

TOWN OF CLAYTON  
Town Board of Supervisors

Meeting Minutes

7:00 P.M. – 8:46 P.M. on Wednesday, February 20<sup>th</sup>, 2013

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

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I. Call to Order:

A. Notice Verification, Roll

1. Town Board Supervisor 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 Luebke	ABSENT
Supervisor Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Town Treasurer Bowen	PRESENT
Town Engineer Miller	PRESENT

II. Public Informational Hearing:

- No Public Hearings Scheduled

III. Approval of Minutes:

- A. Regular Town Board Meeting – Wednesday, February 6<sup>th</sup>, 2013.

**MOTION:**

Motion made by unanimous consent to approve the minutes of the Town Board Meeting Minutes for Wednesday, February 6<sup>th</sup>, 2013.

IV. Open Forum – Non-Agendized Town-related Matters:

- A. No Referrals

V. Correspondence:

- A. East Central Wisconsin Regional Planning Commission Notice Assistance.

- Supervisor Lettau expressed concern with the Commission becoming involved with the Highway 10 Corridor Study.
- Discussed the need for the Commission to assist in the study relative to overlying jurisdictions.

- Engineer Miller will supply the Board with copies of the study that was done by Martenson & Eisele, Inc.
  - B. UW Extension Plan Commission Network Meeting Notice for CY 2013.
  - C. Winnebago County Industrial Development Board, Per Capita Funding Notice of Award and distribution.
  - D. Martenson & Eisele, Inc. Notice to management transition.
    - Supervisor Geise extended his congratulations to Mr. Jonathan Bartz relative to his recent promotion.
- VI. Discussion Items (No action will be taken.):
- A. County Supervisor Report
    - 1. No Report
  - B. Winnebago County Sheriff's Department – Public Concerns and Issues
    - 1. Deputy Scott Rollo present
    - 2. Nothing to report
  - C. Clayton-Winchester Fire Department
    - 1. No Report
  - D. Larsen Winchester Sanitary District
    - 1. No Report
  - E. Administration Comments
    - 1. Engineer:
      - a. Engineer Miller reporting
      - b. Provided the Engineer Status Report
        - Included road projects for 2013, continuing to work with the local utilities for the next construction season, and getting the necessary permits
      - c. Will be meeting with Mr. Johnston on Monday, February 25<sup>th</sup>, 2013 to discuss the Stormwater Management projects for CY2013.
    - 2. Administrator/Clerk
      - a. Administrator Johnston reporting
      - b. Mr. Arden Schroeder called the office to reiterate his concerns regarding the Town opting out of County Zoning
      - c. Discussed the Spring Primary Election set-up and break-down procedures
    - 3. Public Works Foreman:
      - a. No Report
    - 4. Treasurer/Deputy Clerk:
      - a. Treasurer Bowen reporting
      - b. Reported Election Results – 194 total votes cast; 33 Absentees; 161 At Poll
      - c. Received the DNR Payment in Lieu of Taxes
        - Explained the distribution of monies collected – due February 15<sup>th</sup>
      - d. Provided a handout for the February 2013 Tax Settlement as provided by the County
        - Explained the distribution of monies collected – due February 20<sup>th</sup>
      - e. Home Business Solutions' Technician was at the office setting up the two computers at the front desk to work with the server
      - f. Trying to get settled into new office
      - g. Asked the Board for permission to refund the Gehrke family \$5.00 for overpayment on their dog license – permission granted from Board
    - 5. Town Board:

- a. Supervisor Schmidt requested a future Agenda Item: Residents plowing driveways into and across Town roads.
  - Discussed potential hazards and the potential of the Town issuing fines
  - Mr. Johnston reiterated the violations of state laws, and county/local ordinances.

