

TOWN OF CLAYTON  
Town Board of Supervisors  
Meeting Minutes

7:00 p.m. on Wednesday, August 15, 2018

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 Vice Chairman Reif called the meeting to order
2. Pledge of Allegiance.
3. Verification of Notice
4. Roll

a. Board of Supervisors

Chair Geise	ABSENT—EXCUSED
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT
Supervisor Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Asst Admin/Treasurer Straw	PRESENT
Deputy Clerk Stevens	PRESENT
Town Engineer – Mary Jo Miller	PRESENT
Town Attorney –	ABSENT

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

A. Town Board Public Hearing on the consideration of a Draft Construction Site Erosion and Sediment Control Ordinance (CHAPTER 7, Section 7.10) for the Town of Clayton.

- No public comments

Public Hearing Closed at 7:01 p.m.

B. Town Board Public Hearing on the consideration of a Draft Post Construction Site Erosion and Sediment Control Ordinance (CHAPTER 7, Section 7.11) for the Town of Clayton.

- No public comments

Public Hearing Closed at 7:02 p.m.

C. Town Board Public Hearing on the consideration of the rescission in its entirety and recreation of the Town’s Weed Ordinance (CHAPTER 4, Section 4.10) for the Town of Clayton.

- No public comments

Public Hearing Closed at 7:03 p.m.

III. Approval of Minutes:

- A. Approval of the Wednesday, August 1, 2018 Town Board Meeting Minutes.

**MOTION:**

Motion by unanimous consent to approve the August 1, 2018 minutes of the Town Board Meeting as presented.

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

V. Correspondence:

- A. A copy of a letter from the Fire Chief of the Town of Winchester Fire Department.
- B. A copy of an excerpt from the July 17<sup>th</sup>, 2018 County Board Meeting Minutes approving a Town Board referred Zoning Map change.
- C. A copy of the minutes of the June 28<sup>th</sup>, 2018 meeting of the Oshkosh Library Board.
- D. A copy of a notice from one of the Town’s suppliers of equipment for the Public Works Department.
- E. Copy of Letter to DATCP requesting Farmland Preservation Extension
- F. Fox Cities Regional Partnership Invitation to Event
- G. Legislatvie Advocacy Workshop Listening Sessions Notice
- H. Copy of complaint received regarding parking on Carden Drive
- I. Demographic Services Center Population Estimate

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 Department (First Meeting of the Month)  
Chief Rieckmann written report
  - 104 calls year-to-date, 60 EMR, 33 Fire, 10 that were both
  - Received Larsen-Winchester Lions Club Grant to replace Gas Detectors
  - Held Blood Drive August 7<sup>th</sup>, 2018, Goal was 12 units—15 units were donated
  - Assisted Neenah-Menasha Fire Department with fire call on August 17, 2018. Pumped over 300,000 gallons of water to fight the fire
- D. Larsen-Winchester Sanitary District
  - NO REPORT
- E. Administration Comments  
Mary Jo Miller, Engineer
  - Final Pay request for Rose Moon Way later on the agenda
  - Rosemary Lane has a few outstanding items
  - Highland Woods construction has begun. M & E and McMahan Engineers checking on the progress

Administrator Johnston

- Election completed—all went well

Deputy Clerk Stevens

- Received several applications for Poll Workers
- Received the WI DNR Grant reimbursement for the MS4 Stormwater Management Plan

Assistant Administrator/Treasurer Straw

- Provided Financial Reports for Accounts Payable, Budget, and Rental Properties

Vice Chair Reif

- Joanne Sievert, long time public servant passed away August 10, 2018.
  - Town of Clayton Supervisor from 1987-1995
  - Town of Clayton Clerk/Treasurer 1995-2008
  - Winnebago County Board Supervisor 1992-2013
  - Larsen Drainage District Secretary 1992-2018

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Christopher T. Uhlenberg

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 proposed changes to the Town’s Zoning Code of Ordinances, Chapter 9 – Town of Clayton Zoning Ordinances, Article 7 – Specific Review Procedures, Division 4 – Conditional Use to bring the Code’s Conditional Use function of the Zoning Code into compliance with Wisconsin Act 67.

**DIRECTION:**

Direction to staff to move forward with the required public hearing to change the ordinance

- B. Plan Commission recommendation to the Town Board on a report on a meeting between Town staff and representatives of the State Department Agriculture Trade and Consumer Protection (DATCP) relative to Farmland Preservation and Zoning Conformance Analysis.

- Extension request letter sent and received by DATCP
- Ken Jaworski reported that DATCP agreed that the Town’s map and plan is certifiable, but we still need 70% of the working lands that are included to be zoned A-1.
- Discussed the Department of Administration’s outlook regarding the incorporation and implementing a Farmland Preservation program.

- Plan Commission recommendation is to postpone the Farmland Preservation program for the time being and concentrate on the incorporation of the Town.
- The landowners will not lose the tax credits for 2018 or 2019 due to the Town requesting for expiration deadlines.

**NO ACTION TAKEN**

IX. Business referred by the Green Space Committee:

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

A. Green Space Committee update to the Town Board on the purchase of security cameras for Clayton Park and at the Town’s Municipal Complex.

- Staff is working with vendors to get equipment installed

B. Green Space Committee update to the Town Board on the replacement of the worn and/or damaged playground equipment in both Clayton and Trail Head Parks.

- Warranty Items already replaced
- Fabrication of replacement for damage stairs and platforms at Trail Head Park is in process

C. Green Space Committee update to the Town Board on the lighting at Trail Head park and Town Hall Site.

- Replaced old and failed fixtures with LED lighting

X. Business:

A. Discussion/Action: Town Board first reading and direction to staff relative to a Draft Construction Site Erosion and Sediment Control Ordinance (CHAPTER 7, Section 7.10) for the Town of Clayton.

