

TOWN OF CLAYTON
Board of Supervisors
Meeting Minutes
6:00 p.m. on Wednesday, April 1, 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	EXCUSED
Supervisor Grundman	PRESENT
Supervisor Wisnefske	PRESENT
Supervisor Reif	PRESENT

b. Staff

Administrator Straw	PRESENT
Clerk Stevens	PRESENT
Treasurer Schiessl	EXCUSED
Town Engineer – Mary Jo Miller	EXCUSED
Town Attorney – Ben Lafrombois	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, March 18th, 2020 Town Board Meeting.

MOTION:

Motion by unanimous consent to approve the minutes from the Wednesday, March 18th, 2020 Town Board Meeting

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

V. Correspondence:

A. Distribution of the 2020 General Engineering Services correspondence provided by McMahon Associates, Inc.

B. Distribution of an email update from Linda Kollmann, Director, Winnebago County Emergency Management regarding steps being taken by the County Department during the health emergency.

C. Distribution of a report to the Town Board from the Town's Engineer, Mary Jo Miller from Martenson & Eisele, Inc.

D. Distribution of a copy of a letter from Attorney David J. Van Lieshout representing Nick Schmidt in regards to the Personal Storage Unit Restrictive Overlay District.

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

- A. County Supervisor Report—No Report
- 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
 - 50 Calls year-to-date, 27 EMR, 11 Fire, 9 both EMR and Fire
 - EMR groups are not responding to A or B level calls – non-life-threatening calls
 - Members have been supplied with additional protective equipment and have been trained on additional procedures pertaining directly to the virus
 - b. Emergency Management Activity Report—Emergency Manager Kaylin Van Stappen
 - Resident donated a case of N95 masks to the Department – Thank You!!
 - The department has also received 2.5 gallons of Hand Sanitizer
 - c. Clayton Police Department (First Meeting of the Month)
 - The computer for the squad car is up and running as of April 1, 2020. By the end of April, the Police Department will be operational.
 - Still waiting on the final audit of the Winneconne Municipal Court.
- D. Larsen/Winchester Sanitary District—No Report
- E. PW Director/Economic Development Director (First Meeting of the Month)
 - Written Report distributed to the Town Board
- F. Administration Comments
 - Mary Jo Miller, Town Engineer
 - Written Report distributed to the Town Board
 - Administrator Straw
 - March 26th the staff had a rating’s call with Standard & Poor’s regarding the Note Anticipation Note (NAN) Issuance
 - April 1st the staff had a disclosure call with Quarles & Brady regarding the Note Anticipation Note (NAN) Issuance
 - On April 15th the Board will be considering the Resolution regarding the borrowing of Note Anticipation Note Issuance
 - Clerk Stevens
 - Preparing for Spring Election (April 7)—receiving many absentee requests
 - Steady flow of in-person Voters as well
 - Chair Geise
 - Potential of 2 possible law suits – one regarding Nick Schmidt and the Personal Storage Unit Restrictive Overlay District and one regarding Brad Best of Fox Valley Asphalt and his neighbor to the North on Black Top Way.

VII. Operator Licenses Issued by the Town Clerk:

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

VIII. 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

IX. 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

X. Business:

A. Discussion/Action: Town Board review and consideration of Ordinance 2020-002 an Ordinance Amending the Town of Clayton Zoning Code of Ordinances relating to the creation of A Personal Storage Unit Restrictive Overlay District and the related boundary map.

The Town Board reviewed a copy of Town of Clayton Ordinance 2020-002, an Ordinance Amending the Town of Clayton Zoning Code of Ordinances relating to the creation of A Personal Storage Unit Restrictive Overlay District and the related boundary map. The purpose of this process is to create a Restrictive Overlay District within the boundaries of the Town’s newly created Tax Increment Finance District (TID #1) to foster development that maximizes value and job creation within the overlay district.

MOTION:

Motion by Supervisor Reif

Second by Supervisor Grundman

ROLL CALL VOTE:

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

Motion carried by 4-0 voice vote.

