

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. on Wednesday, June 1<sup>st</sup>, 2016

Town 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 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):

- Oath of office given to Chief Scott Rieckmann
- The Clayton Fire Rescue officers and members were pinned as follows:  
Assistant Chief Al Kuenzi  
Division Chief Cindy Pfankuch  
Division Chief of Training and Operations Chris Fischer  
Lieutenant Tony Seelow  
Lieutenant Jeremy Jesse
- Oath of Office given by Division Chief Cindy Pfankuch for Clayton Fire Rescue First Responders as follows:  
Bob Breaker – Firefighter  
Jessica Heffernon – First Responder  
Lisa Mathison – Firefighter  
Paul Meier – Chaplain/Firefighter  
Scott Reif – Firefighter  
Abby Rieckmann – Firefighter  
Kaylin Van Stappen – Firefighter  
Chameny Vang – Firefighter  
Jamie Zeinert – Firefighter

- Cindy Pfankuch reports that this last year they had two members retire who are Gene and Dawn Walter.
- III. Public Hearing(s) and/or Public Information Meeting(s):
- A. No Public Hearings and/or Public Information Meetings.
- IV. Approval of Minutes:
- A. Approval of the Minutes of the Town Board meeting of Wednesday, May 18<sup>th</sup>, 2016.  
**Vote:** Approved by unanimous consent to approve the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, May 18<sup>th</sup>, 2016.
  - B. Approval of the Minutes of the Special Town Board Meeting of Monday, May 23<sup>rd</sup>, 2016.  
**Vote:** Approved by unanimous consent to approve the Minutes of the Special Town Board Meeting held on Monday, May 23<sup>rd</sup>, 2016.
  - C. Approval of the Minutes of the CY 2016 Open Book Meeting for the Town of Clayton.  
**Vote:** Approved by unanimous consent to approve the CY 2016 Open Book Meeting Minutes held on Tuesday, May 24<sup>th</sup>, 2016.
- V. Open Forum – Town-related Matters not on the Agenda:
- A. Please complete the “Request to Speak at Meeting” form located on the agenda/sign-in table and submit to the form to the Town Clerk. Pursuant to Wisconsin Statutes 19.32(2) and 19.84(2), Town related matters not on the Agenda may be presented; however, only limited discussion may occur and no action may be taken until specific notice of the subject matter of the proposed action can be given.
- VI. Correspondence:
- A. May 2016 Building Inspection Report (to be distributed at the meeting).
  - B. A copy of a Winnebago County Board Resolution amending Chapter 23 of the County’s Zoning Ordinance.
  - C. Fox Valley Technical College Notice of Public Hearing for CY 2016/17 Budget.
- VII. Discussion Items (No action will be taken):
- A. County Supervisor Report
  - B. Winnebago County Sheriff’s Department: – Public Concerns and Issues
  - C. Clayton Fire Rescue Department (First Meeting of the Month)
    - a. Clayton Fire Rescue First Responder (First Meeting of the Month)
  - D. Larsen-Winchester Sanitary District
    - Mike Pfankuch appears to discuss the spring draw down which occurred a few weeks ago. 9.4 million gallons of water was treated. Meeting today (June 1<sup>st</sup>, 2016).
    - Ordinance reviews to be modified.
    - Discussed District “island.” 1 home has agreed to hook up.
    - The required report is almost finished.
    - Reviewed the purchase and use of the tub grinder and all of the issues with it have been worked out. He will be there on Thursday morning to work with the tub grinder.

E. Administration Comments

- Engineer Miller discussed the status of the Clayton avenue project which is scheduled to be done by September 1, 2016. WE Energies has completed the gas line work which was a month later.
- For the Whispering Meadows project R and R Wash Materials is the contractor working in that area.
- For the Hickory Avenue improvement project bids were accepted on Friday, May 27<sup>th</sup> which results were given with the agenda.
- Administrator Johnston has been working on the projects which were mentioned by Engineer Miller. Discussed the use of compost from the Yard Waste site. Jack Borchert from Larsen Materials has a screener which would be useful for processing black dirt.
- Clearing the house on Clayton Avenue which was just purchased by the Town of Clayton. Hoping to have the home rented out in the next 30 to 45 days. Reviewed revenue to debt service.
- Treasurer Straw finished working with the auditors so they will be at the next meeting to discuss the results from the CY 2015 audit.

VIII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Holly Griesbach
- ii. Benjamin Beltz
- iii. Katie Menning
- iv. Jody Kissinger
- v. Kelsey Uhlenbrauck
- vi. Jacqueline Burris
- vii. Jennifer Holtz

B. Renewal:

- i. Sandra Beltz
- ii. Mark Bombinski

C. Discussion/Action: Town Board review and consideration of the following Cigarette License Applications:

The following parties have applied for a Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2016 to June 30, 2017, subject to compliance with State Statutes and Municipal Ordinances.

- a. Remington Oil Co. Inc. (d.b.a. Ridgeway 66), 8510 State Road 76, Neenah, WI 54956.
- b. Ridgeway Country Club, Inc., 2913 County Road II, Neenah, WI 54956.