VII. Licenses and Permits:

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

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

- Plan Commission Chairperson Knapinski discussed the following recommendations to the Town Board:
  - A. Plan Commission recommendation to the Town Board on an Application for a Zoning Change from A-2 (GENERAL FARMING DISTRICT) to P-1 (INSTITUTIONAL AND RECREATIONAL DISTRICT) for George Sturm, 3292 Breezewood Lane, Neenah, WI 54956 for properties located at 3292 Breezewood Lane, Neenah, WI 54956, and West of 3270 Breezewood Lane, specifically described as Tax ID #006-0876 (p) and 006-0877 (p), being a part of the West ½ of the Southwest ¼ of Section 35, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.
    - No Discussion

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion made to accept the Plan Commission recommendation on an Application for a Zoning Change from A-2 (GENERAL FARMING DISTRICT) to P-1 (INSTITUTIONAL AND RECREATIONAL DISTRICT) for George Sturm, 3292 Breezewood Lane, Neenah, WI 54956 for properties located at 3292 Breezewood Lane, Neenah, WI 54956, and West of 3270 Breezewood Lane, specifically described as Tax ID #006-0876 (p) and 006-0877 (p), being a part of the West ½ of the Southwest ¼ of Section 35, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Motion carried by unanimous voice vote.

- B. Plan Commission recommendation to the Town Board on Plan Commission Resolution 2013-001, A Resolution Recommending that the Town Board adopt a Zoning Code of Ordinances for the Town of Clayton.
  - Supervisor Schmidt commented on the need to move forward with the Zoning Code of Ordinances knowing that the Town can always go back to County Zoning if needed
  - Supervisor Geise commented that adopting a Zoning Code of Ordinances is in the best interest of the Town

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion made to accept the Plan Commission recommendation on Plan Commission Resolution 2013-001, A Resolution Recommending that the Town Board adopt a Zoning Code of Ordinances for the Town of Clayton.

- Supervisor Lettau asked if the motion needed to include directing Staff to post the publications relative to the public hearing

- Administrator Johnston stated that the motion implied the posting for the public hearing Motion carried by unanimous voice vote.

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

A. No Referrals

- Supervisor Lettau asked if the Drifters Snowmobile Club would be proceeding with the planning of ClaytonFest
- Administrator Johnston reiterated that the Drifters did agree to take over that function
- Discussed Mr. Van Eperen’s concerns with the speed limit postings on Fairview Road

X. Business:

- A. Discussion/Action: Town Board review, consideration and direction to staff relative to the Town’s demolition of the buildings on and disposition of the Elmer Properties.

Attached, please find the options and supporting documentation relative to the disposition of the Elmer properties by the Town. Both parties have advised the Administration that they will have a signed option for each of the properties by close of business on Wednesday, February 20<sup>th</sup>, 2013 meeting. Once the options have been signed the Administration will proceed with the demolition of the structures, approval of the Certified Survey Map creating the properties in question, and any rezoning required by the process. While the Certified Survey Map and rezoning are being completed, the Administration will ask the Town’s Attorney to draft the transfer sale documentation for the Board and the property owners to sign. The transfer documentation will include protections for the Town to guarantee that the conditions of the transfer are honored or the property is returned to the Town. Please be advised that this process may require several approval actions by the Board. As indicated, the Administration believes that these properties will go back on the Town’s tax roll on January 1<sup>st</sup>, 2014. If the Board is comfortable with the process as outlined, a motion directing staff to proceed with the project would be in order.

- Discussed the meeting that was held Wednesday, February 13<sup>th</sup>, 2013 between Mr. Clauson, Town Administrator Johnston, Town Board Chairperson Luebke, and Town Board Supervisor Geise
- Mr. Clauson was directed to have his decision in writing to the Town office by Wednesday, February 20<sup>th</sup>, 2013 prior to the close of business and/or attend the Town Board meeting Wednesday, February 20<sup>th</sup>, 2013 at 7:00 p.m. – Mr. Clauson did neither
- Administrator Johnston’s recommendation is to proceed with Mr. Wiedenbeck and ask the Board’s direction regarding the Elmer property relative to barricading the property and the disposition of the house without Mr. Clauson’s decision
- Discussed Mr. Clauson’s parking options relative to the previous parking arrangements prior to the construction on the Municipal Building

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion made to direct Staff to move forward with “Option 4” relative to the Elmer property and Mr. Wiedenbeck and to place barricades in front of the Elmer property to prevent trespassing.

