

TOWN OF CLAYTON

Annual Town Meeting Minutes

April 16th, 2019
7:00 p.m.

8348 County Road T Larsen, WI 54947

1) Call to Order

Called to order at 7:00 p.m. by Chairperson Geise.

- a) Pledge of Allegiance
- b) Notice Verification
- c) Meeting Roll

Roll: <u>Town Board Members Present at the Electors Meeting</u> Chairperson Russ Geise	PRESENT
Roll: <u>Town Staff Present at the Electors Meeting</u> Administrator Richard Johnston Treasurer/Assistant Administrator Tori Straw Clerk Holly Stevens Building Inspector, Tom Spierowski Public Works Foreman Mike Pfankuch Yard Waste Site Operator, Mark Johnson Animal Control Officer Dave Huebner	PRESENT PRESENT PRESENT ABSENT PRESENT PRESENT ABSENT
Roll: <u>Other Town Officials Present at the Electors Meeting</u> Plan Commission Chair, Dick Knapinski Green Space Committee Chair, Lana Prusik Assessor, Luke Mack (Associated Appraisal, Inc.) Auditor, Mike Konecny Fire Chief, Scott Rieckmann First Responder Cindy Pfankuch Town Engineer, Mary Jo Miller (M & E) Town Attorney, Ben Lafrombois Emergency Management Director, Kaylin Van Stappen	PRESENT PRESENT ABSENT PRESENT PRESENT PRESENT PRESENT PRESENT ABSENT
Roll: <u>Electors Present</u> Janice Drews, 3113 County Rd II, Neenah Lana Prusik, 2551 CTR JJ, Neenah Scott Reif, 4496 Grandview Rd, Larsen Burt Drews, 3113 County Rd II, Neenah Harriett Herrmann, 7835 Center Road, Neenah Linda Grundman, 7490 Center Rd, Neenah Becky Haskell, 9080 N Oakwood Ave, Neenah Brett Haskell, 9080 N Oakwood Ave, Neenah Dick Knapinski, 8605 Clayton Ave, Neenah Carol Ihde, 7834 STR 76, Neenah Emily Rau, 9134 STR 76, Neenah Karen Borchert, 2915 W Fairview Road, Neenah	

Bob Manteufel, 2915 W Fairview Road, Neenah
 Pat Thompson, 3410 Fairview Road, Neenah
 Laura Luebke, 8425 Whispering Meadows Drive, Larsen
 Cindy Pfankuch, 4556 Grandview Road, Larsen
 Janice Suutala, 3215 Larsen Road, Neenah
 Rock Suutala, 3215 Larsen Road, Neenah
 Richard Fischer, 8685 Oakwood Ave, Neenah
 Patricia Fischer, 8685 Oakwood Ave, Neenah
 Eric Linsmeier, 7976 CTR T, Larsen
 Kay Lettau, 3795 County Rd II, Larsen
 Arden Schroeder, 9458 STR 76, Neenah
 Sarah Zeinert, 8558 Hickory Ave, Larsen
 Scott Rieckmann, 8484 Pioneer Road, Larsen
 Mike Pfankuch, 4556 Grandview Rd, Larsen
 Mark Luebke, 8425 Whispering Meadows Drive, Larsen
 Amos Ihde, 7834 STR 76, Neenah
 Ann Schmidt, 8155 County Rd T, Larsen
 Russ Geise, 8014 County Rd T, Larsen
 Melanie Geise, 8014 County Rd T, Larsen

Roll: Others Present

Michael Prince, 8089 Galaxy Dr, Neenah
 Mark Johnson, 6214 Furman Road, Larsen

2) Town Elector Approval of the Minutes of the CY 2018 Annual Meeting of the Town Electors

- Becky Haskell, 9080 N Oakwood Ave, Neenah noted a clerical error on page 5, item 12: the word attack should be attract.

MOTION:

Motion by: Richard Fischer, 8685 Oakwood Ave, Neenah

Seconded by: Becky Haskell, 9080 N Oakwood Ave, Neenah

Motion to approve the Annual Meeting Minutes for CY 2018 with the clerical correction.

Motion carried by unanimous voice vote.

