

May 3, 2016

**VILLAGE OF CLAYTON  
MINUTES AND PROCEEDINGS OF THE REGULAR BOARD TRUSTEE MEETING  
MAY 2, 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 7:11 p.m. Roll call: Jenny Bergmann, Scott Donath, Dennis Heiken, Jon Bartz, Shawn Schradle, Doug Anderson, and Travis Krueger. A quorum of seven (7) was confirmed. Also present were Public Works Director Sheldon Donath, Police Chief Grant Pickard, Clerk/Treasurer Bob Kazmierski, Rodney Visger, Doug Marlowe, Don Kittelson and Bill Vanda. All joined to salute the flag.

2. OATHS OF OFFICE FOR ELECTED TRUSTEES

Oaths of Office were administered to Doug Anderson, Scott Donath and Jon Bartz.

3. APPROVAL OF AGENDA

Trustee Shawn Schradle requested adding Ballfield Storage Repair Project to the Public Works section of the agenda. Jon Bartz moved to approve an amended agenda to include the Ballfield Project, second by Scott Donath, voice vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

4. PUBLIC COMMENTS

No Public Participation.

5. APPROVAL OF MINUTES

Dennis Heiken moved to approve the Minutes from April 4, 2016 regular Board Meeting, second by Doug Anderson, voice vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

6. BUILDING AND ZONING UPDATE

Building Inspector James Price presented a status report of current projects including: Waste Water Treatment Plant (WWTP) Building Permit has been issued; Stesniak home demolition update; Pending Nordquist litigation; Outcomes from meeting with owners (Newlite) of 311 Prentice Street. A Plan Commission meeting will need to be scheduled on June 21, 2016.

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

Schradle moved to approve the April Check Register and Bank Reconciliation Report dated March 31, 2016, second by Travis Krueger, voice vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

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

Anderson moved to approve Pay Request 1# from Staab Construction of \$360,482.35, second by Krueger, roll call vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

Bartz moved to authorize Clerk/Treasurer as representative agent of the Village to sign subsequent WWTP Pay Requests, second by Donath, voice vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

Heiken moved to approve \$1,498.50 invoice from Bakke-Norman for WWTP legal services, second by Schradle, roll call vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

Schradle moved to approve \$22,179.80 invoice from Foth, LLC for construction services and sub-contractor (Cedar Corp) fees, second by Krueger, roll call vote:

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Ayes-7                      Nays-0                      Motion carried unanimously.

9. APPROVAL OF ANNUAL LIQUOR LICENSES

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

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

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

Ayes-7                      Nays-0                      Motion carried unanimously.

Motion by Bartz, second by Schradle to approve annual liquor license for 63 Clayton LLC dba Clayton BP Amoco, voice vote:

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

10. APPROVAL OF ANNUAL OPERATORS LICENSES

Motion by Heiken and seconded by Donath to approve operator's licenses for MDM Inc dba Charlie's Place for the following people: Dennis Drinkman, Randall Slack, Beverly Fox, Angela Kirk, Kimberly Kirk and John Ahlm, voice vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

Motion by Anderson and seconded by Schradle to approve operator's licenses for 63 Clayton LLC dba Clayton BP Amoco for the following people: Abbey Ketz, Tanya Emery-Denman, Brande Norman, Jami Donath, Joni Donath, Audrey Reindahl, Alexandra Magnuson, Josie Hoffman, Sarah Molls, and Angela Molls, voice vote:

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

11. TREE CITY EVENT AND ARBOR DAY PROCLAMATION

Village President Bergmann, with the full support of the Village Board, proclaimed Friday, April 29<sup>th</sup>, 2016 as Arbor Day. An Arbor Day celebration will take place at the Clayton School on Wednesday, May 4, 2016.

12. CAN-DO EVENT

President Bergmann invited all Village Trustees to attend CAN-DO networking/learning event with economic development resource providers on May 11, 2016 at the Clayton School Library.

13. NEW PROSPECTIVE BUSINESS

A retail entrepreneur is seeking a location within the Village of Clayton. Wendy Sanders of Cedar Corporation is assisting. The Board discussed available sites and price of available lots. Meeting with all parties is forthcoming.

14. BALLFIELD LIGHT REPAIR PROJECT

Village of Clayton and NEI (contractor) will adhere to 2015 existing contract price to repair the lights at the ballfield. Project work will be completed prior to football season by August 12, 2016.

15. 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. Bergmann asked the Board for additional issues to be remedied and will elicit additional input from Village Building Inspector and Zoning Administrator.

16. APPOINTMENT OF VILLAGE COMMITTEES, COMMISSIONS, BOR, OFFICIAL NEWSPAPER AND DEPOSITORY

Schradle moved to approve Village Committees, Commissions, Board of Review, official newspaper and bank, second by Bartz, voice vote:

Ayes-7                      Nays-0                      Motion carried unanimously.

