

TOWN OF CLAYTON
Town Board of Supervisors
Meeting Minutes

7:00 P.M. on Wednesday, July 5th, 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 recited.
3. Meeting properly posted.
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
Town Engineer – Mary Jo Miller	PRESENT
Town Attorney – Rod Streicker	PRESENT

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

III. Approval of Minutes:

- A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 p.m. on Wednesday, June 21st, 2017.

MOTION:

Motion carried by unanimous consent to approve the Minutes of the Regular Town Board Meeting held on Wednesday, June 21st, 2017.

IV. Open Forum – Town-related Matters not on the Agenda:

- Mark Luebke, 8425 Whispering Meadows Dr., Larsen, WI 54947
 - “Thank you to the Clayton Fire Chief and the entire Fire Department for the controlled burn.”
 - Expressed that he felt it was a good opportunity and good practice for using the Ultra High-Pressure Pump (UHP)
- Chair Geise thanked Mr. Luebke for donating the house to burn.

V. Correspondence:

A. June 2017 Building Inspector's Report

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

A. County Supervisor Report

i. None

B. Winnebago County Sheriff's Department – Public Concerns and Issues

i. None

C. Clayton Fire Rescue Department (First Meeting of the Month)

i. Chief Rieckmann reporting

- Thank you to Mr. Luebke for the use of the house
- Able to have 5 room burns and used less than 200 gallons of water
- 3rd bedroom burn was so hot, it started all 3 bedrooms and hall burning and the department used only 24 gallons of water to put out the fire
- Expressed that the house burn was good practice with the HPP pump and that it was a chance to prove to the skeptics how well it worked – with even the smallest member of the department being able to man the line alone.
- Referred to the report in the packet
 - Runs are down
 - Blood drive coming up
 - Always looking for Firefighters and First Responders

D. Larsen-Winchester Sanitary District

i. Mike Pfankuch present with no report

E. Administration Comments

i. Engineer Mary Jo Miller reporting

- No report except for items already on the agenda

ii. Administrator Johnston

- The young man that broke the meeting room window came in to the office with his mother and admitted breaking it
- Discussed when and how the window broke

iii. Treasurer Straw

- Holly will be attending the Municipal Clerk/Treasurer's Institute from Monday, July 10th through Friday, July 14th
- We received the money from the Board of Commissioners of Public Lands Trust on Thursday, June 29th
 - First payment due in March 2018 will be interest only as staff requested
 - Carol Wirth, the Town's Financial Advisor, reported the new Loan and the Town's Financial Statements to Standard & Poor's
 - The Town Staff reported the Town's Financial Statements to the Depository Trust
- The Town Staff has contacted the Insurance Company to cover the new property purchased and also the mini excavator that the Public Works are leasing to own
- Tori will be attending the Master Academy for Civic and Public Affairs from Monday, July 24th through Thursday July 27th.

iv. Chair Geise

- A meeting with Fox Crossing President, Dale Youngquist is scheduled for Thursday, July 6th
- The Hwy 10 property buyers schedule is at about 6 months out
- Closed on the 30.25 acres North of Hwy 10 on Clayton Ave on Friday, June 30th
 - The Pillars are renting the home from the Town
 - The Town has a prospective buyer for the southern part of the property

v. Supervisor Reif

- Will not be attending the July 19th Town Board meeting due to prior commitment
- Expressed concerns with the current rental property regarding the cost of repairs to the property
- Expressed concerns regarding all tenants being treated equally
- Expressed concerns regarding the rental rates not covering the cost of the repairs

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Lisa M. Brucks
- ii. Brittany Ann Terres

B. Renewal:

- i. Dillan G. Peterson.
- ii. Veronica R Garbisch

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 (first Town Board meeting of the month):

A. No Referrals.

X. Business:

A. Discussion/Action: Town Board review (second reading) and consideration of Ordinance #2017-005 An Ordinance Rescinding, in its entirety, the Town's Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance, and Re-establishing the Town's revised Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance.

The Board reviewed a draft copy of Ordinance 2017-005 An Ordinance Rescinding, in its entirety, the Town's Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance and Re-establishing the Town's revised Outdoor Wood-Fired Furnaces, Open Burning, and Refuse Burning Ordinance. The Board also reviewed a draft copy of the revised Ordinance; the revisions to the Ordinance consist of adding a 10-foot separation

from a structure for the exempt commercially available fire pits and language changing the Clayton/Winchester Fire Department to the Clayton Fire Rescue Department.

