

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. – 9:20 P.M. on Wednesday, March 21, 2012

Town Office Meeting Room, 8358 County Road T, Larsen, WI 54947

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I. Call to Order:

A. Pledge of Allegiance, Notice Verification, Roll

1. Town Board Vice Chair 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
Vice Chair Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman Erdmann	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Public Works Foreman Pamentner	PRESENT
Town Engineer Miller	PRESENT

II. Public Hearing:

A. Public Hearing before the Town Board on the Town's CY 2012 Community Development Block Grant – Public Facilities grant program application for the Town/Fire Hall remodeling and accessibility renovation project.

1. The Public Hearing on the Town's CY 2012 Community Development Block Grant (CDBG) Application was called to order.
2. Staff provided a brief description of the CDBG Application for the Board and the meeting attendees.
3. The Board Vice Chair asked for questions from the Board and/or the Public Hearing attendees, since no questions were asked the Public Hearing was adjourned.

III. Approval of Minutes:

A. Regular Town Board Meeting – Wednesday, March 07, 2012

MOTION: to approve the minutes of the Wednesday, March 7<sup>th</sup>, 2012 by unanimous consent.

CARRIED by unanimous voice vote

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

A. There were no requests to speak.

V. Correspondence:

- A. State Department of Natural Resources (DNR) approval for a non-metallic mining permit for Larsen Materials, LLC 3140 Fairview Avenue, Neenah, WI 54956.
- B. Winnebago County Solid Waste Management Board – February 2012 Tonnage Report

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

A. County Supervisor Report

- 1. County Supervisor Farrey gave a brief report to the Board on the County’s activities and a brief explanation of the State’s interim (5-year) approval of the County’s Farmland Preservation Ordinance.

B. Winnebago County Sheriff’s Department – Public Concerns and Issues

- 1. No Concerns

C. Clayton-Winchester Fire Department

Chief Mathison would like to inform the Board that the Department has received 28 calls year-to-date. The calls in this reporting period were:

- 1. 1 CO Check
- 2. 1 Control burn
- 3. 1 Automatic Aid to the Town of Greenville for a structure fire
- 4. 1 Alarm investigation
- 5. 1 Grass Fire
- 6. 1 Smell of smoke in residence Automatic Aid from the Town of Neenah
- 7. 1 Smoke smell investigation

Additionally, the Chief indicated that he will start coming to one of the Board’s meetings per month, he apologizes for not being in attendance tonight, the Department had its last truck construction meeting tonight.

D. Larsen Winchester Sanitary District

- 1. No Report

E. Administration Comments

1. Administrator/Deputy Clerk

- a. Presented a brief report on staff’s activities in preparation for the for a Public Forum on the Town’s CY 2013 Capital Re-construction Projects, the Election and the Annual Meeting of the Town’s Electors

2. Public Works Foreman:

- a. No Report

3. Engineer:

- a. The Town Engineer updated the Board on the status of the various engineering projects that are underway and indicated that the draft of the utility study for the STH 10 and STH 76 corridor has been completed and presented to the Administrator for review and comment.

4. Town Board:

- a. Supervisor Lettau: Advised the Board that the Town is now in fourth place on the County’s Monthly Recycling Volume Report.

VII. Licenses and Permits:

A. Discussion/Action: Consideration and approval of Operator Licenses:

1. New – Nathan D. Rosendahl  
Motion by: Supervisor Grundman Erdmann  
Second by: Supervisor Schmidt  
Motion to Approve the Operators' License for Nathan D. Rosenthal  
The Motion was approved by Unanimous Voice Vote
2. New – Stacie L. Christie  
Motion by: Supervisor Schmidt  
Second by: Supervisor Grundman-Erdman  
Motion to Approve the Operators' License for Stacie L. Christie  
The Motion was approved by Unanimous Voice Vote
3. New – Hashiem L. Spoke  
Motion by: Vice Chair Geise  
Second by: Supervisor Schmidt  
Motion to Approve the Operators' License for Hashiem L. Spoke  
The Motion was approved by Unanimous Voice Vote

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

- A. Plan Commission recommendation to the Town Board on a Preliminary Plat of Sections 8, 9, 10, and 11 of the Clayton Cemetery submitted by the Town of Clayton, 8358 County Road T, Larsen, WI 54947-0013 for property located at 7890 County Road T, Larsen, WI 54947-0000, in the Town of Clayton and specifically described as Tax ID # 006-0711, Being All of Lot 1 of Certified Survey Map 4915, Being in part of the Northwest ¼ of the Southwest ¼, and part of the Southwest ¼ of the northeast ¼, All in Section 28, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**Plan Commission Staff Report:**

