

TOWN OF CLAYTON

Board of Supervisors

Meeting Minutes

6:00 p.m. on Wednesday, January 15, 2020

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

I. Call to Order: Town Board Chairman Geise called the meeting to order.

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 PRESENT

b. Staff

Administrator Straw PRESENT

Clerk Stevens PRESENT

Treasurer Schiessl PRESENT

Town Engineer – Mary Jo Miller PRESENT

Town Attorney – Ben Lafombois PRESENT

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

a. No Public Hearings and/or Public Informational Meetings are scheduled.

III. Approval of Minutes:

A. Approval of the Minutes of the Wednesday, December 18th, 2019 Town Board Meeting.

B. Approval of the Minutes of the Wednesday, January 8th, 2020 Special Town Board Meeting.

MOTION:

Motion by unanimous consent to approve the minutes from the Wednesday, December 18th, 2019 Town Board Meeting and Wednesday, January 8th, 2020 Special Town Board Meeting as presented.

IV. Open Forum – Town-related Matters not on the Agenda: NONE

V. Correspondence:

A. Distribution of a letter from the Town of Winneconne regarding the Intermunicipal Agreement for Building Inspection Services.

B. Distribution of the December 2019 Building Permit Report.

C. Distribution of the Town of Clayton 2019 Annual Building Inspector’s Report.

D. Distribution of the Minutes of the November 21st, 2019 Oshkosh Public Library Board Meeting.

E. Distribution of a letter from the Village of Kimberly regarding “Image Fox Cities” meeting January 22, 2020.

- F. Distribution of a Notice of Public Hearing for the Town of Greenville Planning Commission regarding an amendment to the Town of Greenville 2040 Comprehensive Plan.
- G. Distribution of the Settlement Statement from the sale of the property located at 8879 Clayton Ave.
- H. Tax Increment Finance District State Certification Letter
- I. WI Towns Association Notice of Multimodal Local Supplement Grant Program Project Submissions

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

- A. County Supervisor Report
 - a. Chuck Farrey, County Supervisor
 - ATV/UTV Ordinance Approved at County Level—Still controversial
 - Towns have many criteria to meet for before getting County approval
 - Three Towns have County approval—Rushford, Wolf River, and Poygan
 - Pioneer Road/CTR T jurisdictional transfer is getting close to final approval
 - Next step to approve funding for the project (likely for 2021)
- B. Winnebago County Sheriff's Department: – Public Concerns and Issues—No Report
- C. Clayton Fire Rescue (First Meeting of the Month)
 - a. Clayton Fire Rescue Department
 - b. Clayton Fire Rescue EMR
 - 10 Calls year-to-date, 6 EMR, 2 Fire, 2 both EMR and Fire
 - Rescue 43 back and in service
 - c. 2019 Emergency Management Activity Report—Emergency Manager Kaylin Van Stappen
 - Spring 2019 Flooding Event resulted in 97 recorded actions
 - Developing Damage Assessment Kits for Public Works Crew
 - Met with Clayton School Principal to review the District's Emergency Action Plans. Conducted a school lockdown drill in November
 - Reviewed Tornado Emergency Operations Kits and Forms
 - Continuing to work toward WI Certified Emergency Manager Certificate
- D. Clayton Police Department (First Meeting of the Month)
 - Joint Municipal Court completed their walk-through and will be recommended for approval to the Chief Judge
 - Attended WisDOT Traffic Incident Training hosted by Town of Winchester Fire Department—very informative
 - Working with Clayton Elementary regarding response to active threats
- E. Larsen/Winchester Sanitary District—No Report
- F. Administration Comments
 - Mary Jo Miller, Town Engineer
 - Radtke construction is almost done with Westfield Ridge Cul de sac
 - Administrator Straw
 - Continued acclamation to Administrator's position
 - Continued Tax Collection and year end work
 - Clerk Stevens
 - Elections are beginning. In-person Absentee Voting will begin soon
 - Chair Geise

- Has a new appointment to fill Vacant Green Space Committee for the next agenda
- Spoke with and will be speaking with Mayor Hanna again. He has played a very significant roll for Clayton and it is much appreciated.

