

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. – 7:49 P.M. on Wednesday, February 19<sup>th</sup>, 2014

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	PRESENT
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 Public Hearing(s) and/or Public Informational Meeting(s).

III. Approval of Minutes:

- A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, February 5<sup>th</sup>, 2014.
- B. Approval of the Minutes of the Special Town Board Meeting held between 8:00 A.M. and 10:00 A.M. on Tuesday, February 11<sup>th</sup>, 2014.

**MOTION:**

Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, February 5, 2014.

Motion made by unanimous consent to approve the Minutes of the Special Town Board Meeting held at 8:00 A.M. on Tuesday, February 11, 2014.

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

- A. Arden Schroeder, 9458 State Highway 76, Neenah, WI  
Tractors on Roads: Tractor bill in Madison to correct the tractor on roads not being used for agriculture
- B. The ClaytonFest activities include having 20 tractors come in from the Twin Cylinder Tractor Club for the parade. Last year in DePere or Green Bay the State Patrol stopped the Tractor Club and issued a ticket for being on the road illegally if it's not exclusively

agriculturally related. Collector tractors not covered through insurance when not used for agricultural purposes. **Will drop off copy of the bill on 2/20.**

- C. ClaytonFest band in the afternoon is going to be the Foggy Valley Boys as well as an Illusionist from Green Bay. Haze will be the band playing Friday night, June 6<sup>th</sup>. Still trying to reinstate the silent auction and not sure on band playing Saturday night, June 7<sup>th</sup>.

#### **NO ACTION TAKEN**

- V. Correspondence:
- A. Communication from the Winnebago County Housing Authority.
  - B. Winnebago County Solid Waste Management Board CY 2014 Recycling Tonnage Report.
    - Supervisor Lettau reports that the Town of Clayton is tied for first with the Town of Neenah
  - C. UW Extension Winnebago County Commissioner Network plans for CY 2014.
  - D. Wisconsin Department of Transportation Local Officials Meeting Notice on February 27<sup>th</sup>, 2014 for the State Highway 76 project.
- VI. Discussion Items (No action will be taken.):
- A. County Supervisor Report
  - B. Winnebago County Sheriff's Department – Public Concerns and Issues
  - C. Clayton-Winchester Fire Department – Fire Chief should attend the first meeting of the month
  - D. Larsen-Winchester Sanitary District
  - E. Administration Comments
- VII. Engineer Mary Jo Miller
- A. Mary Jo Miller from Martenson & Eisele discussed the redesign roadway projects for 2014 in the Westridge Drive subdivision and storm water work **(6:36-7:10)**
  - B. Administrator Johnston comments that our office is starting to get the annual reports together for recycling, zoning changes and other materials to the State. Compliments for the community on the roads have been cleared nicely. Two letters received by Chair Luebke.
  - C. Treasurer Bowen comments regarding the three-day audit. Future issues for older refund checks (2011-2012) from QuickBooks to Banyon Fund Accounting.
- VIII. Operator Licenses Issued by the Town Clerk:
- A. New:
    - i. Kyle Kranzusch
    - ii. Maria Munoz
  - B. Renewal:
    - i. No Renewal Licenses Issued

IX. Business referred by the Plan Commission:

Planned Commission Chair Knapinski not present

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

- A. Plan Commission recommendation to the Town Board on **(Ordinance 2014-002)** a Rezoning Application submitted by John Wisnefske and Kelly Ann Boe of 7812 CTR “T”, Larsen, WI 54947 to rezone from R-1 (RURAL RESIDENTIAL DISTRICT) to A-2 (GENERAL FARMING DISTRICT), property located at 7812 CTR “T”, Larsen, WI 54947; specifically described as Tax ID # 006-0710-01, being a part of the northwest ¼ of the southwest ¼ of Section 28, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Motion made to approve Ordinance 2014-0012 a Rezoning Application submitted by John Wisnefske and Kelly Ann Boe to rezone from R-1 residential to A-2 residential farming as presented along with all papers and recommendations from the Plan Commission.

Supervisor Schmidt corrected the original motion to read Ordinance 2014-002.

Motion carried by unanimous voice vote.

**B. This item was pulled from the agenda**

Plan Commission recommendation to the Town Board on a Rezoning Application submitted by John R. Long and Trudy C. Long of 3556 Golf Wood Drive, Neenah, WI 54956, to rezone from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT), property owned by Donald W. and Lois Ann Shaw, 9670 Oakwood Avenue, Neenah, WI 54956, located immediately south of 9670 Oakwood Avenue; specifically described as Tax ID # 006-0026-12, being all of Lot 2 of Certified Survey Map 5294 located in the northwest ¼ of the fractional northwest ¼ of Section 2, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- C. Plan Commission recommendation to the Town Board on a Certified Survey Map (CSM) Application submitted by Evelyn A. Schierland 9813 CTR “M”, Larsen, WI 54947, for property located on the north side of Fairview Road east of the west Clayton Town Line; specifically described as Tax ID # 006-0189, being all of Lot 2 of Certified Survey Map No. 3540 as recorded in Volume 1 of Maps on page 3540 as Document No. 950598, Being all of the northwest ¼ of the fractional southwest ¼ and part of the southwest ¼ of the fractional southwest ¼ of Section 7, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- i. Administrator Johnston had additional paperwork to add to this agenda. The Winnebago County surveyor has requested that the name of the Out lot from Out lot 1 to Lot 1. Out lots reserved for storm water management.