**Site Location:**

The property located at 7890 County Road T, Larsen, WI 54947-0000, in the Town of Clayton and specifically known as Tax ID # 006-0711, Being All of Lot 1 of Certified Survey Map 4915, Being in part of the Northwest ¼ of the Southwest ¼, and part of the Southwest ¼ of the northeast ¼, All in Section 28, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin

**Applicant Information:**

Applicant: Town of Clayton

Property Owner: Town of Clayton  
8358 County Road T  
Larsen, WI 54947-0013

Consultant: James E. Smith, Registered Land Surveyor S-2504  
Martenson & Eisle, Inc.  
109 West Main Street  
Omro, WI 54963

Prepared for: Town Board of the Town of Clayton  
8358 County Road T  
Larsen, WI 54947-0013

**Property Zoning:**

The property is zoned:

- a) P-1 (INSTITUTIONAL AND RECREATIONAL DISTRICT) and A-2 (GENERAL FARMING DISTRICT).

**Surrounding Zoning:**

The surrounding properties are zoned:

- b) To the North: R-1 (RURAL RESIDENTIAL DISTRICT), A-1 (AGRI-BUSINESS DISTRICT) and A-2 (GENERAL FARMING DISTRICT).
- c) To the South: A-2 (GENERAL FARMING DISTRICT).
- d) To the East: A-2 (GENERAL FARMING DISTRICT).
- e) To the West: A-1 (AGRI-BUSINESS DISTRICT) and A-2 (GENERAL FARMING DISTRICT).

**Property Conditions Tax ID # 006-0711:**

- 1. The property consists of approximately 6.81 acres.
- 2. The property is in the Winneconne School District.
- 3. The property is in the Department of Natural Resources Special Well Casing area.
- 4. The property is currently Zoned P-1 (INSTITUTIONAL AND RECREATIONAL DISTRICT) and A-2 (GENERAL FARMING DISTRICT).
- 5. The property is not in the County's Floodplain Zoning Area.
- 6. The property is not in the County's Wetland Identifier District.

**Consistency with the Town's Comprehensive Plan:**

The Preliminary Plat submitted by the applicant is consistent with the Town's Comprehensive Plan and Future Land Use Plan.

**Staff Comments on the Preliminary Plat:**

The Preliminary Plat shows Sections 1, 2, 3, 4, 5, 6 and 7 of the existing Clayton Cemetery for informational purposes only. The older Sections (Sections 1, 2, 3, and 4) of the Cemetery are virtually sold out and have few burial sites that are not already graves sites. The monumenting in those Sections is non-existent. The monumenting in Sections 5, 6, and 7 was created by Town staff when the areas were added to the Cemetery. Staff did a remarkably good job of creating a monumenting system that allows for the location of burial sites; however, it does not allow for the recording and deeding of the burial sites at the time of purchase or transfer. The Town is submitting the Preliminary Plat of Sections 8, 9, 10, and 11 of the Clayton Cemetery for approval by the Town and the County to rectify these problems. The Preliminary Plat creates a Section, Block and Lot system that allows the Town to accurately identify and record the location of burial sites as they are sold. The details of the Block and Lot system are shown on the face of the Preliminary Plat. The monumenting system for the Sections and Blocks in the Cemetery (see Preliminary Plat Legend) are sufficient to allow Town staff to routinely locate the appropriate burial sites when they are needed. Once the final Plat is approved and

recorded, staff will be able to prepare and record deeds for the sale of burial sites in the Platted portions of the Clayton Cemetery.

**Staff Comments on Plat Access:**

Late in CY 2011 the Town Board conducted a site visit to review the quality and location of the access points to the Clayton Cemetery. Based on that site visit and staff's recommendation the three access points shown on the Preliminary Plat were approved by the Town Board. In anticipation of the County's reconstruction of CTR T in the proximate future, staff has contacted the County Highway Commissioner to establish the design location and grades to the ditches in front of the Cemetery. Staff would like to improve the ditching in the area and replace the access point culverts prior to working on the internal Cemetery Roads. The only concerns staff has relative to the internal roads in the Cemetery area are at the southeast corner of Section 7 where the road intersects the corner of Block 114 (see attached Preliminary Plat Map). The solution to this issue is to reconfigure the radius of the road to eliminate the intrusion into the Block. The road grade and the drainage at the radius of the road on the southeast corner of Section 5 create an icing problem during the winter months. The issue can be resolved by adding fill to the base and re-grading the road to eliminate the drainage problems. Additionally, staff has some concerns relative to the burial sites on the southern side of Section 5. These sites make the access roadway extremely narrow and would best be left unsold. The issue is that Blocks 45 and 46 have been sold and Block 45, Lot 1 contains a grave site (see attached Section 5 detail). Staff would recommend that the Town not sell any additional Lots in Section 5, Blocks 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33, 34, 39, and 40. Additionally, staff would like offer to exchange the burial sites that were sold in Blocks 45 and 46 to minimize the intrusion into the access road. Please be advised that under no circumstances would the Administration require the exchange. This action will allow the Town to minimize the intrusion into the access road and protect the burial sites from damage by maintenance and visitor traffic. Staff has also been directed by the Town Board to grade, top soil and seed any abandoned access roads in the Cemetery and to use the existing Cemetery Gate as a decorative feature on the abandoned access road to the oldest part of the Cemetery.

