading.

MOTION:

Motion by: Supervisor Geise
Seconded by: Supervisor Grundman Erdmann
Approve Resolution #2011-024: A Resolution Creating an Ordinance Prohibiting the Carrying of Concealed Weapons in Buildings Owned and/or Leased by the Town of Clayton, and direct the Clerk to post the Resolution and the Ordinance.

Roll Call:

Supervisor Schmidt = yes
Supervisor Lettau = yes
Supervisor Geise = yes
Supervisor Grundman Erdmann = yes
Chair Luebke = yes

CARRIED by 5-0 roll call vote.

- B. Discussion/Action: Town Board review and consideration of a three-year contract with Veolia ES Solid Waste Midwest, LLC, for weekly curbside pick of Solid Waste and Recycling in the Town of Clayton.
1. Each Town Board member received a copy of the following documents:
 - a. A draft copy of the Town's proposed Solid Waste and Recycling Contract
 - b. Respondents' Statement of Qualifications
 - c. The First Addendum to the Town's Request for Proposals (RFP) for Solid Waste and Recycling Collection
 - d. A copy of the Solid Waste and Recycling Proposal form Veolia ES Solid Waste Midwest, LLC (Veolia)
 - e. A copy of the Notice of service denial used by Veolia
 - f. A spreadsheet showing the projected costs and revenues for the term of the Contract
 - g. Copies of the Revenue and expense Budgets for the Solid Waste and Recycling Utility
 2. The Administration has reviewed the Proposal submitted by Veolia for compliance with the Town's RFP.
 3. Based on that review, the Administration's position is that the documents are complete and comply with the RFP.
 4. The spreadsheet shows that the Town would have a positive fund balance reserve in the Solid Waste and Recycling Utility (Utility).
 5. The estimates are based on the following assumptions:
 - a. No significant changes in the Town's Utility Budgets over the next three years.
 - b. No changes in the Annual Utility Fee charged to the Town's residents.
 - c. Residents from new construction are to be brought on line at the same Fee.
 - d. That the base number of Utility customers is adjusted by the number of Occupancy Permits issued in the CY by January 15th, of the subsequent CY.
 6. With the new Contract, the Board will have the ability to provide residents with smaller totes if they still want them.
 7. Staff has kept the list of residents who expressed an interest in the smaller units.
 8. Following confirmation of continued interest, Veolia will be provided the list and the individual will be advised of a delivery date.
 9. Relative to bulk item disposal, Veolia is proposing a quarterly collection process that would allow the Town to place two large (30 Cubic Yard) containers at the Town's yard waste site.
 10. Residents would be encouraged to use these containers to dispose of bulk items and metals at no cost.
 11. Veolia would charge the Town \$120.00 per pull with a rebate for recycled metal materials.
 12. The costs of this project are included in the Town Utility Budget.
 13. Additionally, this process should reduce the amount of material staff routinely removes from the roadside ditches.
 14. Based on the revenue calculations, the Administration recommends that the Board keep the Utility Fee at the current \$187.59 per year for the CY 2012.

15. The Board should review the Fee on an annual basis based on the Utility’s Budget and function.
16. If the Board agrees with the Administration’s recommendations the following motions would be in order:
 - a. To authorize the signing of a three year Contract (CY’s 2012/13/14) for Solid Waste and Recycling for the specified residential categories with Veolia ES Solid Waste Midwest, LLC, based on the Proposal submitted as a result of the Town’s CY 2011 RFP.
 - b. To direct staff to set the CY 2012 Fee for residential solid waste and recycling in the Town of Clayton at \$187.59.

MOTION:

Motion by: Supervisor Schmidt

Seconded by: Supervisor Lettau

Authorize the signing of a three-year Contract (CY’s 2012/2013/2014) for Solid Waste and Recycling for the specified residential categories with Veolia ES Solid Waste Midwest, LLC, based on the Proposal submitted as a result of the Town’s CY 2011 RFP.

CARRIED by unanimous voice vote.

- C. Discussion/Action: Town Board review and consideration of setting the dollar value of the fee to be charged to the Town’s residents for CY 2012 Solid Waste and Recycling services.