VII. Operator Licenses Issued by the Town Clerk:

- A. New:
 - i. No Operator Licenses Issued
- B. Renewal:
 - i. No Renewal Licenses Issued

VIII. Business referred by the Plan Commission:

- A. Discussion/Recommendation: Plan Commission recommendation on Resolution 2020-001 a Resolution recommending proposed amendments to the Town’s Comprehensive Plan, and Future Land Use Map for the following Tax ID #s:

Tax ID #	Acreage	Address / Location	Current Future Use	Proposed Future Use
All of 006-0535-06-04	0.42	CTR “T”, Larsen	Residential/Recreation-Conservation	Utilities and Public Facilities
All of 006-0535-06-02	0.49	8328 CRT “T”, Larsen	Residential	Business
A Portion of 006-0535-03	0.66	8338 CRT “T”, Larsen	Recreation/Conservation	Utilities and Public Facilities
Part of 006-0535-06-01	1.20	8348 CRT “T”, Larsen	Recreation/Conservation and Agricultural-Rural Residential	Utilities and Public Facilities
Part of 006-0055-03 and Part of 006-0055-02	3.43	9416 Center Road, Neenah	Officially Mapped Future Road	Removal of Mapped Future Road

- Plan Commission held public hearing—no comments presented
- Plan Commission recommends to the Town Board approval of Resolution 2020-01 A Resolution Amending the Town of Clayton Future Land Use Map

MOTION:

Motion by Supervisor Reif

Second by Supervisor Wisnefske

Motion to approve Resolution 2020-01 A Resolution Amending the Town of Clayton Future Land Use Map as referenced on the Agenda

ROLL CALL VOTE:

Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Chair Geise	Aye

Supervisor Wisnefske

Aye

Motion carried 5-0

B. Discussion/Recommendation: Plan Commission recommendation on a Conditional Use Application submitted by Black Creek Limestone Co. (MCC, Inc Operator) for a Non-metallic Mining Operation (Limestone Quarry) for property located at 4729 and 4763 County Road II; specifically described as Tax ID #006-0499-02, 006-0501, 006-0508-03, 006-0503, and 006-0508, being located in Section 19, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Plan Commission is recommending to the Town Board approval of the Conditional Use Permit application for MCC, Inc. with staff recommendations
- Supervisor Reif requested the blasting notification list be updated

MOTION:

Motion by unanimous consent to approve the Conditional Use Permit application for MCC, Inc. with staff recommendations

C. Discussion/Recommendation: Plan Commission recommendation on a CSM Application submitted by Joseph and Nicole Malchow, 2285 Willow Way Drive, Oshkosh, WI 54904, for property located on the west side of Center Road south of Larsen Road, specifically identified as Tax ID# 006-0701, located in the South ½ of the Southeast ¼ of the Northeast ¼ of Section 28, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- CSM is compliant and includes nothing unusual

MOTION:

Motion by unanimous consent to approve the CSM application submitted by Joseph and Nicole Malchow, for property located on the west side of Center Road south of Larsen Road, specifically identified as Tax ID# 006-0701 with staff recommendations

D. Discussion/Recommendation: Plan Commission direction to staff on preparing the documentation for the moratorium approved by the Town Board on construction of any new self-storage facilities as defined in Chapter 9 – Town of Clayton Zoning Code of Ordinances, Article 3 – Definitions, Section 14.0 GENERAL STORAGE, 14.02 Personal Storage Facilities in the Town of Clayton Code of Ordinances.

DIRECTION TO STAFF

The Board directed Staff to follow the direction of the Commission which directed Planner Jaworski to develop the Overlay District and related boundary map for the Commission’s consideration at the February Plan Commission Meeting.

II. 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. The Green Space Committee meeting for January 8, 2020 was cancelled at the request of the Committee Chair.