**Staff Comments on Zoning Issues:**

The existing Cemetery property is zoned P-1 (INSTITUTIONAL AND RECREATIONAL DISTRICT) and A-2 (GENERAL FARMING DISTRICT). Based on the Town's Comprehensive Plan and Future Land Use Plan staff recommends that the Town petition the County to re-zone the area of the Cemetery site that is zoned A-2 (GENERAL FARMING DISTRICT) to P-1 (INSTITUTIONAL AND RECREATIONAL DISTRICT) for consistency and to eliminate the split zoning of the Cemetery Property.

**Plan Commission Recommendation:**

**MOTION:**

Motion by: Commissioner Geise

Seconded by: Commissioner Haskell

Motion: To recommend conditional approval of the Preliminary Plat as submitted with the following conditions:

1. That the Applicant reconfigures the radius of the road to eliminate the intrusion into Block 114 of Section 7 of the original layout of the Clayton Cemetery.
2. That the Town not sell any additional Lots in Section 5, Blocks 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33, 34, 39, 40, 45, and 46.
3. That the Applicant work with the Cemetery Plot Owner's in Section 5, Blocks 45 and 46 to minimize the possible impact of Cemetery maintenance on the grave sites and markers.
4. That the Applicant petitions the County to re-zone the area of the Cemetery site that is zoned A-2 (GENERAL FARMING DISTRICT) to P-1 (INSTITUTIONAL AND RECREATIONAL DISTRICT) for consistency and to eliminate the split zoning of the Cemetery Property.
5. That the Applicant provides documentation of the approval for the proposed Preliminary Plat of the Clayton Cemetery by any overlying unit of government having jurisdiction.

Motion by: Supervisor Lettau

Second by: Supervisor Grundman Erdmann

Motion: To conditionally approve the Preliminary Plat of Sections 8, 9, 10, and 11 of the Clayton Cemetery submitted by the Town of Clayton, 8358 County Road T, Larsen, WI 54947-0013 for property located at 7890 County Road T, Larsen, WI 54947-0000, in the Town of Clayton and specifically described as Tax ID # 006-0711, Being All of Lot 1 of Certified Survey Map 4915, as submitted subject to the conditions recommended by the Plan Commission and Staff:

The Motion was approved by Unanimous Voice Vote

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

- A. Green Space review of the Town's Park and Open Space Plan language relative to proposed Town Parks.

Staff reviewed the Park and Open Space Plan identification of a Park in the south east corner of the Town. The Committee was also advised that the Town has received an offer to donate land for a park in the southeast corner of the Town (CTH JJ east of STHH 76) and that this offer complies with the Town's Park and Open Space Plan Recommendations. Therefore staff has been directed to place this offer on the Agenda for the CY 2012 Town Electors Meeting for Elector authorization to accept the donation. Should the Electors authorize the acceptance of the donation the offer will formally be presented to the Committee for a recommendation.

- B. Green Space Committee/Clayton-Fest Committee discussion on CY 2012 Clayton-Fest activities.

Music

Food/Refreshments

The Drifters confirmed that they will start serving food before the start of the Parade.

**Pie Barn**

The Organization was given the list of possible pie donors generated by Karen Thorne and advised that the Town will post a signup sheet at the Polling Site during the Spring Election.

**Silent Auction**

The organization has started recruiting donation for the event and would accept recommendation of possible donors and/or donations.

**Snack Shack**

Use and availability of the Drifters cooler for the organization root beer storage was confirmed.

**Children's Games**

Staff should confirm the Contract and the price of the games for the next Committee meeting.

Staff was asked to contact the individual that does the con treasure hunt for the children to confirm that he will be participating in the event.

**Dog Walk-A-Thon The Dog Walk-A-Thon has been Cancelled**

**Vendors/Information Booths/Community Service**

Staff was asked to confirm that small personal services businesses could have booths at the event (Avon, Arbon etc).

**Advertising**

Check the spelling of the Drifters name in the Town Spring Newsletter

Motion by: Johnson

Second by: Prusik

Motion to: Recommended to the Board that it authorize purchasing 50 new yard signs that advertise the ClaytonFest.com web site in addition to the event and the date at a cost not to exceed \$1,000.00 with funding to come from the proceeds of the event.

