

TOWN OF CLAYTON
Town Board of Supervisors
Meeting Minutes

7:00 P.M. on Wednesday, February 7th, 2018

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

I. Call to Order:

A. Notice, Verification, Roll

1. Town Board Chairman Geise called the meeting to order
2. Pledge of Allegiance.
3. Verification of Notice
4. Roll

a. Board of Supervisors

Chair Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT
Supervisor Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Treasurer Straw	PRESENT
Deputy Clerk Stevens	PRESENT
Town Engineer – Mary Jo Miller	PRESENT
Town Attorney – Ashley Lehocky	PRESENT

II. Public Hearing(s) and/or Public Information Meeting(s): NONE

III. Approval of Minutes:

- A. Approval of the Wednesday, January 17th, 2018 Town Board Meeting Minutes.

MOTION:

Motion by unanimous consent to approve the Minutes as presented

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

V. Correspondence:

- A. January Building Inspection Report
- B. Correspondence from the Fox Cities Regional Partnership.
- C. Notice from the Office of the Winnebago County Treasurer
- D. Notice from the Town’s Insurance Carrier on coverage for the repairs to the Town’s Cistern pumping system.
- E. Correspondence from the State Department of Natural Resources to the Larsen Drainage District relating to an after-the-fact Permit Application.

- F. Copy of an e-mail from Eric Fowle, Executive Director of the East Central Wisconsin Planning Commission.

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

- A. County Supervisor Report
 - NO REPORT
- B. Winnebago County Sheriff's Department – Public Concerns and Issues
 - Officer Luker present—no issues or concerns
- C. Clayton Fire Rescue Department (First Meeting of the Month)
 - Chief Rieckmann written report
 - 14 calls year-to-date (7 EMR, 5 Fire, 2 Both)
 - Firefighter Buel started EMR training
 - Matt Bluhm and Deb Westphal in FFI Training
- D. Larsen-Winchester Sanitary District
 - Mike Pfankuch, Chairman report
 - Expansion to STH 45 corridor tabled
- E. Administration Comments
 - Engineer Mary Jo Miller
 - Updating minimum road standards
 - Administrator Johnston
 - Interest in development on the east side
 - Preparing for Spring Primary to be held February 20, 2018
 - Deputy Clerk Stevens
 - Submitted WI DOT Transportation Alternatives Program Grant Application for bike and walking trail. Currently under review
 - Town Board Chair Russ Geise
 - Border talks with the Village of Fox Crossing continue

VII. Operator Licenses Issued by the Town Clerk:

- A. New:
 - i. NONE
- B. Renewal:
 - i. NONE

VIII. Business referred by the Plan Commission:

Town Board receipt, review, and consideration of Plan Commission Referrals (second Town Board meeting of the month):

- A. No Referrals

IX. Business referred by the Green Space Committee:

Town Board receipt, review, and consideration of Green Space Committee Referrals (second Town Board meeting of the month):

- A. No Referrals

X. Business:

- A. Discussion/Action: Town Board review and consideration of the purchase of a Kubota KX040 Mini-excavator for the Town's Storm Water Management Utility.

The Board reviewed a copy of Purchase Agreement for the Kubota KX040 Mini-excavator which the Town's Storm Water Management Utility (DPW staff) has been renting for the past 6 months. The Administration had originally intended to purchase a mini-excavator in CY 2017, however, at that time staff was not convinced that purchasing was better than leasing the unit. The Administration chose to lease a unit to determine how much it would be used and the cost effectiveness of the purchase. Based on the use of the unit in CY 2017 and the projected use of the unit in CY 2018, the Administration has become convinced that the Town should purchase rather than lease the unit. The cost to purchase the unit leased in CY 2017 is \$38,000.00. Over the course of the lease the Town has paid \$10,500.00 making the full burden cost of the unit \$48,000.00.

MOTION:

Motion by unanimous consent to approve the purchase of a Kubota KX040 Mini-excavator for the Town's Storm Water Management Utility at a cost of \$38,000.00 with the funding to come from the CY 2018 Storm Water Management Utility's Capital Equipment Fund Budget.

- B. Discussion/Action: Town Board review and consideration of an Amendment to the list created by Resolution 2017-009 A Resolution Creating a Statutorily required list of Appointed Election Poll Workers for the CY 2018/19 election cycle to add the following to the list of approved poll workers:

- i. Christine L. Dieck-Hillegas, 3602 Jadetree Terrace, Neenah, WI, 54956.
- ii. Kay L. Lorbiecki, 3693 Emerald Crown Parkway, Neenah, WI, 54956.
- iii. Roger L. Ackerman, 8045 Saquaro Court, Neenah, WI, 54956.

