**Town of Clayton**

**Special Town Board Meeting Minutes**

**April 19, 2018**

Chairman Bill Vanda called the posted meeting to order at 7:00 pm. Also present were Supervisor Arling “Ole” Olson, Supervisor Jake Balog, Supervisor Roger Olson, Supervisor Scott Gilbertson, Clerk Tracy LaBlanc, and Building Inspector James Price. Town residents Mike & Rebecca Mumm & Fire Chief Don Kittleson.

The Clerk presented a signed affidavit as to where and when the meeting was posted.

**\*DISCUSS 1 TIME OFFER WITH JIM PRICE-** Bill invited Jim to the table to present his 1 time plan/offer to the Mumm’s. Jim started off with some ground rules to start with, stating tonight he will require order and if anyone has questions raise their hands to be recognized and address the board honorably. Jim strongly suggested for the Mumm’s to come to the conclusions with some responsibility for their decisions and apologize to the town board and administration for their false allegations and claims of negligence towards the Mumm project, there isn’t anyone that doesn’t want this project/Rebecca’s dream to succeed that he’s aware of. Clerk Tracy handed out Jim’s 1time plan/offer to all present. Jim explained the items on this page are in chronological order and they are discussion items, but if we don’t get past #1-3 then there is no reason to continue on. Jim spent his own time this past weekend trying to come up with a possible solution to present to the Mumm’s and the town. Jim also presented the copy of the letter provided by the town Attorney to the Mumm’s, he stated if the Mumm’s wanted to challenge it with another opinion they could do so. Jim also stated that the Town’s attorney suggested the town take a hands off approach on the Mumm’s request for a temp use. Jim stated this not the state, county or town’s responsibility, this is the Mumm’s dream and therefore they have a responsibility to comply. Jim asked the Mumm’s if they had a registered business identity for their project, like an FEIN#? The Mumm’s stated they do. Jim asked them to provide a copy of that to him and the town if they proceed with this offer. Jim would also like a copy of their liability policy and he would like a document from their organization nullifying the town’s liability if we proceed on with this offer. Jim stated there is basically one positive choice here and that is what he is going to bring before everyone tonight, or we have a choice of doing nothing, we have a choice of doing nothing and filing a complaint with the state to have them start an investigation, or we have a choice of doing nothing and turning it over to the county, Jim feels all those choices are negative and feels the one positive choice can be worked with tonight, but we need to work together. Jim stated going forward now the document trail needs to be started for the project, we didn’t have the authority to help with this before but now we do, this is the building permit application for change of use from Ag structure to Wedding/event assembly use occupancy, this signed application is the contract that initiates the service of the municipality to you, the Mumm’s. Jim stated that this offer is a onetime only temp use permit proposal and this is not transferable, so if this is issued and you decide to sell, this does not transfer to the new owner. Jim stated that there needs to be a start/final date for the temp use permit knowing that we have only 180 days to work with, so the Mumm’s will need to provide that to us. Jim went into the conditions of the temp use permit and feels if we go back to the senate bill 137 the one that did not pass legislation this year, he feels that it would be reasonable that as the building inspector and the town to approve the items that would have been in this bill as the conditions for the temp use permit, as they are pretty simple and the majority he is sure are already done in regards to this project. Jim feels it is very reasonable for the town board to consider using the language in that bill as conditions to issue the Mumm’s a temp use permit for 180 days. In addition to that Jim is requesting that there be a minimum of 2 dedicated attendants/monitors at required exits for oversite of safe conditions while events are ongoing, he is also requesting a log of dates and exit monitors be kept for record for the town & building inspector. Jim went on to cover there will be site inspections, jointly with building and fire officials, pay all fees for applications, permits, plan reviews and inspections. Jim asked for any additional corrections or concerns to his proposal, he heard none. Jim feels that this is the easiest, the most accurate, and the cheapest solution to get the Mumm’s up and running on this temp use permit, but it does have a sunset date which is the 180 days from the time you give us and at that time, you will either need to cease operation or go back on original permit and have all the paperwork done so you can be inspected for a final occupancy for your event building. The board asked the Mumm’s if they feel they will be able to agree to the conditions that were proposed tonight by Jim? Rebecca asked, if her/Mike could take a day to talk about and absorb what was discussed tonight and get back to the board tomorrow. Bill stated the board could make a motion for Jim to proceed and give him the authority to go on once a decision is made, then the Mumm’s can contact Jim and let him know if they are accepting or denying the offer. Jim stated once the building permit is applied for then that will start the clock. Rebecca asked about the fire inspections. Bill explained that inspections are 2 times a year for all public buildings. Jim stated that fire inspections are different than building inspections and he went over the difference. Jim asked that a motion be made to continue to work together with the conditions set forth tonight and with what the Mumm’s are going to provide to us, then he will certainly stand behind the temp use permit for the Mumm’s to operate for 2018. Ole moved with a second by Roger to approve the issuance of a temp use permit to the Mumm’s providing they comply with the one time use conditions that were discussed tonight. Motion carried.

**\*CLOSED SESSION PER WIS. STATUTE 19.85(1)(g) FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNCEL FOR THE TOWN BOARD WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE TOWN BOARD WITH RESPECT TO LITIGATION IN WHICH IT IS OR LIKELY TO BECOME INVOLVED-** Closed session not needed.

Ole moved, with a second by Scott to adjourn. Motion carried. Meeting adjourned at 7:25pm.

Tracy LaBlanc, Clerk