

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. – 9:39 P.M. on Wednesday, September 7, 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; Public Hearing properly published and noticed.
4. Roll

a. Board of Supervisors

Chair Luebke	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman Erdmann	PRESENT (Arrived at 7:56pm)
Supervisor Schmidt	PRESENT
Supervisor Geise	PRESENT

b. Staff

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

II. Public Hearing:

A. Public Hearing before the Town Board on a Resolution to assess the full burden costs related to paving with bituminous asphalt in the following subdivisions in the Town of Clayton:

1. Berry Bramble Estates
2. Emerald Valley
3. High Point Estates
4. Strawberry Estates

- Paving needed to be completed in the subdivisions which have been in place for a number of years
- The Town looked at the new road standards of today; bids came in very high; rebid the job
- The Town consulted with Town’s Attorney regarding a levy of a special charge to recover that unfunded portion of the final paving
- For those individuals that had purchased the lot and paid the fee in good faith, they would not be charged an additional fee

- To recover some of the taxpayer funds used to pave the roads in these subdivisions, there is an option to use a special charge to those remaining developer-owned lots where the fee has not yet been paid
1. Kristy Christensen (2401 E. Enterprise Ave., Appleton; Attorney with McCarty Law Office, representing Capital Credit Union)
    - a. Comments: Purchase of the lots at the Sheriff's sale, reviewed components of the developer agreement, owns 17 lots
  2. Jack Yogerst (9619 North Oakwood Avenue, Neenah)
    - a. Comments: Engineering fees, original engineering, asphalt square footage, curb returns, developer agreement, length of time for roads to be paved, driveway aprons, homeowner covenants, original bid specs of 3" asphalt, bid for driveway aprons
    - b. Martenson & Eisele prepared (twice) bid documents sent out and contracts, square footage varies based upon location of measurements, overall project came in under budget
    - c. Town Administrator: will address concerns later in agenda
  3. Chair Luebke asked three times if there were any additional comments – there were no additional comments.
  4. Chair Luebke closed the Public Hearing at 7:22 P.M.
- B. Public Hearing before the Town Board on a Resolution to assess the full burden costs of purchasing and installing new Rural Addressing Plaques in the Town of Clayton.
- The Rural Addressing Plaques were installed to comply with the County Ordinance and to bring the Town of Clayton system to current standards with flag-style numbers in the required location.
  - The Town of Clayton contracted with a company (Lange Enterprises) to install the Rural Addressing Plaques; Lange's installation price was significantly lower than if the Town installed them
  - The installed charge per Rural Addressing Plaque is \$30.00.
  - Notice of charge sent on postcard to residents; second notice will be placed in the upcoming electronic newsletter – if a resident chooses to pay the \$30.00 charge on or before November 15, 2011, the charge will not appear on that resident's tax bill, if the \$30.00 charge is not paid by November 15, 2011, the charge will appear on the CY 2011 tax bill.
  - The initial order, of Rural Addressing Plaques, is installed; the follow-up order (due to inconsistencies in the tax software and addressing system) of additional Rural Addressing Plaques has been received and will be installed this fall.
1. Chair Luebke asked three times if there were any additional comments – there were no additional comments.
  2. Chair Luebke closed the Public Hearing at 7:26 P.M.