The Board reviewed a copy of Resolution 2017-009, as approved by the Board: Resolution 2017-009 is the Resolution Creating a Statutorily Required List of Appointed Election Poll Workers. The Board also reviewed a copy of the amended Exhibit A to Resolution 2017-009 with the names of the additional poll workers. The additional Poll Workers on the list are recommended for addition by staff. As in the past, both the Democratic Party and the Republican Party are eligible to provide Poll Worker names to the Clerk. The list of Poll workers with the additional names is valid for 2 years and is used to select individuals who will work at the Town's Elections.

MOTION:

Motion by Supervisor Grundman

Second by Supervisor Lettau

Motion to approve the addition of the listed names to Exhibit A of Resolution 2017-009 a Resolution Creating an Election Poll Worker List for CY 2018 and CY 2019 election cycle as presented.

ROLL CALL VOTE:

Chairman Geise	Aye
Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Schmidt	Aye
Supervisor Grundman	Aye

Motion carried with a vote of 5-0

- C. Discussion/Action: Town Board review and consideration of authorizing staff to issue a Request For Proposals (RFP) for the Town’s annual Crack Sealing Projects and Pulverizing and Paving Projects to consist of the following.
- a. Crack Sealing
 - i. Crack sealing American Drive east of Campers Way
 - ii. Crack Sealing Campers Way
 - iii. Crack sealing Keily Way
 - iv. Crack sealing the Plats of Emerald Crown I and II
 - v. Crack sealing the Plat of Hidden Park
 - vi. Crack sealing the Plat of Breaker Ridge
 - vii. Crack sealing Moeser Lane
 - viii. Crack sealing Voyager Drive
 - ix. Crack sealing Hickory Avenue from Unland Road to Fairview Road
 - x. Crack sealing Grandview Road from Moeser Lane to the West Town Line
 - b. Pulverize, Pave, and install Curb Returns
 - i. Pulverize, pave and install curb returns on Holiday Court
 - ii. Pulverize, pave and install curb returns on West American Drive from STH “76” through the intersection of Campers Way.

The administration asked the Board for authorization to issue an RFP for the listed projects. The projects are funded within the Town’s CY 2018 Public Works Budget. The Administration proposes to issue an RFP for all of the listed work with the intent to award only the work covered by the budgeted funds.

MOTION:

Motion by unanimous consent to authorize issuing the RFP early in March of CY 2018.

- D. Discussion/Action: Town Board review and consideration of the CY 2018 update to the Town's 5/10-YEAR CAPITAL RECONSTRUCTION PLAN.

The Board reviewed three Draft Copies of the Administration's recommendations for the CY 2018 update to the Town's 5/10-YEAR CAPITAL RECONSTRUCTION PLAN. The updates were based on meetings with the Town staff and discussions with Town residents.

1. "CY 2018 Update Version NO. 1" consists of moving all of the approved projects back by 1-year and adjusting the Estimated Project Costs for inflation. The estimated costs for the 5-year Plan are \$5,500,000.00. The issue with this version of the Plan is that it would take up to 15 years to reconstruct most of the section roads in the Town when they are already deteriorated.
2. "CY 2018 Update Version NO. 2" consists of moving all of the approved projects back by 1-year and changing most of the projects from Reconstruction Projects to Pulverize and Paving Projects. The estimated costs for the 5-year Plan are \$5,000,000.00. The issue with this version of the Plan is that it pulverizes and repaves most of the east/west section roads in the Town over a 5-year window without reconstructing the base of the roads. This option will provide a smooth-running surface to the section line roads without consideration for the road base.
3. "CY 2018 Update Version NO. 3" consists of moving all of the approved projects back by 1-year and using a combination of road base reconstruction projects and pulverize and paving projects. The estimated costs for the 5-year Plan are \$7,500,000.00. This version of the Plan reconstructs the base of 1-mile of the section line roads and pulverizes and repaves the rest of the east/west section roads in the Town. This option will allow the Town Board to provide smooth-running section line roads and reconstruct the base of the section line roads over a 20- to 30-year period.

Based on discussions with staff, the Administration's recommended to use Version No. 3. This version will provide the Town with the best combination of road surface conditions and allow for the re-construction of the road base on the section line roads. The additional costs would be amortized over the 20- to 30-year life expectancy of the road surface. Additionally, as the Town re-constructs the road base on those roads, the maintenance costs should be reduced and spread over a longer term resulting in a long-term savings to the Town.