NO ACTION TAKEN

III. Business: **SOME ITEMS WERE TAKEN OUT OF ORDER**

A. Discussion/Action: Town Board review and Consideration of the Economic Development Director and Public Works Director Job Descriptions.

The Board reviewed draft copies of the job descriptions for the Town’s Economic Development Director and Public Works Director. Both job descriptions are for a full-time position which report to the Town’s Administrator. Please be advised that Richard will be doing parts of both jobs under the direction of the Town Administrator. Staff elected to create full-time descriptions in anticipation that over the long-term the Town is likely to have individuals in each position.

- Job descriptions are quite generic
- Supervisor Reif expressed concern about the amount of power and control the description gives the Economic Development Director
 - Final decisions have always and will continue to come to the Town Board
 - The position has to be able to negotiate to get the best results possible
 - Economic Development Director has no authority to commit funding
- The Board requested the Economic Development Director description include language which requires Town Board review and approval of final decisions

MOTION:

Motion by unanimous consent to approve the Public Works Director and Economic Development Director position descriptions with the addition to the Economic Development Director description of language which requires Town Board review and approval of final decisions, and to direct staff to place the documents on file.

B. Discussion/Action: Town Board review and consideration of the purchase Notebook Computers for Town Board, Plan Commission, and Green Space Committee Members.

The Board reviewed a quote for 20 iPad Notebook Computers. The Town staff has been communicating with the Town’s IT consultant regarding the notebook computers who is recommending that the Board choose the Apple iPad based on the fact the iPad tends to be more user friendly than other brands and Apple supports their devices for at least 5

years. The Board reviewed that there is an option of purchasing keyboards for note taking or emails which runs between \$30.00 (generic Bluetooth keyboard) and \$129.00 (the Apple iPad case/screen protector). The IT consultant recommends the Apple iPad case/screen protector keyboard because it is portable and folds up as part of the iPad case. If this option is chosen, the cost for 20 would be \$2,580.00 and would increase the quote to \$10,540.00. The funding for the iPad Notebook Computers would come from the Capital Office Equipment line item of the budget.

- Staff noted that the software support for the additional emails required for each would be an additional \$5.00/month/email
- Staff also noted the Board should develop a Use Policy relating to the devices—for Town use only

MOTION:

Motion by unanimous consent to purchase 20 iPad Notebook Computers with the case/keyboard option for a cost not to exceed \$10,540.00

- C. Discussion/Action: Town Board direction to the Plan Commission relative to consideration of “Green” Development Standards.

Supervisor Lettau had requested that the Board consider using “Green” Development Standards when considering development on the east side of the community. Specifically, Supervisor Lettau would like to have the Town’s Plan Commission incorporate these considerations as part of the Site Plan Approval process.

- Chair Geise expressed concern that additional requirements could become too onerous
- Supervisor Reif noted that the Town cannot afford to discourage development and expressed concern that extra requirements would be a deterrent.
- Supervisor Lettau expressed concern that what the Board allows now will affect future generations and she feels the Board should be leading by example.
- Chair Geise noted that he was serving on the Plan Commission about 12 years ago when they reviewed and rejected the requirements as too restrictive.
- Supervisor Reif suggested the Town encourage “Green” development practices but should not require them.

MOTION:

Motion by Supervisor Lettau

Motion to direct the Plan Commission to review “Green” development and to request a proposal for professional services so that it can report back to the Board.

Motion failed for lack of a second

- D. Discussion/Action: Town Board review and consideration of the CY2020 Fee Schedule Update.

The Board reviewed a draft copy of the Administration’s recommended changes to the Town’s CY 2019 Fee Schedule. The Administration recommended one change to the schedule in order to clarify the Fees and to assign the costs of administrative work to the

individuals requesting the services. Specifically, staff has been having issues with Certified Survey Documents that have been approved by the Board but not recorded. The proposed \$250.00 deposit fee is intended to encourage Applicants to record approved documents and provide copies to the Town in order to receive a fee refund. Should the Applicant not provide the Town with a recorded document within 90 days of the Board’s approval, staff will use the fee to determine if the survey work has been completed and the document recorded.