Vote: Unanimous in favor of the Motion

**Grounds Layout & Signage**

A recommendation was made to move the Pie Barn to the area between the children's games and the stage to improve visibility and sales.

**Parade**

The Committee has recommended that Lucile Christenson be the Parade Grand Marshal this year and that staff contact the Cavanaugh's to see if a carriage is available for use to lead the Parade.

**Other topics**

Staff distributed an event sponsors list that will be updated for the next meeting.

Motion by: Supervisor Lettau

Second by: Supervisor Schmidt

Motion to: Authorize purchasing 50 new yard signs that advertise the ClaytonFest.com web site in addition to the event and the date at a cost not to exceed \$300.00 with funding to come from the proceeds of the event.

Vote: Unanimous in favor of the Motion

**X. Business:**

A. Discussion/Action: Second reading and consideration of Resolution 2012-004, A Resolution extending by Ordinance the Terms of Office for Elected Town Officials in order to comply with pending State Legislative activities

1. Each Town Board member received a copy of Resolution 2012-004: A Resolution extending the Terms of Office for Elected Town Officials for CY 2012 and CY 2013 in order to comply with pending State Legislative activities.
2. Staff has prepared the Draft Resolution in anticipation of the Legislature passing and the Governor signing AB 476 and SB 381.
3. This Resolution allows the Board to extend its term of service for one week in both CY 2012 and CY 2013.

**MOTION:**

Motion by: Supervisor Lettau

Seconded by: Supervisor Schmidt

Motion to: Approve the proposed Ordinance as presented.

Motion carried by unanimous voice vote.

B. Discussion/Action: Town Board review and direction to staff relative to possible long term debt financing to be issued by the Town of Clayton with Michael S. Hallmann of Lantern Associates, LLC.

The Board was provided with copies of the material provided to the Town by Michael S. Hallmann (Mike) of Lantern Associates, LLC. Mike will be at the Board’s meeting to answer any questions that the Board may have relative to the issue. Additionally, Mike has indicated that the Board may want to consider having the Town rated by an Agency (Moody’s or Standard & Poors). The Administration has always taken the position that a rating is an investment and that it would be reasonable to pay for the cost of a rating if the return on the investment would be a minimum of 100% of the rating costs. Specifically, if the rating cost \$7,500.00 the return should be a minimum of \$15,000.00. It appears that the spread between a rated issue and a non-rated issue has widened in the past few weeks. This process has pushed the return into the \$30,000.00 range on a \$7,500.00 rating cost and the Administration would recommend that the Town seek a rating. Please be advised that the rating returns are spread over the life of the issue. In this case the returns are spread over the ten years of the issue. The rating issue is the only real change from Mike’s previous presentation.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Vice Chair Geise

Motion to direct staff to proceed with preparing the Resolution and supporting documentation for a rated General Obligation Promissory Note not to exceed \$1,200,000.00.

Roll Call Vote:

Vice Chair Geise: Yes

Supervisor Schmidt: Yes

Supervisor Grundman Erdmann:	No
Supervisor Lettau	Yes

- C. Discussion/Action: Town Board review and consideration of a Land Use Agreement with Suburban Athletics for the use of Clayton Park and the associated park facilities for CY 2012 through 2014

The Board was provided a copy of the Town of Clayton (Town) Land Use Agreement (Agreement) with Suburban Athletics (Suburban) for CY 2012 through 2014. The Town’s Agreement with Suburban is for the use of Clayton Park Ball Diamonds and the associated park facilities. Suburban has used the Town’s Clayton Park facilities for a number of years. In return for this use Suburban has developed and maintained the Park ball diamond facilities at their own expense. Additionally Suburban carries the Town as an additional insured on their liability insurance policy (\$1,000,000.00 policy). The Administration has reviewed the Agreement and recommends that the Board approve the document as presented. If the Board agrees, a motion would be in order to approve the Land Use Agreement with Suburban Athletics for the use of Clayton Park and the associated park facilities for CY 2012 through 2014.

**MOTION:**

Motion: Carried by unanimous consent: To approve the Land Use Agreement with Suburban Athletics for the use of Clayton Park and the associated park facilities for CY 2012 through 2014.

