

TOWN OF CLAYTON
Board of Supervisors
Meeting Minutes

Wednesday, November 17, 2021 Immediately following the Public Hearing and the Special Electors
Meeting to approve the CY 2021 General Fund Tax Levy payable in CY 2021/2022.
Town Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order: Town Board Chair Geise called the meeting to order at 6:38 p.m.

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

- a. Board of Supervisors

Chair Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Wisnefske	PRESENT
Supervisor Reif	LATE – Arrived at 6:52 p.m.

- b. Staff

Administrator Straw	PRESENT
Clerk Thurs	EXCUSED
Treasurer Liebergen	PRESENT
Town Engineer – Ben Hamblin	PRESENT
Town Attorney – Ben Lafrombois	PRESENT

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

- A. No public hearing.

III. Approval of Minutes:

- A. Approval of the Minutes of the Tuesday, October 28, 2021 Town Board Third CY 2021 Budget Workshop Meeting.
 - B. Approval of the Minutes of the Wednesday, November 03, 2021 Town Board Meeting.

MOTION:

Motion by unanimous consent to approve the October 28, and November 03, 2021 Meeting Minutes as presented.

Motion carried.

IV. Open Forum – Town-related matters not on the agenda: None.

V. Correspondence:

- A. Distribution of Winnebago County Solid Waste and Recycling October 2021 Tonnage Report.

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

- A. County Supervisor Report
- B. Winnebago County Sheriff's Department: – Public Concerns and Issues
- C. Department of Public Safety (First Meeting of the Month)
 - a. Clayton Fire Rescue Department
 - b. Clayton Police Department (First Meeting of the Month)
 - c. Emergency Management Report
- D. Larsen/Winchester Sanitary District
- E. Administration Comments
 - Chair Geise reported that he and Supervisor Reif, President of the Larsen Winchester Sanitary Commission, met with Fox West Sewerage Facilities Manager, Brandon Kaufman and Vice President, Dale Youngquist regarding the Larsen Winchester Sanitary District buy in to Fox West. The buy in would be 1.3% capacity at \$800,000.00 which does not include laying force main through the Town of Clayton, a Town of Clayton conveyance fee, or a Fox Crossing conveyance fee.
 - Commissioner Reif did mention he is looking into updating the Lagoon System.
 - The Town did terminate Mr. Zachary Van Asten due to lack of performance and unprecedented time off during his first five months of employment. The Town will be bringing back Mr. Keith Boutwell as of January, 2022.
 - The Town has an accepted offer on approximately 5.9 acres of land on Clayton Ave for \$317,319.00, which comes out to approximately 4.7 +/- acres at \$65,000 per acre and the remaining acreage at \$35,000 per acre because of some areas not suitable for building.

VII. The Operator Licenses Issued by the Town Clerk:

- A. New:
 - i. None
- B. Renewal:
 - i. None

VIII. Business referred by the Plan Commission:

- A. Plan Commission review and recommendation on a Certified Survey Map (CSM) submitted by Rock and Janice Suutala, 3215 Larsen Road, Neenah, WI 54956 for property owned by Rock and Janice Suutala, 3215 Larsen Road, Neenah, WI 54956 and Michael and Erica San Dretto, 467 Hawthorne St., Neenah, WI 54956, and located at 3215 Larsen Road, Neenah, WI 54956, specifically described as Tax ID # 006-0666 and 006-0665, both parcels being part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 26, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

MOTION:

Motion made by unanimous consent to approve the Certified Survey Map submitted by Rock and Janice Suutala for property owned by Rock and Janice Suutala and Michael and Erica San Dretto and accept the 41,145 sq. ft. (0.944 acres) of Oakwood Ave and Larsen Rd dedications as presented.

Motion carried.

- B. Plan Commission review and recommendation on Certified Survey Map (CSM) submitted by Mark E. Luebke, 8425 Whispering Meadows Dr., Larsen, WI 54947 for property owned by Whispering Meadows Drive, LLC., 8425 Whispering Meadows Dr., Larsen, WI 54947 and located at Whispering Meadows Dr, Larsen, WI 54947, specifically described as Tax ID # 006-0566-04-03 and 006-0566-04-01, both parcels being part of the Southeast ¼ of the Northwest ¼ of Section 21, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

MOTION:

Motion made by unanimous consent to approve the Certified Survey Map submitted by Mark E. Luebke for property owned by Whispering Meadows, LLC and accepting the 8,566 sq. ft. dedication of road and road right-of-way as presented.

Motion carried.

- C. Plan Commission review and recommendation on the driveway locations for Premier Clayton, LLC. due to new information obtained by Clayton Fire Rescue Chief Rieckmann.
- The Board discussed with Chief Rieckmann the concerns the Plan Commission expressed during their meeting November 10, 2021.
 - The Administration and Chief Rieckmann assured the Board that policies and procedures will be updated so this does not happen again.

