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 Town Office Building
 8358 County Road T
 Larsen, WI 54947

TOWN OF CLAYTON

Regular Meeting of the Town Board of Supervisors Meeting Minutes

June 16, 2010
 7:00 p.m. – 9:18 p.m.

I. Call to Order

Called to order at 7:00 p.m. by Chairperson Luebke

Present: Town Chairperson Luebke, Supervisors Geise, Klingenberger, Lettau, and Schmidt

Absent: Supervisor Klingenberger (Excused)

Staff Present: Town Administrator Johnston, Clerk Nester-Huebner, Public Works Foreman Pamerter, Town Engineer Brueggeman

Meeting properly posted; three locations in the Town.

II. Approval of Minutes

- Regular Town Board Meeting – June 2, 2010

MOTION: (Unanimous consent) Approve June 2, 2010, Town Board meeting minutes as written.
 CARRIED by voice vote.

III. Open Forum – Non-Agendized Town-related Matters

- Michelle Litjens, 3765 Maxwell Road, Vinland – Candidate for 56th Assembly

IV. Correspondence

- Building Inspector Report – May, 2010
- Winnebago Towns Association Unit Meeting Agenda – Thursday, July 1, 2010 (6:30pm)
- Winnebago Towns Association Unit Meeting Minutes – April 1, 2010

V. Discussion Items (No action will be taken.)

- County Supervisor Report – No supervisor present
- Winnebago County Sheriff's Dept. – No deputy present: Topics – speed limit signs on Larsen Road between Clayton Ave. and State Road 76, Downtown Larsen trespassing and subsequent vandalism
- Clayton-Winchester Fire Chief Report – Fire Chief not present, no update available
- Administration Comments – Town Administrator: Clayton Park entrance gate to be installed once entrance paving complete (estimation: mid-July); Clerk: Newsletter sent out last week, ClaytonFest this past Saturday was a success; Town Engineer: Larsen Road, utilities a little behind on re-locations, gas company to re-lay their lines, to start July 1, then roadwork to begin after that from West to East, completion date not anticipated to change, three (3) electrical poles need to be moved and there is some tree trimming associated with this movement, Clayton Park entrance to be graded this Friday and paved Saturday morning; Chair Luebke: concerns about the state pulling matching funds, road aids, and other financial assistance in near future

VI. Business

A. Discussion / Action – Operator Licenses

- New – Hallie B. Stermer PRESENT
- Renewal – Emily A. Hansen
- Renewal – Jennifer M. Fletcher
- Renewal – Timothy A. Mueller PRESENT
- Renewal – Sue A. Bossell

MOTION: (Geise, Schmidt) Approve new operator license for Hallie B. Stermer.
 CARRIED by unanimous voice vote.

MOTION: (Geise, Lettau) Approve renewal operator license for Emily A. Hansen.
 CARRIED by unanimous voice vote.

MOTION: (Geise, Schmidt) Approve renewal operator license for Jennifer M. Fletcher.
 CARRIED by unanimous voice vote.

MOTION: (Lettau) Deny renewal operator license for Timothy A. Mueller.
FAILED for lack of second.

MOTION: (Geise, Schmidt) Approve renewal operator license for Timothy A. Mueller.
CARRIED by 3-1 roll call vote. (Lettau = no)
(Schmidt = yes, Lettau = no, Geise = yes, Luebke = yes)

MOTION: (Geise, Luebke) Approve operator license for Sue A. Bossell.
FAILED by a 2-2 roll call vote. (Lettau = no, Geise = yes, Schmidt = no, Luebke = yes)

MOTION: (Lettau, Schmidt) Table the operator license application for Sue A. Bossell and ask her to appear at the next Town Board meeting.
CARRIED by unanimous voice vote. (Geise = yes, Schmidt = yes, Lettau = yes, Luebke = yes)

B. **Discussion / Action** – Consideration and approval of Alcohol License Original and Renewal Applications for the period of July 1, 2010, to June 30, 2011, in and for the Town of Clayton, subject to compliance with State Statutes and Municipal Ordinances.