- D. Discussion/Action: Town Board review and consideration of staff’s recommendations relative to the hours of operation and staffing levels at the Town’s Yard Waste Site

The Town’s CY 2012 Budget and Solid Waste and Recycling Contract allow the Board to consider expanding the services offered to Town residents at the Yard Waste Site. Specifically, the Town’s CY 2012 Budget allows the Board to staff the site for more hours than were allotted in the past and the Solid Waste and Recycling Contract allows the Town to place garbage and recycling dumpsters at the Yard Waste site. In order to control the use of these services the Administration is recommending that the Board authorize hiring temporary seasonal staff to attend the site when it is open. The Administration is recommending an hourly wage of \$7.25 (State Minimum Wage) to \$10.00 per hour. Based on comments received by staff during the past year, the Administration is recommending that the site be open on the following days and staffed for the following hours:

- April 1<sup>st</sup> to November 30<sup>th</sup>
- Thursdays from: 3:00 P.M. to 7:00 P.M. 4 Hours
- Saturdays from: 8:00 A.M. to 4:00 P.M. 8 Hours
- Sundays from: 12:00 NOON to 4:00 P.M. 4 Hours
- Total Hours per Week: 16 Hours

The Administration’s recommendation results in the Yard Waste Site being open for a total of 16 hours per week for 35 weeks providing a total number of hours of operation of 560. At \$7.25 per hour the total yearly wage cost would be \$4,060.00. At \$10.00 per hour the

total yearly wage cost would be \$5,600.00. All wages would also carry the employer's portion of the Social Security and Medicare benefit of 7.65%. Additionally, the wages would nominally influence the Town's Workman's Comp Insurance costs. Funding for the proposed wages will come from the Solid Waste and Recycling Utility, Recycling Drop Off, Line Item in the Town's CY 2012 Operating Expenses Budget. Relative to dropping off materials at the site on a trial basis, the Administration would recommend the collection of nothing but household recyclables, scrap metal, and garbage in the two dumpsters provided by Veolia with no fees for the service

**MOTION:**

Motion by: Supervisor Grundman Erdmann

Second by: Supervisor Schmidt

Motion: To approve the revised operating hours, the collection standards, and to authorize the Administration to recruit staff to attend the site while it is open. Additionally, the new days and hours of operation will be noticed in the Town's Spring Newsletter (see attached copy) and on the Sign at the Yard Waste Site.

Motion carried by unanimous voice vote

- E. Discussion/Action: Town Board review and consideration of proposed changes to the Town's Bank signatory card authorization.

With the departure of the Susan Nestor-Huebner, the Town's Clerk, the Administration will need to revise the signatory authorizations for the Town's checking and investment accounts. The Town has routinely used two Board members and the Clerk as the authorized signatories on the Town's checking and investment accounts. The Town's Treasurer has asked to be an authorized signatory on the Town's accounts. She has made this request based on her routine need to review and adjust the balances in the accounts and the financial institution's policy to not provide account information to non-signatories. The simplest solution to this problem is to make the Treasurer an authorized signatory. The Administration is recommending that the Town Chair, the Town Vice-Chair and the Town Treasurer be authorized signatories on the Town's checking and investment accounts. The Administration is recommending that the Treasurer replace the Clerk so that the checks and balances function of signing the Town's checks will remain in place. Specifically, Town staff will never be able to legally sign a Town check without the implied approval of the Town Chair or Vice-Chair.

**MOTION:**

Motion by: Unanimous consent

To authorize the Town Treasurer to replace the Town Clerk as one of the three signatory names on the Town's checking and investment accounts.

- F. Discussion/Action: Town Board review and consideration of awards for the following CY 2012 projects:
- a. Paving of CY 2011 culvert repairs
  - b. Line Striping
  - c. Crack Filling

**Line Striping:**

The Board was provided a copy of a proposal from the Winnebago County Highway Department for the Town’s CY 2012 Centerline Painting. The County’s proposal is based on the Request For Proposals (RFP) issued by the Town (see attached). The Town has routinely used the County for this work based on their efficiency and costs compared to private contractors. The Administration recommends that the Board approve the County’s proposal as presented. Funding for the project will come from the Town’s CY 2012, Public Works Department, Line Painting, Budget Line Item.

**MOTION:**

Motion by: Supervisor Schmidt

Second by: Supervisor Lettau

Motion: To award the Town’s CY 2012 Line Painting Contract to the County at a cost not to exceed \$10,000.00.

Motion carried by unanimous voice vote

**Paving of CY 2011 Culvert Repairs:**

For the culvert paving repair projects staff sent the Town’s RFP’s to the following three contractors:

- 1) Fox Valley Asphalt
- 2) Appleton Asphalt, Inc.
- 3) Absolute Asphalt

Only Appleton Asphalt, Inc. and Fox Valley Asphalt responded to the Town’s RFP. Following a review of the proposals staff is confident that the Proposals are comparable in both cost and scope of service and that any minor differences in quantities between the Proposals would not change the low proposal. . The following is a summary of the costs provided in the proposals:

- |                           |             |
|---------------------------|-------------|
| 1) Fox Valley Asphalt:    | \$29,850.00 |
| 2) Appleton Asphalt, Inc: | \$22,837.00 |

Based on staff’s review of the Proposals the Administration is recommending that the Board award the project to Appleton Asphalt, Inc. at a cost not to exceed \$23,000.00 with funding coming from the Town’s CY 2012, Public Works Department, Street Maintenance, Budget Line Item.

