

TOWN OF CLAYTON  
Town Board of Supervisors

Meeting Minutes

7:02 P.M. – 7:56 P.M. on Wednesday, April 17<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 Chairman Luebke 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	PRESENT
Supervisor Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Town Treasurer Bowen	PRESENT
Town Engineer – Mary Jo Miller	ABSENT

II. Public Hearing:

A. No Referrals

III. Approval of Minutes:

A. Regular Town Board Meeting – April 3<sup>rd</sup>, 2013.

**MOTION:**

Motion made by unanimous consent to approve the minutes of the Town Board Meeting Minutes for Wednesday, April 3<sup>rd</sup>, 2013.

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

A. No Referrals

V. Correspondence:

- A. Tuesday, April 16<sup>th</sup>, 2013 Winnebago County Board of Supervisors Meeting Agenda.
- B. State of Wisconsin, Government Accountability Board Notice.
- C. “Thank You” letter from Habitat for Humanity
- D. Email from Rich Fischer saying “thank you” for the Annual Meeting and requesting ditching work where snowmobile trail groomers pushed top soil into ditches

- 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. No Report
  - C. Clayton-Winchester Fire Department
    - 1. No Report
  - D. Larsen Winchester Sanitary District
    - 1. Ms. Bowen advised the first billing has gone out and Betty has received some payments
    - 2. Working to get handheld working with our computer. Purchasing new software is the route being looked at since M&E never updated the original software
  - E. Administration Comments
    - 1. Engineer:
      - a. No Report
    - 2. Administrator/Clerk
      - a. Mr. Johnston advised approximately 80% of the old building was salvaged
    - 3. Public Works Foreman:
      - a. No Report
    - 4. Treasurer/Deputy Clerk:
      - a. No Report
    - 5. Town Board:
      - a. Chairman Luebke
- VII. Licenses and Permits:
- A. New:
    - i. Mary Beth Nienhaus
  - B. Renewal:
    - i. No Renewed Licenses Issued
- VIII. Zoning – Town Board receipt, review, and consideration of Plan Commission Referrals:
- A. Plan Commission review and recommendation to the Board on direction to staff relative to edits to the Town's Zoning Code of Ordinances recommended by the Town's Attorney.
  - B. Plan Commission review and recommendation to the Board relative to a Contract with the Town's Planner to review for consistency the Town's newly adopted Zoning Code of Ordinances, the Town's Site Plan Ordinance, the Town's Parking Ordinance, and the Town's Sign Ordinance.

The Plan Commission directed staff to ask the Town Planner for a Scope of Services Document and a Proposal for participating in a discussion between the Commission, Staff and the Town's Attorney in order for the Commission to make knowledgeable recommendations to the Board on integrating the Town Attorney's comments on the Town's Zoning Code of Ordinances into the Document. Additionally, staff was directed to ask the Town Planner for a Scope of Services Document and a Proposal for the review of, the integration of, and consistency between the Town's newly adopted Zoning Code

of Ordinances, the Town's Site Plan Ordinance, the Town's Parking Ordinance, and the Town's Sign Ordinance.

Subject to Board approval of the Scope of Services and Proposal, the Plan Commission has recommended both of these projects to the Board. Attached, please find a copy of the Scope of Services and Proposal Document submitted by the Town's Planner. Because of the similarity of the projects and for clarity of the Scope of Services, both projects have been consolidated into a single proposal. The proposed cost of the projects is \$4,410.00 plus reimbursable expenses at \$500.00 for a total project cost of \$4,910.00. The Administration is recommending that the Board approve the Scope of Services and Proposal as submitted. Funding for the project should come from the Town's CY 2013 Budget, Planning Line Item. If the Board agrees with the Administration's recommendation a motion would be in order to approve the Scope of Services and Proposal as submitted with funding for the project to come from the Town's CY 2013 Budget, Planning Line Item.

- Dick Knapinski presented the Plan Commission recommendations to the Town Board

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Motion to approve the Scope of Services and Proposal as submitted for a total project cost of \$4,910.00

Motion carried by unanimous voice vote.

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

Referrals:

- A. No Referrals

X. Business:

- A. Discussion/Action: Town Board review and consideration of authorizing the hiring of summer Park/Lawn maintenance staff.

