

TOWN OF CLAYTON  
Board of Supervisors Meeting Minutes  
Wednesday, January 18, 2023 7:00 pm  
Town Meeting Room, 8348 County Road T, Larsen, WI 54947

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- I. Call to Order: Town Board Chair Geise called the meeting to order at 7:00 pm.
- A. Pledge of Allegiance
  - B. Verification of Notice
  - C. Meeting Roll
    - a. Board of Supervisors
 

Chair Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Reif	PRESENT
Supervisor Christianson	PRESENT
    - b. Staff
 

Administrator Wisniewski	PRESENT
Clerk Faust-Kubale	PRESENT
Treasurer Zolp	PRESENT
Town Attorney LaFrombois	EXCUSED
Engineer Werner	PRESENT
- II. Public Hearing(s) and/or Public Information Meeting(s): **NONE**
- III. Approval of Minutes:
- A. Approval of the Minutes of the Wednesday, January 4, 2023 Town Board Meeting.
- MOTION:**
- Motion made** by unanimous consent to approve the January 4, 2023 Town Board Meeting Minutes.
- Motion carried** by unanimous voice vote.
- IV. Open Forum – Town-related matters not on the agenda: **NONE**
- V. Correspondence:
- A. Distribution of the summary notes following the Wisconsin Towns Association Meeting held on January 5, 2023.
    - Chair Geise noted there were 35 Town Officials representing 11 different towns present at the meeting.
  - B. Distribution of a notice regarding the increase in Winnebago County Zoning Permit Application Fee.
    - Chair Geise noted the fee has increased to \$195.00.
  - C. Distribution of the December 2022 Winnebago County Tonnage Report.
    - Chair Geise noted the Town is still 4<sup>th</sup> in the ranking for recycling.
- VI. Discussion Items (No action will be taken):
- A. Winnebago County Sheriff's Department: Public Concerns and Issues: **NONE**
  - B. Department of Public Safety Report on December 2022 Activity

- Director Rieckmann noted the Department has added 3 new members, 2 of which are high school Seniors and will have completed their first certification by the end of Spring 2023.
  - Director Rieckmann noted the Department is looking into offering CPR courses for the Town Staff and their families in 2023.
- C. Administrator's Report on upcoming January 2023 Activity
- Administrator Wisnefske noted there was a reported incident of trespassing & horse tail cutting that Winnebago County Sheriffs are investigating.
- D. Chair & Supervisor Reports on January 2023 Activity
- Chair Geise noted the former Town Broker is the recipient of the Fox Cities Chamber Gus A. Zuehlke Distinguished Service Award.
  - Chair Geise noted there was a meeting held between himself, the Plan Commission Chair, and the Town Attorney to discuss more long-term cooperative opportunities between neighboring municipalities.

VII. Business referred by the Plan Commission:

- A. Plan Commission Recommendation: Motion to approve Ordinance 2023-001 An Ordinance to Amend the Town of Clayton Comprehensive Plan 2016-2023, amending the future land use category of Tax ID #006-0580 (8365 Oakwood Ave); Tax ID #006-0579; and Tax ID #006-0585 from "Agriculture/Rural Residential" & "Working Lands" to "Residential – Single & Duplex".

Plan Commission Chair Knapinski noted agenda item VII-B is also addressing these same parcels. Chair Knapinski reported during the public hearing there was a lot of interest from neighbors and good discussions & questions were posed. Supervisor Lettau voiced concerns with potential development on these properties with respect to farmland preservation, water quality preservation, and drainage issues with any development of additional hard surfaces. Chair Knapinski noted those concerns, but also acknowledges the Plan Commission tries to balance that with the pressure of having housing be attainable for those living in the Fox Valley. Supervisor Lettau noted her main concern is to have the Town be the best it can and have people proud to be residents of the community.

**MOTION:**

**Motion by** Supervisor Reif

**Second by** Supervisor Grundman

**Motion made** to approve Ordinance 2023-001 An Ordinance to Amend the Town of Clayton Comprehensive Plan 2016-2023 for the listed Tax ID numbers from "Agriculture/Rural Residential" & "Working Lands" to "Residential – Single & Duplex".

**ROLL CALL:**

Supervisor Christianson	Aye
Supervisor Grundman	Aye
Supervisor Lettau	Nay
Supervisor Reif	Aye
Chair Geise	Aye

**Motion carried 4-1.**

- B. Plan Commission Recommendation: Motion to approve Ordinance 2023-Z001 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for properties known as Tax ID #006-0585; Tax ID #006-0579; and Tax ID #006-0580 (8365 Oakwood Ave) from A-1 (Agribusiness District) to R-2 (Suburban Residential District).