MOTION:

Motion by Supervisor Reif

Second by Supervisor Wisnefske

Motion to approve the revised Resolution 2009-010 Fee Schedule with an effective date of January 16th, 2020.

ROLL CALL VOTE:

Chair Geise	Aye
Supervisor Grundman	Aye
Supervisor Wisnefske	Aye
Supervisor Reif	Aye
Supervisor Lettau	Aye

Motion carried by 5-0 vote

- E. Discussion/Action: Town Board review and consideration of the Intermunicipal Agreement with the Village of Fox Crossing.

The Board reviewed a draft copy of the Intermunicipal Agreement with the Village of Fox Crossing. The document had been prepared by each Municipality’s respective legal Counsel. Chair Geise presented the document to the Town Board and Village Board President Youngquist presented the document to the Village Board. The Intermunicipal Agreement with the Village will provide the Town with 10 years security regarding the Village annexing Town lands and/or exercising their extraterritorial zoning and plat approval authority.

- Chair Geise noted this agreement is the result of many hours of negotiations and a lot of hard work.
- The agreement is a good agreement for the Town, securing our border and protecting the Town’s interests
- The Agreement saves the Town about \$6,000,000
- He noted the agreement caps the Attorney Fee payment at \$220,000 and requires the first payment be made to the Village within 95 days its execution by both municipalities

MOTION:

Motion by Supervisor Grundman

Second by Supervisor Reif

Motion to approve the Intermunicipal Agreement between the Town of Clayton and the Village of Fox Crossing as presented.

ROLL CALL VOTE:

Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Wisnefske	Aye
Supervisor Grundman	Aye
Supervisor Lettau	Aye

Motion carried by a 5-0 vote

- F. Discussion/Action: Town Board review and consideration of the following Intermunicipal Agreements between the Town of Clayton and the Village of Fox Crossing:
- a. Provision of Water Service
 - b. Conveyance of Wastewater

The Board reviewed draft copies of the Intermunicipal Agreements for the Provision of Water Service and the Conveyance of Wastewater with the Village of Fox Crossing. The documents have been prepared by each Municipality’s respective legal Counsel. Chair Geise presented the documents to the Town Board and Village Board President Youngquist presented the documents to the Village Board. The agreement for the conveyance of wastewater allows the Town to use the Village’s existing sanitary sewer pipes to convey effluent to the Fox West regional waste water treatment facility. The agreement for the provision of water service allows the Town to provide water service to residents while it builds a customer base to create a Water Utility. Specifically, the water service will be provided by the Village of Fox Crossing Utility using pipes installed by the Town and owned by the Village Water Utility. At the point when the Public Service Commission will allow the Town to create a Water Utility the Town will purchase the water system from the Village for a dollar.

- Chair Geise noted that these agreements will allow Clayton to move forward with providing utilities

MOTION:

Motion by Supervisor Reif

Second by Supervisor Grundman

Motion to approve the Intermunicipal Agreements between the Town of Clayton and the Village of Fox Crossing for the Provision of Water Service and the Conveyance of Wastewater as presented.

ROLL CALL VOTE:

Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Reif	Aye
Supervisor Wisnefske	Aye
Chair Geise	Aye

Motion carried by a 5-0 vote

G. Discussion/Action: Town Board review and consideration of the Fox West Sewerage Commission Joinder Agreement.

The Board reviewed a draft copy of the Fox West Sewerage Commission Joinder Agreement. The document has been prepared by each Municipality’s respective legal Counsel. Chair Geise presented the document to the Town Board and Village Board President Youngquist presented the document to the Village Board. The Fox West Sewerage Commission Joinder Agreement allows the Town of Clayton and the Clayton Sanitary District #1 access to the Fox West facility for the treatment of wastewater upon acceptance by the Commission.

- Chair Geise noted that once the Town reaches 10 percent capacity in the plant, it will then get a seat on the Commission.

MOTION:

Motion by Supervisor Grundman

Second by Supervisor Wisnefske

Motion to approve the Fox West Sewerage Commission Joinder Agreement as presented.

