

June 7, 2016

VILLAGE OF CLAYTON
MINUTES AND PROCEEDINGS OF THE REGULAR BOARD TRUSTEE MEETING
JUNE 6, 2016, 7:00 P.M.
VILLAGE MUNICIPAL BUILDING, 133 CLAYTON AVENUE EAST

1. CALL TO ORDER

Village President Jenny Bergmann called the regular meeting of the Village of Clayton Board of Trustees to order at 7:03 p.m. Roll call: Jenny Bergmann, Scott Donath, Dennis Heiken, Jon Bartz, Shawn Schradle, and Doug Anderson. Travis Krueger was absent. A quorum of six (6) was confirmed. Also present were Public Works Director Sheldon Donath, Police Chief Grant Pickard, Clerk/Treasurer Bob Kazmierski, Cedar Corp. Jarrod McCurdy, Carrie Magnuson, Joe Berghammer and Bill Vanda. All joined to salute the flag.

2. APPROVAL OF AGENDA

Trustee Jon Bartz requested item #16 (Discussion of petition for vacating alley of Block 1, First addition of Village of Clayton) be removed from the agenda. Jon Bartz moved to approve the amended agenda, second by Scott Donath, voice vote: Ayes-6 Nays-0 Absent-1 Motion carried.

3. APPROVAL OF MINUTES

Dennis Heiken moved to approve the Minutes from May 2, 2016 regular Board Meeting, second by Doug Anderson, voice vote: Ayes-6 Nays-0 Absent-1 Motion carried.

4. PUBLIC COMMENTS

Resident Carrie Magnuson of 260 N. Prentice Street shared plat maps of her non-contiguous lots and requested vacation of Village right-of-ways. Ms. Magnuson has met with County surveyor and Register of Deeds to confirm property boundaries. Village Board suggested that Ms. Magnuson meet with adjacent neighbors and Zoning Administrator to begin the process of vacation of right-of-ways to connect her property and allow for any utility easements.

5. APPROVAL OF TREASURER'S REPORT AND CHECK REGISTER TO DATE

Heiken moved to approve the May Check Register and Bank Reconciliation Report dated April 30, 2016, second by Doug Anderson, roll call vote: Ayes-6 Nays-0 Absent-1 Motion carried.

6. PRESENTATION OF NEW INTERIM FINANCING FOR WWTP

Brian Reilly from Ehlers, Inc. joined the meeting via teleconference. Mr. Reilly explained that a new note is being issued for the purpose of providing funds for the refunding of the 2014 Revenue Bond Anticipation Note and for the temporary financing of the project, in anticipation of the issuance of permanent financing through USDA-Rural Development. The new loan will come from First National Community Bank, New Richmond, WI and funds will be advanced as needed. Closing date for signing loan agreement of this interim loan is June 21, 2016.

7. RESOLUTION 2016-01 PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF \$3,063,000 SEWER REVENUE BOND

Trustee Doug Anderson moved to adopt Resolution 2016-01 to establish the terms and conditions, directing its execution, sale and delivery of a \$3,063,000 Sewerage System Revenue Bond Anticipation Note of the Village of Clayton, WI. The motion of the adoption of Resolution 2016-01 was duly seconded by Trustee Shawn Schradle. Roll call vote: Ayes-6 Nays-0 Absent-1 Motion carried.

8. APPROVAL OF STAAB CONSTRUCTION PAY REQUEST AND OTHER WWTP INVOICES

Schradle moved to approve Pay Request 2# from Staab Construction of \$209,190.00, second by Donath, roll call vote:

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Ayes-6 Nays-0 Absent-1 Motion carried.

Bartz moved to approve \$27,499.40 invoice from Foth, LLC for construction services and sub-contractor (Cedar Corp) fees, second by Anderson, roll call vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

9. APPROVAL OF AGENTS

Motion by Heiken and seconded by Bartz to approve Brenda Ketz as agent for 63 Clayton LLC dba Clayton BP Amoco, voice vote:

Ayes-5 Nays-0 Abstain-1 Motion carried.

