

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. – 7:59 P.M. on Wednesday, July 3rd, 2013

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

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	EXCUSED
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

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

II. Public Hearing:

A. No Referrals

III. Approval of Minutes:

A. Regular Town Board Meeting – June 19th, 2013.

MOTION:

Motion made by unanimous consent to approve the minutes of the Town Board Meeting Minutes for Wednesday, June 19th, 2013.

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

A. No Referrals

V. Correspondence:

A. Draft DATCP memorandum and review application for the Town's Farmland Preservation and Zoning Code review.

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. Administrator Johnston advised the billing was sent out yesterday and any meter issues will be discussed with the Sanitary District
- E. Administration Comments
 - 1. Engineer
 - a. Town Engineer Miller reporting
 - b. Ridgeway Drive Subdivision Project will begin Monday July 8, 2013. Starting with work in the ditches and installing drain tile. Estimated completion is mid-August
 - c. Memo will go out on Friday with information for the property owners
 - d. Advertisements for Bids on Fox Valley Asphalt Development Project will be opening July 25 at 10:00 a.m. Bids for 2013 Chip Seal and Culvert Replacement Project will be opening July 16 at 2:00 p.m.
 - e. Working to relocate utilities in Oak Openings and Oak Crest Manor
 - 2. Administrator/Clerk
 - a. Administrator Johnston reporting
 - b. A meeting is scheduled for July 8th at 6:00 p.m. with the Oak Crest Manor residents to discuss the project
 - 3. Public Works Foreman:
 - a. No Report
 - 4. Treasurer/Deputy Clerk:
 - a. Treasurer Bowen reporting
 - b. Working on the Construction Audit
 - c. Still working on data entry for the new software
 - d. She is attending the Clerk/Treasurer's Conference 7/14-7/19 in Green Bay and Jenna will be taking Ms. Bowen's place during that time
 - 5. Town Board:
 - a. Chairman Luebke complemented the new park signs
 - b. A Box Elder tree was removed from Clayton Park
 - c. Discussed trucks driving through Hidden Park

VII. Licenses and Permits:

- A. New:
 - a. Sonia LaVigne
 - b. Hannah Von Behren
 - c. Amy Bauer
 - d. Mary Weber
- B. Renewal:
 - a. Ronald Cosgrove
 - b. Shane Louks
 - c. Jennifer Fletcher

VIII. Business referred by the Plan Commission:

Town Board receipt, review, and consideration of Plan Commission Referrals:

- A. Plan Commission recommendation to the Board on a Site Plan Amendment approval for additional parking lot improvements for MAG Properties LLC, 1219 Appleton Road,

Menasha, WI 54956, dba Headliners Bar and Grill, 2788 Towne Court, Neenah, WI 54956 for property located at 2788 Towne Court and specifically described as Tax ID # 006-062006 in the Town of Clayton.

Attached please find a copy of the Draft Minutes of the Wednesday, June 12th, 2013 Plan Commission Meeting. The Board will find the Commission's actions listed in the Draft copy of the Meeting Minutes. The Commission's motions are summarized in the following list of agenda items:

- A. Plan Commission recommendation to the Board on a Site Plan Amendment approval for additional parking lot improvements for MAG Properties LLC, 1219 Appleton Road, Menasha, WI 54956, d.b.a. Headliners Bar and Grill, 2788 Towne Court, Neenah, WI 54956 for property located at 2788 Towne Court and specifically described as Tax ID # 006-062006 in the Town of Clayton.
 - a. **The Commission's motion was to recommend approval of Site Plan Amendment application for additional parking lot area improvements for MAG Properties LLC, 1219 Appleton Road, Menasha, WI 54956, d.b.a. Headliners Bar and Grill, 2788 Towne Court, Neenah, WI 54956 subject to completing a more detailed Site Plan and Landscaping Plan prior to submission to the Town Board.**

Staff has worked, with the Applicant on the attached Site Plan. As presented, the Site Plan includes the following parking lot improvements to the facility:

1. Up to three new parking rows with each row consisting of evenly spaced face to face parking stalls.
2. The Applicant can construct any number of the three possible rows as long as both the parking stalls and the access isles are paved by the end of the project.
3. Each parking row shall have curb islands and lighting as constructed on the existing parking area.
4. Access to the new parking area shall be internal to the parking facility and from a new access point located on the cul-de-sac ball of Towne Court.
5. The new Towne Court access shall have curb returns that extend into the parking lot area as shown on the attached Site Plan. Town staff would strongly recommend that the Board require that the same curb returns be placed on the existing Towne Court access point.
6. The new Towne Court access point shall have a culvert that meets the Town's existing Access and Culvert Ordinance.
7. The new parking lot area shall have a 4 to 6 foot tall, grass covered berm, with a minimum of 18 vegetative plantings as recommended by a landscape architect or a reputable landscaping firm.
8. The project shall have a final completion date of December 31st, 2015; however, the project site shall be kept in a workman like manner, clean, free of dust and/or mud and, once started, the berm shall be completely formed, seeded, and the plantings in place within a 60-day period.

If the Board agrees with the Administration's recommendations, a motion would be in order to approve the Site Plan with the recommendations and direct staff to draft the document in recordable format for signatures.

- Administrator Johnston advised the only thing added to the revised site plan was the curb returns on the other driveway.

MOTION

Motion by: Supervisor Schmidt

Seconded by: Supervisor Geise

Motion to approve the site plan for improvements for MAG Properties LLC, 1219 Appleton Road, Menasha, WI 54956, dba Headliners Bar and Grill, 2788 Towne Court, Neenah, WI 54956 for property located at 2788 Towne Court and specifically described as Tax ID # 006-062006 in the Town of Clayton with all staff recommendations.

Motion carried by unanimous voice vote.

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

- A. Green Space Committee direction to staff relative to Budgeting for CY 2014 improvements to the Town’s park pavilion and park restroom facilities.

Attached, please find a Draft copy of the Meeting Minutes for the Green Space Committee Meeting of Thursday, June 20th, 2013. The Committee discussed the issues with both the Trail Head Park facilities and the Clayton Park Pavilion. The Committee then directed staff to schedule the July Green Space Committee meeting at the Clayton Park pavilion so that it could conduct a site visit and facility assessment. Additionally, the Committee asked staff to provide the Committee with a copy of the Town’s Park Impact Ordinance and a memorandum relative to the availability of the Park Impact funds for park facilities maintenance and improvement projects.

NO MOTION

X. Business:

- A. Discussion/Action: Town Board review and consideration of a request by the Larsen-Winchester Lions Club, Inc. to expand their existing medical locker building in conjunction with the proposed construction of the Drifters Snowmobile Club equipment storage and maintenance facility.

The Board recently authorized the construction of a long term building and approved drafting a long term building lease agreement with the Drifters. As a result of those discussions it has come to staff’s attention that the Lions would like to expand their existing medical locker building. In both cases the costs of construction are to be borne by the Clubs while the costs of the operating utilities are borne by the Town. The Lions project would likely have better results if it were to be constructed in conjunction and coordination with the pending Drifters project. The Town Chair, Town staff, and representatives of the two organizations met on Tuesday, June 25th, 2013 to conduct a site visit and preliminary discussions on coordinating the two construction projects. The consensus of the group was to attach the two buildings with a common front facade with the existing building. It is the Administration’s understanding that the Lions have a long term lease agreement with the Town; it would be useful if the Town took this opportunity to standardize the agreements with both organizations so there are no questions on what has been authorized and the terms of the authorization. Representatives from both the Drifters and the Lions will be at the Board’s meeting to present their respective positions and to answer any questions the Board may have. If the Board agrees to allow the expansion of the Lions facility, a motion would be in order to direct staff to have the

Town’s Attorney draft the respective agreement as reviewed and approved by the Town Chair.

- Joe Bdwerk (5241 White Pine Dr, Larsen) representing the Larsen-Winchester Lion’s Club. Today they put in their 760th handicap ramp. They are piled to the ceiling with medical equipment and an addition has been talked about for some time. Concerns were discussed regarding space, a fire wall requirement due to the gas and oil storage by the Drifters, and DNR requirements
- Gerald Arens (6802 Wentzel Shore Rd, Winneconne) discussed “worst case” scenarios with the DNR
- Administrator Johnston advised that the details didn’t need to be worked out right now, the Board only needs to decide if they will allow expansion of the Lion’s Club building in conjunction with the Drifter’s project
- Mark Bombinski (3029 Guardian Way, Neenah) representing the Drifter’s, advised the navigable waterway was never discussed between them and it would change their plans relative to the drive-thru area for the trail groomer
- Discussed potential fees for the Lion’s Club

MOTION

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Motion to allow the expansion of the Lion’s facility, while working together with The Drifter’s and staff, to come up with a suitable site plan for Board review along with fee designation suggestions.