- III. Approval of Minutes:
- A. Regular Town Board Meeting – August 17<sup>th</sup>, 2011  
**MOTION:**  
Motion by: Unanimous consent  
Approve the Regular Town Board Meeting minutes of August 17<sup>th</sup>, 2011, as written.  
CARRIED.
  - B. Special Town Board Meeting (Budget Workshop #1) – August 30<sup>th</sup>, 2011  
**MOTION:**  
Motion by: Unanimous consent  
Approve the Special Town Board Meeting (Budget Workshop #1) minutes of August 30<sup>th</sup>, 2011, as written.  
CARRIED.
- IV. Open Forum – Non-Agendized Town-related Matters:
- A. Joanne Sievert (7383 Murray Rd., Neenah) – Topics: 2012 Budget; Clayton Park Sled Hill
- V. Correspondence:
- A. East Central WI Regional Planning Commission – Technical Assistance project requests for its 2012 Work Program
  - B. State of Wisconsin – Uniform Standards of Professional Appraisal Practice (USPAP) standards implementation; Questions and Answers
  - C. Town of Clayton letter to Town of Neenah Chairman, Bob Schmeichel – Larsen Road reconstruction project response to Mr. Schmeichel’s previous correspondence
  - D. Town of Winchester – Ordinance 25: Ordinance Establishing a Fee to Recover Cost for Fire Call Responses to Vehicles on Federal, State, County, and Town Roads
  - E. Winnebago County Sheriff – August 22, 2011, underage alcohol compliance checks
    1. Headliners – Passed
    2. Larsen Tavern – Server cited
    3. McCarthy’s Mart – Passed
    4. Willie Beamons – Passed
    5. Woodshed – Passed
  - F. Winnebago County Planning and Zoning Department – Special Public Hearing for Comprehensive Land Use Plan Amendment to include Farmland Preservation
- 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: 69 calls year-to-date; Joint Fire Board Special Meeting on Monday, September 12, 2011, at the Winchester Town Hall, to discuss a Fire Truck Grant Application
  - D. Administration Comments
    1. Administrator: Communication from Town Attorney Richard Carlson regarding tonight’s Public Hearing; memo from Town Treasurer regarding banking activities that states the Town has started consolidating its accounts at Chase; discussion

earlier this year regarding publishing the assessment roll and an associated fee – it is now a state legislature mandate that by 2013 the assessment roll must be published on the Town’s website – there will be significant cost involved; photos of marginal-condition culverts that we are finding based on sink holes in the road over the pipe

2. Clerk: no report
3. Public Works Foreman: Cleaning up the ditches and right-of-ways from last Friday’s storm, finishing north side of Larsen Road on the east end, chipping the brush from the storm
4. Engineer: Chipsealing completed Center Road and Oakwood Avenue; drainage projects Straw Fields completed, working on field work; Breaker Trail homeowner culvert is fine but ditch slope varies
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 – Nicole J. Hoover-Berzill (Not present)
2. New – David M. Boehning (Not present)
3. New – Samantha C. Kapitz (Not present)

**MOTION:**

Motion by: Unanimous consent

Approve the Operator Licenses for David M. Boehning and Samantha C. Kapitz.

CARRIED

**MOTION:**

Motion by: Supervisor Lettau

Seconded by: Supervisor Schmidt

Deny the Operator License for Nicole J. Hoover-Berzill, as she did not indicate that she was convicted of a felony which showed up on the background check.

CARRIED by unanimous voice vote.

VIII. Zoning – Town Board receipt, review, and consideration of Plan Commission Referrals:

- A. There are no Plan Commission Referrals.

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

- A. Green Space Committee review of ClaytonFest2011 and discussion regarding the Green Space Committee’s role in ClaytonFest 2012.

1. This item was referred to the Committee’s Thursday, September 22<sup>nd</sup>, 2011, meeting.

No Town Board discussion on this item.

- B. Green Space Committee recommendation regarding a Clayton Park Sign.
  - 1. The Committee recommended that the Board approve the sign concept at a cost not to exceed \$2,500.00, with the funding coming from the \$1,000.00 donation by J.J. Keller and the balance of the cost coming from the Town’s CY 2011 Budget, Clayton Park, Site Maintenance and Repair Line Item.
  - 2. Additionally, the Administration has recommended that the recognition of the J.J. Keller donation be specific to the signs and an attachment to the sign.
  - 3. The Administration believes that the project could be completed within the proposed budget if the installation is completed by Town staff.
  - 4. Town Board Direction: Bring back a concept for a \$1,000.00 sign for reconsideration; Ensure name of donator is properly indicated (Jim Keller Foundation – Check on verbiage for this) – Donation recognition could be a small sign hanging from the main sign, designate the name Clayton Park.

No motion on this item at this point in the agenda.

- C. Green Space Committee recommendation regarding the relocation of the fence at Clayton Park.
  - 1. The Committee recommended the removal of the fence along Larsen Road and the installation of a barrier fence on the north side of the playground area.
  - 2. The barrier fence is to be installed by Town staff using the existing fencing materials.
  - 3. This project will likely be completed in spring of CY 2012.

