

TOWN OF CLAYTON  
Town Board of Supervisors  
Meeting Minutes

7:00 P.M. – 7:34 P.M. on Wednesday, December 18<sup>th</sup>, 2013

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

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- 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 PRESENT
        - Supervisor Grundman PRESENT
        - Supervisor Schmidt PRESENT
      - b. Staff
        - Administrator Johnston PRESENT
        - Treasurer Bowen PRESENT
        - Town Engineer – Mary Jo Miller PRESENT
- II. Public Hearing:
  - A. No Referrals
- III. Approval of Minutes:
  - A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, December 4<sup>th</sup>, 2013.  
**MOTION:**  
Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, December 4<sup>th</sup>, 2013
- IV. Open Forum – Non-Agendized Town-related Matters:
  - A. No Referrals
- V. Correspondence:
  - A. Correspondence from State Senate President Michael G. Ellis
  - B. Fox Cities Regional Partnership Press Release.
- VI. Discussion Items (No action will be taken.):
  - A. County Supervisor Report
    - 1. No Report
  - B. Winnebago County Sheriff’s Department – Public Concerns and Issues
    - 1. No Report
  - C. Clayton-Winchester Fire Department at Winchester
    - 1. Fire Board Meeting at Town of Winchester tomorrow

- D. Larsen Winchester Sanitary District
  - 1. No Report
- E. Administration Comments
  - 1. Engineer
    - a. Engineer Miller has nothing to report
  - 2. Administrator/Clerk
    - a. Administrator Johnston advised tax collection has begun
  - 3. Public Works Foreman:
    - a. No Report
  - 4. Treasurer/Deputy Clerk:
    - a. Treasurer Bowen advised on the tax collection total thus far
    - b. Advised of the refunds being on next board meeting agenda
  - 5. Town Board:
    - a. No Report

- VII. Licenses and Permits:
  - A. New:
    - i. No New Licenses Issued
  - B. Renewal:
    - i. No Renewal Licenses Issued

- VIII. Business referred by the Plan Commission:
  - Town Board receipt, review, and consideration of Plan Commission Referrals:
    - Chair Luebke removed himself from the Board for Item A and turned control over to Vice-Chair Geise
    - Plan Commission Chair Knapinski presented the agenda items
  - A. Plan Commission recommendation to the Town Board on the Preliminary Plat of Whispering Meadows submitted by RRM Properties, 3919 CTR II, Larsen, WI 54947 for property specifically described as Tax ID # 006-0566, being Part of Outlot 1 of Certified Survey Map No. 3996 and all of Lots two (2) and three (3) of Certified Survey Map No. 6693, being part of the Northeast ¼ of the Northwest ¼ of Section 21, Township 20, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Commissioner Jesse

Seconded by: Commissioner Eckstein

Motion: To recommend approval of the Preliminary Plat of Whispering Meadows submitted by RRM Properties, 3919 CTR II, Larsen, WI 54947 for property specifically described as Tax ID # 006-0566, subject to the conditions recommended by staff and the following conditions recommended by the Plan Commission:

- 1. A note on the Final Plat relative to possible naturally occurring springs on the property.
- 2. A note on the Final Plat relative to the repair of any damaged farm tile on the property.
- 3. Confirmation that a school bus can turn on the proposed temporary cul-de-sac in the development.
- 4. A note on the Final Plat reserving the location of a possible trail in the subdivision.

Motion: carried by unanimous voice vote.

- Ben Hamblin (2986 W Shady Lane, Neenah) voiced questions concerning the subdivision plat

**MOTION:**

Motion by: Supervisor Grundman

Seconded by: Supervisor Schmidt

Motion to approve the Preliminary Plat of Whispering Meadows Subdivision with staff and Plan Commission recommendations as presented

Motion carried by unanimous voice vote.

- Chair Luebke returned to the Board

- B. Plan Commission recommendation to the Town Board on a Certified Survey Map (CSM) Application submitted by DNR Properties LLC, 3517 Thornberry Drive, Appleton, WI. 54915 for property located at 2825 Campers Boulevard, Neenah, WI 54956; specifically described as Tax ID # 006-0336-01, being all of Lot One (1) of Certified Survey Map No. 6125, as recorded in Volume 1 of Maps on page 6125, as Document No. 1444475 and all of Lot One (1) of Certified Survey Map No.6306, as recorded in Volume 1 of Maps on page 6306, as Document No. 1485336, Located in the Northeast ¼ of the Southwest ¼ of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Commissioner Eckstein

Seconded by: Commissioner Klingenberger

Motion: To recommend approval of a Certified Survey Map (CSM) Application submitted by DNR Properties LLC, 3517 Thornberry Drive, Appleton, WI 54915, for property located at 2825 Campers Boulevard, Neenah, WI 54956; specifically described as Tax ID # 006-0336-01, subject to the conditions recommended by staff including a maintenance agreement for the exiting storm water management pond on the site.