MOTION:

Motion made by unanimous consent to approve the permanent driveway accesses to Clayton Ave. on the North side and South side of the property with all Staff and Plan Commission recommendations.

Motion carried.

- D. Plan Commission discussion and staff update on the Highways 10 & 76 Corridor Land Use Master Plan strategies, and the possible development of a renewable energy farm.

NO ACTION TAKEN

IX. Business referred by the Green Space Committee:

A. Green Space review and discussion on the CY 2022 Town’s Parks and Trail Budget.

- Action on the Green Space referral to be taken at a later date.

B. Green Space review and discussion on the Town’s Parks and Trail Maintenance and projects schedule.

NO ACTION TAKEN

C. Green Space review and discussion on the Town’s Greenspace Committee Mission Statement.

NO ACTION TAKEN

D. Green Space review and discussion on the Town’s Park & Open Space Plan being part of the Town’s Comprehensive Plan.

NO ACTION TAKEN

X. Business:

A. Discussion/Action: Town Board review and consideration Resolution 2021-017 A Resolution Adopting the CY 2021 Tax Levy payable in CY 2021/2022 as set by the Wednesday, November 17, 2021 Special Meeting of the Town Electors, and Adopting the following Town CY 2022 Budgets as presented:

- i. CY 2022 General Fund Revenue and Expense Budgets.
- ii. CY 2022 Capital Projects Fund Revenue and Expense Budgets.
- iii. CY2022 Debt Service Fund Revenue and Expense Budgets.
- iv. CY 2022 Stormwater Management Utility Fund Revenue and Expense Budgets
- v. CY 2022 Solid Waste and Recycling Fund Revenue and Expense Budgets.
- vi. CY 2022 Tax Increment Finance District #1 Fund Revenue and Expense Budgets.
- vii. CY 2022 Sanitary District #1 Fund Revenue and Expense Budgets.

The Board reviewed the copy of Resolution 2021-017. The numbers and the vote from the Special Town Electors Meeting were filled in by the Town Administrator following the Electors Meeting.

MOTION:

Motion by: Supervisor Grundman

Second by: Supervisor Lettau

Motion to approve Resolution 202017 A Resolution Adopting the CY 2021 Tax Levy payable in CY 2021/2022 as set by the Wednesday, November 17, 2021 Special Meeting of the Town Electors, and Adopting the Town CY 2022 Budgets as presented.

ROLL CALL:

Supervisor Wisnefske Aye

Supervisor Reif Aye

Chair Geise Aye

Supervisor Lettau Aye

Supervisor Grundman Aye

Motion carried by unanimous voice vote.

- B. Discussion/Action: Town Board review and consideration of the revision of the Conditional Use Permit 2020-03 for Premier Real Estate Management to reflect the recent approved changes to the driveway access.

The Board reviewed a copy of the Conditional Use Permit 2020-03 for Premier Real Estate Management.

MOTION:

Motion made by unanimous consent to approve the revision of the Conditional Use Permit for Premier Real Estate Management to reflect the approved changes to the driveway access on Clayton Ave and the future road to the west of the property.

Motion carried.

- C. Discussion/Action: Town Board review and consideration of the revision of the Site Plan Approval Permit 2021-001 for Premier Real Estate Management to reflect the recent approved changes to the driveway access.

The Board reviewed the Site Plan Approval Permit 2021-001 for Premier Real Estate Management.

MOTION:

Motion made by unanimous consent to approve the revision of the Site Plan Approval Permit for Premier Real Estate Management to reflect the approved changes to the driveway access on Clayton Ave and the future road to the west of the property.

Motion carried.

- D. Discussion/Action: Town Board review and consideration of an Intergovernmental Agreement for Building Inspection Services between the Town of Clayton and the Town of Vinland.

The Board reviewed a copy of the Intergovernmental Agreement for Building Inspection Services between the Town of Clayton and the Town of Vinland. The Agreement is for a 3-year period ending December 31, 2024.

MOTION:

Motion made by unanimous consent to approve the Intergovernmental Agreement for Building Inspection Services between the Town of Clayton and the Town of Vinland for a 3-year period ending December 31, 2024 as presented.

Motion carried.

- E. Discussion/Action: Town Board review and consideration of an Intergovernmental Agreement for Building Inspection Services between the Town of Clayton and the Town of Dale.

The Board reviewed a copy of the Intergovernmental Agreement for Building Inspection Services between the Town of Clayton and the Town of Dale. The Agreement is for a 3-year period ending December 31, 2024.

MOTION:

Motion made by unanimous consent to approve the Intergovernmental Agreement for Building Inspection Services between the Town of Clayton and the Town of Dale for a 3-year period ending December 31, 2024 as presented.

Motion carried.

- F. Discussion/Action: Town Board review and consideration of the Certificate of Payment #6 submitted by RJM Construction, LLC for work performed on the Water Distribution Booster Pump Facility in the amount of \$203,000.00.

The Board reviewed a copy of the Certificate of Payment #6 submitted by RJM Construction, LLC for work performed on the Water Distribution Booster Pump Facility.