- The Plan Commission reviewed the proposed changes
- Administrator Johnston went over the changes to the Ordinance with the Town Board
 - The Fire Department name change
 - Grammatical changes reviewed

MOTION:

Motion by: Supervisor Lettau

Seconded by: Supervisor Schmidt

Motion made to approve the Ordinance and to direct staff to publish the Ordinance as required.

ROLL CALL:

Supervisor Reif	AYE
Chair Geise	AYE
Supervisor Grundman	AYE
Supervisor Schmidt	AYE
Supervisor Lettau	AYE

Motion carried by unanimous voice vote.

- B. Discussion/Action: Town Board review and consideration of Pay Request No. 3 and Final from Peters Concrete Company, 1516 Atkinson Drive, Green Bay, WI 54303 for the CY 2016 Clayton Avenue Capital Reconstruction Project.

The Board reviewed a copy of Pay Request # 3 and Final in the amount of \$80,063.69, and the requisite Project Lien Waivers submitted by Peters Concrete Company, 1516 Atkinson Drive, Green Bay, WI 54303 for the CY 2016 Clayton Avenue Capital Reconstruction Project. Both the Town Engineer and the Town Administrator have reviewed the pay request and agree that it is correct and should be paid. Once the Board approves the Pay Request, staff will make the third and final payment for the CY 2016 Clayton Avenue Capital Reconstruction project.

- When striping Clayton Ave, the contractor’s striped the entire section from County Road II to Larsen Road in order for the striping to be consistent

MOTION:

Motion made by unanimous consent to approve the Third and Final Pay Request submitted by Peters Concrete Company, 1516 Atkinson Drive, Green Bay, WI 54303 for the CY 2016 Clayton Avenue Capital Project in the amount of \$80,063.69 with the funding to come from the Town’s Capital Reconstruction Budget.

- C. Discussion/Action: Town Board review and consideration of Resolution 2017-005 A Resolution Levying a Preliminary Special Assessment for Public Infrastructure constructed in the Plat of Whispering Meadows.

The Board reviewed copies of: a notice from the Developer waiving his rights to the Notice requirements of Wisconsin Statutes pursuant to 66.07 (b), a copy of Resolution 2017-005 A Preliminary Resolution Assessing Public Improvement in the Whispering Meadows Development, and a copy of the Record Drawings for the Development. Approving the Preliminary Resolution is the first step in levying the Special Assessments for the project; the first payment will be due with the CY 2017 Taxes payable in CY 2017/18. The Administration has provided a copy of the documentation to the Developer with the intent of presenting the Final Resolution levying the Special Assessments on the referenced property at the Board’s Wednesday, July 19th, 2017 Meeting. Staff will provide the details of the assessment payments along with the Final Resolution documentation. Please be advised that the Town will have to levy a separate Special Assessment Resolution for the final lift of asphalt for the project in CY 2018.

- The Board will have to make a decision on the options relative to the potential multiple lot payment in one year

MOTION:

Motion by: Supervisor Reif

Seconded by: Supervisor Grundman

Motion made to approve Resolution 2017-005 and to direct staff to schedule the Final Resolution for levying the Special Assessment on the referenced property for the Wednesday, July 19th, 2017 Town Board Meeting.

ROLL CALL:

Supervisor Schmidt	AYE
Supervisor Lettau	AYE
Chair Geise	AYE
Supervisor Grundman	AYE
Supervisor Reif	AYE

Motion carried by unanimous voice vote.

- D. Discussion/Action: Town Board review and consideration of authorizing any additional Reserve Alcohol Licenses available to the Town.

The Town Chair has asked that this item be placed on the Board’s agenda for review and consideration. Several years ago, staff completed the research on the Town’s ability to issue additional alcohol licenses and concluded that the Town would be eligible for two additional Reserve Alcohol Licenses.

- Discussed the procedure relative to the State Statutes in regard to the Town’s eligibility for the additional Reserve Alcohol Licenses
- Discussed the need to have the additional Reserve Alcohol Licenses available due to the recent growth potential of the Town

MOTION:

Motion made by unanimous consent to approve the authorization of the additional alcohol licenses and to direct staff to proceed with the project.