Motion by Anderson and seconded by Heiken to approve Pat Schradle as agent for 7 Brothers Bar and Grill LLC., voice vote:

Ayes-5 Nays-0 Abstain-1 Motion carried.

Motion by Bartz and seconded by Donath to approve Michael Pelc as agent for MDM Inc dba Charlie's Place; voice vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

10. APPROVAL OF ANNUAL OPERATORS LICENSES FOR MDM, INC.

Motion by Donath and seconded by Anderson to approve operator's licenses for MDM Inc dba Charlie's Place for the following people: Donelda Prusak, Amanda Groehler, voice vote:

Ayes-6 Nays-0 Motion carried.

11. APPROVAL OF ANNUAL OPERATORS LICENSES FOR 7 BROTHERS, LLC.

Motion by Heiken and seconded by Bartz to approve operator's licenses for 7 Brothers Bar and Grill, for the following people: Deane Findley, Katy Dahlquist, Shawn Schradle, Kimberly Kasper, Ryan Otto, Diane Schradle, Michael Schradle, Mark Fall, Jennilee Benton, Laurie Paulson, Beth Schradle, Richard Anderson, Nick Schradle, Pat Schradle, Jeremy Schradle, voice vote:

Ayes-5 Nays-0 Abstain-1 Motion carried.

12. APPROVAL OF ANNUAL TOBACCO RETAIL LICENSES

Motion by Anderson, second by Schradle to approve annual Tobacco Retail license for 63 Clayton LLC dba Clayton BP Amoco, voice vote:

Ayes-5 Nays-0 Abstain-1 Motion carried.

Motion by Donath, second by Bartz to approve the annual Tobacco Retail license for 7 Brother Bar and Grill LLC, voice vote:

Ayes-5 Nays-0 Abstain-1 Motion carried.

Motion by Heiken, second by Anderson to approve annual Tobacco Retail license for MDM Inc dba Charlie's Place, voice vote:

Ayes-6 Nays-0 Motion carried.

13. APPROVAL OF TEMPORARY CLASS B 'PICNIC' LICENSES

Motion by Anderson, second by Donath to approve Temporary Class B 'Picnic' Beer Licenses for Clayton Fire Department during Cheese Days (June 17-19, 2016), voice vote:

Ayes-6 Nays-0 Motion carried.

Motion by Heiken, second by Bartz to approve Temporary Class B 'Picnic' Beer Licenses for Clayton-Clear Lake Houndsman Association during Cheese Days (June 17-19, 2016), voice vote:

Ayes-6 Nays-0 Motion carried.

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14. APPROVAL OF TEMPORARY OPERATORS LICENSES

Motion by Donath, second by Anderson to approve temporary operator's license for the following people representing the Clayton Fire Department: Sheldon Donath and Donald Kittelson, voice vote:

Ayes-6 Nays-0 Motion carried.

Motion by Anderson, second by Donath to approve temporary operator's license for the following people representing the Clayton-Clear Lake Houndsman: Andrew Pichelman and Randy Schaffer, voice vote:

Ayes-6 Nays-0 Motion carried.

15. CAN-DO EVENT

Resident Joe Berghammer presented economic development options for the Board to consider including a First Impressions program which consists of a comprehensive analysis of the community. This program will be facilitated by Cedar Corporation. Motion by Anderson, second by Donath for the Village to contribute \$2,500 towards the program in collaboration with CAN-DO and the Clayton School District; voice vote:

Ayes-6 Nays-0 Motion carried.

16. ALLEY VACATION

Removed from amended agenda

17. RESOLUTION 2016-02 COMPLIANCE MAINTENANCE ANNUAL REPORT

Trustee Doug Anderson moved to adopt Resolution 2016-02 to approve the submittal of the Wisconsin Department of Natural Resources NR 208 Compliance Maintenance Annual Report. The motion of the adoption of Resolution 2016-02 was duly seconded by Trustee Shawn Schradle. Roll call vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

18. APPROVAL OF TEMPORARY CONSTRUCTION EASEMENTS IN PARCEL 1, PLAT 1550-04-20-4.01

Motion by Anderson, second by Bartz to allow temporary easements in Section 27, T33N, R15W for highway improvements on Hwy 63 near the Lake Magnor Store, recorded in WIDOT document #838435, contingent upon City attorney final review; voice vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