Motion: carried by unanimous voice vote.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman

Motion to approve the Certified Survey Map (CSM) Application submitted by DNR Properties LLC, 3517 Thornberry Drive for property located at 2825 Campers Boulevard with staff and Plan Commission recommendations

Motion carried by unanimous voice vote.

- C. Plan Commission recommendation to the Town Board on a Conditional Use Application submitted by DNR Properties LLC, 3517 Thornberry Drive, Appleton, WI. 54915, to allow a “Large Equipment Rental” operation on property zoned B-3 (GENERAL BUSINESS DISTRICT). The property is located at 2825 Campers Boulevard, Neenah, WI 54956; specifically described as Tax ID # 006-0336-01 being all of Lot One (1) of Certified Survey Map No. 6125, as recorded in Volume 1 of Maps on page 6125, as Document No. 1444475 and all of Lot One (1) of Certified Survey Map No.6306, as recorded in Volume 1 of Maps on page 6306, as Document No. 1485336, Located in the Northeast ¼ of the Southwest ¼ of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Commissioner Klingenberg

Seconded by: Commissioner Jesse

Motion: To recommend approval of a Conditional Use Application submitted by DNR Properties LLC, 3517 Thornberry Drive, Appleton, WI 54915 to allow a “Large Equipment Rental” operation on property zoned B-3 (GENERAL BUSINESS DISTRICT). The property is located at 2825 Campers Boulevard, Neenah, WI 54956; specifically described as Tax ID # 006-0336-01, subject to the conditions recommended by staff.

Motion: carried by unanimous voice vote.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion to approve the Conditional Use Application submitted by DNR Properties LLC, 3517 Thornberry Drive and to include all Plan Commission and staff recommendations

Motion carried by unanimous voice vote.

- D. Plan Commission recommendation to the Town Board on a Site Plan Application submitted by DNR Properties LLC, 3517 Thornberry Drive, Appleton, WI 54915, for a “Large Equipment Rental” operation on property zoned B-3 (GENERAL BUSINESS DISTRICT). The property is located at 2825 Campers Boulevard, Neenah, WI 54956 and is specifically described as Tax ID # 006-0336-01, being all of Lot One (1) of Certified Survey Map No. 6125, as recorded in Volume 1 of Maps on page 6125, as Document No. 1444475, and all of Lot One (1) of Certified Survey Map No.6306, as recorded in Volume 1 of Maps on page 6306, as Document No. 1485336, Located in the Northeast ¼ of the Southwest ¼ of Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Commissioner Klingenberg

Seconded by: Commissioner Eckstein

Motion: To recommend approval of a Site Plan Application submitted by DNR Properties LLC, 3517 Thornberry Drive, Appleton, WI 54915 for a “Large Equipment Rental” operation on property zoned B-3 (GENERAL BUSINESS DISTRICT). The property is located at 2825 Campers Boulevard, Neenah, WI 54956 and is specifically described as Tax ID # 006-0336-01, subject to the conditions recommended by staff.

Motion: carried by unanimous voice vote.

- Discussed issues with the turning radius of the cul-de-sac for school busses

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Motion to approve the Site Plan Application submitted by DNR Properties LLC, 3517 Thornberry Drive for large equipment rental operation and to include all Plan Commission and staff recommendations

Motion carried by unanimous voice vote.

- IX. Green Space – Town Board receipt, review, and consideration of Green Space Committee Referrals:

A. No Referrals

X. Business:

- A. Discussion/Action: Town Board review and consideration of Amendment #8 to Resolution 2008-101 revising and updating the Town of Clayton Fee Schedule for CY 2014.

Attached please find a draft copy of the Administration’s recommended changes to the Town’s Fee schedule. The new fees are highlighted in yellow and the old fees are highlighted in red print. 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 Development charges. With the advent of Town Zoning, the Fee Schedule needed to be refined in the Development area. For example, the fee for zoning related activities was \$240.00. The Zoning Fee now has been refined to represent different zoning activities and is distributed uniformly at \$250.00. 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 2014 Fee Schedule, a motion would be in order to approve the revised Fee Schedule with an effective date of January 1<sup>st</sup>, 2014.

- Administrator Johnston advised on the relevant changes

**MOTION:**

Motion made by unanimous consent to approve Amendment #8 to Resolution 2008-101 as presented.