**MOTION:**

Motion by: Supervisor Grundman

Seconded by: Supervisor Schmidt

Motion: To recommend approval of the Cigarette and Tobacco Products Licenses for Remington Oil Co. Inc. (d.b.a. Ridgeway 66) and Ridgeway Country Club, Inc. and subject to compliance with Wisconsin State Statutes and the Town of Clayton municipal ordinances.

Vote: Carried by unanimous voice vote.

D. Discussion/Action: Town Board review and consideration of the following Alcohol License Applications:

The following parties have a renewal application for a “Class A” license to sell fermented malt beverages, and a “Class A” license to sell intoxicating liquors is on file in the Town of Clayton, Clerk’s Office for the licensing period of July 1, 2016 through June 30, 2017, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. Remington Oil Co Inc., (d.b.a. Ridgeway 66), 8510 State Road 76, Neenah, WI 54956.  
Agent: Sarah J. Borneman

**MOTION:**

Motion by: Supervisor Grundman

Seconded by: Supervisor Lettau

Motion: To recommend approval of the “Class A” license to sell fermented malt beverages, and a “Class A” license for Remington Oil Co Inc. (d.b.a. Ridgeway 66), 8510 State Road 76, Neenah, WI 54956 to sell intoxicating liquors pending compliance with Wisconsin State Statutes and the Town of Clayton municipal ordinances.

Vote: Carried by unanimous voice vote.

E. The following renewal application for a Class “B” license to sell fermented malt beverages is on file in the Town of Clayton, Clerk’s Office for the licensing period of July 1, 2016 through June 30, 2017, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. S.O.L. Restaurants LLC (d.b.a. Oinks Restaurant), 8386 State Road 76 Suite A, Neenah, WI 54956.  
Agent: Lynn Ann Miller

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: To recommend approval of the “Class B” license to sell fermented malt beverages for S.O.L. Restaurants LLC (d.b.a. Oinks Restaurant), 8386 State Road 76 Suite A, Neenah, WI 54956 to sell fermented malt beverages pending compliance with Wisconsin State Statutes and the Town of Clayton municipal ordinances.

Vote: Carried by unanimous voice vote.

F. The following parties have a renewal application for a Reserve Class “B” license to sell fermented malt beverages, and a Reserve “Class B” license to sell intoxicating liquors is on file in the Town of Clayton, Clerk’s Office for the licensing period of July 1, 2016 through June 30, 2017, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. Leisure Boating # 4 LLC, (d.b.a. Westridge Golf Club), 8130 Golf Course Drive, Neenah, WI 54956.  
Agent: Rory J. Burton

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: To recommend approval of the Reserve Class “B” license to sell fermented malt beverages, and a Reserve “Class B” license to sell intoxicating liquors for Leisure Boating #4 LLC, (d.b.a. Westridge Golf Club), 8130 Golf Course Drive, Neenah, WI 54956 to sell fermented malt beverages and intoxicating liquors pending compliance with Wisconsin State Statutes and the Town of Clayton municipal ordinances.

Vote: Carried by unanimous voice vote.

G. The following parties have a renewal application for a Class “B” license to sell fermented malt beverages, and a “Class B” license to sell intoxicating liquors is on file in the Town of Clayton, Clerk’s Office for the licensing period of July 1, 2016 through June 30, 2017, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. Michelle Baumann, (d.b.a. The ReMixx), 8386 State Road 76 Suite B, Neenah, WI 54956.  
Agent: Michelle Baumann.
- b. Stephanie J. Clauson (d.b.a. The Larsen Tavern), 8338 County Road T, Larsen, WI 54947.  
Agent: Stephanie J. Clauson
- c. Pubs and More, LLC (d.b.a. Headliners Bar and Grill), 2788 Towne Court, Neenah, WI 54956.  
Agent: Tom Welhouse
- d. Winagamie, Inc. (d.b.a. Winagamie Golf Course), 3501 Winnegamie Drive, Neenah, WI 54956.  
Agent: Matt Burry
- e. Ridgeway Country Club, Inc., 2913 County Road II, Neenah, WI 54956.  
Agent: Leo John Roth Jr.
- f. Willie Beamons, LLC (d.b.a. Willie Beamons), 2590 County Road II, Neenah, WI 54956.  
Agent: Katherine Wolf
- g. The Woodshed Inc. (d.b.a. The Woodshed), 2895 County Road II, Neenah, WI 54956.  
Agent: Dino O. Valeri
- h. Kenneth R. Loehrke (d.b.a. Century Elm Supper Club), 8300 County Road T, Larsen, WI 54947  
Agent: Kenneth R. Loehrke

**MOTION:**

Motion by: Supervisor Grundman

Seconded by: Supervisor Lettau

Motion: To approve Class “B” licenses to sell fermented malt beverages, and a “Class B” license to sell intoxicating liquors to the establishments listed above in Section VIII (G)(a through h) pending and subject to compliance with State Statutes and Municipal Ordinances.

Vote: Carried by unanimous voice vote.