1. The following party has applied for an Original Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of June 17, 2010, to June 30, 2010, subject to compliance with State Statutes and Municipal Ordinances:

- (a) David Schepp, d.b.a. FRV Products, LLC (Trade Name: Rodeo Bar & Grill and Winncrest Banquet Hall), 2788 Towne Court, Neenah, WI 54956. Agent: David Schepp

MOTION: (Lettau, Schmidt) Approve the Original Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of June 17, 2010, to June 30, 2010, subject to compliance with State Statutes and Municipal Ordinances, for David Schepp, d.b.a. FRV Products, LLC (Trade Name: Rodeo Bar & Grill and Winncrest Banquet Hall), 2788 Towne Court, Neenah, WI 54956; Agent: David Schepp
CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

2. The following parties have applied for a Renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, subject to compliance with State Statutes and Municipal Ordinances:

- (a) David Schepp, d.b.a. FRV Products, LLC (Trade Name: Rodeo Bar & Grill and Winncrest Banquet Hall), 2788 Towne Court, Neenah, WI 54956. Agent: David Schepp
- (b) Louis A. GADini, d.b.a. Westridge Golf Course, 8130 Golf Course Drive, Neenah, WI 54956.
- (c) Kenneth Roger Loehrke, d.b.a. Century Elm Supper Club, 8300 County Road T, Larsen, WI 54947.
- (d) The Woodshed, Inc., d.b.a. The Woodshed, 2895 County Road II, Neenah, WI 54956. Agent: Dino O. Valeri
- (e) Christopher Robert David Clauson, d.b.a. Larsen Tavern, 8338 County Road T, Larsen, WI 54947.
- (f) Willie Beamons, LLC, d.b.a. Willie Beamons, 2590 County Road II, Neenah, WI 54956. Agent: Sue A. Bossell
- (g) Winagamie, Inc., d.b.a. Winagamie Golf Course, 3501 Winnegamie Drive, Neenah, WI 54956. Agent: Mary Beth Nienhaus
- (h) Ridgeway Country Club, Inc., d.b.a. Ridgeway Country Club, 2913 County Road II, Neenah, WI 54956. Agent: David K. Battermann

MOTION: (Lettau, Geise) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, for David Schepp, d.b.a. FRV Products, LLC (Trade Name: Rodeo Bar & Grill and Winncrest Banquet Hall), 2788 Towne Court, Neenah, WI 54956; Agent: David Schepp; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

MOTION: (Lettau, Schmidt) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, for Louis A. GADini, d.b.a. Westridge Golf Course, 8130 Golf Course Drive, Neenah, WI 54956; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Lettau = yes, Geise = yes, Schmidt = yes, Luebke = yes)

MOTION: (Lettau, Geise) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, for Kenneth Roger Loehrke, d.b.a. Century Elm Supper Club, 8300 County Road T, Larsen, WI 54947; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Geise = yes, Schmidt = yes, Lettau = yes, Luebke = yes)

MOTION: (Lettau, Schmidt) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, for The Woodshed, Inc., d.b.a. The Woodshed, 2895 County Road II, Neenah, WI 54956; Agent: Dino O. Valeri; subject to compliance with State Statutes and Municipal Ordinances
CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

MOTION: (Lettau, Schmidt) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Christopher Robert David Clauson, d.b.a. Larsen Tavern, 8338 County Road T, Larsen, WI 54947; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

MOTION: (Lettau, Geise) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Willie Beamons, LLC, d.b.a. Willie Beamons, 2590 County Road II, Neenah, WI 54956; Agent: Sue A. Bossell; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Lettau = yes, Geise = yes, Schmidt = yes, Luebke = yes)

MOTION: (Lettau, Schmidt) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Winagamie, Inc., d.b.a. Winagamie Golf Course, 3501 Winnegamie Drive, Neenah, WI 54956; Agent: Mary Beth Nienhaus; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Geise = yes, Schmidt = yes, Lettau = yes, Luebke = yes)

MOTION: (Lettau, Geise) Approve the renewal Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Ridgeway Country Club, Inc., d.b.a. Ridgeway Country Club, 2913 County Road II, Neenah, WI 54956; Agent: David K. Battermann; subject to compliance with State Statutes and Municipal Ordinances, and the premises description be updated to reflect the actual premises.
CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

3. The following party has applied for a Renewal Reserve Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, subject to compliance with State Statutes and Municipal Ordinances:

(a) Boe, LLC, d.b.a. Captain Ron’s Bar & Grill, 8386 State Road 76, Suite B, Neenah, WI 54956. Agent: Ronald W. Cosgrove
MOTION: (Lettau, Schmidt) Approve the renewal Reserve Class B Beer/Class B Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Boe, LLC, d.b.a. Captain Ron’s Bar & Grill, 8386 State Road 76, Suite B, Neenah, WI 54956; Agent: Ronald W. Cosgrove; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

4. The following party has applied for a Renewal Class A Beer/Class A Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, subject to compliance with State Statutes and Municipal Ordinances:

(a) McCarthy’s Mart, LLC, d.b.a. McCarthy’s Mart, 8510 State Road 76, Neenah, WI 54956. Agent: Timothy P. McCarthy
MOTION: (Lettau, Geise) Approve the renewal Class A Beer/Class A Liquor License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, McCarthy’s Mart, LLC, d.b.a. McCarthy’s Mart, 8510 State Road 76, Neenah, WI 54956; Agent: Timothy P. McCarthy; subject to compliance with State Statutes and Municipal Ordinances.
CARRIED by 4-0 roll call vote. (Lettau = yes, Geise = yes, Schmidt = yes, Luebke = yes)