ROLL CALL VOTE:

Supervisor Wisnefske	Aye
Supervisor Reif	Aye
Chair Geise	Aye
Supervisor Grundman	Aye
Supervisor Lettau	Aye

Motion carried by a 5-0 vote

H. Discussion/Action: Town Board review and consideration of the Intergovernmental Cooperative Plan with the Town of Winchester.

The Board reviewed a copy of the Intermunicipal Agreement with the Town of Winchester. The required public hearing relating to the agreement was held October 23, 2019. The agreement before the Board is the same agreement presented for the public hearing. The Winchester Town Board had approved the agreement Monday, January 6th, 2020.

- Chair Geise noted that good agreements make good neighbors and he feels this is a very good agreement

MOTION:

Motion by Supervisor Reif

Second by Supervisor Grundman

Motion to approve the Intergovernmental Cooperative Plan with the Town of Winchester as presented

ROLL CALL VOTE:

Supervisor Wisnefske	Aye
Supervisor Grundman	Aye
Supervisor Lettau	Aye

Supervisor Reif	Aye
Chair Geise	Aye

Motion carried by a 5-0 vote

- I. Discussion/Action: Town Board review and consideration of the Intergovernmental Cooperative Plan with the Town of Vinland.

The Board reviewed a copy of the Intermunicipal Agreement with the Town of Vinland. The required public hearing relating to the agreement was held October 23, 2019. The agreement before the Board is the same agreement presented for the public hearing. The Vinland Town Board is scheduled to consider the agreement on January 20, 2020.

- Chair Geise again noted that good agreements make good neighbors and this is a very good agreement for both Towns

MOTION:

Motion by Supervisor Reif

Second by Supervisor Lettau

Motion to approve the Intergovernmental Cooperative Plan with the Town of Vinland as presented

ROLL CALL VOTE:

Chair Geise	Aye
Supervisor Lettau	Aye
Supervisor Wisnefske	Aye
Supervisor Reif	Aye
Supervisor Grundman	Aye

Motion carried by a 5-0 vote

- J. Discussion/Action: Town Board review and consideration of the Intergovernmental Cooperative Plan with the Town of Winneconne.

The Board reviewed a copy of the Intermunicipal Agreement with the Town of Winneconne. The required public hearing relating to the agreement was held October 23, 2019. The agreement before the Board is the same agreement presented for the public hearing. The Winneconne Town Board is scheduled to consider the agreement on January 16, 2020.

MOTION:

Motion by Supervisor Grundman

Second by Supervisor Lettau

Motion to approve the Intergovernmental Cooperative Plan with the Town of Winneconne as presented

ROLL CALL VOTE:

Supervisor Reif	Aye
Supervisor Grundman	Aye

Supervisor Lettau	Aye
Chair Geise	Aye
Supervisor Wisnefske	Aye

Motion carried by a 5-0 vote

- K. Discussion/Action: Town Board review and consideration of the Building Inspector's wage adjustment with regard to the addition of the Town of Winchester and Town of Dale Building Inspector's Services.

The Board reviewed a copy of Intergovernmental Agreements for Building Inspection Services with the Towns of Winchester and Dale for your reference. The Town of Winchester Clerk was able to provide a four (4) year average cost of the Town of Winchester's building permits (\$9,912.48) of which the Town of Clayton would collect 80% or \$7,929.98. The Town of Winchester generates 35 +/- building and mechanical permits annually including an average of 6 +/- new single-family dwellings. The staff can only presume that the Town of Dale's building permits would be about the same. With the addition of the two communities our Building Inspector will be serving, the Administration is of the opinion the Building Inspector should be compensated for the additional workload. At this time, the Administration is proposing a one-time increase to the Building Inspector's base wage of \$5,000.00 to bring his base pay to \$70,279.52. The total cost to the Town Budget would be an additional \$5,720.00 which includes the Social Security liability and the Town's portion of the Wisconsin Retirement.

