

TOWN OF CLAYTON  
Town Board of Supervisors  
Meeting Minutes

7:00 P.M. on Wednesday, December 20<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
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): NONE

III. Approval of Minutes:

- A. Approval of the Wednesday, December 6<sup>th</sup>, 2017 Town Board Meeting Minutes.

**MOTION:**

Motion by unanimous consent to approve the Minutes as presented

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

- NONE

V. Correspondence:

- A. Winnebago County Solid Waste Management Board 2017 Recycling Tonnage Report.
- B. Notice of an East Central Regional Planning Commission Visioning Session.
- C. Notice of the CY 2018 Winnebago Towns Association Unit Meeting Schedule.
- D. Winnebago County Solid Waste Management Board CY 2018 Tipping Fee Rate Schedule.

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
      - 249 calls year-to-date (11% decrease from previous year-to-date total)
  - D. Larsen-Winchester Sanitary District
    - NO REPORT
  - E. Administration Comments
    - Engineer Mary Jo Miller
      - Rosemary Lane to gravel grade, storm sewer installed, and ditches to top soil state. Work to resume in the spring.
    - Administrator Johnston
      - Tax Collection and Year-end business taking priority
    - Town Board Chair Russ Geise
      - Border talks with the Village of Fox Crossing to continue on Thursday, January 4, 2018.
      - Annexation Contestation filed and served
- VII. Operator Licenses Issued by the Town Clerk:
- A. New:
    - i. Justin S. Schwerin
  - B. Renewal:
    - i. NONE
- VIII. Business referred by the Plan Commission:
- Town Board receipt, review and consideration of Plan Commission Referrals:
- A. Plan Commission recommendation to the Town Board on a 2-Lot Certified Survey Map (CSM) application submitted by the Town of Clayton, 8348 CTR "T", Larsen, WI 54956, for property located at 8348 CTR "T", Larsen, WI 54947 and Christopher R. Clauson, 8338 CTR "T", Larsen, WI 54947 and specifically described as Tax ID# 006-0535-06-01 and Tax ID# 006-0535-03, being all of Lots 1 and 2 of Certified Map 6840, and part of the southwest ¼ of the northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin
    - Plan Commission recommended approval as presented with the following conditions:
      1. Re-zoning of all of the proposed properties involved in the CSM to conform to the Town's Zoning Code of Ordinances.
      2. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.
- MOTION:**
- Motion by unanimous consent to approve the CSM as presented with the conditions as recommended by the Plan Commission.

B. Plan Commission recommendation to the Town Board on a 2-Lot Certified Survey Map (CSM) Application submitted by Ted Eckstein, 4794 CTR “II”, Larsen, WI 54947, for property located at 4790 CTR “II”, Larsen, WI 54947 and specifically described as Tax ID# 006-0494, being all of southeast ¼ of the southwest ¼ of Section 18, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin

- Plan Commission recommended approval as presented with the following conditions:
  1. The Surveyor providing the Town with a recorded copy of the CSM.
  2. Documentation of the approval of the proposed CSM Application by any overlying unit of government having jurisdiction.

**MOTION:**

Motion by unanimous consent to approve the CSM as presented with the conditions as recommended by the Plan Commission.

IX. Business referred by the Green Space Committee:

Town Board receipt, review, and consideration of Green Space Committee Referrals:

A. The December 13<sup>th</sup>, 2017 Green Space Committee Meeting was Cancelled.

X. Business:

A. Discussion/Action: Town Board review and consideration of the following lease of Municipally owned property for farming purposes:

a. Schroth Mall View Farms, Tax ID#:

006-0338-05

006-0339

006-0339-01

006-0345

006-0344

b. Leslie Ory, Tax ID#:

006-0391-05

c. Seelow Farms LLC (Daniel P. Seelow), Tax ID#:

006-0327-03

006-0328

006-0329

006-0342

The Board reviewed draft copies of the Farm Leases for the above listed properties. The language of the lease documents or the associated per-acre rental fee of \$90.00 had not changed. The proposed leases cover all of the Town owned property that does not serve an existing municipal purpose.

**MOTION:**

Motion by unanimous consent to set the per-acre rental fees and approve the Leases as presented.

- B. Discussion/Action: Town Board review and consideration of the CY 2018 update (Amendment #14), to Resolution 2009-010, a Resolution setting and providing for updating the Town of Clayton Fee Schedule.

The Board reviewed a draft copy of the Administration's recommended changes to the Town's CY 2018 Fee Schedule. The Administration is recommending several changes to the schedule in order to clarify the Fees and to assign the costs of administrative work to the individuals requesting the services. Changes included fax service fees and second burial site location service. All other fees remained the same.

