

TOWN OF CLAYTON
Town Board of Supervisors

Meeting Minutes

7:00 P.M. on Wednesday, May 17th, 2017

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 at 7:00 P.M.
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
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):

A. Town Board Public Hearing on the Town's Department of Natural Resources MS4 Storm Water Management Annual Report.

- No public comments received

Public Hearing Closed at 7:06 p.m.

III. Approval of Minutes:

A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, May 3rd, 2017.

MOTION:

Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held on Wednesday, May 3rd, 2017.

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

V. Correspondence:

- A. Wisconsin Department of Transportation Notice on the Town’s CY 2017 Paser Report.
- B. Winnebago County Bridge/Culvert Aid Program – 2018 Project Submittals.
- C. Documentation of the purchase of 4 Cemetery Plots in the Clayton Cemetery from their current owner.
- D. Winnebago County Solid Waste and Recycling Report

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. NO REPORT
- C. Clayton Fire Rescue Department (First Meeting of the Month)
 - a.) Clayton Fire Rescue First Responder (First Meeting of the Month)
 - 1. NO REPORT
- D. Larsen-Winchester Sanitary District
 - 1. Mike Pfankuch Report
 - Spring Draw-down completed as of May 15, 2017
 - 8.2 Million gallons worked
- E. Administration Comments
 - 1. Engineer Miller
 - Clayton Avenue will have the 2nd lift of asphalt completed by the end of May
 - Drone video of drainage course received—will be meeting with Administrator and should have recommendation for the June meeting
 - 2. Chair Geise
 - Met with the Bechard Group—the Town’s counter offer to Commercial Horizons included the release of their offer to purchase for Tax Parcel 006-0340. They have now released it and the Town has the opportunity to purchase.
 - Earnest money will be put down toward the purchase of the property
 - Purchase approval will be placed on the Town Board agenda for June 7, 2017

VII. Operator Licenses Issued by the Town Clerk:

- A. New:
 - i. No New Licenses Issued
- 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):

- A. Plan Commission recommendation to the Town Board on a Rezoning 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. The

Application is to re-zone the property from A-2 (General Agricultural District) to R-2 (Suburban Residential District).

Plan Commission Chair Knapinski informed the Board of the Commission's recommendation for approval to the Town Board to Re-Zone Tax ID # 006-0670-01 from A-2 to R-2 with Staff Recommendations as follows:

1. The Developer and the Town entering into a Developer's Agreement for the construction and financing of the proposed extension of Rose Moon Way.
2. Documentation of the approval of the proposed re-zoning Application by any overlying unit of government having jurisdiction.

MOTION:

Motion by unanimous consent to approve the Re-Zone of Tax ID # 006-0670-01 from A-2 to R-2 with Staff recommendations as noted.

- B. Plan Commission recommendation to the Town Board on a 1-Lot Certified Survey Map (CSM) application submitted by Barbara J. Bombinski of 2595 Larsen Road, Neenah, WI 54956 for property located at 2595 Larsen Road, Neenah, WI 54956 in the Town of Clayton and specifically described as Tax ID #006-0637-01, and Tax ID#006-0638 being part of Lot 1, CSM # 2571, Volume 1, Page 2571, and a part of Lot-2, CSM # 4917, Volume 1, Page 4971 and a Part of the Northeast ¼ of the Northeast ¼ , and a Part of the Northwest ¼ of the Northeast ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Plan Commission Chair Knapinski informed the Board of the Commission's recommendation for approval to the Town Board of the CSM as presented with Staff Recommendations as follows:

1. Subject to re-zoning the property to R-2 (Suburban Residential District).
2. Subject to showing the Right to Farm Language required by the Town.
3. Documentation of the approval of the proposed re-zoning Application by any overlying unit of government having jurisdiction.

MOTION:

Motion by unanimous consent to approve the CSM presented by Barbara J. Bombinski with Staff recommendations as noted.

- C. Plan Commission recommendation to the Town Board on a 1-Lot Certified Survey Map (CSM) application submitted by Jeremy and Amanda Dassler of 2615 Larsen Road, Neenah, WI 54956 for property located at 2615 Larsen Road, Neenah, WI 54956 and 2603 Larsen Road, Neenah, WI 54956 in the Town of Clayton and specifically described as Tax ID #006-0638-01, and Tax ID #006-0638 being part of Lot-1, CSM # 4917, Volume 1, Page 4917, and a part of Lot-2, CSM #4917, Volume 1, Page 4971 being part of the Northwest ¼ of the Northeast ¼ of Section 25, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Plan Commission Chair Knapinski informed the Board of the Commission's recommendation for approval to the Town Board of the CSM as presented with Staff Recommendations as follows:

1. Subject to re-zoning the property to R-2 (Suburban Residential District)

2. Subject to showing the Right to Farm Language required by the Town.
3. Documentation of the approval of the proposed re-zoning Application by any overlying unit of government having jurisdiction.

MOTION:

Motion by unanimous consent to approve the CSM presented by Jeremy and Amanda Dassler with Staff recommendations as noted.