- B. Discussion/Action: Town Board review and consideration of an Agreements for Professional Services for the following Town Storm Water Management Utility projects:
  - a. 2014 Storm water Improvements, Oak Openings Subdivision
  - b. 2014 Strom water Improvements, Deer Trail Estates Subdivision
  - c. 2014 Storm water Improvements, Oakcrest Manor Subdivision

Attached, please find copies of the three proposals submitted by the Town’s Engineer (Mary Jo). The Administration asked Mary Jo to make worst case assumptions when she made these proposals. Specifically, the proposals include work that may not need to be completed. In order to prevent delaying the process the Administration is asking the Board to approve the proposals as they are presented. If any of the work included in the proposals is not needed it will not be done. The cost of each proposal is as follows:

a. 2014 Storm water Improvements, Oak Openings Subdivision	\$14,350.00
b. 2014 Storm water Improvements, Deer Trail Estates Subdivision	\$ 9,850.00
c. 2014 Storm water Improvements, Oakcrest Manor Subdivision	\$11,420.00

Each of these proposals includes work that is needed to start the process and work that may be needed based on the findings of the previous work. For example, the Deer Trail Estates Subdivision Proposal of \$9,850.00 includes a Wetland Delineation costing \$1,650.00. If the results of the Wetland Delineation determine that the project as conceived is not viable,

the work as proposed would not continue and no more money would be spent as part of the proposal (see attached map). This process holds true for all three of the proposals. Should the Board agree with the Administration's recommendations relative to the Town's CY 2014 Storm Water Management Utility Engineering Proposals, a motion would be in order to approve the expenditures with the funding coming from the Town's CY 2014 Budgeted Storm Water Management Utility Fee Revenue.

- Engineer Miller presented the projects and discussed plans
- All work for the projects will be done by the Town of Clayton Public Works department
- Discussed the possible change of Engineering firms in January 2014
- Ben Hamblin questioned drainage easements and wetland delineations. Advised this is the country and residents shouldn't expect city conditions

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman

Motion to approve the expenditures for the Storm Water Improvements as presented with the funding to come from the town's CY 2014 Budgeted Storm Water Management Utility Fee Revenue

Motion carried by unanimous consent

- C. Discussion/Action: Town Board review and consideration of a Planning Services proposal submitted by Jonathan Bartz for completing the review, consolidation and coordination of the Town's Ordinances and the Town's Zoning Code of Ordinances.

In order to help the Town with the completion of the Zoning Code approval process and the completion of the review, consolidation and coordination of the Town's Ordinances and Zoning Code of Ordinances, Town Planner Jon Bartz (Jon) has submitted the attached proposal. Jon is not sure where his job search is going to take him and rather than leaving the Town in a difficult position he has agreed to help the Town with its immediate needs. In order to accomplish this goal, Jon has agreed to submit a proposal that will review the Zoning Code Approval process to make sure that staff has not missed any of the required steps in the process. Additionally, Jon's proposal will review the Town's existing zoning related Ordinances for consolidation and coordination with the Town's newly adopted Zoning Code of Ordinances. Once this process is complete, the Board will be asked to rescind duplicate Ordinances so that there are no questions relative to the Town's authority to regulate zoning and development in the Town. The fee for Jon's proposal has not been provided yet. The Administration believes that this is a needed and valuable step in the process of creating a functional set of Municipal Ordinances that can readily be applied and enforced. Should the Board agree with the Administration's recommendations relative to completing the review, consolidation and coordination of the Town's Ordinances and Zoning Code of Ordinances, a motion would be in order to authorize the Town Chair and/or the Vice Chair to approve a Proposal submitted by Jon Bartz in an amount not to exceed \$5,000.00, with the funding for the project to come from the Town's CY 2014 Budget, Planning Line Item.

- Project should be done by 1/15/2014

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor

Motion to authorize the Town Chair and/or the Vice Chair to approve a Proposal submitted by Jon Bartz in the amount not to exceed \$5,000.00, with the funding to come from the Town's CY 2014 Budget, Planning Line Item for wrapping up the Town's Ordinances and the Town's Zoning Code of Ordinances

Motion carried by unanimous voice vote.

- XI. Upcoming Meeting Attendance
  - Staff Christmas Party January 31, 2014 5:30 p.m., cost is \$16.05 per person. Invitations will be mailed out
- XII. Board Member Requests for Future Agenda Items
  - A. None
- XIII. Review of Disbursements
  - A. Disbursements
- XIV. Adjournment – 7:34 P.M.

**MOTION:**

Motion made by unanimous consent to Adjourn.

Respectfully submitted,  
Jenna Prange, Administrative Assistant