IX. Business referred by the Plan Commission:

Town Board receipt, review and consideration of Plan Commission Referrals (second Town Board meeting of the month):

A. No Referrals.

X. Business referred by the Green Space Committee:

Town Board receipt, review and consideration of Green Space Committee Referrals (second Town Board meeting of the month):

A. No Referrals.

XI. Business:

A. Discussion/Action: Town Board review and consideration of a request by Katie Schierl, a resident of the Town of Clayton, for support of the Wisconsin United to Amend, an organization advocating for limiting the definition of personhood to individuals and for limiting the equation of money and speech in the Political System.

- Katie Schierl from Wisconsin United to Amend did a presentation. Ms. Schierl expressed her concern on informing the public on this organization. She would just like to see this on the ballot sometime down the road.
- Chair Geise expressed his opinion on a referendum on the November 2016 ballot. This election will be very busy with an expected 75 to 80% voter turnout. He would be open to adding this to the April 2017 election.
- Supervisor Lettau asked when we would need to finalize the timeline.
- Administrator Johnston said that this resolution could go on the agenda within the next couple meetings. More research needs to be done to move on this issue further. There is a process involved getting something on the ballot.
- Mark E. Luebke, 3929 County Rd II, Larsen, WI asked what the additional cost would be for staffing. Expressed concern relative to the November 2016 vs. the April 2017 election.

**MOTION:**

Motion by: Supervisor Lettau

Seconded by: Supervisor Grundman

Motion: Motion to revisit this again for the April 2017 ballot.

Vote: Carried by unanimous voice vote.

- B. Discussion/Action: Town Board review and direction to staff relative to a request for repairs and funding for the repairs on the storm water management system on the northern end of the Plat of the Ridges.
  - Administrator Johnston discussed what type of correction does the Town Board need Town staff to take on this matter. The Chair for the northern end of the Plat of the Ridges approached this issue with Richard. Many items are already put in the right-of-way such as trees, swing sets, etc. which block water drainage.
  - Discussed the issues with easement for the storm water management system.
  - Discussed the authority of the Homeowner’s Association. They have the ability to enforce the covenants which they create. They are expecting the Town of Clayton to fix the issues where willow trees are planted which block the water from draining.
  - Supervisor Schmidt asked how the septic mound systems end up in the easement.
  - Winnebago County approves the well-septic system but do not check the water drainage maps during this process.
  - Direct Town Staff to set up a meeting with the Homeowner’s Association President to discuss these issues..
  
- C. Discussion/Action: Town Board review and consideration of a CY 2017 County Bridge Aids Application.
  - Discussed how the Town would use Bridge Aids relative to the Pioneer Road culvert. Winnebago County does not like using open bottom culverts. They are the type of culverts that required less maintenance.
  - Directed Town Staff to apply for the CY 2017 County Bridge Aids.
  
- D. Discussion/Action: Town Board review and consideration of the award of a bid for the Town’s CY 2016 Maintenance Repaving Project, the repaving of Hickory Avenue from the CTR “IP” to Fairview Road exclusive of the USH “10” overpass.
  - Discussed project and Winnebago County requirements if the Town would repave up to County Road II.
  - Discussed repairing the soft spot at Hickory and Umland.
  - \$12,563.00 to be pulled out of Road Maintenance line item in budget.
  - Engineer Miller discussed repaving Hickory to County Rd II with no curb returns and no culvert replacement.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Lettau

Motion: Motion that we award the Town’s CY 2016 Maintenance Repaving Project to Northeast Asphalt, W6380 Design Drive, Greenville, WI 54942 at a cost not to exceed \$137,563.00 with the funding to come from the Town’s CY 2016 repaving/chip sealing budget and the width shortfall of \$12,563.00 to come from the Town’s CY 2016 street maintenance budget.

Vote: Carried by unanimous voice vote.

XII. Town Board Reorganizational Business:  
Additional Appointments

- A. Zoning Board of Review: (2 positions serving 3-year term each with all terms effective May 1<sup>st</sup>, of the calendar year.
  - i. Name to be presented by the Town Chair
  - ii. Name to be presented by the Town Chair
    - Previous appointments need to be confirmed.
- B. Town Constable: (1 position: 1-year term; term effective May 1<sup>st</sup>, of the calendar year.
  - No candidates at this time. Table to the June 15<sup>th</sup>, 2016 meeting.

XIII. Review of Disbursements:

XIV. Review of General Fund Budget Update (Second Town Board meeting of the month):

XV. Upcoming Meeting Attendance:

- XVI. Board Member Requests for Future Agenda Items: Direction to staff to schedule the required Public Hearing and consideration of the CY 2015/16 update to the Town's Comprehensive Plan.
- ClaytonFest parade set for June 11<sup>th</sup>, 2016 at 12:00 noon.
  - Schedule a Public Hearing for the CY2015/16

XVII. Adjournment:

**MOTION:**

Motion made by unanimous consent to Adjourn at 8:20 p.m.

Respectfully submitted,  
Laurie Goffard, Deputy Clerk