

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. on Wednesday, November 18th, 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	ABSENT

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, October 21st, 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, October 21st, 2015.

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

V. Correspondence:

- A. Distribution of the Notice of Non-candidacy for the Spring Town Board Election.
- B. Distribution of the Administrator’s Performance Evaluation Forms.
- C. Distribution of several articles from the League of Wisconsin Municipalities on Capital Planning and Paying for Municipal Public Infrastructure.
- D. Distribution of correspondence from the County Highway Commissioner on the distribution of TRIP Grant Funds.

- E. Distribution of correspondence from the County Clerk on County Board action to amend Chapter 23 of the County's General Code.
- F. Distribution of a Town's Association notice on recently approved legislation.

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
 - Chief Rieckmann reported a new training structure.
 - Cindy Pfankuch that the first responders have been approved for a tourniquet and to carry aspirin. Training in December on nasal airways. Reviewed training agenda for November. Getting a grant for a pediatric bag.
- D. Larsen-Winchester Sanitary District
- E. Administration Comments
 - Reviewed Strawberry Fields pond project status.
 - Reviewed the Clayton Avenue project for 2016.
 - Administrator Johnston explained the boundary agreement with the Town of Neenah and the Village of Fox Crossing. Review of the Friendship Trail Project and the Strawberry Fields Project.
 - Treasurer Straw discussed the special assessments which are now complete and they have been e-mailed to Winnebago County. She has been helping the Town of Winchester Clerk, Holly Stevens, to get her specials started, helped her to get familiar with where the information comes from.
 - Supervisor Grundman asked Mary Jo about working with Tori for storm water management fees. Explained how Martenson and Eisele calculates the ERU's for commercial property. Updated the Town Board relative to the Sanitary District project.
 -

VII. Operator Licenses Issued by the Town Clerk:

- A. New:
 - i. None
- 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):

Business

A. Plan Commission Action:

Plan Commission recommendation to the Town Board on a presentation by Laurie Olson, Superintendent of Recreation for the City of Neenah, on an area wide Resolution to Support the East Central Wisconsin Regional Planning Commission (ECWRPC) Bicycle and Pedestrian Plan.

Ms. Olson gave a presentation on the Weight of the Fox Valley, Obesity Trends in the U.S. and in the Fox Valley. Ms. Olson asked the Commission to recommend that the Board support the East Central Regional Planning Commission (ECWRPC) CY 2014 Transportation Management Area, Bicycle and Pedestrian Plan in the form of a Resolution supporting the Weight of the Fox Valley Program and the ECWRPC, CY

2014 Transportation Management Area, Bicycle and Pedestrian Plan. The Commission recommends that the Board approve the Resolution supporting the Weight of the Fox Valley programs and the ECWRPC Transportation Management Plan. Should the Board agree staff will prepare a Draft Resolution for the consideration and action at the Board's Wednesday, December 2nd, 2015 meeting.

MOTION:

Motion made by unanimous consent to approve a Resolution supporting the Weight of the Fox Valley programs and the ECWRPC Transportation Management Plan.

B. Plan Commission Action:

Plan Commission recommendation to the Town Board on a Certified Survey Map (CSM) Application submitted by Glenn Mc Cann, 646 Fourth Street, Menasha, WI 54952 for property located on the east side of STH "76" south of Oakridge Road and specifically identified as Tax ID # 006-0895, described as Part of the Western ½ of the Northwest ¼ and described as Lot 2 of CSM 5026, in Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Staff reviewed the Certified Survey Map (CSM) Application submitted by Glenn Mc Cann, 646 Fourth Street, Menasha, WI 54952 for property located on the east side of STH "76" south of Oakridge Road and specifically identified as Tax ID # 006-0895, described as Part of the Western ½ of the Northwest ¼ and described as Lot 2 of CSM 5026, in Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The Plan Commission has recommended approval of the CSM subject to the following conditions:

1. Paying all fees owed to the Town.
2. Placing the "Right to Farm" language required by the Town on the face of the CSM Document.
3. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.

MOTION:

Motion by: Supervisor Reif

Seconded by: Supervisor Schmidt

Motion: To approve the Certified Survey Map (CSM) Application submitted by Glenn Mc Cann, 646 Fourth Street, Menasha, WI 54952 and identified as Tax ID # 006-0895.