**MOTION:**

Motion by: Supervisor Schmidt

Second by: Supervisor Grundman Erdmann

Motion: To award the Town’s CY 2012 culvert paving repairs to Appleton Asphalt, Inc. at a cost not to exceed \$23,000.00.

Motion carried by unanimous voice vote

**Crack Filling:**

For the crack filling projects staff sent the Town’s RFP’s to following five contractors:

- 1) Fahrner Asphalt Services LLC
- 2) Fox Valley Asphalt
- 3) Valley Seal Coat, Inc.
- 4) Wisconsin Sealcoat
- 5) Asphalt Seal and Repair

Only Fahrner Asphalt Services LLC, Asphalt Seal and Repair, and Fox Valley Asphalt responded to the Town’s RFP. Following a review of the proposals staff is confident, that with one exception, the Proposals are comparable in both cost and scope of service and that any minor differences in quantities between the Proposals would not change the low proposal. The exception is the cost of crack filling Lind Lane. Fahrner Asphalt Services LLC did not provide a price for the project based on their belief that the road is beyond crack sealing. Both Asphalt Seal and Repair, and Fox Valley Asphalt have quantities and related prices that indicate that Lind Lane would be covered with sealing material. Based on the comment from the contractor and the quantities involved staff is recommending that the Town look for alternatives to crack sealing Lind Lane. Staff will research the issue and prepare a report for the Board at one of its regularly scheduled April 2012 meetings. The following is a summary of the costs provided in the proposals:

- |                                  |   |             |
|----------------------------------|---|-------------|
| 1) Fahrner Asphalt Services LLC: | \$ 5,937.00 – Less Lind Lane              | N/A         |
| 2) Fox Valley Asphalt:           | \$ 9,560.00 – Less \$5,100.00 Lind Lane = | \$ 4,460.00 |
| 3) Asphalt Seal and Repair       | \$17,159.30 – Less \$7,076.00 Lind Lane = | \$10,083.30 |

Based on staff’s review of the Proposals the Administration is recommending that the Board eliminate the Lind Lane portion of the project and award the project to Fox Valley Asphalt, Inc. at a cost not to exceed \$4,500.00 with funding coming from the Town’s CY 2012, Public Works Department, Crack Filling, Budget Line Item

**MOTION:**

Motion by: Supervisor Schmidt

Second by: Supervisor Grundman Erdmann

Motion: A motion would be in order to eliminate Lind Lane from the Town’s CY 2012 Crack Filling projects and award the balance of the projects to Fox Valley Asphalt at a cost not to exceed \$4,500.00.

Motion carried by unanimous voice vote

- G. Discussion/Recommendation: Town Board review and direction to staff relative to a Legal Opinion rendered by the Town’s Attorney relative to the Notice requirements for moving the Town’s Election Polling Place

With the planned reconstruction of the Town’s Town/Fire Hall staff was concerned about the possibility of an election during the construction months. The Town routinely uses the Community Room as it’s only Polling Place. A change in Polling Place requires a Resolution of the Board and significant notice to the Community. The Administration asked the Town’s Attorney for a Legal Opinion on the need for a Resolution and specific notice if the alternate Polling Place were at the same address but in a different building.

Specifically, the Town's Community Room and the Public Works Garage have the same address, 8348 County Road T in Larsen Wisconsin. The Administration's intent is to hold any elections during the time when the Town/Fire Hall is under construction in the Town's Public Works Department Garage. It is the Town Attorney's opinion that moving the Polling Place from the Community Room to the Town Garage does not constitute a change in site and therefore does not require a Resolution of the Board and Notice to the Public. The Attorney did indicate that staff should post significant signage to guarantee that the Public is made aware of the new Polling location. If the Board has any specific legal questions the Administration will ask the Town's Attorney for his written responses and/or opinions.

No motion on this item.

- H. Discussion/Recommendation: Public Hearing before the Town Board on the Town's CY 2012 Community Development Block Grant – Public Facilities grant program application for the Town/Fire Hall remodeling and accessibility renovation project

Town Board review and direction to staff relative to submitting the Town's CY 2012 CDBG – PF Application to the State.

