

TOWN OF CLAYTON
Board of Supervisors
Meeting Minutes
7:00 p.m. on Wednesday, June 3, 2020
Town Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order: Town Board Chairman Geise called the meeting to order.

A. Pledge of Allegiance

B. Verification of Notice

C. Meeting Roll

a. Board of Supervisors

Chair Geise PRESENT

Supervisor Lettau PRESENT

Supervisor Grundman PRESENT

Supervisor Wisnefske PRESENT

Supervisor Reif PRESENT

b. Staff

Administrator Straw PRESENT

Clerk Stevens PRESENT

Treasurer Schiessl EXCUSED

Town Engineer – Mary Jo Miller PRESENT

Town Attorney – Ben Lafrombois PRESENT

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

a. No Public Hearings and/or Public Informational Meetings are scheduled.

III. Approval of Minutes:

A. Approval of the Minutes of the Tuesday, May 19th, 2020 Board of Review Meeting.

B. Approval of the Minutes of the Wednesday, May 20th, 2020 Town Board Meeting.

MOTION:

Motion by unanimous consent to approve the minutes from the Tuesday, May 19, 2020 Board of Review Meeting and the Wednesday, May 20th, 2020 Town Board Meeting.

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

V. Correspondence:

A. Distribution of the May 2020 Building Inspection Report.

B. Distribution of the quote from Security Luebke Roofing for repairing the leaking roof of the Municipal Building.

C. Distribution of notice to resume the 2020 Census operations

D. Distribution of Notice of Sale of Willie Beamons

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

A. County Supervisor Report—No Report

B. Winnebago County Sheriff's Department: – Public Concerns and Issues—No Report

- C. Clayton Fire Rescue (First Meeting of the Month)
 - a. Clayton Fire Rescue Department— Written Report
 - 82 Calls Year-to-date – 40 EMR; 28 Fire; 11 Both
 - Noted May 26th was extremely busy with Clayton and the neighboring municipalities receiving multiple calls within a 2 ½ hour time frame. Automatic Aid was provided activated among the municipalities because the “paid-on-call” fire departments are short-handed, especially during daytime hours.
 - b. Emergency Management Activity Report—No Report
 - c. Clayton Police Department— Written Report
 - With activation of the CAD system, Officer Zeinert has started performing building checks
 - Issuance of Citations is now activated and enforcement began recently
 - Town Ordinances have been supplied to the Clerk of the Joint Municipal Court
 - Winnebago County Sheriff is conducting Town Hall Security Checks— scheduled Clayton Municipal Check for July 22, 2020
- D. Larsen/Winchester Sanitary District—No Report
- E. PW Director/Economic Development Director— Written Report
 - Staff is continuing spring equipment maintenance, road repairs, seasonal ditch mowing has started, Cemetery and Park maintenance continues; completed Whispering Meadows swale ditch; ditching work continues in various subdivisions, and many other duties and assignments
 - Economic Development Director continues to work with Bechard to sell the Town owned land
- F. Administration Comments
 - Engineer’s Report—Mary Jo Miller, M & E
 - Working to finalize Westfield Ridge Cul de Sac
 - Winncrest and Towne Court road work almost complete
 - Bid Documents are ready for the American Drive Regional Storm Water Management Ponds
 - Administrator Straw
 - Completed paving work on W. American Drive and Westphal Lane
 - Working on Public Works parking lot – authorized overtime
 - Working to complete storm water management project on Sundew Way
 - Met with Suburban Athletics – regular season cancelled but they will be working on field maintenance projects and special events for families
 - Clerk Stevens
 - Worked with consultant Bill Forrest to finalize the Incorporation Submission for tentative July 1, 2020 submittal.
 - Chair Geise
 - Met with McMahon to go over the Village of Fox Crossing Water System prior to PSC meeting
 - PSC could take up to 8 months for approval
 - Held Annual Meeting – went well. 21 attendees (staff plus 3 other residents)
 - Completed first payment to the Village of Fox Crossing. 2nd payment due in 2 years.