Vote: Carried by unanimous consent.

C. Plan Commission Action:

Plan Commission recommendation to the Town Board on a schedule for completing the Town's CY 2015 Comprehensive Plan Update and a Public Notice strategy for maximizing Public Input on the CY 2015 Comprehensive Plan Update.

Staff reviewed the proposed schedule with the Commission. The Commission is recommending that the Board approve the following schedule for completing the CY 2015 update of the Town's Comprehensive Plan.

Directed staff to follow the schedule for the Town's CY 2015 Comprehensive Plan.

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. The Wednesday, November 11th, 2015 meeting was **CANCELLED**.

X. Business:

A. Discussion/Action: Town Board review and consideration of hiring a full time Fire Chief for the Town's Fire Department with an employment starting time and date of 12:01 A.M. on January 1st, 2016.

As part of developing the Town's CY 2016 General Fund Budget the Board included a full time Fire Chief in the Fire Department's Budget. Since the Town Electors have approved the Town CY 2015 Tax Levy payable in CY 2015/16 and the Board has approved the CY 2016 Budgets it can now proceed with implementing the proposed changes to the Town's fire fighting services and the Town's Fire Department. Attached please find a copy of the Town's CY 2016 Fire Department Budget and the resume for the current Chief, Scott Rieckmann (Scott). The budgeted salary for the Chief's position is \$55,000.00 plus benefits. The benefits include participation in the State retirement system, health insurance as part of the Town's Union Contract, and the other employment benefits specified in the Town's Employee Manual as updated. The Administration expects that the Chief would start the job at 12:01 A.M. on Friday January 1st, 2016. If the Board wishes to proceed with creating the Town of Clayton Fire Rescue Department, a motion would be in order to approve the hiring of Scott Rieckmann as the full time Chief for the Town of Clayton Fire Rescue Department as an at-will employee with a starting wage of \$55,000.00 plus the retirement benefits, the health insurance benefits, the benefits outlined in the Town Employee Manual, a six-month probationary period, and an annual performance evaluation review. Funding for the position is to come from the Town's CY 2016 General Fund Operating Budget, Fire Department Line Items.

MOTION:

Motion by: Supervisor Reif

Seconded by: Supervisor Grundman

Motion: To approve the hiring of a full-time Fire Chief for the Town of Clayton Fire Rescue Department.

Vote: Carried by unanimous consent.

B. Discussion/Action: Town Board review, consideration, and direction to the Town's Fire Chief on the number of authorized personnel, the organizational structure of the Town's Fire Department and the stipend to be paid to the Department's Officers.

Since the Town Electors have approved the Town's CY 2015 Tax Levy payable in CY 2015/16 and the Board has approved the CY 2016 Budgets it can now proceed with approving the organizational structure of the Town's Fire and First Responder Departments. Over the past year the Chief has been working on consolidating and reorganizing the Town's Fire Department and the First Responder Unit into a single Department with a Fire Department Officer being responsible for the administration of the First Responder unit. The proposed name of the unit is the Clayton Fire/Rescue. The maximum number of volunteers is set at 40 Volunteer Firefighters and 15 First Responders. Please be advised that the number of authorized volunteers is a maximum for the Department and that there are several firefighters who are also first responders so the total number of individuals may not always match the total of the two groups. Attached, please find a copy of a flow chart for the Department, a list of the Officer Positions, a list of the

proposed Officers and a list of the stipends for the Officer Positions. If the Board wishes to proceed with creating the Town of Clayton Fire Rescue Department, a motion would be in order to approve setting the maximum number of Volunteer Firefighters at 40, the maximum number of First Responders at 15, the organizational flow chart for the Department, the list of Officer Positions, and the stipend to be paid to the Officers for their administrative duties with the funding for the positions to come from the Town's CY 2016 General Fund Operating Budget, Fire Department and First Responder Line Items.

MOTION:

Motion by: Supervisor Grundman

Seconded by: Supervisor Lettau

Motion: To approve the organization structure of the Town's Fire and First Responder Departments.

Vote: Carried by unanimous consent.

