

TOWN OF CLAYTON  
Town Board of Supervisors  
Meeting Minutes

7:00 P.M. on Wednesday, April 19<sup>th</sup>, 2017

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

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I. Call to Order:

A. Notice Verification, Roll

1. Town Board Chairman 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 Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT
Supervisor Reif	PRESENT

b. Staff

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

II. Public Hearing(s) and/or Public Information Meeting(s):

- A. No Public Hearings and/or Public Information Meetings.

III. Approval of Minutes:

- A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, April 5<sup>th</sup>, 2017.

**MOTION:**

Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held on Wednesday, April 5<sup>th</sup>, 2017.

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

V. Correspondence:

- A. Winnebago County Solid Waste Management Board CY 2017, March Recycling Tonnage Report
- B. Letter from State of Wisconsin regarding Cigarette Licensing

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. Sheriff's Deputy addressed a concern regarding the speed of traffic on Shady Lane
- C. Clayton Fire Rescue Department (First Meeting of the Month)  
Clayton Fire Rescue First Responder (First Meeting of the Month)
  - 1. Chief Rieckmann written report
    - 66 calls year-to-date
    - Working to install free smoke detectors for residents who signed up earlier in the year
    - Chief attended 40 hours of apparatus training last week at FVTC
    - Fire Fighter Alissa Olson completed her National Registry Exam for EMR Services
- D. Larsen-Winchester Sanitary District
  - 1. NO REPORT
- E. Administration Comments
  - 1. Engineer Miller
    - Working on the special assessment report for Whispering Meadows
  - 2. Administrator Johnston
    - Canadian National Railroad will be rebuilding the crossing at Clayton Avenue resulting in road closure and detouring
  - 3. Supervisor Lettau
    - Internet access is limited within our town, some places do not have high-speed internet—is there anything the Town can do?
    - Administrator Johnston explained it is a for-profit utility and there is nothing the Town can do in regard to the services offered by the privately operating companies
  - 4. Chair Geise
    - Reviewed comments from the April 18, 2017 Annual Meeting
      - Commercial Horizons contacted the Town and said they would be writing an offer for the property owned by the Town along STH 10, as well as writing offers to the residents on Fairview Road
    - Commercial Horizons did submit an offer to the Town on 04/19/17 but it is preliminary and too early to report regarding that offer—it is still under review
    - Supervisor Lettau asked about selling to Commercial Horizons and whether it would increase the risk of annexation—Chair Geise explained the Town will not sell to Commercial Horizons without an acceptable border agreement with the Village of Fox Crossing

VII. Operator Licenses Issued by the Town Clerk:

- A. New:
  - i. Lisa J Hunter
- B. Renewal:
  - i. No Renewal Licenses Issued

VIII. Business referred by the Plan Commission:

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

**Plan Commission Chair Knapinski reported the recommendations as discussed at the Plan Commission meeting held on April 12, 2017 for each of the following business items.**

A. Plan Commission recommendation to the Town Board on a Conditional Use Application submitted by Jerome and Karen Hoelzel, 2593 Fairview Road, Neenah, WI 54956, to operate a Kennel Hobby on property zoned R-1 (Rural Residential District). The property is located at 2593 Fairview Road, Neenah, WI 54956 and is specifically described as Tax ID # 006-0348-03, being located in Section 13, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the Conditional Use for a Hobby Kennel with the conditions as recommended by the Plan Commission and with Staff recommendations

B. Plan Commission recommendation to the Town Board on a concept plan for a residential Plat on property owned by the Breaker Girls LLC, located at 2603 Larsen Road in the Town of Clayton and is specifically identified as Tax ID# 006-0638 being a part of Lot 2, CSM 4917, Volume 1, Page 4917, being a part of the northeast ¼ of the northeast ¼, northwest ¼ of the northeast ¼, southwest ¼ of the northeast ¼, and all of the southeast ¼ of the northeast ¼, Section 25, Town 20 North – Range 18 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**ACTION:**