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Kevin L. Buss
- ii. Ronni J. Blohm
- iii. Joshua J. Fumelle

B. Renewal:

- i. No Renewal Licenses Issued

C. Discussion/Action: Town Board review and consideration of the following Cigarette License Applications:

The following parties have applied for a Cigarette and Tobacco Products License, in and for the Town of Clayton, for the period of July 1, 2020 to June 30, 2021, subject to compliance with State Statutes and Municipal Ordinances.

- a. Remington Oil Co. Inc. (d.b.a. Ridgeway 66), 8510 State Road 76, Neenah, WI 54956.
- b. Ridgeway Country Club, Inc., 2913 County Road II, Neenah, WI 54956.

MOTION:

Motion by unanimous consent to approve the Cigarette and Tobacco Products Retail License in and for the Town of Clayton, for the period of July 1, 2020 to June 30, 2021, subject to compliance with State Statutes and Municipal Ordinances for the following:

- a. Remington Oil Co. Inc. (d.b.a. Ridgeway 66), 8510 State Road 76, Neenah, WI 54956.
- b. Ridgeway Country Club, Inc., 2913 County Road II, Neenah, WI 54956.

D. Discussion/Action: Town Board review and consideration of the following Alcohol License Applications:

The following parties have a renewal application for a Class “A” license to sell fermented malt beverages, and a “Class A” license to sell intoxicating liquors on file in the Town of Clayton Clerk’s Office for the licensing period of July 1, 2020 through June 30, 2021, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. Remington Oil Co. Inc. (d.b.a. Ridgeway 66), 8510 State Road 76, Neenah, WI 54956.
Agent: Dean Sorano

MOTION:

Motion by unanimous consent to approve the renewal application for a Class “A” license to sell fermented malt beverages, and a “Class A” license to sell intoxicating for the licensing period of July 1, 2020 through June 30, 2021, subject to compliance with State Statutes and Municipal Ordinances for the following

- a. Remington Oil Co. Inc. (d.b.a. Ridgeway 66), 8510 State Road 76, Neenah, WI 54956, Agent: Dean Sorano

E. Discussion/Action: Town Board review and consideration of the following Alcohol License Applications:

The following parties have a renewal application for a Reserve Class “B” license to sell fermented malt beverages, and a Reserve “Class B” license to sell intoxicating liquors on file in the Town of Clayton Clerk’s Office for the licensing period of July 1, 2020 through June 30, 2021, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. Leisure Golf #1, LLC, (d.b.a. Westridge Golf Club), 8130 Golf Course Drive, Neenah, WI 54956.
Agent: Rory James Burton

MOTION:

Motion by unanimous consent to approve the renewal application for a Reserve Class “B” license to sell fermented malt beverages, and a Reserve “Class B” license to sell intoxicating liquors for the licensing period of July 1, 2020 through June 30, 2021, subject to compliance with State Statutes and Municipal Ordinances for the following

- a. Leisure Golf #1, LLC, (d.b.a. Westridge Golf Club), 8130 Golf Course Drive, Neenah, WI 54956, Agent: Rory James Burton

F. Discussion/Action: Town Board review and consideration of the following Alcohol License Applications:

The following parties have a renewal application for a Class “B” license to sell fermented malt beverages, and a “Class B” license to sell intoxicating liquors on file in the Town of Clayton Clerk’s Office for the licensing period of July 1, 2020 through June 30, 2021, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. EJ Phoenix Enterprises LLC (d.b.a. Century Elm Supper Club), 8300 County Road T, Larsen, WI 54947
Agent: Elisabeth Jackson
- b. Winagamie, Inc. (d.b.a. Winagamie Golf Course), 3501 Winnegamie Drive, Neenah, WI 54956
Agent: Matthew Burry
- c. The Woodshed Inc., (dba The Woodshed Bar and Grill) 2895 County Road II, Neenah, WI 54956
Agent: Dino O. Valeri
- d. Micki D’s, LLC (dba The ReMixx), 8386 State Road 76, Suite B, Neenah, WI 54956
Agent: Michelle A. Baumann