Supervisor Grundman Erdmann arrived at 7:56 P.M.

**MOTION:**

Motion by: Unanimous consent  
Approve moving of the fence at Clayton Park.  
CARRIED

- D. Green Space Committee recommendation regarding the storage of the lime used for the ball diamonds at Clayton Park.
  - 1. The Committee recommended that the Board direct staff to contact Suburban Athletics about building a lime enclosure for their lime material at the park.
  - 2. As an alternative, the Administration has been advised that the Grundman family is willing to donate several large concrete dividers that staff could use to build a landscaped lime enclosure.

**MOTION:**

Motion by: Unanimous consent  
Contact Suburban Athletics regarding the storage of the lime used for ball diamonds at Clayton Park.  
CARRIED

- E. Green Space Committee recommendation regarding the maintenance of the Trailhead Park Pavilion.
  - 1. A member of the Green Space Committee has volunteered to paint the facility.
  - 2. Staff has cleaned and removed the old paint from the structure.

3. As soon as the wood is dry we will purchase the paint and needed equipment so the volunteer can finish the project.

No motion on this item.

X. Business:

A. Discussion/Action: Town Board review and consideration of Resolution #2011-018 a Resolution assessing the full burden costs related to paving with bituminous asphalt in the following subdivisions in the Town of Clayton:

1. Berry Bramble Estates
  2. Emerald Valley
  3. High Point Estates
  4. Strawberry Estates
1. The Town Board members each received a copy of Resolution #2011-018 approving the levying of a Special Charge for the Engineering services related to the placement of curb returns on the radii of the corners of the streets and bituminous asphalt on the streets of the subdivisions; and for the placement of curb returns on the radii of the corners of the streets and bituminous asphalt on the streets of the subdivisions.
  2. The Resolution follows the State's format.
  3. The notice of the payment date is somewhat ambiguous; the State Statutes say that a payment schedule is not permissible under Section 66.0627 of the State Statutes.
  4. The Administration is using a date certain for receiving the payment; that date is when the property transfers from the Developer to the individual purchasing the property.
  5. Should the payment not be made at the closing of the transaction, it will become delinquent and will be placed on the Tax Roll for collection.
  6. The Administration is using this schedule because it replicates the payment schedule of the Developer's Agreement with the Town.
  7. Additionally, in the case of Berry Bramble Estates and Strawberry Fields, the Resolution vacates the original paving liens and dollar values and replaces them with those identified in the Resolution.
  8. Another issue that has been identified will require that the Town reimburse the four individuals who paid a Special Charge on the sale of the last four lots owned by the Developer in Emerald Valley.
    - a. The difference is approximately \$100.00 per lot and occurred because the estimated dollar value of the Special Charge was nominally higher than the final dollar value of the Special Charge.
  9. For clarity and process, the Chair should read the Resolution in its entirety and the Clerk should conduct a Roll Call Vote on the Resolution.
  10. Concerns from Public Hearing addressed:
    - a. Asphalt square footage: We used estimated quantities based upon design parameters of the road.
    - b. Curb returns: Were put in at staff's recommendation to stabilize the corner and minimize the long-term maintenance costs of intersections.

- c. Length of time for roads to be paved: The Town Board exercised its option to pave at its discretion.
- d. Driveway aprons paved: As specified at 3” and bid at 2.5” based on a conversation between Town engineer and contractor; Town engineer was comfortable that the driveways were bid at 2.5” based on the volume of asphalt required; where there were existing structures and the driveways were clearly identified, the Town exercised its option to pave everything in the right-of-way.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman Erdmann

Approve Resolution #2011-018: A Resolution assessing the full burden costs related to paving with bituminous asphalt in the following subdivisions in the Town of Clayton: Berry Bramble Estates, Emerald Valley, High Point Estates, and Strawberry Estates, along with the provision to remove the curb returns from the fee, and once the new fees are levied and recorded, direct staff to vacate the original public infrastructure agreement for development.