**MOTION:**

**Motion by** Supervisor Grundman  
**Second by** Supervisor Christianson

**Motion made** to approve Ordinance 2023-Z001 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the listed Tax ID numbers from A-1 (Agribusiness District) to R-2 (Suburban Residential District).

**ROLL CALL:**

Supervisor Grundman	Aye
Supervisor Lettau	Nay
Supervisor Reif	Aye
Chair Geise	Aye
Supervisor Christianson	Aye

**Motion carried 4-1.**

- C. Plan Commission Recommendation: Motion to approve Ordinance 2023-Z002 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for properties known as all of Tax ID #006-1241; Tax ID #006-1242-01; Tax ID #006-1243; Tax ID #006-1244; Tax ID #006-1245; Tax ID #006-1246; and the discontinued Deer Run Court right-of-way from R-2 (Suburban Residential District) to R-1 (Rural Residential District).

Chair Knapinski noted this was a subdivision platted in the 1970's and never came about. The current landowner is looking to sell and this is another step in the process of removing the un-developed subdivision.

**MOTION:**

**Motion by** Supervisor Christianson  
**Second by** Supervisor Reif

**Motion made** to approve Ordinance 2023-Z002 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the listed Tax ID numbers and discontinued Deer Run Ct right-of-way from R-2 (Suburban Residential District) to R-1 (Rural Residential District).

**ROLL CALL:**

Supervisor Lettau	Aye
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Supervisor Reif	Aye
Chair Geise	Aye
Supervisor Christianson	Aye
Supervisor Grundman	Aye

**Motion carried 5-0.**

- D. Plan Commission Recommendation: Motion to approve a Certified Survey Map (CSM) Review Application submitted by Winagamie, Inc. to combine/reconfigure all of Tax ID #006-1241; Tax ID #006-1242-01; Tax ID #006-1243; Tax ID #006-1244; Tax ID #006-1245; Tax ID #006-1246; & the discontinued Deer Run Court right-of-way in to four (4) lots.

Chair Knapinski noted this CSM is also in relation to the un-developed subdivision and is another step in the process of the land being sold.

**MOTION:**

**Motion made** by unanimous consent to approve the Certified Survey Map submitted by Winagamie, Inc. with all Staff recommendations and conditions.

**Motion carried** by unanimous voice vote.

- E. Plan Commission Recommendation: Motion to approve a Site Plan Review Application submitted by GSS, Inc. for the construction of an unconcealed telecommunication facility consisting of a 155-foot monopole tower & associated equipment compound on Tax ID #006-0351 (8707/8709 Clayton Ave).

Chair Knapinski noted this tower is proposed on the Long Trucking property, northwest of the existing office building. Chair Knapinski noted the tower does meet the legal specifications, and the applicants are still waiting on approval from the Federal Aviation Administration (FAA).

**MOTION:**

**Motion made** by unanimous consent to approve the site plan submitted by GSS, Inc. with all Staff recommendations and conditions.

**Motion carried** by unanimous voice vote.

- F. Plan Commission Discussion Item: Plan Commission review & discussion on a Concept Plan Review Application submitted by G&L Properties, LLC, for a proposed light industrial development consisting of a machining, fabricating, & mechanical assembly facility on Tax ID #006-0340-02-01.

Chair Knapinski noted the Commissioner's questions clarifying the use will be light industrial were answered by representatives for G&L Properties, LLC. Chair Knapinski

noted there was some reluctance on the applicant's part to comply with the required percentages of exterior materials according to the Town's Ordinance, but the Commissioners are looking forward to seeing any revised plans that come before them.

**DISCUSSION ITEM ONLY – NO ACTION TAKEN**

- G. Plan Commission Discussion Item: Plan Commission review & discussion on defining “flex space” within the Town Zoning Code of Ordinances.

Chair Knapinski noted the Commissioners had good discussion on what “flex space” may look like and are working with Cedar Corp to have some definition options brought back to the next meeting for their review. Administrator Wisnefske noted that some have been brought forward and have been forwarded to the Town Attorney for his review also.

**DISCUSSION ITEM ONLY – NO ACTION TAKEN**

VIII. Business referred by the Parks & Trails Committee: **NONE**

IX. Business:

- A. Discussion/Action: Town Board review & consideration of an Appeal filed under the Town of Clayton Storm Water Utility Ordinance 6.7.9(3) by Happy Campers Mobile Services regarding the Stormwater Management Utility assessed on the 2022 Property Tax Bill for Tax ID #006-0623-04-02.