The Board accepted by unanimous consent the Plan Commission approval of the concept plan for a residential plat as recommended by the Plan Commission and with the Green Space Committee and Staff recommendations

C. Plan Commission recommendation to the Town Board on a 3-Lot Certified Survey Map (CSM) application submitted by Laura C. and Mark E. Luebke of 8425 Whispering Meadows Drive, Larsen, WI 54947 for property located in the Plat of Whispering Meadows in the Town of Clayton and specifically described as Tax ID # 006-1787, Tax ID# 006-1788, and Tax ID# 006-1789 being all of Lot 6 and Lot 7, and part of Lot 8, Whispering Meadows, all being located in the northeast ¼ of the northwest ¼ of Section 21, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin

**MOTION:**

Motion made by unanimous consent to approve the 3-Lot CSM as recommended by the Plan Commission and with Staff recommendations

D. Plan Commission recommendation to the Town Board on a 4-Lot Certified Survey Map (CSM) application submitted by Laura C. and Mark E. Luebke of 8425 Whispering Meadows Drive, Larsen, WI 54947 for property located in the Plat of Whispering Meadows in the Town of Clayton and specifically described as Tax ID # 006-0561-02, Tax ID# 006-1791, Tax ID# 006-1790, Tax ID# 006-1789, being all of Lot 1 of Certified Survey Map No. 6693, part of Lot 8 and all of Lots 9 and 10, Whispering Meadows, all

being located in the northeast ¼ of the northwest ¼ of Section 21, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the 4-Lot CSM as recommended by the Plan Commission and with Staff recommendations

- E. Plan Commission recommendation to the Town Board on the proposed development of the previously approved Plat of Highland Woods, Phase II in Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the proposed development of the previously approved Plat of Highland Woods, Phase II as recommended by the Plan Commission and with Staff recommendations

- F. Plan Commission recommendation to the Town Board on a 3-Lot Certified Survey Map (CSM) application submitted by Barbara and Timothy Wrase of 411 Kitteriver Court, Neenah, WI 54956 for property located in the Plat of Highland Woods Phase II in the Town of Clayton and specifically described as Tax ID # 006-1337, Tax ID# 006-1338, and Tax ID# 006-1339, all of Lots 1, 2, and 3 of Highland Wood, being aa part of the northwest ¼ of the southwest ¼ and the southwest ¼ of the southwest ¼ of Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the 3-Lot CSM as recommended by the Plan Commission and with Staff recommendations

- G. Plan Commission recommendation to the Town Board on a 3-Lot Certified Survey Map (CSM) application submitted by Barbara and Timothy Wrase of 411 Kitteriver Court, Neenah, WI 54956 for property located in the Plat of Highland Woods Phase II in the Town of Clayton and specifically described as Tax ID # 006-1340, Tax ID# 006-1341, and Tax ID# 006-1342, all of Lots 4, 5, and 6 of Highland Wood, being a part of the southwest ¼ of the southwest ¼ of Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the 3-Lot CSM as recommended by the Plan Commission and with Staff recommendations

- H. Plan Commission recommendation to the Town Board on a 4-Lot Certified Survey Map (CSM) application submitted by Barbara and Timothy Wrase of 411 Kitteriver Court, Neenah, WI 54956 for property located in the Plat of Highland Woods Phase II in the Town of Clayton and specifically described as Tax ID # 006-1346, Tax ID# 006-1347, Tax ID# 006-1348 and Tax ID# 006-1349, all of Lots 10, 11, 12, and 13 of Highland Wood, being a part of the southwest ¼ of the southwest ¼ of Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the 4-Lot CSM as recommended by the Plan Commission and with Staff recommendations

- I. Plan Commission recommendation to the Town Board on a 2-Lot County Plat Application submitted by Schmidt Construction Inc. of 3189 Winnegamie Drive, Appleton, WI 54914 and is specifically identified as Tax ID# 006-0022-01, being all of Lot 1, Certified Survey Map 7152 located in the northwest ¼ of the fractional northeast ¼ and being part of the northeast ¼ of the fractional northwest ¼ of Section 02, Township 20 north, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the 2-Lot County Plat Application as recommended by the Plan Commission and with Staff recommendations