The Board was provided a copy of the final draft of the Town's CY 2012 CDBG – PF Application. Also attached are copies of several related documents. Staff has not completed the final budget for the application; however, the grant request is for \$125,000.00. This dollar value was based on the preliminary review of the draft application by Jason Scott (Jason), Community Account Manager / Team Leader, Wisconsin Economic Development Corporation (see attached e-mail). Staff expects to have the application finalized and the budgets prepared for submittal by Friday March 23<sup>rd</sup>, 2012. Jason has indicated that the application review and notice process should take about 6 to 8 weeks. Staff has coordinated this timeline with the bidding and award process of the construction of the remodeled Town/Fire Hall project and the GO Debt issue under consideration by the Board. It is important that these projects are completed in a time sensitive and orderly fashion or there is a possibility that conflicts will occur that will place the entire process in jeopardy. Specifically, any Grant Award will be rescinded if the Town awards the bid for the construction of the project before it is formally notified of a Grant Award. The Administration will be prepared to answer any questions from the Board or the Public at the scheduled Public Hearing or as part of the agenda item. Direction to the Administration to proceed with the CDBG Application process would be in order.

No motion on this item.

- I. Discussion/Recommendation: Town Board review and direction to staff relative to the specifications for the purchase of Municipal lawn mowing equipment for the Town's Public Works Department.

The Board was provided information relative to the mowing equipment staff would like to purchase. Staff has reviewed the Town's options relative to the mowing of the Town's parks and cemeteries. Fundamentally, there are three options for doing the work that consist of the following:

1. Contracting with an outside provider: This option results in an expense with no secondary benefit to the Town. Based on staff review, the expense is conservatively estimated at \$15,000.00 per contract year. The contractor would simply mow the parks and the cemeteries for a contracted fee. The Town has no option to use the mowing equipment for any other work that it needs to accomplish.
2. Purchasing dedicated mowing equipment: Dedicated mowing equipment would cost the Town approximately \$25,000.00. This option would allow Town staff to use the mowing equipment on any mowing of Town property. Over the past few years the Town has contracted for mowing the parks and the cemeteries; however, staff has mowed the Friendship Trail, the Hidden Park Trail area and the stormwater management pond in the Plat of Emerald Valley. With the purchase of the dedicated mowing equipment staff would be able to complete the work in a more timely, efficient, and organized fashion.
3. Purchasing mowing equipment that has secondary uses: Staff is recommending that the Town purchase equipment that has secondary uses at an estimated cost of approximately \$50,000.00. Specifically, staff would like to purchase one dedicated mower and a second unit that would consist of a small utility tractor with a gang mower attachment. The utility tractor would have a small bucket attachment in front, a PTO, the capacity to tow the Town's powered rake, and the Town's scrapers. These options will allow staff to use the equipment as a small loader and to do maintenance work on the Town's Trails and drainage swales. In addition to the tractor mower combination, staff would like to purchase a broom attachment for the tractor that will allow staff to sweep street intersection, parking lots, and spills on Town Roads when they occur.

In addition to the mowing equipment staff is recommending that the Town purchase a trailer to haul the equipment to the work site. The cost of the trailer is dependent on the type of equipment the Town Board authorizes. Funding for the purchases will come from the Town's Public Works Capital, Equipment Line Item and the Public Works, Equipment Purchase, Line Item in the Town's CY 2012 Budget. The Town's CY 2012 Budget has sufficient funding to cover the costs of any of the proposed options. Staff is looking for direction from the Board relative to its recommendation to purchase mowing equipment with secondary uses. Based on the Board's direction a final presentation will be made at the Wednesday, April 4<sup>th</sup>, 2012 Board meeting.

The Board directed staff to prepare cost proposals and analyses on options 2 and 3 as presented by staff.

- J. Discussion/Recommendation: Town Board review and direction to staff relative to developing a road shouldering plan and the purchase of related equipment for the project.