**Roll Call Vote:**

Supervisor Grundman Erdmann = yes

Supervisor Lettau = yes

Supervisor Schmidt = yes

Supervisor Geise = yes

Chair Luebke = yes

CARRIED by 5-0 roll call vote.

- B. Discussion/Action: Town Board review and consideration of Resolution #2011-019 a Resolution assessing the full burden costs of purchasing and installing new Rural Addressing Plaques in the Town of Clayton.
1. The Town Board members each received a copy of Resolution #2011-019 approving the levying of a Special Charge on all developed properties in the Town of Clayton for the purchase and installation of new Rural Addressing Plaques for the Town.
  2. The Resolution follows the State’s format; the only difficulty is listing the benefitted properties in a more specific manner.
  3. Additionally, a notice of the payment options listed in the Resolution will be placed in the Town’s next Newsletter; a resident can choose to pay the \$30.00 special charge on or before November 15, 2011; if that special charge is not paid by November 15, 2011, it will be placed on the CY 2011 tax bill.
  4. The only reason the Administration provided a payment option was to comply with the State’s model resolution format; it has always been the Board’s intent to place the Special Charge on the Town CY 2011 Tax Bills.
  5. For clarity and process, the Chair should read the Resolution in its entirety and the Clerk should conduct a Roll Call Vote on the Resolution.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Lettau

Approve Resolution #2011-019: A Resolution assessing the full burden costs of purchasing and installing new Rural Addressing Plaques in the Town of Clayton.

Roll Call Vote:

Supervisor Grundman Erdmann = yes

Supervisor Lettau = yes

Supervisor Schmidt = yes

Supervisor Geise = yes

Chair Luebke = yes

CARRIED by 5-0 roll call vote.

- C. Discussion/Action: Town Board review and consideration of Resolution #2011-020 a Resolution appropriating Reserve Account Funds to Pay for the Town's Rural Addressing Plaques; these Funds will be repaid with the proceeds from the pending special charge process.
1. The Town Board members each received a copy of Resolution #2011-020 appropriating General Fund Reserve Account Funds to pay for the Town's new Rural Addressing Plaques.
  2. The Rural Addressing Plaques have been replaced over the course of the summer of CY 2011.
  3. This Resolution allows the Treasurer to transfer funds from the Town's General Fund Reserve Account into the Town's CY 2011 Capital Construction Account to pay for the purchase and installation of the new Rural Addressing Plaques.
  4. If the Board authorizes the transfer of funds from the General Fund Reserve Account to the Capital Construction Account to pay for these costs, the General Fund Reserve Account would be reimbursed when the Special Charges are paid with the CY 2011 taxes payable in CY 2012.
  5. Please be advised that an absolute majority (4 of 5) votes is required to approve this Resolution.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Lettau

Approve Resolution #2011-020: A Resolution appropriating Reserve Account Funds to Pay for the Town's Rural Addressing Plaques; these Funds will then be repaid with the proceeds from the pending special charge process.

Roll Call Vote:

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

CARRIED by 5-0 roll call vote.

D. Discussion/Action: Town Board review and consideration of Resolution #2011-021 a Resolution appropriating Cemetery Reserve Account Funds to Pay for the Platting of the Clayton Cemetery site.

1. The Town Board members each received a copy of the final site plan for the proposed survey work and a copy of Resolution #2011-021 appropriating Cemetery Reserve Account Funds to pay for the Survey and Platting of the Clayton Cemetery site.
2. The survey work to Plat the Clayton Cemetery facility is included in the contract with M&E for \$14,328.00.
3. There is also a bill for the preliminary site work that is included in the proposed contract.
4. This Resolution allows the Treasurer to transfer funds from the Town's Reserve Account into the Town's Operating Accounts to pay the Engineering and Architectural services.
5. If the Board intended to pay for these costs out of the Reserve Account, a motion would be in order to approve Resolution #2011-021.
6. Please be advised that an absolute majority (4 of 5) votes is required to approve this Resolution.

**MOTION:**

Motion by: Supervisor Grundman Erdmann  
Seconded by: Supervisor Schmidt

Approve Resolution #2011-021: A Resolution appropriating Cemetery Reserve Account Funds to Pay for the Platting of the Clayton Cemetery site.