The Town Engineer and the Administration has reviewed the certificate of payment. Both the Engineer and the Administration agree that the certificate of payment is correct and should be paid.

MOTION:

Motion made by unanimous consent to approve the Certificate of Payment #6 submitted by RJM Construction, LLC for work performed on the Water Distribution Booster Pump Facility in the amount of \$203,000.000.

Motion carried.

- G. Discussion/Action: Town Board review and consideration of Change Order #2 submitted by Robert J. Immel Excavating, Inc for the Phase I Water Main/Utility Construction in the amount of \$32,356.60.

The Board reviewed a copy of Change Order #2 submitted by Robert J. Immel Excavating, Inc for the Phase I Water Main/Utility Construction. The Administration reviewed the change order with the Engineer. The quantity adjustments are a result of extending the sewer west of Myron Lane further than anticipated due to gas lines and fiber optic lines.

MOTION:

Motion made by unanimous consent to approve Change Order #2 submitted by Robert J. Immel Excavating, Inc for the Phase I Water Main/Utility Construction in the amount of \$32,356.60.

Motion carried.

- H. Discussion/Action: Town Board review and consideration of the Final Certificate of Payment submitted by Robert J. Immel Excavating, Inc. for work performed on the Phase I Water Main/Utility Construction project in the amount of \$247,449.08.

The Board reviewed a copy of the Final Certificate of Payment submitted by Robert J. Immel Excavating, Inc. for work performed on the Phase I Water Main/Utility Construction project. The Town Engineer and the Administration reviewed the certificate of payment. Both the Engineer and the Administration agree that the certificate of payment is correct and should be paid.

MOTION:

Motion made by unanimous consent to approve the Final Certificate of Payment submitted by Robert J. Immel Excavating, Inc. for work performed on the Phase I Water Main/Utility Construction project in the amount of \$247,449.08.

Motion carried.

- I. Discussion/Action: Town Board review and consideration of the purchase a set of air bags and controller for Clayton Fire Rescue in the amount of \$4,683.00 with the money to come from the CY 2021 Fire Department Capital Equipment line item (100-57220-810).

- When the fire department was a joint department with Winchester, the department had a set of air bags for lifting heavy loads in a very controlled manner if a person is trapped under heavy equipment.
- When the joint fire department split the assets, Winchester got the air bags.
- Chief Rieckmann explained the reason for waiting so long to order the air bags and controller was because the Fire Department applied for grant money. The department did not get the grant, and the money is in the CY 2021 Budget for the purchase.

MOTION:

Motion made by unanimous consent to approve the purchase of a set of air bags and controller for Clayton Fire Rescue in the amount of \$4,683.00 with the money to come from the CY 2021 Fire Department Capital Equipment line item (100-57220-810).

- J. Discussion/Action: Town Board review and consideration of submitting an Application for the Winnebago County Industrial Development Board CY 2022 Winnebago County per Capita Funding Program.

The Board reviewed a copy of the County's Industrial Development Board (IDB) 2022 Winnebago County Per Capita Funding Program Application. The IDB funding available from the County for CY 2022 is \$4,697.00. Historically, the Town has dedicated its Per Capita Funds to the Fox Valley Chamber for area wide industrial/commercial recruiting. As a result of those Chamber activities, the Town has had and does have several opportunities for significant development projects. Last year the Board opted to use the IDB funding to offset the Town's Economic Development activities.

With the creation of the Hwy 10/Hwy 76 Corridor Master Plan, the Town will be looking at marketing that area for development. The criteria for applying for the funds does include brochure/marketing materials to promote economic development. Last year the County did award the IDB Funds to the Town for the use of offsetting economic development within the Town.

MOTION:

Motion made by unanimous consent to direct staff to submit an Application for the IDB Funding to offset the Town's Economic Development activities.

Motion carried.

- K. Discussion/Action: Town Board review and consideration of the Administrator's Annual Performance Evaluation and Compensation.

- Chair Geise recommended a 2% wage increase and a one-time payout of \$2,000.00 in recognition of the Administrator's lost vacation time and time worked due to change in office staff.
- Supervisor Lettau stated that the one-time payout does have merit, as the Administrator has been working every weekend due to new office staff.
- Supervisor Grundman agreed.
- Supervisor Reif stated that he would be voting against it.

MOTION:

Motion by: Chair Geise

Second by: Supervisor Grundman

Motion to approve a 2% wage increase and a one-time payout of \$2,000.00 to offset lost vacation.

Motion carried 4-1 with Supervisor Reif voting no.

- XI. Review of Disbursements.
- XII. Review of General Fund Budget Update (Second Town Board meeting of the month).
- XIII. Upcoming Meeting Attendance.
- XIV. Board Member Requests for Future Agenda Items.
- XV. Adjournment

MOTION:

Motion made by unanimous consent to adjourn at 7:00 p.m.

Motion carried.

Respectfully Submitted,

Tori Straw, Town Administrator