- E. Discussion/Action: Town Board review and consideration of a Donation Policy for the Town of Clayton.

Over the course of the past year it has become evident that the Clayton Fire Rescue Department will routinely be receiving donations from the public and from charitable organizations. Because State Law requires that the Board accept donations and then encumber the funds for a specific purpose these donations have created a significant amount of work that could be eliminated by a Donation Policy adopted by the Town Board. The Board reviewed a Draft copy of a Donation Policy for the Town of Clayton. The Policy is simple and uses the Town's existing accounting process and Expenditure Policy. The use of the proposed Policy will allow the Board to track donations and staff to use the donated funds without the cumbersome process of the Board accepting a donation and encumbering the funds for a specific purpose.

- The Town/Fire Department has received several donations within the past year
- Policy will allow for Administrative approval for amounts up to \$100
- Supervisor Reif suggested to increase the amounts up to \$500

MOTION:

Motion made by unanimous consent to approve the Town of Clayton Donation Policy with the increase up to \$500 from \$100 and to place the Policy on record in the Town's files.

- F. Discussion/Action: Town Board review and consideration of an addendum to the Town's Assessment Contract with Associated Appraisal Consultants, Inc. to perform a Market Update in CY 2018 and to return to the Full Value Maintenance Assessment Service for the balance of the Contract (CY 2020).

During the Town's Board of Review Meeting, the Town's Assessor discussed with the Board the need to authorize some changes to the Town's existing Contract with Associated Appraisal Consultants, Inc. These changes involved work that has become necessary as a result of updates to the Firm's assessing software. This project will allow the Town's Assessments to be kept on software that is supported by the vendor from the inception point of the updated software. The cost of the Town's Contract with Associated Appraisal Consultants, Inc. is not changing, only the work they are being required to do as part of the Contract. This work may make for a more active Open Book and Board of Review in CY 2018 and will likely increase the Town's Assessed Value as of January 1st, 2018.

- Discussed the pros and cons of the reevaluation of the entire Town relative to the potential increase of the assessment value on property

MOTION:

Motion made by unanimous consent to approve the amended Contract as presented.

- G. Discussion/Action: Town Board review and consideration of an Agreement for Professional Services for Engineering to complete a General WDNR Permit for Navigable Waterway Dredging for the waterway between Oakwood Avenue and Pioneer Road, south of Fairview Road in the Town of Clayton.

The Board reviewed a Proposal for Professional Services totaling \$3,400.00 from the Town’s Engineer for applying for a Chapter 30 Permit from the Wisconsin Department of Natural Resources (WDNR) for clearing the waterway between Oakwood Avenue and Pioneer Road south of Fairview Road in the Town of Clayton. It is the Administration’s intent to apply for the WDNR Permit to clean the eastern and western ends of the waterway. Once the work is approved by the WDNR and the Permit is on hand, staff can solicit proposals for completing the work and present them to the Town Board. The Town Board will need to approve the work, the project, and to decide how it intends to pay for the project. At this point the Administration is recommending that the Board approve the Proposal submitted by the Town’s Engineer with the funding to come from the Town Storm Water Management Utility.

- Discussed the content of the e-mail submitted by a resident concerning the dredging of the waterway that runs across their property
- Discussed the fact that because the waterway is classified as a navigable waterway by the State, the Wisconsin Department of Natural Resources will be making all of the decisions as to how the Town will be able to proceed with the dredging
- Discussed the potential cost of the project and determined that the cost could not be determined until the Town receives the permit from the DNR
- Discussed the differences between a drainage easement and a navigable waterway relative to the cost being assessed to the property owners
- Discussed the Right-of-Way/easement of the waterway relative to cleaning the waterway and not disturbing resident’s property

Burt Drews, 3113 County Road II, Neenah, WI 54956

- Commented on his experience with ditches/waterways relative to cleaning
 - When cleaning the ditches/waterways out, the trees are removed but the stumps are left to help stabilize the soil

MOTION:

Motion made by unanimous consent to approve the Proposal submitted by the Town’s Engineer with the funding to come from the Town Storm Water Management Utility.

- 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. Adjournment:

MOTION:

Motion made by unanimous consent to adjourn at 8:06 p.m.

Respectfully submitted,

Tori Straw, Assistant Administrator/Treasurer