19. CONSIDERATION TO CONVEY LAND RIGHTS TO WISCONSIN DEPARTMENT OF TRANSPORTATION FOR HIGHWAY IMPROVEMENTS

Motion by Schradle, second by Donath to convey land rights of Parcel 016-00630-0000 to WIDOT for highway improvements on Hwy 63 near the Lake Magnor Store, contingent upon City attorney final review; voice vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

20. DISCUSSION OF MEDIATION TERMS WITH CURTIS VENTURES LITIGATION

President Bergmann shared a list of mediation terms that have been identified by Attorney Deanne Koll for Board consideration. Ms. Koll has informed the Village the owner is available and will begin inspections with Building Inspector James Price.

21. NOTICE OF DISALLOWANCE TOWARDS DAVID NORDQUIST CLAIM

Motion by Anderson, second by Schradle, to follow recommendation of Community Insurance Corporation and to formally disallow counter claim by David Nordquist; roll call vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

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22. DEPARTMENTAL REPORTS

i) *Administration/Plan Commission:*

Plan Commission meeting scheduled for June 21, 2016 at 5:30 PM. \$660,000 of bond proceeds have been transferred, by Ehlers Inc., into Citizens State Bank for future WWTP construction pay requests. Open Book was held June 1, 2016 and Board of Review will be June 22, 2016 at Village Hall, 5-7 PM. President Bergmann will provide gift for Bill Olson's funeral of behalf of the Village of Clayton and all its departments.

ii) *Public Works & Utilities:*

Public Works Director Donath would like to order culverts and end walls for the Woodland Trails street project. This expenditure is budgeted and cost is approximately \$2,300.00. Motion by Anderson, seconded by Heiken, to purchase these materials, voice vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

The school sidewalk repair has been completed and reseeded. The Ballfield lights will be repaired once NEI can schedule work. Public Works Director Donath would like to rent mower from Polk County prior to Cheese Days. Motion by Anderson, seconded by Donath, to rent mower not to exceed eight (8) hours, voice vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

Discussion of renting hydro-vac truck to locate the depth of water and sewer lines on the east side of box culvert to assist with identifying the need of the WIDOT project and potentially reduce scale of project and costs.

Motion by Anderson, seconded by Schradle, to rent hydro-vac truck to locate water and sewer lines at project site; voice vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

Jarrold McCurdy of Cedar Corporation provided templates of color schemes for WWTP structures. Motion by Anderson, seconded by Schradle, to approve color selection of Coco Bean (building), Pacific Beach (accents) and Carmel Buff (mortar), voice vote:

Ayes-6 Nays-0 Absent-1 Motion carried.

Lastly, Sewer Use Code is near final draft. Will need to be on July, 2016 agenda. Cedar Corp will draft notice.

iii) *Police Department:*

There were 1,208 miles put on the squad in May. Also, in May, there were: 0 arrests, 16 citations, 22 warnings, 2 training hours, and 19 new cases investigated. There were 4 assists to outside agencies, 3 assists received from outside agencies, 5 court hours of court related matters, 1 animal complaint, and 4 hours of foot patrol. Officer Knutson attended the Scenario Training. Firearms training is June 9th. A new public nuisance case has been opened for 315 E Clayton Ave and a citation has been issued for the culvert issue on 80th Ave. Two (2) officers from Clear Lake will be available for Cheese Days.

iv) *Fire & First Responders:*

May report included there were 3 fire calls (1 motor vehicle and 1 wild land fire) and 5 medical calls. Hand Tool Training was completed on May 30th.

v) *Ambulance:*

Trustee Anderson attended Amery Area EMS meeting on May 23rd. Annual audit and financials were presented and approved. Officers were elected and new ambulance was purchased after refinancing of debt.

23. FUTURE AGENDA ITEMS

None

24. JULY MEETING DATE

Next Regular Village Board meeting date has been set for July 5, 2016 at 7:00 PM in the Village Hall.

25. CLOSED SESSION