Roll Call Vote:

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

CARRIED by 5-0 roll call vote.

E. Discussion/Action: Town Board review and consideration of Resolution #2011-022 a Resolution appropriating Capital Construction Reserve Account Funds to Pay for the Engineering and Architectural services for renovation of the Town's Fire/Town Hall.

1. The Town Board members each received a copy of Resolution #2011-022 appropriating Capital Construction Reserve Account Funds to pay for the Engineering and Architectural services for renovation of the Town's Town/Fire Hall.
2. The Engineering and Architectural Contract value with M&E is \$53,612.50.
3. As the bills for the design and engineering of the Town/Fire Hall have come in, the Treasurer has been paying those bills out of the Town's CY 2011 Budget, Engineering Line Item.
4. It is the Administration's understanding that the Board intended to pay for those services from the Reserve Account for the Town/Fire Hall building.
5. This Resolution allows the Treasurer to transfer funds from the Town's Reserve Account into the Town's Operating Accounts to pay the Engineering and Architectural services.
6. If the Board intends to pay for these costs out of the Reserve Account, a motion would be in order to approve Resolution #2011-022.
7. Please be advised that an absolute majority (4 of 5) votes is required to approve this Resolution.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Geise

Approve Resolution #2011-022: A Resolution appropriating Capital Construction Reserve Account Funds to Pay for the Engineering and Architectural services for renovation of the Town's Fire/Town Hall.

Roll Call Vote:

Supervisor Grundman Erdmann = yes

Supervisor Lettau = yes

Supervisor Schmidt = yes

Supervisor Geise = yes

Chair Luebke = yes

CARRIED by 5-0 roll call vote.

- F. Discussion/Action: Town Board review and consideration of Resolution #2011-023 a Resolution Approving an Intergovernmental Agreement to Satisfy Eligibility Requirements for Participating in a Recycling Consolidation Grant for Calendar Year 2012.

1. The Town Board members each received a copy of e-mail from Jennifer Semrau, Winnebago County Recycling Specialist:
  - a. "I just learned today that contrary to the initial feedback from DNR, action **WILL BE REQUIRED** in order for you to qualify and receive a portion of the \$1 Million DNR Recycling Consolidation Grant program. Some communities (RUs which are Counties or have a population of over 25,000) already qualify. But for others a qualifying action must take place by **October 3, 2011** in order receive these funds.

- b. Similar to the former DNR Recycling Efficiency Incentive Grant program, one qualifying activity is signing an Intergovernmental Agreement amongst other RUs for one of several listed choices. One choice is ‘sorting of recyclables.’ Given that all of you already have agreements in place and designate that your materials are sorted together (at the Brown, Outagamie, Winnebago Co Facility) this is an easy one to qualify for. You all are already doing the activity, but you need to substantiate that by signing an Intergovernmental Agreement.
  - c. Attached is such an Intergovernmental Agreement that I created today specifically for this purpose. Again, by signing your community can check the box on the DNR Recycling Grant application that qualifies you for a portion of the extra \$1 Million Consolidation Grant (in addition to your regular recycling grant). The exact amount each RU receives will depend on how many qualifying applicants are received.
  - d. Therefore it is important that you bring the attached Intergovernmental Agreement forth to your necessary Boards or Committees, such that it can be signed by the October 3, 2011 deadline. This will then enable you to qualify for additional DNR Recycling Grant dollars. I did send this Agreement to DNR today and ensured it will qualify you if signed by the deadline. Please send me a signed copy once executed and I will collect all 13 from our municipalities. Once I have them all I will send a complete packet to you for your records.
  - e. I realize there is only approximately 6 weeks until the deadline and summer is a busy time with vacations, etc. Please confirm receipt of this message and your intention to participate in the Agreement. Please feel free to contact me with any questions or concerns. I am just trying to ensure all Winnebago County RUs receive the maximum amount of DNR Recycling Grants.”
2. Based on the e-mail, the Administration has prepared Resolution #2011-023 for the Board’s approval.