- 5. The following party has applied for a Renewal Class B Beer License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, subject to compliance with State Statutes and Municipal Ordinances:
 - (a) S.O.L. Restaurants, LLC, d.b.a. Oink’s Restaurant, 8386 State Road 76, Suite A, Neenah, WI 54956. Agent: Lynn A. Miller

MOTION: (Lettau, Schmidt) Approve the renewal Class B Beer License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, S.O.L. Restaurants, LLC, d.b.a. Oink’s Restaurant, 8386 State Road 76, Suite A, Neenah, WI 54956; Agent: Lynn A. Miller; subject to compliance with State Statutes and Municipal Ordinances. CARRIED by 4-0 roll call vote. (Geise = yes, Schmidt = yes, Lettau = yes, Luebke = yes)
- 6. The following party has applied for a Renewal Class C Wine License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, subject to compliance with State Statutes and Municipal Ordinances:
 - (a) S.O.L. Restaurants, LLC, d.b.a. Oink’s Restaurant, 8386 State Road 76, Suite A, Neenah, WI 54956. Agent: Lynn A. Miller

MOTION: (Lettau, Geise) Approve the renewal Class C Wine License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, S.O.L. Restaurants, LLC, d.b.a. Oink’s Restaurant, 8386 State Road 76, Suite A, Neenah, WI 54956; Agent: Lynn A. Miller; subject to compliance with State Statutes and Municipal Ordinances. CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

C Discussion / Action – Consideration and approval of Cigarette and Tobacco Products License Applications for the period of July 1, 2010, to June 30, 2011, in and for the Town of Clayton, subject to compliance with State Statutes and Municipal Ordinances.

- 1. The following parties have applied for a Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, subject to compliance with State Statutes and Municipal Ordinances:
 - (a) The Woodshed, Inc., d.b.a. The Woodshed, 2895 County Road II, Neenah, WI 54956. Agent: Dino O. Valeri
 - (b) McCarthy’s Mart, LLC, d.b.a. McCarthy’s Mart, 8510 State Road 76, Neenah, WI 54956. Agent: Timothy P. McCarthy
 - (c) Willie Beamons, LLC, d.b.a. Willie Beamons, 2590 County Road II, Neenah, WI 54956. Agent: Sue A. Bossell
 - (d) Ridgeway Country Club, Inc., d.b.a. Ridgeway Country Club, 2913 County Road II, Neenah, WI 54956. Agent: David K. Battermann
 - (e) Larsen CO OP Company, 8290 County Road T, Larsen, WI 54947

MOTION: (Lettau, Schmidt) Approve the renewal Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, The Woodshed, Inc., d.b.a. The Woodshed, 2895 County Road II, Neenah, WI 54956; Agent: Dino O. Valeri; subject to compliance with State Statutes and Municipal Ordinances. CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

MOTION: (Lettau, Geise) Approve the renewal Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, McCarthy’s Mart, LLC, d.b.a. McCarthy’s Mart, 8510 State Road 76, Neenah, WI 54956; Agent: Timothy P. McCarthy; subject to compliance with State Statutes and Municipal Ordinances. CARRIED by 4-0 roll call vote. (Lettau = yes, Geise = yes, Schmidt = yes, Luebke = yes)

MOTION: (Lettau, Schmidt) Approve the renewal Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Willie Beamons, LLC, d.b.a. Willie Beamons, 2590 County Road II, Neenah, WI 54956; Agent: Sue A. Bossell; subject to compliance with State Statutes and Municipal Ordinances. CARRIED by 4-0 roll call vote. (Geise = yes, Schmidt = yes, Lettau = yes, Luebke = yes)

MOTION: (Lettau, Geise) Approve the renewal Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Ridgeway Country Club, Inc., d.b.a. Ridgeway Country Club, 2913 County Road II, Neenah, WI 54956; Agent: David K. Battermann; subject to compliance with State Statutes and Municipal Ordinances.

CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

MOTION: (Lettau, Schmidt) Approve the renewal Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2010, to June 30, 2011, Larsen CO OP Company, 8290 County Road T, Larsen, WI 54947; subject to compliance with State Statutes and Municipal Ordinances.

CARRIED by 4-0 roll call vote. (Schmidt = yes, Lettau = yes, Geise = yes, Luebke = yes)

- D **Discussion / Action** – Consideration and approval of a bid for crack filling certain Town Roads as part of the Town’s Annual Road Maintenance projects.