- e. Pubs and More, LLC (dba Headliners Bar and Grill), 2788 Towne Court, Neenah, WI 54956
Agent: Greg P. Manteuffel
 - f. Willie Beamons, LLC (d.b.a. Willie Beamons), 2590 County Road II, Neenah, WI 54956.
Agent: Glenn J. Berg
 - g. Ridgeway Country Club, Inc., (dba Ridgeway Country Club), 2913 County Road II, Neenah, WI 54956
Agent: Scott A. Lemire
 - h. Stephanie J. Sweere (dba The Larsen Tavern), 8338 Country Road T, Larsen, WI 54947
Agent: Stephanie J. Sweere
- Administrator Straw informed the Board that Willie Beamons had withdrawn their application due to pending sale of the business
 - Administrator Straw noted that the ReMixx had done some internal stage modifications and needs confirmation of compliance from the State Building Inspector—she advised the Board to hold the approval to allow time to get the compliance report.

MOTION:

Motion by unanimous consent to approve the renewal applications for a Class “B” license to sell fermented malt beverages, and a “Class B” license to sell intoxicating liquors for the licensing period of July 1, 2020 through June 30, 2021, subject to compliance with State Statutes and Municipal Ordinances for the following

- a. EJ Phoenix Enterprises LLC (d.b.a. Century Elm Supper Club), 8300 County Road T, Larsen, WI 54947, Agent: Elisabeth Jackson
- b. Winagamie, Inc. (d.b.a. Winagamie Golf Course), 3501 Winnegamie Drive, Neenah, WI 54956, Agent: Matthew Burry
- c. The Woodshed Inc., (dba The Woodshed Bar and Grill) 2895 County Road II, Neenah, WI 54956, Agent: Dino O. Valeri
- d. Micki D’s, LLC (dba The ReMixx), 8386 State Road 76, Suite B, Neenah, WI 54956
Agent: Michelle A. Baumann
- e. Pubs and More, LLC (dba Headliners Bar and Grill), 2788 Towne Court, Neenah, WI 54956, Agent: Greg P. Manteuffel
- f. Ridgeway Country Club, Inc., (dba Ridgeway Country Club), 2913 County Road II, Neenah, WI 54956, Agent: Scott A. Lemire

- g. Stephanie J. Sweere (dba The Larsen Tavern), 8338 Country Road T, Larsen, WI 54947, Agent: Stephanie J. Sweere

II. Business referred by the Plan Commission:

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

No Referrals

III. Business referred by the Green Space Committee:

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

No Referrals

IV. Business:

- A. Discussion/Action: Town Board review and consideration of the conditions to which Richard Johnston would be volunteering his time as Economic Development Director.

Administrator Straw informed the Board she had several conversations with Mr. Johnston regarding the conditions to which his time would be spent volunteering with the Town. Mr. Johnston indicated he would be spending the majority of his time working with developers getting the Town owned property sold. However, in order for the Town's Public Works Foreman, Mike Pfankuch to successfully move into the Public Works Director position, Administrator Straw had been advised there is still some training that needs to be done. Mr. Pfankuch has been learning the "administration" portion of the PW Director position, however, there needs to be more guidance in regards to the paperwork.

During Mr. Johnston's tenure at the Town of Clayton, he had assumed the responsibility of managing not only the office administration, but also the Public Works Administration as well. It had been his intention to have a Public Works Director assist the Administrator with duties such as capital road maintenance schedules, RFPs for routine annual paving projects, vehicle and equipment maintenance, supplies and tool inventories, etc. Administrator Straw's opinion is that it would be to the Town's best interest to allow Mr. Johnston and Mr. Pfankuch the opportunity to continue to work together in a limited capacity to help Mr. Pfankuch become a successful Public Works Director.