One of the most important elements of road maintenance is shouldering. Having well maintained road shoulders reinforces the pavement surface, stabilizes the pavement surface, extends the life of the pavement surface and allows individuals to stray from the pavement surface without being dragged into the roadside ditches. Staff has been working on this project for several years with the goal of creating a shouldering plan that can be accomplished with a single individual. One of staff's main frustrations is with plow trucks that sit idle during the summer months. There are pieces of equipment designed to be attached to heavy duty trucks similar to the Town's plow trucks that would allow the trucks to be used for other functions during other seasons: i.e., cold patching and shouldering. Attached please find a copy of a quote from Universal Truck Equipment, Inc. showing the options available, including the ones staff would like to use. The Quote lists multiple units--the ones highlighted in yellow are the ones staff would like to use. The cost of the preferred units is \$15,850.00. This cost includes \$4,850.00 for the HTC Patcher – 48 roller. This unit would be used for both cold patching and shouldering. These pieces of equipment are designed to be attached to heavy duty trucks similar to the Town's plow trucks. Staff would like the Board's direction relative to creating a road shouldering plan and purchasing the equipment necessary for completing the work. Specifically, staff would like to purchase the material conveyor and either modify the HTC Leveling Assembly or construct a similar unit that has the capacity to scarify and compact the shouldering material. Additionally, the Administration would like to look at the HTC Patcher 48 to include compacted patching in the Public Works plans. The Board had suggested that the Town may wish to consider having the County do the Town's shouldering work. Attached please find an estimated cost per mile (\$2,940.01) of shouldering provided by the County. Please keep in mind that the Town has 150 lane miles of road shoulders and using the County to do the proposed work at their estimated cost per mile would be cost prohibitive. The Administration continues to believe that staff can accomplish a significant amount of work over the course of any given year; however, the only way staff can continue to accomplish the work with less staff is to use better tools. Staff believes that it can accomplish the goal of maintaining the Town's roadside shoulders if it has equipment that will facilitate the process. Staff would like the Board's direction on generating a shouldering plan that would be implemented in CY 2013 and funded as part of the Town's CY 2013 Budgeting process in September of CY 2012.

Staff was directed to research and prepare a Road Shouldering Plan for presentation to the Board with the CY 2013 Town Budget.

- K. Discussion/Recommendation: Town Board update on the bidding schedule for the Town/Fire Hall renovation project.

The Board was provided a copy of the Town's Advertisement for Bids for the Town/Fire Hall reconstruction project. Access to the Bid Documents will begin at 10:00 A.M. on Monday, March 19<sup>th</sup>, 2012. The Bid closing time, date and location are 2:00 P.M. on Wednesday, May 2<sup>nd</sup>, 2012, at the Town of Clayton Offices located at 8358 CTR T,

Larsen, WI 54947. Bids will be opened that afternoon and Bidders may not be withdrawn for 60 days. This schedule does fit into the Town's CDBG Application and GO Debt issuance schedules. As the process moves forward staff will keep the Board informed of any changes in staff's activities or to the project schedules.

No motion on this item.

- L. Discussion/Recommendation: Board direction to staff relative to the potential agenda items for consideration at the Town's Annual Electors Meeting.

This item was placed on the Agenda at the Administrator's request so that the Board could give staff direction on which items it would like to see on the agenda for the Annual Meeting of the Town's Electors. The Administration would recommend that the Board place the following items on the Agenda for the Town's Annual Meeting:

- 1) Call to Order by the Town Chair.
- 2) Recognition of Hans Christianson and Christian Billstrom for achieving Eagle Scout status.
- 3) Approval of the Minutes of the CY 2011 Annual Meeting.
- 4) Presentation by the Town Chair and Elected Officials.
- 5) Presentation of the Town's CY 2011 Audit.
- 6) Reports by Town staff:
  - a) Town Assessor
  - b) Town Building Inspector
  - c) Clayton/Winchester Fire Chief
  - d) Clayton/Winchester First Responder Report
  - e) Town Administrator
- 7) An update on the Town/Fire remodeling project.
- 8) Town Electors authorization of a Town Constable Position.
- 9) Town Electors approval of the Town Board wages.
- 10) Town Electors authorization to purchase the Reif property located at 8366 CTR T, Tax ID # 006-053502.
- 11) Town Electors authorization to purchase the Wiedenbeck property located at 8322 CTR T, Tax ID # 006-053506
- 12) Town Electors Authorization to purchase the Marshall property located at 8328 CTR T, Tax ID # 006-053508
- 13) Town Elector Authorization to accept a donation of land by Jean and Peter Noffke for property located at 2632 CTR JJ, Tax ID # 006-0906.
- 14) Setting the Annual Meeting date for CY 2013 – 3<sup>rd</sup>, Tuesday in April or within 10-days following that date (Per Wisconsin Statutes Act 115)
- 15) Town Elector Proposed Agenda Items.
- 16) Adjourn Sine Die.

If Board members have more or different agenda items the Administration would appreciate the input. Please be advised that the Town Board Chair and the Town Electors can place other items on the agenda at their discretion.

Staff was directed to place this item on the Board's Wednesday, April 4<sup>th</sup>, 2012 Meeting Agenda.

- XI. Upcoming Meeting Attendance
  - A. WTA District Meeting
  
- XII. Board Member Requests for Future Agenda Items
  - A.
  
- XIII. Review of Disbursements
  - A. Town Board reviewed disbursements.
  
- XIV. Adjournment – 9:20 P.M.

**MOTION:**

Motion to adjourn by unanimous consent  
Motion carried by unanimous voice vote

Respectfully submitted,  
Richard Johnston, Deputy Clerk