The Board reviewed the letter of appeal from Timothy Kelpinski of Happy Campers Mobile Services, a copy of the Town's Storm Water Management Utility Ordinance, 2022 & 2021 Property Tax Bills, and the calculations for impervious surface from Engineer Hamblin of McMahon Associates of the Tax ID in question.

Chair Geise asked if there was any representative for Happy Campers Mobile Services present, and there was no response from the audience.

**MOTION:**

**Motion made** by unanimous consent to deny the appeal of Happy Campers Mobile Services regarding the Stormwater Management Utility assessed on the 2022 Property Tax Bill for Tax ID #006-0623-04-02.

**Motion carried** by unanimous voice vote.

- B. Discussion/Action: Town Board review & consideration of an Appeal filed under the Town of Clayton Storm Water Utility Ordinance 6.7.9(3) by Steve Hansen regarding the Stormwater Management Utility assessed on the 2022 Property Tax Bill for Tax ID #006-0395-03.

The Board reviewed a copy of the letter of appeal from Mr. Hansen, a copy of the Town's Storm Water Management Utility Ordinance, 2022 & 2021 Property Tax Bills, and the calculations for impervious surface from Engineer Hamblin of McMahon Associates of the Tax ID in question.

Chair Geise asked if Mr. Hansen was present and there was no response from the audience. Chair Geise also noted that the charge of \$105.00 for the Stormwater Management Utility was approved by the Board in 2021.

**MOTION:**

**Motion made** by unanimous consent to deny the appeal regarding the Stormwater Management Utility assessed on the 2022 Property Tax Bill for Tax ID #006-0395-03.

**Motion carried** by unanimous voice vote.

- C. Discussion/Action: Town Board review & consideration of Resolution 2023-001 Amending the Town's Fee Schedule.

**MOTION:**

**Motion by** Supervisor Christianson  
**Second by** Supervisor Grundman

**Motion made** to approve Resolution 2023-001 Amending the Town's Fees Schedule and direct Staff to post the new fee schedule to the Town's Website.

**ROLL CALL:**

Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Christianson	Aye
Chair Geise	Aye

**Motion carried 5-0.**

- D. Discussion/Action: Town Board review & consideration of audit proposals provided by Kerber Rose, CliftonLarsonAllen, and Hawkins Ash CPAs.

The Board reviewed copies of all the presented proposals and the recommendation of Ginny Hinz, Financial Consultant to the Town. Both she and Administrator Wisnefske have reviewed the proposals and feel that remaining with Kerber would be in the Town's best interest. The Board concurred that remaining with Kerber Rose would be in the Town's best interest.

**NO ACTION TAKEN.**

- E. Discussion/Action: Town Board review & consideration of the Certificate of Payment #1 for American Drive – Phase I Gravel Street Construction submitted by MCC, Inc. in the amount of \$361,511.53.

The Board reviewed a copy of the Certificate for Payment #1 submitted by MCC, Inc. for work performed on W American Drive. The Town Engineer and the Administrator have reviewed the certificate of payment. Both agree that the Certificate of Payment is correct and should be paid.

**MOTION:**

**Motion made** by unanimous consent to approve the Certificate for Payment #1 for Phase I Gravel Street Construction submitted by MCC, Inc. in the amount of \$361,511.53.

**Motion carried** by unanimous voice vote.

- F. Discussion/Action: Town Board review & consideration of Clayton Fire Rescue accepting ten automated external defibrillator (AED) units with a value of \$16,312.98 from a Firehouse Subs Public Safety Foundation grant and allowing for disposal of old Town AED units.

Director Rieckmann noted that the grant was completed by Assistant Chief Austad and that some of the AED units that are being replaced are original to when the Department was still combined as Larsen-Winchester.

**MOTION:**

**Motion made** by unanimous consent to approve the acceptance of the 10 AED units and allow Clayton Fire Rescue to dispose of the old AED units as the Director deems appropriate.

**Motion carried** by unanimous voice vote.

- X. Review of Disbursements
- XI. Review of General Fund Budget Update
- XII. Upcoming Meeting Attendance
  - Chair Geise noted he will not be able to attend the February 1, 2023 meeting.
- XIII. Board Member Requests for Future Agenda Items
- XIV. Adjournment

**MOTION:**

**Motion made** by unanimous consent to adjourn at 7:57 pm.

**Motion carried.**

Respectfully Submitted,  
Kelsey Faust-Kubale, Town Clerk