**MOTION:**

Motion by: Supervisor Lettau

Seconded by: Supervisor Grundman Erdmann

Approve Resolution #2011-023: A Resolution Approving an Intergovernmental Agreement to Satisfy Eligibility Requirements for Participating in a Recycling Consolidation Grant for Calendar Year 2012.

CARRIED by unanimous voice vote.

- G. Discussion/Action: Town Board review and consideration of placing the final lift of asphalt paving on Larsen Road to complete the Larsen Road Reconstruction Project.
1. The Administration has asked the Town’s Engineer to contact Northeast Asphalt Inc., and Peters Construction relative to completing the final lift of asphalt and line painting on the Larsen Road project.

2. The Town's Engineer will have a report for the Board on the schedule for finishing the project before the end of September of CY 2011.
3. The Board has probably seen the graffiti on Larsen Road relative to the timeline for the project.
4. As a point of reference, 24 months for this type of reconstruction is not an unreasonable timeline as it allows the road to go through a frost cycle and harden before the final lift of asphalt is in place.
5. Should there be any problems with the sub-grade they can be repaired before the final lift is placed.
6. If the Board is comfortable with the Engineer's report, a motion to direct staff to complete the project would be in order.
7. Northeast Asphalt indicated that they are extremely busy and this season is booked up; they offered to maintain price plus approved already change order if we would do it next year; they can only lay asphalt until October per DOT standards; if we insisted, they would try to make it fit into their schedule

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Lettau

Push Northeast Asphalt to get the final lift of asphalt paving on Larsen Road provided it does not jeopardize the project.

**Amendment to MOTION:**

Amendment by: Chair Luebke

Seconded by: Supervisor Grundman Erdmann

Include the October 1<sup>st</sup>, 2011, being the deadline to get it done, otherwise it will be done in the beginning of the CY 2012 season.

CARRIED by unanimous voice vote

**Amended MOTION:**

Push Northeast Asphalt to get the final lift of asphalt paving on Larsen Road provided it does not jeopardize the project, to include the October 1<sup>st</sup>, 2011, being the deadline to get it done, otherwise it will be done in the beginning of the CY 2012 season.

CARRIED by unanimous voice vote

- H. Discussion/Action: Town Board review and consideration of a Draft, Town Board Policy strictly prohibiting Town employees and all other persons from bringing, storing, concealing, or possessing any weapon including, but not limited to, firearms, handguns, hunting knives, and/or explosive devices in Town Buildings.

1. The State Legislature recently passed, and the Governor signed, a conceal carry law for the State.
2. The Town's Labor Counsel has recommended that the Town adopt an Ordinance prohibiting the carrying of concealed weapons in Town Buildings.
3. The Town Board members each received a copy of a Draft Ordinance prohibiting Town employees and all other persons from bringing, storing, concealing, or possessing any weapon including, but not limited to, firearms, handguns, hunting

- knives, and explosive devices to or in Town Buildings that was provided by the Town’s Labor Counsel.
4. The Town Board members each received a copy of the requisite postings that would have to be placed on Town property.
  5. It is the Administration’s belief that the Draft Ordinance, as presented, would limit the carrying of any weapons in Town Buildings.
  6. The Administration strongly agrees with the restrictions and recommends that the Board forward the Draft Ordinance to a Public Hearing and subsequent readings.
  7. A motion would be in order to forward the Draft Ordinance to a Public Hearing and First and Second Readings.

**MOTION:**

Motion by: Supervisor Lettau

Seconded by: Supervisor Grundman Erdmann

Proceed with the Board policy strictly prohibiting Town employees and all other persons from bringing, storing, concealing, or possessing any weapon including, but not limited to, firearms, handguns, hunting knives, and/or explosive devices to or in Town Buildings.