Doug Wells, McMahon Group, 1445 McMahon Drive, Neenah, WI

- ii. Will be changed to Lot 2

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Lettau

Motion made to approve the Certified Survey Map of Evelyn Schierland presented along with all papers and recommendations from the Plan Commission.

Motion carried by unanimous voice vote.

- X. Business referred by the Green Space Committee:
  - Town Board receipt, review, and consideration of Green Space Committee Referrals:
    - A. No Referrals.
- XI. Business:
  - A. Discussion/Action: Town Board second reading, review, and consideration of Draft Ordinance 2014-001 on proposed amendments to the Town's Ordinance No. 5.2 Intoxicating Liquor and Fermented Malt Beverages.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman

Motion made to approve Ordinance 2014-001 Town Ordinance No. 5.2 Intoxicating Liquor and Fermented Malt Beverages as presented along with all papers and recommendations from the Plan Commission.

Motion carried by unanimous voice vote.

- B. Discussion/Action: Town Board review and consideration on an Engineering Proposal provided by the Town Engineer for design engineering and bidding documents for the Development of the Plat of Whispering Meadows submitted by RRM Properties, 3919 CTR II Larsen, WI 54947.

Chair Luebke turned chair over to Supervisor Geise to handle this issue at this point for Chair Luebke to recuse himself for this meeting issue. Administrator Johnston has paperwork which was attached to this meeting agenda.

Mary Jo Miller: Actually the proposal is for engineering services through Martenson & Eisele. Discussion regarding details of the above bidding documents. Final decision on bids would rest on the property developer. **Hard to hear (23:00-29:13-lots of static)**

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion made to approve the engineering services proposal for design of the public infrastructure for the Development of the Plat of Whispering Meadows submitted by RRM Properties, 3919 CTR II Larsen, WI 54947 subject to receiving the escrow funds in the amount of \$15,280 plus the reimbursable \$690 assigned to the public infrastructure agreement by the developer with regarding changing the name of the development company with all the recommendations from the Plan Commission.

Motion carried by unanimous voice vote.

Supervisor Geise turned the chair back to Chair Luebke.

- C. Discussion/Action: Town Board review and consideration of the Administration's request to challenge the Wisconsin Department of Transportation's claim of exemption from Municipal Fees for certain properties in the Town.

Motion carried by unanimous voice vote.

- D. Discussion/Action: Town Board review and consideration of the Administration's request to start collection activities on delinquent CY 2012 and CY 2013 Personal Property Taxes.

- Administrator Johnston states that the way Winnebago County treats us we hold everyone else harmless for the personal property taxes payments. Around \$5,000 is owed and maybe \$600 is for the Town. The remainder has been paid to the overlying districts which the Town will not recoup. Not paying your taxes is a violation of law and when you do this no one's taxes are reduced, it simply shifts the burden from one person to the other.

Motion carried by unanimous voice vote.

**MOTION:**

Motion made by unanimous consent to approve the Administration's request.

- E. Discussion/Action: Town Board update, review and consideration of the Planning Services Proposal for CY 2014 submitted, at the Administration's request, by Jonathan P. Bartz.

**NO ACTION TAKEN**

- F. Discussion/Action: Town Board review and consideration of the purchase of office equipment for the Town Office and Town storage facilities.

**MOTION:**

Motion by: Supervisor Lettau

Seconded by: Supervisor Grundman

Motion made to approve the purchase of office equipment for the Town Office and Town storage facilities from BSI in the amount of \$2,000 to come out of the CY 2014 budget Line Items.

Motion carried by unanimous voice vote.

- G. Discussion/Recommendation: Town Board review and direction to staff relative to controlling and/or mitigating the impact of snowmobiles on the paved surfaces of Town Roads.

- Administrator Johnston recommends talking to the Drifters snowmobile club about when they lay out their trails. Snowmobiles have damaged some roadways. Public Works concerned about water build-up in the ditch on the west side of Larsen Road east of State Highway 76. Snowmobilers were packing the snow down not allowing water to run off. More maintenance on the ditch needs to be done after the snow has thawed. When there are issues with the trails we discuss it with the Drifters snowmobile club. Added wear to the roadways in one area of road easier to fix than multiple locations. Cost for repairs to be split between the Town and the Drifters snowmobile club.

H. Discussion/Recommendation: Town Board review of the Treasurer's February Tax Settlement with the County Treasurer.

**NO ACTION TAKEN**

- XII. Upcoming Meeting Attendance:
  - i. Fire Board meeting Monday, February 24<sup>th</sup>, 2014
- XIII. Board Member Requests for Future Agenda Items:
- XIV. Review of Disbursements:
- XV. Adjournment: 7:49 P.M.

**MOTION:**

Motion made by unanimous consent to Adjourn.

Respectfully submitted,  
Laurie L. Goffard, Administrative Assistant