- J. Plan Commission recommendation to the Town Board of the storm water management maintenance agreements for the development of the Plat of Highland Woods Phase II in the Town of Clayton and located in Section 3, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the storm water management maintenance agreements for the development of the Plat of Highland Woods, Phase II as recommended by the Plan Commission and with Staff recommendations

- K. Plan Commission recommendation to the Town Board on a 4-Lot Certified Survey Map (CSM) application submitted by Tracy and Rick Steckling of 3096 Rose Moon Way, Neenah, WI 54956 for property located at the western terminus of Rose Moon Way in the Town of Clayton and specifically described as Tax ID # 006-0670-01 being all of Lot 1 of Certified Survey Map No. 6930, being part of the southeast ¼ of the northwest ¼ of Section 26, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion made by unanimous consent to approve the 4-Lot CSM as recommended by the Plan Commission and with Staff recommendations

IX. Business referred by the Green Space Committee:

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

- A. Green Space Committee recommendation to the Town Board on a concept plan for a residential Plat on property owned by the Breaker Girls LLC, located at 2603 Larsen Road in the Town of Clayton and is specifically identified as Tax ID# 006-0638 being a part of Lot 2, CSM 4917, Volume 1, Page 4917, being a part of the northeast ¼ of the northeast ¼, northwest ¼ of the northeast ¼, southwest ¼ of the northeast ¼, and all of the southeast ¼ of the northeast ¼, Section 25, Town 20 North – Range 18 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**ACTION:**

The Board accepted by unanimous consent the Green Space Committee recommendation to develop the walking trail starting in front of the development and moving west along Larsen Road

B. Green Space Committee report to the Town Board on the ongoing Parks and Trails Projects.

X. Business:

A. Discussion/Action: Town Board review and consideration of Ordinance # 2017-001 An Ordinance approving a Rezoning Application submitted by Laura C. and Mark E. Luebke, 8425 Whispering Meadows Drive, Larsen WI 54947 for property located at 8487 Whispering Meadow Drive, Larsen, WI 54947 in the Town of Clayton and is specifically described as Tax ID # 006-0561-02 in Section 21, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The Application is to re-zone the property from R-1 (Rural Residential District) to R-2 (Suburban Residential District).

The Board reviewed a copy of Ordinance 2017-001 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map. The applicant(s) Laura C. and Mark E. Luebke, 8425 Whispering Meadows Drive, Larsen WI 54947 have applied for the rezoning. The Plan Commission held the required Public Hearing on the proposed rezoning, and has recommended approval of the rezoning application to the Town Board.

**MOTION:**

Motion by Supervisor Schmidt

Second by Supervisor Grundman

Motion to approve Ordinance 2017-001 and to direct staff to file the appropriate documentation with the County.

**ROLL CALL VOTE:**

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

Motion carried with a 5-0 vote

B. Discussion/Action: Town Board review and consideration of a proposal from MBM to update the software for the Town’s SmartSearch digital records and filing system.

The Board reviewed a proposal to update the Town’s SmartSearch digital records and filing system. The SmartSearch software is the programming that allows the Town to digitally store, search, and retrieve all of its files rather than storing hard copies of the

documents. The Town purchased the software two or three years ago, with the recent purchase of new computers and software the Town will need to update the SmartSearch software to maintain the compatibility of its software programs. Both the Fire Chief and the Deputy Clerk have started using the program to digitally store records eliminating the need for file cabinets and hard copies of the records, staff believes that with an off-site data backup system, digital storage is a better solution than any of the other the alternatives. The Administration recommended that the Board approve the updates to the Town's SmartSearch digital records and filing system at a cost not-to-exceed \$1,350.00. with funding for the project to come from the Town's CY 2017 Capital Equipment, Office Equipment, Line Item.