- Chair Geise asked Mr. Pfankuch, who was in attendance at the meeting, if he agreed with the opinion expressed by the Administrator.
- Mr. Pfankuch said he did not agree. He explained that he had run his own business for many years and has significant experience with the administrative processes relating to operations, including writing RFPs and developing schedules, etc. He explained that Mr. Johnston has worked with both he and Administrator Straw for a long time and now, in his opinion, it is time to let them

do their respective jobs. He said they both need to be allowed to make their own decisions, good or bad, in order to grow and develop in their positions, as well as, to develop a working relationship between them. He noted that Mr. Johnston has provided them both with insight and training relating to the wealth of knowledge his experience has provided him but now he has to let them use what they have learned. Mr. Pfankuch also noted that he and Administrator Straw are most likely going to make mistakes, but that is also an important part of the learning process.

- Administrator Straw noted that she was not aware of Mr. Pfankuch's opinion regarding the situation. She said she was under the impression that Mr. Johnston needed more time to train him. She said she agreed with Mr. Pfankuch 100 percent and that it is important for her and Mr. Pfankuch to be allowed to apply what they have learned and to develop a working relationship to move forward. In light of the information she said she would fully retract her memo regarding the need for additional training. She said she and Mr. Pfankuch can figure things out.
- Chair Geise agreed noting that Mr. Johnston had prepared both Administrator Straw and Mr. Pfankuch well and they now need to be allowed to perform their duties without being told what or how to do things.
- Chair Geise emphasized that Mr. Johnston has served the town very well and he is the reason the Town of Clayton has gotten to where we are today. Mr. Johnston was the catalyst and the Town is grateful for all he has done. Chair Geise said, in his opinion, Mr. Johnston's retirement is well deserved. He also noted that the Town still needs Mr. Johnston's knowledge and expertise as Economic Development Director to sell the land purchased to achieve the Town's goals and he would like to see Mr. Johnston complete that if he is willing.
- Supervisor Reif agreed stating that Mr. Johnston's expertise needs to be focused as Economic Development Director. He said he has been an invaluable source of knowledge which is greatly appreciated but it is important now for Administrator Straw and Mr. Pfankuch to use what they have learned.

MOTION:

Motion by unanimous consent to allow Richard Johnston to volunteer his time as Economic Development Director in order to complete the sale of the Town owned properties.

- B. Discussion/Action: Town Board review and consideration of the Town Ordinance 2020-008 All-Terrain/Utility-Terrain Vehicles and Routes, Town of Clayton, Winnebago County, Wisconsin and designated route map.

The Board reviewed a copy of the Town Ordinance 2020-008 All-Terrain/Utility-Terrain Vehicles and Routes, Town of Clayton, Winnebago County, Wisconsin and designated route map. Administrator Straw noted the original requested list of roads from the Knightriders ATV/UTV Club Committee was reviewed along with the comments from the May 20, 2020 Board Meeting and have added limited routes to allow for Town residents along the proposed route to utilize the route without having to trailer their vehicles.

- Chair Geise said he feels the Ordinance and the proposed routes are very well thought out and he is in favor of the action. He noted that many other Towns have

adopted routes and this will connect to the Town of Winchester routes which makes good sense.

- Gail Haag, 9203 County Road M, Larsen, (Knight Riders Club Representative) noted the club intends to raise the money needed to pay for the signage and the installation of the signs. She asked the Town to initially cover the costs and then the club would reimburse the Town so that the taxpayers do not have to bear the burden of the expense.
- Mrs. Haag also noted that the routes will not open for public use until all signage is installed.

MOTION:

Motion by Supervisor Grundman

Second by Supervisor Wisnefske

Motion to approve Ordinance 2020-008 All-Terrain/Utility-Terrain Vehicles and Routes, Town of Clayton, Winnebago County, Wisconsin and designated route map and direct staff to submit the documents to the County and publish the Ordinance as required by law.