CARRIED by 4-1 voice vote. (Luebke = no)

- I. Discussion/Action: Town Board review and consideration of a proposal for replacing two of the Town’s utility trucks with funding to come from the Town’s Capital Replacement Reserve Accounts.
  1. The Board has directed the Administration to research a trade-in value of the Town’s CY 2005 GMC 5500 and purchase costs for a Utility truck to replace the GMC 5500.
  2. The Administration has recommended purchasing a Ford F450 utility truck as the replacement.
    - a. Staff has found one Ford F450 in the area.
    - b. This vehicle is at L&S Truck Center in Appleton.
  3. The Administration has asked L&S Truck Center to make the following adjustments to their unit:
    - a. To install molded fenders over the rear wheels.
    - b. To install 6-inch molded running boards.
    - c. To confirm that the unit has power windows and heated mirrors.
  4. Based on the Administration’s requests, the delivered price for the Ford F450 without license fees would be:
 

L&S Truck Center CY 2011 F450 Utility Truck:	\$53,080.00
Additions for comparable equipment:	\$ 1,204.00
Total Cost:	\$54,284.00
Trade-in Value of the GMC 5500:	<u>\$31,500.00</u>
Net Discounted Cost:	\$22,784.00
License Fees:	\$ 20.00
  5. The Administration has some concerns relative to the lack of Power heated mirrors and power windows in the F450 provided by L&S Truck.
    - a. These options are considered a safety benefit related to rear view visibility in the truck and the propensity of the drivers to not adjust the mirrors if they have to exit the vehicle to do so.

- b. The Administration realizes that this appears to be a frivolous issue but experience says it is often an important issue with accidents in municipal vehicles, especially during the winter months.
- 6. L&S Truck Center has a Ford F550 available with all but two of the options the Administration would like to see in a utility vehicle.

a. The additional options are:

Molded plastic rear wheel fenders:	\$ 887.00
Rectangular LED Beacon:	<u>\$ 450.00</u>
Total Option Price:	\$ 1,337.00

The delivered price for the Ford F550 without license fees would be:

L&S Truck Center CY 2011 F550 Utility Truck:	\$55,655.00
Additions for optional equipment:	\$ 1,337.00
Total Cost:	\$56,992.00
Trade-in Value of the GMC 5500:	<u>\$31,500.00</u>
Net Discounted Cost:	\$25,492.00

- 7. L&S Truck Center is giving the Town a significant trade-in value for its 2005 GMC 5500.
- 8. The trade-in value from L&S Truck Center is \$31,500.00, the trade-in value from the Kayser Automotive Group is \$22,500.00.
- 9. Given the significantly higher trade-in value and the availability of the Ford F550 with the desired options, the Administration is recommending that the Board authorize the replacement of the 2005 GMC 5500 with a Ford F550 with a plow and dump box using the trade-in value of the GMC 5500 and a portion of the \$45,000 in the vehicle replacement account.
- 10. The Administration will budget the replacement of the Chevy 3500 HD in the Town’s CY 2012 budget using the balance of the funds available in the vehicle replacement account.
- 11. The CY 2012 purchase would consist of a Ford F250 purchased on the State Bid.
- 12. Once the GMC 5500 is replaced by the F550 utility vehicle; the F550 will be placed on a 5-year life cycle schedule.
- 13. When the Chevy 3500 HD is replaced with an F250, the F250 will be placed on a 3-year life cycle schedule.
- 14. The proposed life cycle schedules are premised on maximizing the resale values and minimizing the maintenance costs of the vehicles over their life cycles.
- 15. The Administration will provide the Board with the documentation for the vehicle life cycles as part of the CY 2012 budgeting process.
- 16. The Administration requests the Board’s indulgence with this process since it was not able to complete the research on the life cycle issue and the trucks are in need of replacing.
- 17. Additionally, should the Board not agree with the Administration’s life cycle recommendations, the life cycles can be adjusted by the Board at any time.
- 18. If the Board agrees with the proposed vehicle replacement project, a motion would be in order to authorize replacing the Town’s existing GMC 5500 utility vehicle with a Ford F550 utility vehicle at a cost of \$25,500.00 using the Town’s GMC 5500 as a trade-in for the purchase.
- 19. Funding for the project is to be from the Town’s Vehicle Capital Replacement Account.

20. Russ Geise recused himself from voting on this item only.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman Erdmann

Accept the proposal and authorize replacing the Town's existing GMC 5500 utility vehicle with a Ford F550 utility vehicle at a cost of \$25,500.00 using the Town's GMC 5500 as a trade-in for the purchase, with funding for the project to be from the Town's Vehicle Capital Replacement Account.