**MOTION:**

Motion by unanimous consent to approve the revised Fee Schedule with an effective date of January 1<sup>st</sup>, 2018.

- C. Discussion/Action: Town Board review and consideration of submitting an intent to apply for the Winnebago County, Industrial Development Board, 2018 Winnebago County Per Capita Funding Program.

This item was tabled from the Board's Wednesday, December 6<sup>th</sup>, 2017 meeting. The Board reviewed a copy of the County's Industrial Development Board (IDB) 2018 Winnebago County Per Capita Funding Program Application. The funding available from the County for CY 2018 is \$4,549.00. Over the course of the past few years, the Town has dedicated its Per Capita Funds to the Fox Cities Regional Partnership for area wide industrial/commercial recruiting. As a result of those Chamber activities, the Town has had and does have several opportunities for significant development projects. The Town could keep the funding and use the funds for Economic Development, however, it is the Administration's belief that given the Town's lack of staff dedicated toward the Economic Development Function, the Town would have limited impact and would be better served by forwarding the funds to the Fox Cities Regional Partnership. The Board has been asked to participate in funding the Greater Oshkosh Economic Development Corporation. The Administration stated it believes that both the Fox Cities Regional Partnership and the Greater Oshkosh Economic Development Corporation are admirable organizations. However, the Town has a 5-year working relationship with the Fox Cities Regional Partnership and would benefit from continuing its funding of that Organization.

- Chair Geise noted he would like to see more from the Greater Oshkosh Economic Development Corp which more directly impact the Town, noting the organization is in its youth.
- Chair Geise also noted the relationship and the positive result achieved in cooperation with the Fox Cities Regional Partnership

**MOTION:**

Motion by Chair Geise

Second by Scott Reif

Motion to approve the allocation of the CY 2018 Town of Clayton per Capita funding from the Winnebago County Industrial Development Board to the Fox Cities Regional Partnership

Motion carried by a 4-1 vote with Supervisor Lettau voting Nay.

- D. Discussion/Action: Town Board review and consideration of Attachment A, the list created by Resolution 2017-009 and Resolution 2017-009 A Resolution Creating a Statutorily Required List of Appointed Election Poll Workers for the CY 2018/19 election cycle.

The Board reviewed a draft copy of Resolution 2017-009 A Resolution Creating a Statutorily Required List of Appointed Election Poll Workers. They also reviewed a copy of Exhibit A to Resolution 2017-009 with the names of the poll workers to be appointed. The Poll Workers on the list are recommended by staff. As in the past, both the Democratic Party and the Republican Party were eligible to provide Poll Worker names to the Clerk. The list of Poll workers is valid for 2 years and is used to select individuals who will work at the Town’s Elections.

**MOTION:**

Motion by Supervisor Grundman

Second by Supervisor Lettau

Motion to approve the listed names on Exhibit A as well as Resolution 2017-009 A Resolution Creating an Election Poll Worker List for CY 2018 and CY 2019 election cycle as presented.

**ROLL CALL VOTE:**

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

Motion carries by a vote of 5-0.

- E. Discussion/Action: Town Board review and consideration of Resolution 2017-010, A Resolution transferring funds from the Town’s Designated Reserve for Cemeteries to the General Operating Budget to fund work completed but not funded in the Town’s Cemeteries during CY 2017.

Earlier this year the Town’s Royer Cemetery suffered significant damage caused by straight line winds. Staff repaired the damage to the Cemetery using General Fund, Public Works Department funds with the intent of refunding the Line Items with money in the Town’s Cemetery Reserve Account. The Board reviewed Resolution 2017-010 and supporting documentation to transfer funds from the Town’s Designated Reserve for Cemeteries for the refunding activities.

**MOTION:**

Motion by Supervisor Reif

Second by Supervisor Grundman

Motion to approve Resolution 2017-010, A Resolution transferring funds from the Town’s Designated Reserve for Cemeteries to the General Operating Budget to fund work completed but not funded in the Town’s Cemeteries during CY 2017.

**ROLL CALL VOTE:**

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

Motion carries by a vote of 5-0.

- F. Discussion/Action: Town Board review and consideration of the sale of surplus Town owned property located at 8649 Clayton Avenue, Neenah, WI 54956.