- Chair Geise noted that he has reservations regarding an immediate increase for the building inspector in light of the concerns expressed to him by the Towns of Winneconne and Vinland.
- Chair Geise explained that he would like to evaluate the performance of the inspector with the addition to his workload—if the service is good, an increase is warranted. If the quality of service declines, an increase cannot be taken back.
- Chair Geise said he would consider a smaller increase at this time and then to revisit the matter after some time has passed and the inspector's performance can be evaluated.
- The Board considered other options for compensation, including goal-based increases and an end of year "bonus."
- The Chair suggested the Board postpone the discussion until the next meeting in order to allow the Board time to consider the matter.

NO ACTION TAKEN—POSTPONED TO THE FEBRUARY 5, 2020 MEETING

- L. Discussion/Action: Town Board review and consideration of a contract amendment with Cedar Corporation for the Consulting Services of the Town Planner to assist with the Town's Zoning Code Updates.

The Board reviewed the contract amendment with Cedar Corporation for the Consulting Services of the Town Planner (Ken Jaworski) to assist with the Town's Zoning Code Updates. The cost estimate was \$5,600.00 plus reimbursable expenses of mileage (based on the IRS standard rate – for 2020 it is 57.5 cents per mile) and survey equipment at a rate of \$30.00 per hour. The estimate does not include zoning map changes which may be

provided by another vendor. Color plotting and field supplies will be charged to the project at cost.

MOTION:

Motion by unanimous consent to approve the contract amendment with Cedar Corporation for the Consulting Services of the Town Planner to assist with the Town's Zoning Code updates with a cost not to exceed \$5,600.00 plus reimbursable expenses as noted.

- M. Discussion/Action: Town Board review and consideration of a copier contract with Rhyme Business.

The Board reviewed the proposed copier contract with Rhyme Business and a comparison worksheet with the current copier lease and the proposed copier lease. The Town Staff has experienced a significant amount of frustration with the performance of the past two office copiers supplied by MBM Business Machines.

Several years ago, MBM Business Machines lost the dealer contract with Canon Copiers. The MBM Sales Representative recommended a Konica Copier. The maintenance/repair person was called weekly regarding jams, program errors, paper feed issues, etc. The MBM Sales Representative tried to rectify the situation by recommending a Xerox copier, which is the current copier in the office. The staff is still experiencing paper jams and errors with the auto paper selection among various other issues on a regular basis.

The Rhyme Sales Representative examined the Xerox and came to the conclusion that the Xerox machine is not designed to handle the volume of copies and printing that is done in the office. He also reviewed the current lease the Town has with MBM Business Machines which has approximately 34 months remaining under contract. He has proposed a contract with Rhyme that would include a \$9,239.50 buy-out of the current lease with MBM and a new Sharp copier lease with an average monthly lease payment of \$735.26. The net lease payment amount proposed is comparable to the amount the Town is currently paying for the MBM lease. Because the Rhyme proposal is a zero sum change in the monthly payment, the Administration is recommending that the Board consider the proposal from Rhyme Business for a buy-out of the current contract with MBM and a new Sharp copier lease.

Administrator Straw advised the Board that as written, the current MBM lease is not able to be cancelled without significant penalty. As such, Rhyme Business will assist staff in shrink wrapping the Xerox machine for the Town to store until the MBM lease term is expired, at which time the machine will be returned to MBM. The buy-out funding from Rhyme will be used to make the monthly payments to MBM for the remainder of that lease.

MOTION:

Motion by unanimous consent to approve the copier contract with Rhyme Business to include a buy-out of the current contract with MBM Business Machines and a 60-month Sharp copier lease as presented.

- N. Discussion/Action: Town Board review and consideration of the bid award for the reconstruction of Winncrest Road south from County Road II to 70 feet south of the intersection of Towne Court.