CARRIED by 4-0 voice vote.

J. Discussion/Action: Town Board review and consideration of a staff recommendation to remove the sledding hill from Clayton Park.

1. The Town Chair asked that this item be placed on the Agenda for the Board's review and direction to staff.
2. It is the Administration's understanding that the sledding hill was created with surplus soil from one of the park paving projects.
3. The Administration has received several complaints from residents that children are trespassing onto their properties when using the sledding hill.
4. To keep children from trespassing onto private property, staff routinely places snow fence and hay bales on the south face of the sledding hill.
5. The south face is the best side of the hill for sledding and the fence and hay bales make the site unusable.
6. Staff has considered asking the Board to authorize the removal of the hill so that the area is easier to mow.
7. The material from the sledding hill would be placed at the yard waste site and used by Town staff when appropriate.
8. If the Board is comfortable with removing the sledding hill, a motion would be in order to direct staff to do so.
9. An alternative motion would be to refer the issue to the Green Space Committee for a recommendation to the Board.
10. Commented on item: Arden Eckstein (3960 West Larsen Road, Larsen), Joanne Sievert
11. Board Direction: Refer this item to Spring of CY 2012.

No motion on this item.

K. Discussion/Action: Town Board review and consideration of a Contract with the Town's Engineer for generating the required financial analysis for a Stormwater Management Utility Ordinance for the Town of Clayton.

1. The Town Board members each received a copy of the Draft Storm Water Utility Ordinance recommended by the Town's Plan Commission.
2. The Town Board members each received a copy of a proposal from the Town's Engineer for completing the Residential Equivalent Runoff Study needed to implement a Storm Water Utility Ordinance.
3. The proposal has a not-to-exceed price of \$24,000.00.

4. This number would be used as a plug number in the Town's CY 2012 Planning Budget.
5. The actual study would be completed in CY 2012 and based on a formal proposal from the Town's Engineer.
6. Please be advised that without the proposed study, the Administration cannot realistically answer any of the questions that the Town's Electors are likely to ask relative to this process.
7. If the Board intends to ask the Electors to approve a Storm Water Management Utility at the Town's April 2012 Annual Meeting, the study would need to be completed prior to that time.
8. If the Board would like to move forward with this project, a motion to direct staff to include the funding for the project in the Town's CY 2012 Budget would be in order.
9. Commented on item: Joanne Sievert

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Lettau

Direct staff to include the funding for the project to contract with the Town's Engineer for generating the required financial analysis for a Stormwater Management Utility Ordinance for the Town of Clayton in the Town's CY 2012 Budget.

CARRIED by unanimous voice vote.

L. Discussion/Recommendation: Town Board direction to staff relative to the Town's Long Grass Policy/Ordinance.

1. The Town Board members each received a copy of the Draft Storm Water Utility Ordinance recommended by the Town's Plan Commission.
2. The Town Board members each received a copy of a proposal from the Town's Engineer for completing the Residential Equivalent Runoff Study needed to implement a Storm Water Utility Ordinance.
3. The proposal has a not-to-exceed price of \$24,000.00.
4. This number would be used as a plug number in the Town's CY 2012 Planning Budget.
5. The actual study would be completed in CY 2012 and based on a formal proposal from the Town's Engineer.
6. Please be advised that without the proposed study, the Administration cannot realistically answer any of the questions that the Town's Electors are likely to ask relative to this process.
7. If the Board intends to ask the Electors to approve a Storm Water Management Utility at the Town's April 2012 Annual Meeting, the study would need to be completed prior to that time.
8. If the Board would like to move forward with this project, a motion to direct staff to include the funding for the project in the Town's CY 2012 Budget would be in order.
9. Commented on item: Lester Hollnagel (7473 Sunwood Drive, Neenah)

No motion on this item.

- XI. Upcoming Meeting Attendance  
A. October 23<sup>rd</sup>, 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 – 9:39 P.M.  
**MOTION:**  
Motion by: Unanimous consent  
Adjourn.  
CARRIED.

Respectfully submitted,  
Susan Nester-Huebner, Town Clerk