1. Based on the revenue calculations, the Administration recommends that the Board keep the Utility Fee at the current \$187.59 per year for the CY 2012.
2. The Board should review the Fee on an annual basis based on the Utility’s Budget and function.

MOTION:

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Direct staff to set the CY 2012 Fee for residential solid waste and recycling in the Town of Clayton at \$187.59.

CARRIED by unanimous voice vote.

- D. Discussion/Action: Town Board review and consideration of a staff request to contract for the use of a tub grinder to process the fallen trees and branch debris at the Town’s Yard waste site. The large volume of debris was generated from the recent storms in the area.

1. As a result of the recent storms in the area, residents have deposited a substantial amount of debris at the Town’s yard waste site.
2. Staff has come to the conclusion that it would take a minimum of 80 to 100 labor hours to process the debris with the Town’s chipper.
3. Given staff’s work load, the Administration recommends that the Town rent a tub grinder and operator to complete the processing of the debris.

4. Staff is working to locate a tub grinder and negotiate a price for doing the work, a proposal will be available for the Board by the Wednesday, October 5th, 2011, meeting.
5. If the proposal is available in time, it will be included in the Board's meeting packet.
6. Staff expects the cost of the project to be in the area of 2 to 3 thousand dollars, with the funding to come from the Town's CY 2011 Solid Waste and Recycling Budget Line Item.
7. The Administration would like to advise the Board that this recommendation is based on the exceptional circumstances that occurred as a result of the storms.
8. Under normal circumstances, staff would be required to keep up with the processing of the debris as part of its normal workload.
9. Each Town Board member received a copy of a quote for grinding of the storm debris at the Town's Yard Waste Site.
10. Staff was only able to find one service provider; this individual is in the area because he is working with the Town and City of Menasha.
11. The quote is \$350.00 per hour with a minimum service call of 8 hours, for a total of \$2,800.00.
12. Staff believes that the 8-hour minimum would allow the provider to grind all of the storm debris and most of the tree stumps that have accumulated at the site over time.
13. Additionally, staff is proposing to ask the provider to remove the waste material generated by the project from the site.
14. Funding for the project will come from the Town's CY 2011 Solid Waste and Recycling Contract Services Line Item.
15. If the Board agrees with the Administration's recommendation, a motion to accept the quote from Poms Services, Inc., at a cost not to exceed \$2,800.00 would be in order.

MOTION:

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman Erdmann

Approve the request to contract with Poms Services, Inc., 5973 County S, Sobieski, WI 54171, for the use of a tub grinder to process the large volume of debris at the Town's Yard waste site from the recent storms, at a cost not to exceed \$2,800.00 maximum.

CARRIED by unanimous voice vote.

E. Discussion/Action: Town Board review and direction to staff update on the Town's Storm Water Management projects.

1. Staff will be starting the construction work on the Town's fall storm water management projects during the week of September 26th, 2011.
2. The Town Engineer will be reporting on the progress with the engineering and the design for these projects.
3. Town staff will be updating the Board on the progress with the construction work on these projects.

4. Strawberry Fields Drainage Project – Project is almost complete, will be taking grade measurements once project is complete to establish baseline grade measurements; hit one drain tile and it is now tied into the system
5. Hidden Park Drainage Project – Staff will be starting this project following the completion of the Strawberry Fields Drainage Project
6. Sunburst Estates Drainage Project – Engineering design of the drainage project is in progress

No motion on this item.

- XI. Upcoming Meeting Attendance
 - A. October 6th, 2011 – Winnebago Towns Association Unit Meeting (Town of Neenah – Town Hall, 1600 Breezewood Lane, Neenah)
 - B. October 23rd, 2011, through October 26, 2011 – WTA Annual Convention (Green Bay, WI)
- XII. Board Member Requests for Future Agenda Items
 - A. No items.
- XIII. Approval of Disbursements

MOTION:
Motion by: Unanimous consent
Approve disbursements as presented.
CARRIED.
- XIV. Adjournment – 7:31 P.M.

MOTION:
Motion by: Unanimous consent
Adjourn.
CARRIED.

Respectfully submitted,
Susan Nester-Huebner, Town Clerk