The Town's approved CY 2013 Budget has a fully funded Park/Lawn maintenance staff position for the summer months. The objective behind creating the position was to alleviate the Public Works Department's workload. With the reduced staff, the Department had a great deal of difficulty taking 32-hours of staff time away from completing its projects in order to mow the Town's Parks and Cemeteries. Additionally, because of the staffing and the time constraints, both the completion of the Department's projects and the quality of the mowing and lawn maintenance efforts in the Town's Parks and Cemeteries suffered. At this time, the Administration is respectfully asking the Board to authorize the Administration to create and fill the summer staff position at an hourly wage of \$10.00 per hour with no benefits. Additionally, the Administration would like to advise the Board that there is a candidate for the position who is a school teacher and coach for a local School District. Although this individual is significantly over-qualified for the position, the Administration would like to hire this candidate for several reasons. The Administration believes that the candidate's combination of skills and maturity would

allow the Administration to experiment with job assignments, the skills needed to do the work with little supervision, and the expectation that a free and open discussion could be had relative to the Administration's expectations for the position. Simply put, I want to see how far I can reasonably push the position and what skills are needed to complete the work to the standards I believe to be acceptable. If the Board agrees with the Administration's direction relative to this process, a motion would be in order to authorize the CY 2013 Budget funded summer staff position at a wage of up to \$10.00 per hour without benefits, and to direct the Administration to present a selected candidate for the position to the Board at the earliest possible opportunity.

- Mr. Johnston explained some of the projects he has in mind for the position
- Discussed budgeted hours and mowing of the ditches relative to using the gang mower

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion made to authorize the CY 2013 Budget funded summer staff position at a wage of up to \$10.00 per hour without benefits, and to direct the Administration to present a selected candidate for the position at the earliest possible opportunity

Motion carried by unanimous voice vote.

XI. Town Board Reorganizational Business:

A. Board Appointments

- Storm Water Utility Commission
  - Discussed responsibilities and reasons to meet
  - Town Board members are commission
- Vice Chairperson – Supervisor Geise
- Joint Fire Board – Chair Luebke, Supervisor Geise, and Supervisor Lettau
- Plan Commission – Supervisor Schmidt
- Green Space – Supervisor Grundman
- Personnel – Chair Luebke and Supervisor Geise
- Buildings/Grounds/Roads – Chair Luebke and Supervisor Grundman
- Cemetery – Supervisor Schmidt

**MOTION:**

Motion made by unanimous consent to approve the Town Board Appointments.

B. Establish Meeting Days, Times, Rules

- Town Board:
  - Meets the 1<sup>st</sup> & 3<sup>rd</sup> Wednesdays of each month
  - Meeting time 7:00 p.m.
  - Robert's Rules of Order
- Storm Water Utility Commission
  - Meets at the call of the Chair on the 1<sup>st</sup> & 3<sup>rd</sup> Wednesdays of each month
  - Meeting time 6:00 p.m.
  - Robert's Rules of Order
- Zoning Board of Adjustments:
  - Meets at the call of the Chair

- Meeting time and date are at the call of the Chair
- Robert’s Rules of Order
  - a. Chair Luebke recommended to make it all in one evening
- Plan Commission
  - Meets on the 2<sup>nd</sup> Wednesday of each month
  - Meeting time 7:00 p.m.
  - Robert’s Rules of Order
- Green Space Committee
  - Meet on the 3<sup>rd</sup> Thursday of each month
  - Meeting time 7:00 p.m.
  - Robert’s Rules of Order

**MOTION:**

Motion made by unanimous consent to approve the meeting days, times, and rules.

C. Town Office Hours & Organization Structure

- Office Hours
  - 8:00 A.M. to 4:30 P.M.
  - Monday through Friday
- Organizational Structure
  - As approved in the Town’s Personnel Manual

**MOTION:**

Motion made by unanimous consent to approve the Town Office hours and organization structure.

D. Organizational Support Consideration (Proposed)

- 1) Clerk: Richard Johnston
- 2) Treasurer: Tori Bowen
- 3) Deputy Clerk: Tori Bowen
- 4) Town Attorney – Richard Carlson (Silton, Seifert, & Carlson S.C.)
- 5) Labor Attorney – Pat Gill (Gill & Gill S.C.)
- 6) Assessor – Mark Brown (Associated Appraisal Consultants, Inc.)
- 7) Building Inspector – Tom Spierowski
- 8) Engineer – Martenson & Eisele, Inc.
- 9) Banking Institutions – Chase and Wells Fargo
- 10) Official Newspaper of Record – Appleton Post-Crescent
  - Jenna is not listed because she does not hold a statutory office

**MOTION:**

Motion made by unanimous consent to approve the proposed Town Organizational Support.

E. Additional Appointments

- 1) Plan Commission Members (3 positions: 2 positions for a 3-year term each, 1 position to fill the unexpired term of Pete Van Airsdale (1-year); all terms effective May 1<sup>st</sup>, 2013)
  - a. Eric Linsmeier (Plan Commissioner #2)
  - b. Tabled until next meeting (5/1/2013)
  - c. Terry Klingenberger (Plan Commissioner #4)

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Geise

Motion to appoint Eric Linsmeier to a 3-year term on the Plan Commission

Motion carried by unanimous voice vote.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Geise

Motion to appoint Terry Klingenberg to replace Pete Van Airsdale for his remaining 1-year term

Motion carried by unanimous voice vote

- 2) Zoning Board of Review (5 position serving 3-year staggered terms that are to be determined by the Board.
  - a. Susan Nester-Huebner (Commissioner #1)
  - b. Arden Schroeder (Chairperson)
  - c. Pete Van Airsdale (Commissioner #2)
  - d. Vacant
  - e. Vacant

**MOTION:**

Motion by: Supervisor Lettau

Seconded by: Supervisor Schmidt

Motion to appoint Susan Nester-Huebner to a 3-year term, Arden Schroeder to a 1-year term, and Pete Van Airsdale to a 1-year term.