The Board reviewed the Bid tabulation and the Concrete Paving Phase Plan for the reconstruction of Winncrest Road south from County Road II to 70 feet south of the intersection of Towne Court. The Town's Engineer (Martenson & Eisele, Inc) and staff received the bids for the project. The low bidder for the project is Sommers Construction Company, Inc. of Shiocton, WI with a bid of \$110,414.00. The Administration is recommending that the Board award the contract to Sommers Construction Company, Inc. of Shiocton at a cost of \$110,414.00 with the funding to come from the Public Works Department Budget Road Maintenance line item.

MOTION:

Motion by unanimous consent to award the contract to Sommers Construction Company, Inc. of Shiocton, Wisconsin at a not-to-exceed amount of \$110,414.00 with the funding to come from the Public Works Department Budget Road Maintenance line item.

- O. Discussion/Action: Town Board review of the January Settlement Report for CY 2019 Taxes Payable in 2019/20.

The Board reviewed a copy of the Town Treasurer's January Tax Settlement of 2019 Taxes payable in 2019/2020. The Town collected \$4,625,236.43 in December 2019. The Town's portion is \$1,090,821.78.

NO ACTION TAKEN

- P. Discussion/Action: Town Board review and consideration of the December 2019 Tax Payment Refund Report for CY 2019 Taxes Payable in 2019/20 and a 2020 Garbage/Recycling Fee Refund.

The Board reviewed a copy of the December 2019 Tax payment Refund Report. The total amount of refunds for December are \$11,459.73.

The Board also reviewed a copy of the tax bill for Tax ID 006-0486-01, located at 8833 Umland Road, Larsen. This tax bill as well as the bills from 2017 and 2019 have included a double garbage fee because the property has a second address and staff had the understanding it was a duplex or rental unit requiring two service fees. The property owners questioned the double fee and informed staff that the second address was in error and the home is a single-family residence. Staff researched the matter and found that the County inadvertently added a second address to their property, but could not provide any reasoning for the action. The County will be taking a corrective action in regard to the addressing system. The property owners, Kevin and Carrie Abitz, have requested a \$200 refund for the second 2020 Garbage fee charged to them. The Administration is recommending the refund of \$200.00.

- Carrie Abitz, 8833 Umland Road, explained that she has been charged the double garbage fee since 2017 and is requesting a refund for 2017 and 2018 as well.

- Administrator Straw explained that the 2018 and 2019 financial books are closed and she does not think there is funding available for refunds.
- Chair Geise noted that Ms. Abitz request was not on the agenda and as such, the Board is unable to take that action.
- Chair Geise said he would discuss the matter further with the Administrator and add it to the next agenda if necessary.

MOTION:

Motion by unanimous consent to refund the 2020 Garbage/Recycling Fee of \$200.00 to Kevin and Carrie Abitz and to direct staff to correct the garbage fee on this property going forward.

- Q. Discussion/Action: Town Board review and consideration of funding the County’s Stormwater Management Review fee for the Stormwater Management Pond on the North side of Hwy 10 west of Clayton Ave.

The Board reviewed a copy of the email from Abby Maslanka, E.I.T. regarding Winnebago County’s Stormwater Management Permit. The Administration has been working with Abby in anticipation of the construction of the planned regional Stormwater Management ponds on the North side of Hwy 10 (Pillar property) and the South side of Hwy 10 (Koziczowski property). Abby has researched the cost of the required permits from both Outagamie and Winnebago Counties. It appears that the property is outside of the Airport Overlay and will not require permits from Outagamie County, however, Winnebago County has an internal review fee of \$210.00 and a consultant review fee of \$15,000.00 that will be escrowed. Winnebago County will also be charging an additional \$250.00 for an Erosion Control permit. The staff has been working with Dan Springhetti with the possibility of Mr. Springhetti building the ponds in exchange for the Pillar property. Mr. Springhetti would like to get started on the ponds as soon as possible. With the ponds serving the whole area, the Administration feels that it would be in the Town’s best interest to proceed with obtaining the necessary permits.

MOTION:

Motion by unanimous consent to apply for the permits from Winnebago County with the funding to come from the Stormwater Management Utility.

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

MOTION:

Motion made by unanimous consent to adjourn at 8:35 p.m.

Respectfully submitted, Holly Stevens, Clerk