The Board reviewed a draft copy of the Ordinance. If approved the Construction Site Erosion and Sediment Control Ordinance will allow the Town to control the erosion control function locally with the Building Inspector assigned the responsibility for permitting and enforcement with the fee retained by the Town. The Towns of Vinland and Winneconne will have the same option should they approve the same type of Ordinance. The benefit to the Town is more active enforcement and the benefit to the public is lower fees than those charged by the County.

**MOTION:**

Motion by unanimous consent to waive the reading of the Ordinance and forward the documents to a second reading and final consideration at the Board’s Wednesday, September 5<sup>th</sup>, 2018 meeting.



Supervisor Grundman	Aye
Supervisor Lettau	Aye
Supervisor Reif	Aye
Chair Geise	ABSENT

Motion carries with a vote of 4-0

- E. Discussion/Action: Town Board review and consideration of Payment #3 (Final Payment) submitted by Radtke Contractors Inc., 6408 Cross Road, Winneconne, WI 54986 for the Developer funded extension of Rose Moon Way.

The Board reviewed a copy of Pay Request # 3 (Final Payment) in the amount of \$2,411.25, submitted by Radtke Contractors Inc., 6408 Cross Road, Winneconne, WI 54986 for the Developer funded extension of Rose Moon Way. Both the Town Engineer and the Town Administrator had 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 Developer funded extension of Rose Moon Way.

**MOTION:**

Motion by unanimous consent to approve the pay request submitted by Radtke Contractors Inc., 6408 Cross Road, Winneconne, WI 54986 for the Developer funded extension of Rose Moon Way in the amount of \$2,411.25 with the funding to come from the Developer Escrow for the project.

- F. Discussion/Action: Town Board review and consideration of Resolution 2018-004 a Resolution Accepting Approximately 310.00-feet +/- of the Developer funded extension of Rose Moon Way.

The Board reviewed a copy of Resolution 2018-004 a Resolution accepting approximately 310.00-feet +/- of the Developer funded extension of Rose Moon Way. The Developer has asked the Town Board to accept the new extension of Rose Moon Way so that any homes constructed on the lots created by the extension will qualify for a final inspection and a Home Occupancy Permit. The Administration recommended that the Board accept the road with the understanding that the Developer is liable for the final lift of asphalt in CY 2019. Additionally, pursuant to the Developer’s Agreement for the project staff will be Special Assessing the cost of construction for the southern half of the 310.00-foot +/- extension of Rose Moon Way to the abutting property owner when they utilize the extension.

**MOTION:**

Motion by Supervisor Schmidt  
Second by Supervisor Lettau

Motion to approve Resolution 2018-004 A Resolution Accepting Approximately 310.00 foot +/- of the Extension of Rose Moon Way in the Town of Clayton

**ROLL CALL VOTE:**

Supervisor Reif	Aye
Supervisor Grundman	Aye
Supervisor Lettau	Aye

Supervisor Schmidt	Aye
Chair Geise	ABSENT

Motion carries with a vote of 4-0

- G. Discussion/Action: Town Board review, consideration, and direction to staff on the proposed jurisdictional transfer of CTR “T” from its intersection with Pioneer Road to its intersection with CTR “II” from the County to the Town and the jurisdictional transfer of Pioneer Road from its intersection with CTR “T” to its intersection with CTR “II” from the Town to the County.

The Board reviewed a Draft copy of agreement provided by the Winnebago County Highway Commissioner, Ray Palonen, for the jurisdictional transfer of CTR “T” from its intersection with Pioneer Road to its intersection with CTR “II” from the County to the Town and the jurisdictional transfer of Pioneer Road from its intersection with CTR “T” to its intersection with CTR “II” from the Town to the County. Ultimately, the Town would become responsible for the referenced segment CTR “T” and the County would be come responsible for the referenced section of Pioneer Road. Prior to the jurisdictional transfer the County would pulverize and pave CTR”T” and provide a guarantee on the bridge and culvert with the unincorporated hamlet of Larsen. An additional benefit to the Town would be not having to reconstruct Pioneer Road from CTR “T” to CTR “II” at an estimated cost of approximately \$1,000,000.00.

The Administration asked the Board to consider what additional improvements it would like to make to CTR “T” and Grandview Road as part of this project. Staff advised that the County is willing to do any additional work as part of the project, however, the costs of the additional work would be borne by the Town. The Board reviewed copies of maps outlining the minimum and maximum options for improvements the Town Board may want to consider. The Administration summarized the options with the Board which include the following:

1. To rationalize the intersection of CTR “T” and Grandview Road, and pulverize and pave Grandview from its intersection with CTR “T” to Moeser Lane.
2. To either remove the existing sidewalk on CTR “T” and Grandview Road or
3. Alternately, the Board may wish to replace the existing sidewalk and urbanize (curb, gutter, storm sewer and sidewalk) the area of CTR “T” from the large culvert south of the asphalt plant to the existing bridge and Grandview Road from CTR “T” to Moeser Lane.

The Administration recommended that the board ask for pricing of the two extremes, completely urbanizing the area as noted above or rationalizing the intersection and pulverizing and paving Grandview Road from CTR “T” to Moeser Lane.

**DIRECTION TO STAFF:**

To request pricing for the two extremes for the additional work as discussed.

- 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
  - Staff requested the Board members bring their calendars/schedules to the next meeting in order to schedule Budget Workshops
- XV. Adjournment:

**MOTION:**

Motion made by unanimous consent to adjourn at 7:51 p.m.

Respectfully submitted,  
Holly Stevens, Deputy Clerk