ROLL CALL VOTE:

Supervisor Grundman	Aye
Supervisor Wisnefske	Aye
Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Lettau	Aye

Motion carried unanimously

- C. Discussion/Action: Town Board review and direction to Staff regarding the proposed CY 2020 Asphalt Paving Project Request for Proposals (RFP).

The Board reviewed a draft Request for Proposal to be sent to the listed Asphalt Paving Companies for Whispering Meadows Drive, Broad Meadow Road and the Cul-de-sac ball at the eastern terminus of Westfield Ridge. All three of the projects listed are developer funded projects. Whispering Meadows Drive is for the second lift of asphalt to be paid for through special assessments to the adjacent lots within the subdivision. Broad Meadow Road is for the first lift of asphalt to be paid for by the developer, and the Cul-de-sac ball at the eastern terminus of Westfield Ridge is for the first lift of asphalt to be paid for by the developer. The award of contract would be placed on the July 1st, 2020 Town Board meeting for approval.

MOTION:

Motion by unanimous consent to direct staff to mail the Request for Proposal to the listed asphalt companies.

V. Town Board Reorganizational Business:

A. Board Appointments

- a. Vice Chairperson – Supervisor Reif

- b. Personnel Panel – Chair Geise, Supervisor Lettau, Administrator Straw
- c. Buildings, Grounds, and Roads Panel – Chair Geise and Staff
- d. Cemetery Panel – Staff
- e. Town of Clayton Sanitary District #1 Commission – Town Board Members
- f. Storm Water Management Utility Commission – Town Board Members

B. Additional Appointments:

- a. Plan Commission Members: (2 positions for a 3-year term each with all terms effective May 1st of the calendar year).
 - i. Dave Dorow and Becky Haskell agreed to serve another term
 - ii. Town Board Representative – Supervisor Wisnefske
- b. Zoning Board of Review: (1 vacant position serving remainder of a 3-year term each with all terms effective May 1st of the calendar year)
 - i. Remains unchanged
- c. Green Space Committee Member: (2 positions for a 3-year term each with all terms effective May 1st of the calendar year)
 - i. Dave Dorow and Nancy Stachowiak agreed to serve another term
 - ii. Town Board Representative – Supervisor Grundman
- d. Town Attorney: Benjamin D. LaFrombois, Esq. von Briesen & Roper, S.C.
- e. Special Counsel for The Town of Clayton, H. Stanley Riffle Municipal Law & Litigation Group SC and Lawrie J. Kobza, Boardman & Clark LLP.
- f. Animal Control Officer: (1 position: 1-year term; term effective May 1st of the calendar year).
 - i. Dave Huebner agreed to serve another term
- g. Emergency Government: (1 position: 1-year term; term effective May 1st of the calendar year).
 - i. Kaylin Van Stappen agree to serve another term
- h. Weed Commissioner: (1 position: 1-year term; term effective May 1st of the calendar year).
 - i. Administrator Straw

C. Establish Meeting Days, Times, Rules:

- a. Town Board:

- i. Meets the 1st & 3rd Wednesdays of each month
 - ii. Meeting time 7:00 p.m.
 - iii. The most current version of Robert’s Rules of Order
 - b. Town of Clayton Sanitary District No.1 Commission:
 - i. Meets at the call of the Chair on the 1st and 3rd Wednesdays of each month
 - ii. Meeting Time 6:00 p.m.
 - iii. The most current version of Robert’s Rules of Order
 - c. Town of Clayton Storm Water Management Utility Commission:
 - i. Meets at the call of the Chair on the 1st and 3rd Wednesdays of each month
 - ii. Meeting Time 6:30 p.m.
 - iii. The most current version of Robert’s Rules of Order
 - d. Town of Clayton Zoning Board of Adjustments:
 - i. Meets at the call of the Chair
 - ii. Meeting Time and Date are at the call of the Chair
 - iii. The most current version of Roberts Rules of Order
 - e. Town of Clayton Plan Commission:
 - i. Meets on the 2nd Wednesday of each month
 - ii. Meeting Time 7:00 p.m.
 - iii. The most current version of Robert’s Rules of Order
 - f. Town of Clayton Green Space Committee:
 - i. Meets on the 2nd Wednesday of each month
 - ii. Meeting Time 5:30 p.m.
 - iii. The most current version of Robert’s Rules of Order
- D. Town Office Hours & Organization Structure:
 - a. Office Hours:
 - i. 8:00 a.m. to 4:30 p.m.
 - ii. Monday through Friday
 - b. Organizational Structure:
 - i. As approved in the Town’s Personnel Manual
- E. Organizational Support:
 - a. Town Administrator: Tori Straw
 - b. Clerk: Holly Stevens