- C. Discussion/Action: Town Board review and consideration of hiring up to 55 paid, on-call Firefighters (40) and First Responders (15) for the Town's Fire Department and First Responder Department with an employment starting time and date of 12:01 A.M. on January 1st, 2016.

As part of developing the Town's CY 2016 General Fund Budget the Board included funding for up to 55 paid, on-call Volunteer Firefighters (40) and First Responders (15). Since the Town Electors have approved the Town's CY 2015 Tax Levy payable in CY 2015/16 and the Board has approved the CY 2016 Budgets it can now proceed with hiring the volunteers. Please be advised that the number of authorized volunteers is a maximum for the Department, that there are several firefighters who are also first responders so the numbers of individuals may not always match the total of the two categories. Additionally, Department Officers receive a stipend over and above their on-call pay for their administrative duties. Attached please find a list of the applicants with a brief bio for each applicant. Staff has reviewed the applications and is recommending the Board hire the listed individuals. The wage rate for both firefighters and first responders is \$11.57 per hour. The Administration is recommending that the Board hire these individuals and carryover the seniority they have earned as a member of the Clayton/Winchester Joint Fire Department. If the Board wishes to proceed with creating the Town of Clayton Fire Rescue Department, a motion would be in order to approve setting the maximum number of Volunteer Firefighters at 40 and the maximum number of First Responders at 15 and to hire the recommended individuals at a wage rate of \$11.57 per hour with the funding for the positions to come from the Town's CY 2016 General Fund Operating Budget, Fire Department and First Responder Line Items.

- Chief Rieckmann reviewed the biographies he prepared for the Town Board.

MOTION:

Motion by: Supervisor Lettau

Seconded by: Supervisor Schmidt

Motion: To approve everything as presented above. Recruiting was also discussed.

Vote: Carried by unanimous consent.

- D. Discussion/Action: Town Board review, consideration, and direction to staff on the long term firefighting capabilities and performance level of the Town's Volunteer Fire Department.

In order for the Chief to be able to make long term plans for the Town's Fire Department the Board needs to give him direction on what level of fire protection the Board would like to provide to the Town's residents. Specifically, how much does the Board wish to depend on its neighboring communities to subsidize the Town's fire fighting capacity. The unit of measure for making this decision is usually a structure fire. The protective services have developed valuable support mechanisms that minimize the costs to an individual community and maximize the investments of neighboring communities such as automatic aid agreements, mutual aid calls, and the *Mutual Aid Box Alarm System* (known as *MABAS*). Even with these cost sharing systems there is still a need for the Town to set a standard that deals with internal operations, maintenance of its rolling stock, and the number of structure fires it wishes to be able to fight with its own resources. It has been the Administration's experience that in order to be self-reliant for basic fire fighting services a rural department (no water hydrants) needs a vehicle with a pumping capacity and the capability of carrying a minimum amount of water (a pumper truck), and a vehicle that can carry substantial amounts of water (a tender truck). This level of apparatus will allow a department to fight one structure fire. The main concern with two vehicles is that the department needs to rely on neighboring communities when a vehicle is out of service for maintenance or repair. In order to minimize this issue a third vehicle that can both pump and carry water (a pumper tender) is needed. The third vehicle is used as a substitute when one of the other vehicles is out for service or repairs. At this point the department is self sufficient for a structure fire. It has been the Administration's experience that a second tender will allow a properly organized and managed department to fight two structure fires at the same time. If the equipment is available, fighting two simultaneous structure fires becomes a personnel issue and the responsibility of the Chief and the Officers. Please be advised that two structure fires is an extreme event and that the same apparatus can be used to respond to two simultaneous calls that are not structure fires. The Administration does not expect to get to the level of being able to fight two structure fires immediately; however, if the Board agrees, it should be the long term goal of the Chief and the Department. A motion would be I order to set the desired level of service the Board would like to provide for the residents of the Town of Clayton.

- Firefighter capabilities and performance level of Town's VFD.
- Discussed Fire Department level of service vs. firefighting apparatus we currently have.
- Brief discussion on the split of equipment.

MOTION:

Motion carried by unanimous for approval to change the level of the desired.