Motion carried by unanimous voice vote.

- B. Discussion/Action: Town Board review and consideration of Resolution 2013-003 A Resolution Approving an Intergovernmental Agreement to Satisfy Eligibility Requirements for a Recycling Consolidation Grant for Calendar Year 2014.

Attached please find a copy of correspondence from Jennifer Semrau, Recycling Specialist with the Winnebago County, Solid Waste Management Board. Agenda Item B, Resolution 2013-003 Approving an Intergovernmental Agreement to Satisfy Eligibility Requirements for a Recycling Consolidation Grant for Calendar Year 2014 is the first of the two items on the Board’s Agenda. Board approval of the Resolution will allow the Town to qualify for additional grant funding from the Recycling Consolidation Grant Program for Calendar Year 2014. This additional funding will be added to the Town’s Solid Waste and Recycling Utility Budget for CY 2014. The Administration is recommending approval of Resolution 2013-003 so that the additional funding can be applied for. If the Board agrees, a motion would be in order to approve Resolution 2013-003 approving an Intergovernmental Agreement to Satisfy Eligibility Requirements for a Recycling Consolidation Grant for Calendar Year 2014.

MOTION

Motion made by unanimous consent to approve Resolution 2013-003 approving an Intergovernmental Agreement to Satisfy Eligibility Requirements for a Recycling Consolidation Grant for Calendar Year 2014 .

- C. Discussion/Action: Town Board review and consideration of a Municipality Recycling Surplus Revenue Ballot for CY 2012 Funds, including the option of participating in Municipalities cost sharing in the County’s share of

the debt service for the Tri-County Single Stream Recycling Facility.

Also attached is a copy of the ballot for the Town’s vote on distribution of the Surplus Recycling Revenue from CY 2012. Additionally, the ballot includes a vote on the amount of money the County will distribute. In the past, the participating Municipalities assumed a pro-rata share of the debt service for the Winnebago County Materials Recovery Facility. When the County opted to participate in the construction of the Tri-County Single Stream Recycling Facility, it did not pass the obligation for the pro-rata share of the debt service onto the participating Municipalities. This process made Winnebago County, not the County’s participating Municipalities, responsible for all of the debt for the Tri-County Single Stream Recycling Facility. The County is now asking the participating Municipalities to pay their pro-rata share of the Tri-County Single Stream Recycling Facility debt service. If the Board votes in favor of paying the Town’s pro-rata share of the debt service for Tri-County Single Stream Recycling Facility, the Town’s share of the proposed distribution of the surplus revenue would be \$7,252.93. The Administration is recommending that the Town vote in favor of distributing the Surplus Recycling Revenue from CY 2012 and the assumption of the pro-rata share of the debt service for the Tri-County Single Stream Recycling Facility. Additionally, the Administration is recommending that the funds generated by the distribution go into the Town’s Solid Waste and Recycling Utility Reserve Accounts. If the Board Agrees with the Administration’s recommendation, a motion would be in order to vote in favor of the distribution of \$194,445.00 dollars in Surplus Recycling Revenue from CY 2012 and of funding the Town’s pro-rata share of the recycling operating deficit.

MOTION

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman

Motion to vote in favor of the distribution of \$194,445.00 dollars in Surplus Recycling Revenue from CY 2012 and of funding the Town’s pro-rata share of the recycling operating deficit.

Motion carried by unanimous voice vote.

- I. Upcoming Meeting Attendance
 - A. Joint Fire Board Meeting Monday July 8, 2013 at 7:00 p.m.
 - B. Town’s Association County Unit Meeting in Town of Utica on Thursday July 11, 2013
- II. Board Member Requests for Future Agenda Items
 - A. None
- III. Review of Disbursements
 - A. Disbursements
- IV. Adjournment – 7:59 P.M.

MOTION:

Motion made by unanimous consent to Adjourn.

Respectfully submitted,
Jenna Prange, Administrative Assistant