Town received two (2) bids: Fahrner Asphalt Sealers, LLC (\$17,150) and Fox Valley Asphalt (\$5,280)

MOTION: (Geise, Lettau) Accept the bid for crack filling certain Town Roads as part of the Town’s Annual Road Maintenance projects to FVA for \$5,280.00, funding to come from the Town’s CY 2010 General Fund Budget, Public Works Operations, Crack Filling Budget line item.

CARRIED by unanimous voice vote.

- E **Discussion / Action** – Consideration and approval of a request by Northeast Asphalt, Inc. (NEA) for limited-term extended operating hours at its quarry on CTH “II” in the Town of Clayton.

MOTION: (Geise, Schmidt) Approve the request by Northeast Asphalt, Inc. (NEA) for limited-term extended operating hours at its quarry on CTH “II” in the Town of Clayton with the following conditions:

1. There shall be no work at the quarry site between midnight Saturday and midnight Sunday.
2. There shall be no blasting at the quarry site between the hours of 4:30 p.m. and 7:00 a.m.
3. Adjoining property owners shall be advised in writing of any planned and/or scheduled blasting activities at the quarry site.
4. Crushing shall be allowed 24 hours per day between 6:00 a.m. on Monday and 6:00 p.m. on Friday (there shall be no crushing on weekends).
5. The operator shall make all reasonable efforts to minimize the dust produced by the blasting and crushing activities at the quarry site.
6. To the extent possible, all trucks entering and/or exiting the quarry site shall use CTH “II”.
7. NEA shall provide the Town with a time-frame for the 24-hour quarry site operations; such operations shall not extend beyond November 1, 2010.

CARRIED by unanimous voice vote.

- F **Discussion / Action** – Review and approval of a Revised Town Employee Policy Manual including the addition of an employee flow chart.

MOTION: (Lettau, Schmidt) Approve the Revised Town Employee Policy Manual including the addition of an employee flow chart, with the following conditions:

1. Approving the revised Employee Manual with an effective date of January 1, 2010.
2. Application of the conditions of employment outlined in the Employee Manual in all non-represented personnel issues.
3. Application of the conditions of employment outlined in the Employee Manual in all represented personnel issues when the Union Contract is silent on the issue.

CARRIED by unanimous voice vote.

- G **Discussion / Action** – Consideration and approval of a road-side drainage-improvement project on the north side of Cassy Lane in the Plat of Breaker Ridge. The following is a list of the benefitted properties:

1. 2694 Cassy Lane / Tax ID #006-1502
2. 2718 Cassy Lane / Tax ID #006-1503
3. 2734 Cassy Lane / Tax ID #006-1504
4. 2680 Cassy Lane / Tax ID #006-1501

5. 2664 Cassy Lane / Tax ID #006-1500

Discussion of proposed project.

The following individuals commented on the proposed Cassy Lane project:

- Rick Pickruhn, 2734 Cassy Lane, Neenah
- Steve Rose, 2694 Cassy Lane, Neenah
- Mick Batton, 2718 Cassy Lane, Neenah
- Susan Rubick, 7853 County Road T, Larsen

Board Direction – Project for complete side of Cassy Lane, hard costs (tile, clear stone, and geotextile fabric), affected parties can pay when project is completed via invoice, if not paid from the invoice then special assessed; reward if paid for right away, if special assessed they will pay full burden cost

Funding: Road maintenance budget for the labor involved with the ditch work

- H. **Discussion / Recommendation** – Board direction relative to developing a secure storage area for the Town’s Public Works Department.

Fencing area north of cold storage area

Board direction: Move forward with it, bring to Plan Commission for site approval

- I. **Discussion / Recommendation** – Board direction relative to the results of the water tests for the Town’s Parks and Town Hall facilities.

Board direction: look at this for CY 2011 budget

- J. **Discussion / Recommendation** – Board review of the CY 2010 ClaytonFest planning activities and events.

Board direction: leave ClaytonFest on the 2nd weekend of June, splitting some proceeds with Drifters Snowmobile Club and Clayton-Winchester Fire Fighters Auxiliary, other proceeds are a donation

Proceeds from ClaytonFest: used for Parks and Trail Enhancement

The following individual commented on CY 2010 ClaytonFest activities and events:

- Susan Rubick, 7853 County Road T, Larsen

VII. Upcoming Meeting Attendance

- Winnebago Towns Association Unit Meeting Agenda – Thursday, July 1, 2010 (6:30pm)

IX. Board Member Requests for Future Agenda Items – none

X. Approval of Disbursements

MOTION: (Unanimous consent) Approve disbursements as presented.
CARRIED.

XI. Adjournment – 9:18p

MOTION: (Unanimous consent) Adjourn.
CARRIED.

Respectfully Submitted, Susan Nester-Huebner, *Clerk*