- D. Plan Commission recommendation to the Town Board on an amendment to the Horn RV Site Plan Approval.

Plan Commission Chair Knapinski informed the Board of the Commission's recommendation for approval to the Town Board of the proposed Site Plan Amendment Application with Staff Recommendations as follows:

1. Documentation of the approval of the proposed Site Plan Amendment Application by any overlying unit of government having jurisdiction.

MOTION:

Motion by unanimous consent to approve the amended Horn RV Site Plan with Staff recommendations as noted.

- E. Plan Commission recommendation to the Town Board on direction to staff relative to proposed amendments to the Town's Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance.

Plan Commission Chair Knapinski informed the Board of the Commission's direction to staff to make the changes as necessary following the applicable amendment procedures.

DIRECTION TO STAFF:

Town Board directed Staff to proceed with the changes and required public hearing process.

- IX. Business referred by the Green Space Committee

Due to Lack of a Quorum, the Wednesday, May 10, 2017 Green Space Committee Meeting was cancelled. No business was referred for Town Board consideration.

- X. Business:

- A. Discussion/Action: Town Board review and consideration of hiring a new Foreman for the Town's Public Works Department pursuant to the Town's Teamsters Local 662 Contract.

The Board has been advised that Scott Pamerter's (Scott) last day of work was Friday, May 12th, 2017. The Administration has received authorization from the Town Chair to offer the Public Works Foreman position to Mike Pfankuch (Mike). Mike has been working with the Town Public Works Department as a part-time employee for the past several years; his duties involved mowing the Town's ditches and grinding the material at the yard waste site. Mike has indicated that he would like to change his career track from

the Assessing Business to the Public Works and Utility Administration Business; specifically, Mike has advised his partner that he would like to terminate the partnership at the end of CY 2017. The Administration would like to hire Mike as a full-time Public Works Foreman until the Sanitary District Utility is in place and operating. At that time Mike would transition to the Sanitary District Utility and Dylan Meyer (Public Works Laborer) would be transitioned to the Foreman Position. The Administration would like to offer Mike the position of Public Works Foreman on a probationary basis (6-months) at an hourly wage of \$19.56. Please be advised that staff would have to work with Mike's hours and availability until he finishes his assessing work at the end of the year. Staff has discussed this issue with the Public Works Department and is comfortable that it will not create any serious issues.

MOTION:

Motion by unanimous consent to authorize the Administrator to offer Mike Pfankuch the position of Public Works Foreman on a 6-month probationary basis with a starting hourly wage of \$19.56.

- B. Discussion/Action: Town Board review and consideration of the approval of the Town's CY 2016 Department of Natural Resources MS4 Annual Report.

The Board reviewed a draft copy of the Town's CY 2016 Department of Natural Resources (DNR) MS4 Annual Report, as well as material published by the DNR on the MS4 program. As part of the DNR's permitting process the northeastern and southeastern areas of the Town were designated as subject to the Department's MS4 requirements. The Town applied for and was awarded a DNR Grant to facilitate bringing the Town into compliance with the MS4 requirements. The attached report is the first of what will become annual reports on the Town's Storm Water Management facilities and maintenance activities. The Report is used by the DNR to identify the progress the Town is making with the MS4 implementation process. At this time staff is working on completing the implementation of the Grant funded activities and the supporting Ordinances. As part of the Public Informational and Public Participation activities, the Town is required to hold a Public Hearing on the Annual Report that is to be submitted to the DNR. That public hearing took place May 17, 2017 immediately preceding the Town Board Meeting.

MOTION:

Motion by unanimous consent to direct staff to forward the report to the DNR.

- C. Discussion/Action: Town Board review and consideration of the Request-For-Proposals for the Town's Insurance issued by the Horton Group as the Town's Insurance Consultant.

The Board reviewed copies of the responses to the Town's Request-For-Proposals for Insurance currently provided by the Horton Group as the Town's Insurance Consultant. The Administration has reviewed the documents and agrees with the recommendation from the Horton Group that the proposal submitted by the Town's existing Insurance carrier, Glatfelter Public Practice, is the preferred option for the Town. Michelle Strauss, Senior Account Manager for the Horton Group, reviewed the Glatfelter proposal material and her recommendation with the Board.

MOTION:

Motion made by unanimous to renew the Town's Insurance Policies with Glatfelter Public Practice, and directed staff to work with the Horton Group to activate the proposed policies with funding to come from the Town's CY 2017 General Fund Budget, Insurance Line Items.

- D. Discussion/Action: Town Board review and consideration of a proposal from the Larsen/Winchester Lions Club for the proposed expansion to their building located on the east side of the Municipal Garage.

The Board reviewed a copy of the proposal from the Larsen/Winchester Lions Club for the expansion to their building located on the east side of the Municipal Garage. The Town Board has an agreement in principal with the Larsen/Winchester Lions Club to allow for addition to the Organization's existing building. The addition to the building is approximately 50' +/- and would extend the existing building to the south. In order to facilitate the project the Town's Public Works Department will need to relocate some of the existing outside storage bins that sit on the south side of the Town's property. The Administration recommended the Board approve the proposed expansion to the Larsen/Winchester Lions Club facility.