c. Treasurer: Sabina Schiessl

- d. Protective Services Department:
 - i. Department Head: Scott Rieckmann
 - ii. Clayton Fire Rescue Chief: Scott Rieckmann
 - iii. Clayton Fire Rescue Division Chief of EMR: Cindy Pfankuch
 - iv. Clayton Police Officer: Sarah Zeinert
- e. Building Inspector: Tom Spierowski
- f. Public Works Foreman: Michael Pfankuch
- d. Town Attorney: Benjamin D. LaFrombois, Esq. von Briesen & Roper, S.C.
- g. Special Counsel for the Town of Clayton: H. Stanley Riffle Municipal Law & Litigation Group SC and Lawrie J. Kobza, Boardman & Clark llp
- h. Town Assessor: Luke Mack (Associated Appraisal Consultants, Inc.)
- i. Town Engineer: Mary Jo Miller, Martenson & Eisele, Inc.
- j. Sanitary District #1 Engineer: Ben Hamblin, McMahon Group
- k. Town Planner: Ken Jaworski.
- l. Banking Institutions: Nicolet National Bank and American Depository Trust Co.
- m. Official Newspaper of Record: *Appleton Post-Crescent*

F. Additional Considerations:

- a. Town Board and Plan Commission Reimbursements – Meetings, Workshops, etc.

- i. Town Chair:

- 1. Wage per Year: \$8,700.00
- 2. Half-day meeting Per Diem \$ 50.00
- 3. Full-day meeting Per Diem \$ 75.00
- 4. Mileage reimbursement Per the most current IRS Rules

- ii. Town Supervisor:

- 1. Wage per year \$5,500.00
(For Supervisors Lettau, Grundman)
- 2. Wage per year \$6,000.00
(For Supervisors Reif, Wisnefske as approved 5/28/2020 by the Town Electors)
- 3. Half-day meeting Per Diem \$ 50.00
- 4. Full-day meeting Per Diem \$ 75.00
- 5. Mileage reimbursement Per the most current IRS Rules

- iii. Plan Commission Member:

- 1. Stipend per meeting (Chair) \$ 100.00
- 2. Stipend per meeting (Commissioners) \$ 50.00
- 3. Half-Day Meeting Per Diem \$ 50.00
- 4. Full-Day Meeting Per Diem \$ 75.00
- 5. Mileage reimbursement Per the most current IRS Rules

iv. Green Space Committee Member:

- | | |
|---------------------------------|--------------------------------|
| 1. Stipend per meeting (Chair) | \$ 75.00 |
| 2. Stipend per meeting (Member) | \$ 50.00 |
| 3. Half-Day Meeting Per Diem | \$ 50.00 |
| 4. Full-Day Meeting Per Diem | \$ 75.00 |
| 5. Mileage reimbursement | Per the most current IRS Rules |

b. Posting and Notice Locations:

- i. The Town Hall Posting Board – 8348 CTR “T” Larsen WI 54947
- ii. The Town’s Web Page – www.townofclayton.net

VIII. Review of Disbursements

IX. Review of General Fund Budget Update (Second Town Board meeting of the month)

X. Upcoming Meeting Attendance

XI. Board Member Requests for Future Agenda Items

XII. Adjournment

MOTION:

Motion made by unanimous consent to adjourn 8:03 p.m.

Respectfully submitted,
Holly Stevens, Clerk