- E. Discussion/Action: Town Board review, consideration, and direction to staff on the CY 2016 updates to the Town's Fee Schedule.

Attached please find a draft copy of the Administration's recommended CY 2016 changes to the Town's Fee schedule. The new fees are highlighted in yellow and the old fees are highlighted in red. The Administration is recommending several changes to the schedule in order to clarify the Fees and to assign the costs of administrative work to the individuals requesting the services. The Administration is continuing to make an effort to rationalize the costs related to services offered by the Town and the fees charged for those services. The significant changes occur in the area related to Building Permits. The Town's Building Inspector has made several recommendations relative to the Building Permit Fees that will bring the type and value of the fees charged by the

Town in line with other communities in the area. Should the Board wish to recommend changes to the fee schedule staff will incorporate those changes in the finalized CY 2016 Fee Schedule. The Administration will be ready to explain any of the recommended changes to the Board as part of the review of this agenda item. Should the Board agree with the Administration's recommendations relative to the Town's CY 2016 Fee Schedule, a motion would be in order to approve the revised Fee Schedule with an effective date of January 1st, 2016.

MOTION:

Motion carried by unanimous consent for approval of this new fee schedule for CY 2016.

- F. Discussion/Action: Town Board review and consideration of a request to develop the Plat of Highland Woods as part of the Town's CY 2016 Capital Projects using McMahan Engineers and Architects, the engineering firm that designed and engineered the project.

In 1999 Tim Wrase (Developer) constructed phase-1 of the Plat of Highland Woods. Phase-1 consisted of Woodland Drive located on the southeast corner of Center Road and Shady Lane. Phase-2 of the Plat of Highland Woods is located on the northeast corner of Center Road and Shady Lane. When Phase-1 was constructed, McMahan Associates, Inc. completed the engineering for both Phase-1 and Phase-2 of the Plat. Given the current market conditions the Developer would like to construct Phase-2 of the Plat. The Administration has advised both Dave Schmalz of McMahan Associates, Inc and the Developer that the engineering for Phase-2 of the Plat would need to be updated to meet the specifications of the Town's new Minimum Road Standards Ordinance and both parties have agreed to this requirement. Additionally, both parties are aware that the Storm Water Management Plan for Phase-2 of the Plat would need to meet the current Department of Natural Resources (DNR) standards. Since both the Preliminary Plat and the Final Plat have been approved and all of the engineering for the Plat has been completed by McMahan Associates, Inc. the Administration is recommending that the Town allow McMahan Associates, Inc. to update the engineering to meet the Town's current Minimum Road Standards Ordinance. Attached please find a copy of an E-mail from the Town's Engineer relative to that recommendation. The following are the Administration's responses to the Town Engineer's concerns:

1. The Developer will need to provide a current wetland delineation and a Letter of Concurrence from the DNR.
2. The Developer will need to have the Storm Water Management Plan reviewed and approved by the County.
3. Please be advised that the Town has routinely accepted the County's review and approval of storm water management devices as the Town's Approval.
4. At the Board's discretion, the Administration recommends that the Developer place any storm water management device on an Out Lot that will be deeded to the Town.

Relative to the construction supervision function, the Administration is recommending that the Town solicit not-to-exceed proposals from the Town Engineer and McMahan Associates, Inc. and accept the lowest proposal. If the Board agrees with the Administration's recommendation, a motion would be in order to allow the Developer to use McMahan Associates, Inc as the engineer for the project and to direct staff to proceed with generating a Developer's Agreement for the Board and the Developer to approve.

- Directed staff to move forward with the request to develop the Plat of Highland Woods as part of the Town's CY 2016 Capital Projects using McMahan Engineers and Architects, the engineering firm that designed and engineered the project.

- XI. Review of Disbursements:
- XII. Review of General Fund Budget Update (Second Town Board meeting of the month):
- XIII. Upcoming Meeting Attendance:
 - Joint Fire Board meeting December 14th, 2015
 - Plan Commission meeting December 9th, 2015
- XIV. Board Member Requests for Future Agenda Items:
- XV. Adjournment:
 - MOTION:**
 - Motion made by unanimous consent to Adjourn at 8:15 p.m.

Respectfully submitted,
Laurie Goffard, Deputy Clerk