MOTION:

Motion by unanimous consent to approve the expansion of the Organization's building and to direct staff to facilitate the project by moving any of the Town's facilities that are in the way of the project.

- E. Discussion/Action: Town Board review and consideration of the following retail fireworks permit application(s):
- i. Application submitted by Charles Krause for Fireworks Mart, 2896 Breezewood Lane, Neenah, WI 54956.

The Board reviewed the application for the above referenced Fireworks sales permit. The applicant has had a sales site in the Town in prior years. The Application is complete and the application fees have been paid. Charles Krause will be keeping his sales site in the same locations he used in CY 2016. Since there are no significant changes from the CY 2016 application, staff recommends approval of the Fireworks Sales Permit subject to the following conditions:

- 1) That the Applicants provide the Town Treasurer with a copy of their respective proof of insurance documents.
- 2) That the Applicants provide the Town Treasurer with a copy of their respective Sellers Permits.
- 3) That the Applicants provide the Town Administrator with a site plan for their respective locations.
- 4) That the Applicant(s) request the required Fire Department Inspection of the sales facility and location.
- 5) That the Applicant(s) provide the Fire Chief with a list of their inventory as required by Section 5 of the Town's Application.
- 6) That the Applicant(s) abide by the Town's Sign Ordinance for any and all signage for their sites.

MOTION:

Motion by unanimous consent to approve the Fireworks Sales Permit for Charles Krause for Fireworks Mart subject to the conditions noted.

- F. Discussion/Action: Town Board review and consideration of approving a proposal for pavement repair on the south side of Breezewood Lane approximately ½ mile east of CTR “T” in the Town of Clayton.

The Board reviewed a copy of a proposal solicited by Town staff and submitted by Absolute Asphalt LTD for repairing sections of Breezewood Lane in the area of the Zeller Farm. The Town’s segment of Breezewood Lane is scheduled to be re-surfaced in CY 2021. The pavement on the Town’s Maintenance Line is not in great condition; however, given the pending reconstruction in CY 2021 it is in passable condition. There are two areas on the south side of the road in the area of the Zeller Farm that are heavily alligator cracked and should be repaired before they are allowed to deteriorate even more. The attached proposal has two options for making these repairs: the first, at a cost of \$3,688.00, is a minimal repair that would last 2 to 4 years; the second, at a cost of \$5,625.00, is a more extensive repair that would likely last until the road is reconstructed in CY 2021.

The Administration advised the Board that since the posting of the meeting agenda, the Public Works Department staff have asked that they be allowed to do the repair work in lieu of hiring an outside contractor.

DIRECTION TO STAFF:

The Board directed Staff to have the Town of Clayton Public Works Department complete the necessary repairs.

- G. Discussion/Action: Town Board review and consideration of Resolution 2017-002 a Resolution Transferring Funds from the Town’s Sick Leave and Vacation Payout Reserve Account to the CY 2017 General Fund Budget, Public Works, Wage Line Item.

The Board has been advised that Scott Pamenter’s (Scott) last day of work was Friday, May 12th, 2017. Scott has elected to take his vacation and sick leave payout in a lump sum with his last pay check. In order to accommodate the request, the Board reviewed a copy of Resolution 2017-002 A Resolution Transferring Funds from the Town’s Sick Leave and Vacation Payout Reserve Account to the CY 2017 General Fund Budget, Public Works, Wage Line Item. They also reviewed a memorandum from the Town’s Treasurer identifying the need for the transfer; the Resolution gives staff the authorization to budget transfer the required funds as required by State Statute. This is simply a procedural issue for staff so the auditors understand the sources and uses of the funds when they conduct the Town’s CY 2017 Audit.

MOTION:

Motion by Supervisor Schmidt

Second by Supervisor Lettau

Motion to approve Resolution 2017-002 A Resolution Transferring Funds from the Town’s Sick Leave and Vacation Payout Reserve Account to the CY 2017 General Fund Budget, Public Works, Wage Line Item.

ROLL CALL VOTE:

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

MOTION CARRIED with a vote of 5-0-0

XI. Town Board Reorganizational Business:

Additional Appointments

A. Zoning Board of Review: (2 positions serving 3-year term each with all terms effective May 1st, of the calendar year).

- i. Name to be presented by the Town Chair
- ii. Name to be presented by the Town Chair
- iii. Confirm the terms of all current members

- Item postponed to a future meeting.

XII. Upcoming Meeting Attendance:

- Friday, May 19, 2017 WMCA Board of Review Training at Grand Chute
- Tuesday, May 23, 2017 Town of Clayton Board of Review

XIII. Board Member Requests for Future Agenda Items: NONE

XIV. Review of Disbursements

XV. Adjournment:

MOTION:

Motion by unanimous consent to Adjourn at 7:57 p.m.

Respectfully submitted,
Holly Stevens, Clerk