The Town purchased a residential unit located at 8649 Clayton Avenue, Neenah, WI 54956 to protect itself from the threat of annexation by the Village of Fox Crossing (Village). Given the progress on the Boundary Agreement negotiations with the Village, the Administration believes that owning the unit provides the Town with limited protection from the Village. The family that has rented the unit from the day the Town purchased it has expressed an interest in purchasing the unit. They have also agreed to sign an Annexation Waiver and Agreement restricting their ability to annex the property to the Village for 5-years. The Residential Offer-to-Purchase price for the house is \$185,000.00, this is the same amount the Town has invested in purchasing and upgrading the property. The Administration has presented this Offer to the Chair with the assurance that the Town Board has been given the authority to sell the property by the Town's Electors. The Chair asked that it be placed on an Agenda for Board consideration.

**MOTION:**

Motion by Supervisor Reif

Second by Supervisor Schmidt

Motion to declare the property surplus, approve the sale at a price of \$185,000.00 with the Annexation Waiver Agreement, to direct staff to schedule the closing, and to place the revenue generated by the sale in an account restricted for debt service.

Motion carried by unanimous voice vote

- G. Discussion/Action: Town Board review and consideration of a preliminary estimate of the costs to repair the cistern and the outfall for the cistern in the Town Hall building.

Because of the failure of the cistern outfall and the pressurized line serving the hydrant, staff has had to make several repairs to the cistern system. These repairs involved cutting a hole in the engine bay of the fire station. The repairs involved televising the pressure line to find the failed connection in order to repair the connection, inspecting the hydrant for leaks, repairing the cistern outfall, and locating the cistern outfall as it works its way to the ditch on the east side of Trail Head Park. The Board reviewed a summary of the expenses as well as documentation of the bills. To date the Town has spent \$12,157.24, the only item that needs to be finished is the painting of the new concrete patch. Staff provided this information to the Board with the understanding that the Town will be submitting a claim to the Town's Insurance provider to recover some of the expenses incurred.

**NO ACTION TAKEN**

- H. Discussion/Action: Town Board review and consideration of a report prepared by staff outlining the use of the Town's Yard Waste Sire.

The Town of Clayton Yard Waste Site was operational from April 1 through November 30, 2017. Days and hours of operation were as follows:

Thursday	3:00 p.m. to 7:00 p.m. (4 hrs.)
Saturday	8:00 a.m. to 4:00 p.m. (8 hrs.)
Sunday	Noon to 4:00 p.m. (4 hrs.)

Tom Koziczowski worked as site operator for approximately the first 6 weeks of the season. Mark Johnson worked as operator for the remainder of the season. The presence of Town Staff on site during hours of operation eliminated the "illegal" dumping of non-Town residents resulting in an estimated decrease of material processed by 30%-40%.

Average Loads / day: Thursday	26	Average Loads / hour:
Thursday	4.75	
Saturday	33	Saturday
Sunday	26	Sunday
		4.13
		6.5

Total Loads processed for the 2017 season: 2600

**NO ACTION TAKEN**

- I. Discussion/Action: Town Board review and consideration of the Administrator's Annual Performance Evaluation Evaluations and compensation.

The Board reviewed a copy of the Administrator's Annual Performance Evaluation. It is the Administration's understanding that the Board had reviewed and provided their Evaluations to the Town Chair. The Chair reviewed the compiled documents with the Administrator. The administrator advised the Board that with the approval of the Union wage increased to the DPW staff, there is no money available in the Undistributed Funds for Wage Increases to provide any additional increases to staff.

**NO ACTION TAKEN**

- J. Discussion/Action: Town Board review and consideration of the renewal of the Administrator's Employment Contract for the period of January 1<sup>st</sup>, 2018 through December 31<sup>st</sup>, 2019.

The Board reviewed a Draft copy of the Administrator's Employment Contract for the period of January 1<sup>st</sup> 2018 through December 31<sup>st</sup> 2019. The updating of the dates is the only change made to the Document.

**MOTION:**

Motion by Chair Geise  
Second by Supervisor Grundman

Motion to extend the Administrator's Contract for 2 years with no salary increase for CY 2018, and to buy-out the the Administrator's unused CY 2017 vacation.  
Motion carried by a voice vote of 4-1 with Supervisor Reif voting Nay

- XI. Review of Disbursements
- XII. Review of General Fund Budget Update (Second Town Board meeting of the month)
- XIII. Upcoming Meeting Attendance:
  - Supervisor Schmidt noted she would like to plan a holiday gathering for Town Staff in January or February.
- XIV. Board Member Requests for Future Agenda Items: NONE
- XV. Adjournment:

**MOTION:**

Motion made by unanimous consent to adjourn at 8:00 p.m.

Respectfully submitted,  
Holly Stevens, Deputy Clerk