- Discussed the Elmer property garage and driveway encroaching on Mr. Wiedenbeck’s property
  - Discussed the plans for moving the driveway to the North side of the house
- Motion carried by unanimous voice vote.

B. Discussion/Action: Town Board review of the bidding specifications and bidding schedule for the Town’s CY 2013 Capital Construction Projects.

Based on the Board’s approval, staff has issued the request for bids on the Town’s CY 2013 Capital projects. Attached, please find a memorandum from the Town’s Engineer relative to the bidding process and schedule. The Administration has included the alternates approved by the Town Board in the bidding specifications for the projects. At the time of the bid award the Board will need to decide if it wants to approve any of the bid alternates. The main issue the Board will need to consider at the time of the bid award is the availability of funding for the projects. The Board will have the following options at the time of the bid award:

1. Postponing one of the two municipally funded projects.
2. Phasing the larger project into several smaller projects completed over a 2-year timeframe.
3. Borrowing funds from the State Trust Fund to complete all of the Town’s CY 2013 projects with the debt service paid over several years.

If the Board opts to borrow money from the State Trust Fund, the difficulty will be funding the debt service in the CY 2014 Budget and beyond. Direction to staff to proceed with the bidding process would be in order.

- Discussed the presented project options
- Discussed the Stormwater Management Utility Fee charged on the 2012 Tax Bills and where the fees will be used in 2013 – Oak Openings project
- Directed Staff to move forward with the bidding specifications and bidding schedule for the Town’s CY 2013 Capital Construction Projects.

**NO MOTION**

C. Discussion/Action: Town Board review and direction to staff relative to methodology used by the Public Works Department when plowing Town Roads during and after snow events.

Attached, please find a copy of the map identifying the priorities applied to plowing activities by the Public Works Department. In order to preempt any issues and provide the Board with the reasoning for the change in plowing priorities, the Administration would like to review the attached map and staff’s plowing priorities with the Board. In general the priorities are as follows:

1. Arterial Roads
2. Collector Roads
3. Subdivision Roads
4. Municipal Parking Lots and Cemetery Access Roads

The Administration recently changed the priority in which the subdivision roads are plowed. That change consists of how staff prioritizes the plowing of the subdivision roads. Specifically, the Administration has directed staff to plow subdivisions based on the

residential density of the area. Staff has always plowed arterial and collector first but now (after plowing the arterial and collector roads) they plow the subdivisions off Larsen Road and then they move to subdivisions on the north and south ends of Town. In the past they plowed the arterial and collector roads first and then worked from the subdivisions on the north and south ends of Town to the center. The Administration's directive to change the process is based on the greater residential development and population density on the north and south sides of Larsen Road. This change has caused some reaction on the part of residents who are accustomed to being plowed first.

- Discussed the changes in the snow plowing process and the reasoning for the changes relative to the Town's population
- Discussed the possibility of a part-time driver during the winter months for CY 2014
- Supervisor Geise commended the Staff and the Public Works Department on a job well done
- Town Board directed Staff to continue with the plowing process in place

**NO MOTION**

- XI. Upcoming Meeting Attendance
  - A. Staff to provide information on Board of Review Training as the information becomes available
- XII. Board Member Requests for Future Agenda Items
  - A. Residents plowing snow from driveways into and across Town roads
- XIII. Review of Disbursements
  - A. Disbursements
- XIV. Adjournment – 7:46 P.M.

**MOTION:**

Motion made by unanimous consent to Adjourn.

Respectfully submitted,  
Tori Bowen, Treasurer/Deputy Clerk