MOTION:

Motion by unanimous consent to approve "CY 2018 Update Version NO. 3" of the Town's 5/10-YEAR CAPITAL RECONSTRUCTION PLAN.

- E. Discussion/Action: Town Board review and consideration of completing the re-keying of the Municipal Facilities to include the Town's Shop, the Town's Cold Storage Facility, the Town's Sign Shop, and the Town's Salt Shed.

The Board reviewed a quote from the Town's security products provider. These products include the keys for the Town facilities located at 8348 CTR "T" in Larsen. Since the

Town staff moved into the renovated Town Hall/Fire Hall, the Administration has been trying to rationalize the key and lock systems for all of the buildings on the site. Specifically, the Administration is trying to control access to the site by creating a cascading key system where an individual's key gives them access to the appropriate areas. The goal of the system is give an individual access to all of the facilities with a single key. This type of security system requires that individuals lock their doors at the end of the day to limit access to secured areas with unlimited access to the general areas. The quote is for the final step in the security process and covers the following facilities: the Town's Shop, the Town's Cold Storage Facility, the Town's Sign Shop, and the Town's Salt Shed. Once completed staff will have a single key that gives them access to all the appropriate areas while maintaining security in the buildings.

MOTION:

Motion by unanimous consent to approve the Lappen Security Quote of \$2,792.46 with the funding to come from the CY 2018 General Fund Budget, Public Works, Repair and Maintenance Buildings, and the Municipal Facilities, Repair and Maintenance Buildings, Line Items.

- F. Discussion/Action: Town Board review and consideration of a Solid Waste and Recycling Fee Refund for a residence used by the Town of Clayton Fire Department for a training burn located at 8804 North Oakwood Avenue.

The Board reviewed a copy of a memorandum from the Town's Treasurer (Tori) relative to a refund for the Town's Solid Waste and Recycling Fee. A demolition permit was issued for the house and the barn which were then used for training purposes for the Fire Department. Staff was unaware of the demolition permit and the razing and continued putting refuse and recycling fees on the property tax bill. As no services are provided for the property, the Administration has reviewed the refund request and agrees with Tori that the Solid Waste and Recycling should be refunded.

MOTION:

Motion by unanimous consent to refund the \$200.00 Solid Waste and Recycling Fee with the funding to come from the Town's Solid Waste and Recycling Special Revenue Budget.

- XI. Review of Disbursements
- XII. Review of General Fund Budget Update (Second Town Board meeting of the month)
- XIII. Upcoming Meeting Attendance: NONE
- XIV. Board Member Requests for Future Agenda Items: NONE
- XV. **CLOSED SESSION OF THE TOWN BOARD:**

- A. Discussion/Action: Town Board Review and Consideration of moving into a Closed Session Pursuant to WI Statute 19.85(1)(e) and 19.85(1)(g).

- i. **19.85 (1)(e)** - Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
- ii. **19.85 (1)(g)** - Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

The Town Board of the Town of Clayton will consider a Motion to Adjourn to a Closed Session to deliberate negotiation, terms, and confer with legal counsel regarding a potential Border Agreement with the Village of Fox Crossing and the potential sale of Town owned land.

MOTION:

Motion by Supervisor Reif

Second by Supervisor Grundman

Motion to adjourn to a Closed Session of the Town Board at 7:40 p.m. pursuant to WI Statute 19.85(1)(g)

ROLL CALL VOTE:

Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Schmidt	Aye

Motion carried by a vote of 5-0

Pursuant to WI Stat. 19.85 (2), the Town Board will reconvene into open session.

- i. **19.85 (2)** - No governmental body may commence a meeting, subsequently convene in closed session and thereafter reconvene again in open session within 12 hours after completion of the closed session, unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session.

MOTION:

Motion by Supervisor Lettau

Second by Supervisor Reif

Motion to reconvene into open session at 8:45 p.m. Pursuant to WI Statute 19.85(2)

ROLL CALL VOTE:

Supervisor Grundman	Aye
Supervisor Schmidt	Aye
Chair Geise	Aye

Supervisor Reif Aye
Supervisor Lettau Aye

Motion carried by a vote of 5-0

XVI. Adjournment:

MOTION:

Motion made by unanimous consent to adjourn at 8:47 p.m.

Respectfully submitted,
Holly Stevens, Deputy Clerk