Motion carried by unanimous voice vote

**MOTION:**

Motion made by unanimous consent to appoint Arden Schroeder as Chair of the Zoning Board of Review.

- o David Huebner questioned the legal implication of this Zoning Board
  - o Mr. Johnston explained the purpose for having the Zoning Board
- 3) Green Space Committee Member (3 positions: 2 positions for a 3-year term each, 1 position to fill the open seat (2-years) all terms effective May 1<sup>st</sup>, 2013)
    - a. David Dorow
    - b. Nancy Heider
    - c. Vacant 2-year term

**MOTION:**

Motion made by unanimous consent to reappointment David Dorow and Nancy Heider for 3-year terms.

- 4) Animal Control Officer (1 position: 1-year term; term effective May 1<sup>st</sup>, 2013)
  - a. David Huebner

**MOTION:**

Motion made by unanimous consent to reappoint David Huebner to Animal Control Officer for a 1-year term.

- 5) Emergency Government (1 position: 1-year term; term effective May 1<sup>st</sup>, 2013)

- b. Bob Breaker

**MOTION:**

Motion made by unanimous consent to reappoint Bob Breaker to Emergency Government Coordinator for a 1-year term.

- 6) Weed Commissioner (1 position: 1-year term; term effective May 1<sup>st</sup>, 2013)
  - c. Town Administrator/Clerk, Richard Johnston

**MOTION:**

Motion made by unanimous consent to reappoint Richard Johnston to Weed Commissioner for a 1-year term.

F. Additional Considerations

- 1) Town Board and Plan Commission Reimbursements – Meetings, Workshops, etc.
  - a. Town Chair
    - i. Wage: \$8,300.00 per year
    - ii. Out of Town Half Day Meeting Per Diem: \$ 44.00
    - iii. Out of Town Full Day Meeting Per Diem: \$ 66.00
    - iv. Mileage reimbursement: Per IRS Rules
  - b. Town Supervisor
    - i. Wage: \$5,100.00 per year
    - ii. Out of Town Half Day Meeting Per Diem: \$ 44.00
    - iii. Out of Town Full Day Meeting Per Diem: \$ 66.00
    - iv. Mileage reimbursement: Per IRS Rules
  - c. Plan Commissioner
    - i. Stipend per meeting: \$ 44.00
    - ii. Out of Town Half Day Meeting Per Diem: \$ 44.00
    - iii. Out of Town Full Day Meeting Per Diem: \$ 66.00
    - iv. Mileage reimbursement: Per IRS Rules
- o Administrator Johnston will look into reimbursements for Zoning Board of Appeals as requested by Chair Luebke

**NO MOTION**

G. Town Fees:

- 1) Review and approval of the Town’s Revised Fee Schedule  
Attached, please find a copy of the Town’s Revised Fee schedule. The only change made to the Fee Schedule at this time is the addition of a Zoning Permit at a cost of \$100.00. The County’s Fee for the same service is \$165.00 (see attached County Fee Schedule). As staff gets more familiar and more comfortable with the Town’s new Zoning Code of Ordinances there may be other fees that will need to be created and/or adjusted. If the Board would like review the Fee schedule in detail, this would be a good opportunity to do so. A motion would be in order to approve the Town’s Fee Schedule as presented or at the Board’s discretion as amended.

**MOTION:**

Motion by: Supervisor Geise  
Seconded by: Supervisor Grundman  
Motion made to approve the Town’s Fee Schedule as presented.

Motion carried by unanimous voice vote.

H. Posting and Notice Locations:

- 1) Town Office, Corner of JJ& Breezewood Lane, Clayton School
  - o Working on implementing a drop box

**MOTION:**

Motion made by unanimous consent to approve the Town Posting and Notice locations.

XII. Upcoming Meeting Attendance

- A. Joint Fire Department Meeting 7:00 P.M. on 4/25/13 at Winchester Town Hall
- B. Capital Day 4/30/13 in Madison

XIII. Board Member Requests for Future Agenda Items

- A. Chair Luebke suggested the topic of mowing ditches be added

XIV. Review of Disbursements

- A. Disbursements

XV. Adjournment – 7:56 P.M.

**MOTION:**

Motion made by unanimous consent to Adjourn.

Respectfully submitted,  
Jenna Prange, Administrative Assistant