3) Introduction of Elected and Appointed Town Officials by the Town Chair.

a) Reports by Appointed Town Commission and Committee Chairs:

- i. Town of Clayton Sanitary District #1 Commission Chair, Russell D. Geise
 - Won the Lawsuit with the DNR
 - Developing sewer and water agreements with City of Appleton
- ii. Storm Water Management Utility Chair, Russell D. Geise
 - Utility revenue is approximately \$220,000 per year
 - 100% of the resources are used each year and prove to be insufficient for the needed projects
 - Many drainage issues throughout Town need attention—working to correct
 - Developing regional storm water management ponds
- iii. Plan Commission Chair, Dick Knapinski
 - Commissioners:

- Eric Linsmeier
 - Becky Haskell
 - Kelly Wisnefske
 - Wayne Nemecek
 - David Dorow
 - Town Board Representative Ann Schmidt
 - Planning is essential focus to accomplish the goals for development while preserving the rural history of the Town
 - Commission has been working on
 - Planning matters
 - Development projects
 - Farmland Preservation / Working Lands
 - Zoning Code Revisions / Additions
 - Short-term Rentals
 - Sign Ordinance
 - Town of Clayton Tax Increment Finance District #1
- iv. Green Space Committee Chair, Lana Prusik
- Committee Members:
 - David Dorow
 - Joan Brown
 - Roy Owensby
 - Melanie Geise
 - Dustin Kraft
 - Town Board Representative Linda Grundman
 - Repaired / Replaced damaged headstones in Royer Cemetery
 - Removed exposed roots and ground stumps in Clayton Park
 - Researching playground surfacing options
 - Trail Head Park playground equipment vandalism repaired
 - Phase 1 of drainage improvements to Trail Head Park in process
 - Clayton dugout benches being replaced, Phase 1 completed
 - Security Cameras recommended for municipal grounds and Trail Head Park; and for Clayton Park. Installation in process
 - Beginning development ideas for the former Noffke property/gun range
- v. Election Inspectors
- Inspectors in attendance
 - Becky Haskell, Chief Inspector
 - Harriett Herrmann
 - Rock Suutala
 - Janice Suutala
 - Mark Johnson

4) Recognition of Town Officials and Employees by Town Chair, Russell D. Geise:

- i. Attorney, Ben Lafrombois
- ii. Engineer, Mary Jo Miller
- iii. Treasurer/Assistant Administrator, Tori Straw
- iv. Clerk, Holly Stevens
- v. Clayton Fire Rescue Department, Fire Chief Scott Rieckmann and Department Volunteers
- vi. Clayton Fire Rescue Department, Division Chief of EMS Cindy Pfankuch and Department Volunteers
- vii. Department of Protective Services, Police Officer Sarah Zeinert
- viii. Emergency Management Director, Kaylin Van Stappen
- ix. Building Inspector, Tom Spierowski
- x. Public Works Foreman, Mike Pfankuch
- xi. Public Works Employee, David Borchert
- xii. Public Works Employee, Brian Suprise
- xiii. Public Works Employee, Matt Bluhm
- xiv. Public Works Seasonal Laborer, Summer Mowing Staff/Custodian, Mark Johnson
- xv. Public Works Seasonal Laborer, Storm Water Management Ditch Mowing Staff, Tom Celichowski
- xvi. Yard Waste Site Operators, Eli Luebke and Jim McLeod
- xvii. Animal Control Officer, David Huebner
- xviii. Town Assessor, Luke Mack of Associated Appraisal Consultants, Inc.
- xix. Town Administrator, Richard Johnston

5) Presentation of the Town’s CY 2018 audit by the Town Financial Consultant, Mike Konecny, CPA Managing Member of MWK, LLC

- No exceptions noted in audit report—no unusual items
- No weaknesses within the internal controls
- Net position increased to \$7.87 million
 - Includes \$7.7 million as net investment capital assets
 - Land purchases included in Capital Assets; \$5.6 million available for sale
 - \$200,000 in Vehicles and Equipment for Public Works, Police, and Fire included
- Spending outpaced revenues by \$452,000 resulting in a decrease in fund balance
- Solid Waste/Recycling revenues exceeded expenditures resulting in a fund balance of \$106,000
- Storm Water Management Utility experienced an Operating income of \$16,000
- Unassigned General Fund was temporarily in a deficit position at year end; Restored the reserves with the Proceeds of a Land Sale that totaled approximately \$1.7 million
- Committed General Fund Balances of \$121,000 for various purposes
- Outstanding long-term debt totaled \$9.17 million
- Statutory Debt Limit \$26.7 million
- Decrease in outstanding debt balance from 2017 of \$897,000
- No Additional Debt issued in 2018