B. Discussion/Action: Town Board review and consideration of amending the Town’s CY 2020 Storm Water Management Utility Budget to allow for the hiring of two additional Public Works employees to complete the Town’s ongoing drain tile projects.

The Town Board reviewed a copy of the memorandum from the Public Works Director to the Administrator in regards to the hiring of two additional Public Works Department Employees. The experience with previous contractor’s hired for ditching resulted in significant damage to the Town’s ditches due to using a high hoe for digging. Based on that experience, staff is of the opinion that a landscaping contractor would be better

suited for the type of ditching the department does while installing drain tile. While researching the possibility of a contractor the staff found there was a significant lack of interest from the landscaping contractors. The Public Works staff reached out to a local Landscaping Company to help identify the reasoning for the lack of interest in the projects. The end result was the need for dedicated staff and equipment to do the Town's work. Looking at the proposed cost estimate for the ditching project provided by the local company, it was clear that the Town would be able to do more ditching for less cost by hiring two additional employees (\$44.15 per linear foot to pay a contractor vs. \$37.00 average per linear foot for PW employees). The additional staff would also add to the other routine work throughout the year (i.e. equipment maintenance, road maintenance, snow plowing, etc.).

- Chair Geise stated that although this request is a change of course as to what was decided during the budget workshops, it keeps the Town in control of the quality of work being done.
- Supervisor Reif expressed his concerns regarding the hiring of additional employees in the Public Works Department when other departments could use additional help as well.
- Chair Geise stated that the PW Department is already behind and by hiring additional employees more work could be accomplished.
- Administrator Straw explained that with the additional employees, the snowplowing would improve. There would be enough employees to run two shifts if needed to keep the roads clear during heavy and long snow events.
- Chair Geise explained that with the Town preparing to construct sewer and water lines, there will be a need for additional PW employees.
- Supervisor Grundman stated that the Town should be hiring and training so the Town can continue to grow as opposed to paying outside contractors to do the work.

MOTION:

Motion by Chair Geise

Second by Supervisor Grundman

Motion to approve amending the Town's CY 2020 Storm Water Management Utility Budget to allow for the hiring of two additional Public Works employees.

Motion passed on a 3-1 vote. Supervisor Reif opposed. Supervisor Lettau absent.

- C. Discussion/Action: Town Board review and consideration of appointing the Administrator the additional titles of Deputy Clerk and Deputy Treasurer temporarily until such time as we can assign the titles to other staff.

By adding the titles of Deputy Clerk/Deputy Treasurer to the Administrator's title, there is no monetary value – it's part of the job description now. Having been part of the Town Staff for approximately 10 years, the current Administrator has held the title of Treasurer/Deputy Clerk for several years prior to hiring the current Clerk. It's a statutory title so that if the Clerk is not available, the Town would have a Deputy Clerk on staff to fulfill the statutory requirements. The most important time of the year to have both a Clerk and a Deputy Clerk is during the elections. This year the Town has several elections and with the uncertainty of the Country at this time, the Administration is of the opinion that having both a Clerk and a Deputy Clerk is best for the Town. The long-term

plan for the Staff has always been to have an Administrator, a Clerk/Deputy Treasurer, and a Treasurer/Deputy Clerk until such a time that the Town is financially able to support additional staff. At this time, the Administration feels that the current Treasurer (Sabina) is not ready to take on the position of Deputy Clerk as Sabina has only been with the Town for a short period of time. The Town Clerk (Holly) is more than ready to carry the additional title of Deputy Treasurer, however, the Administration is of the opinion that assigning Holly with the additional title should be accompanied by an appropriate raise to compensate for the additional responsibility. The Administration is hopeful that by the time the staff starts the budgeting process, we will be able to come up with an appropriate raise for both Holly and Sabina so that as of January 1, 2021 the titles will revert to them.

MOTION:

Motion by unanimous vote to appoint the Administrator the additional titles of Deputy Clerk and Deputy Treasurer until such time the titles can be assigned to other staff members.