**MOTION:**

Motion made by unanimous consent to approve the updates to the Town's SmartSearch digital records and filing system at a cost not-to-exceed \$1,350.00. with funding for the project to come from the Town's CY 2017 Capital Equipment, Office Equipment, Line Item.

- C. Discussion/Action: Town Board review and consideration of the purchase of a receipt printer and cash draw to allow for the implementation of the Point-of-Sale software module in the Town's accounting software program.

The Board reviewed material related to the point-of-sale equipment that staff would like to purchase for the Town. The Town's Banyon software has a point-of-sale module that takes the data entered at the point-of-sale and distributes it to the appropriate accounts in the Town's budgetary software based on the chart of accounts. The program enters both revenue and expenses directly into the accounting system. This process mitigates the possibility of data entry errors based on multiple data entries and saves staff time eliminating the need for multiple data entries. Staff has researched the most cost effective equipment that meets the compatibility needs of the software program. The Administration recommended that the Board authorize the proposed purchases at a cost not-to-exceed \$350.00 with the funding coming from the Town CY 2017 Capital Equipment Budget, Office Equipment Line Item.

**MOTION:**

Motion made by unanimous consent to authorize the proposed purchases at a cost not-to-exceed \$350.00 with the funding coming from the Town CY 2017 Capital Equipment Budget, Office Equipment Line Item.

- D. Discussion/Action: Town Board review and consideration of awarding the Town's CY 2017 Crack Filling projects.

The Board reviewed the Bid Tab for the Town's CY 2017 Crack Sealing projects. The Town CY 2017 Budget includes a Crack Sealing Line Item funded at \$12,500.00 for these projects. Staff selected the projects based on the maintenance needs of all Town roads that have been re-constructed over the past 5 to 10 years. There are two roads that were included in the Town's Request For Proposals (RFP) that Fahrner Asphalt Sealers, LLC (Fahrner) is recommending not be crack sealed. Specifically, these roads are Oakwood Avenue from Larsen Road to CTR "II" and the Plats of Hidden Park 1 and 2. It is the Administration's understanding that Fahrner believes that these roads should get another

type of maintenance treatment i.e. seal coating or chip sealing. The Administration’s Bid Tab shows the costs of the proposed work with these items removed. In either case, Valley Sealcoat is the low bidder at \$23,400.00 for all the work or \$9,660.00 with the specified projects removed. Fahrner’s Bid included a price for crack sealing Oakwood Avenue from CTR “II” to Fairview Road for a cost of \$1,692.00, when this cost is added to Fahrner’s Bid with the with the specified work remove their Bid becomes \$13,761.00. The Administration believes there is significant value to the honesty and integrity exhibited by Fahrner in their Bid. The projects selected by staff were based on their best knowledge and staff readily defers to Fahrner’s greater experience with the crack sealing process. Based on that understanding, the Administration recommended that the Board award the Town’s CY 2017 Crack Sealing Projects to Fahrner Asphalt Sealers, LLC at a cost not-to-exceed \$13,761.00 with the funding to come from the Town’s CY 2017 Budget, Public Works, Crack Sealing, Line Item and the additional \$1,261.00 to come from the Public Works Budget, Line Striping, Line Item. As an alternative, the Board has the option to award the work to the low bidder at a cost of \$9,660.00 plus the cost of crack sealing Oakwood Avenue from CTR “II” to Fairview Road.

**MOTION:**

Motion made by unanimous consent to award the project as discussed to Fahrner Asphalt Sealers, LLC at a cost not-to-exceed \$13,761.00 with the funding to come from the Town’s CY 2017 Budget, Public Works, Crack Sealing, Line Item and the additional \$1,261.00 to come from the Public Works Budget, Line Striping, Line Item.

- XI. Review of Disbursements
- XII. Review of General Fund Budget Update (Second Town Board meeting of the month)
- XIII. Upcoming Meeting Attendance
- XIV. Board Member Requests for Future Agenda Items
- XV. Adjournment

**MOTION:**

Motion made by unanimous consent to Adjourn at 7:56 p.m.

Respectfully submitted,  
Richard Johnston, Administrator/Clerk