- D. Discussion/Action: Town Board review and consideration of Town Board Resolution 2020-002 recommending a 120-day extension to the Town Board approved moratorium on the 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.

In February of CY 2020, at the Plan Commission’s recommendation, the Town Board extended the temporary moratorium on the approval and construction of new Personal Storage Units in the Town of Clayton for 60 days. Given the “Safer at Home” order by Governor Evers effective until April 24th, 2020, and the uncertainty of the time line for the return of our “normal” daily routine, Town staff and the Town Board Chair are recommending that the Town Board approve Resolution 2020-002 extending the moratorium on the application for and construction of Personal Storage Facilities in the Town of Clayton Code of Ordinances for an additional 120-days. The 120-day extension of the moratorium would allow time for the County to approve the Ordinance and the district overlay map. Once the County has approved, the Town would be able to lift the moratorium.

MOTION:

Motion by Supervisor Reif

Second by Supervisor Wisnefske

Motion to approve Resolution 2020-002 A Resolution recommending a 120-day extension on the Town Board approved moratorium on the construction of any new self-storage facilities as presented.

ROLL CALL VOTE:

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

Motion carried by 4-0 voice vote.

- E. Discussion/Action: Town Board review and consideration of Town Board Resolution 2020-003, a Resolution Declaring an Emergency within the Town of Clayton, County of Winnebago, State of Wisconsin.

Please find a copy of Town Board Resolution 2020-003, a Resolution Declaring an Emergency within the Town of Clayton, County of Winnebago, State of Wisconsin. The Town Staff has been diligently trying to make sense of the overabundance of information that is coming to us through all of the Federal, State, and local authorities regarding the pandemic that we are facing at this time. The Town’s Emergency Management Director, Kaylin Van Stappen has recommended that the Town adopt this Resolution declaring an emergency within the Town of Clayton so that we are prepared to act swiftly to best serve the residents of the town, ensure our emergency services personnel have the supplies that they need, so that we maximize our options for potential reimbursements, and in order to best maintain our continuity of operations during the COVID-19 pandemic. Please keep in mind that by adopting this Resolution, it in no way will affect the routine daily operations of the Town Office or Staff. This is a precautionary procedure so that the leaders of this Community can proceed with emergency management operations more effectively.

MOTION:

Motion by Supervisor Grundman

Second by Supervisor Wisnefske

Motion to approve Resolution 2020-003, a Resolution Declaring an Emergency within the Town of Clayton, County of Winnebago, State of Wisconsin as presented.

ROLL CALL VOTE:

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

Motion carried by 4-0 voice vote.

- F. Discussion/Action: Town Board review and consideration of the Town of Clayton COVID-19 Continuity of Operations Plan.

Please find a Draft copy of the Town of Clayton COVID-19 Continuity of Operations Plan. In light of the current pandemic, the Administration is of the opinion that this plan gives the staff a clear direction as to how the Town will proceed should the COVID-19 virus reach one or more of our employees. This plan will also serve as a template for our Emergency Management Director to create a more general plan in regards to the health and welfare of the Town’s employees and residents. The Town Staff, along with the Town Chair met on Friday, March 20, 2020 to discuss the plan and to edit the document to where the Staff and the Administration are comfortable with plan. The plan is designed to be updated when needed with the current recommendations from the Federal, State, and Local Authorities.

- Administrator Straw commented that this document is fluid and will continue to change as more information becomes available
- Chair Geise explained the document was created using a template from another community.

MOTION:

Motion by unanimous consent to approve the Town of Clayton COVID-19 Continuity of Operations Plan as presented.

XI. Review of Disbursements

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

XIII. Upcoming Meeting Attendance

- April 21, 2020 Annual Meeting
- May 19, 2020 Board of Review

XIV. Board Member Requests for Future Agenda Items

1. Resolution required for the municipal bonds (April 15, 2020)

XV. Adjournment

MOTION:

Motion made by unanimous consent to adjourn 7:45 p.m.

Respectfully submitted,
Tori Straw, Administrator