6) Review of the Town’s CY 2018 activities by the Town Chair

- Residents circulated petition to incorporate—signed by 500 residents
- Incorporation petition now at the Circuit Court for consideration
- Incorporation petition being challenged by the Village of Fox Crossing

- Negotiating border agreements with the Towns of Neenah, Vinland, Winneconne, and Winchester
- Contesting Village of Fox Crossing Annexation of Town properties
- When the Village of Fox Crossing Incorporated, the Town began purchasing properties to protect borders—Currently in a position to begin selling land assets—26 acres sold
- New Fire Rescue Vehicle completed and in service
- New Plow Truck in service
- New brining equipment in service—proven beneficial
- Public Works Department growing—added 1 full time and 3 part time employees
- Extension of Rose Moon Way constructed
- Planning for regional ponds to improve storm water management
- Protective Services Department developing
- Purchased Squad and developing Police Department

7) Review of the continued impact of the successful Incorporation of the Village of Fox Crossing on the Town of Clayton.

- Village of Fox Crossing is challenging the Town’s DNR settlement
- Village of Fox Crossing is challenging the Town’s Incorporation
- City of Neenah did not joint the Village’s DNR lawsuit
- Town is contesting the Village Annexation action

8) Town Board request for Town Elector approval of an additional 3-year grant of authority to the Town Board to buy and sell land on the Clayton Avenue corridor, north of CTR “II” in the Town of Clayton.

- Rock Suutala, 3215 Larsen Road, Neenah asked for clarification of the benefits of purchasing land
- Chair Geise explained that the land purchases have protected our borders. With the advent of the Incorporation petition, the land can now be sold. The Town Board needs authorization to continue the sale of land in order to minimize debt load
- Utility Services are in planning stages and soon will be constructed-- offering utility services takes away incentive to annex to the Village of Fox Crossing
- Town may still need to buy property for utilities for lift stations or other facilities to serve the utility

MOTION:

Motion by Eric Linsmeier, 7976 CTR T, Larsen

Second by Mark Luebke, 8425 Whispering Meadows Drive, Larsen

Motion to grant the Town Board of the Town of Clayton a 3-year authority to buy and sell land on the Clayton Avenue corridor, north of CTR “II” in the Town of Clayton.

Motion carried by a unanimous voice vote

9) Town Board authorization request to purchase land outside of the municipal boundaries for a utility meter reading station.

- Final need is still being developed and determined—may or may not need to purchase property.

MOTION:

Motion by Richard Fischer, 8685 Oakwood Ave, Neenah

Second by Eric Linsmeier, 7976 CTR T, Larsen

Motion to grant the Town Board authority to purchase land outside the municipal boundaries for a utility meter reading station.

Motion carried by unanimous voice vote

10) Town Board request for authorization by the Town’s electors under Wis. Stats. § 60.23 Miscellaneous Powers. The Town Board may under Wis. Stats. § 60.23 (3)(c) allocate funds to attract industry, specifically, to construct privately held water and sewer systems and to attract industry using Tax Increment Finance District funded incentives.

- Chair Geise explained that the Town Board is requesting authorization from the electors to use tax dollars to “invest” in the development of the Town through construction of utilities, incentive programs for developers, development of a Tax Increment Finance District (TIF), and other related activities.
- Attorney Lafrombois explained that the intent of a TIF district is to attract industry. Development of utilities is tied to the TIF district.
- The intent of the authorization would be to support private development which would provide direct benefits to the Town through tax revenue, growth, etc. Any incentives offered would require very careful review to assure that the incentives are balanced by the benefits to the Town.
- The TIF would over time provide the tax increment to pay for the infrastructure. The TIF has 7 years to invest in the development of the district, then 27 years to recover those costs.
- WI DOA approval is needed. Then WI DOA reviews the TIF each year
- The cost of the investments is not wholly known at this time—it is still in the development stage.
- TIF development process requires Plan Commission review, Public Hearing, Joint Review Board Evaluation, Town Board approval and WI DOA approval—provides extensive checks and balances
- Without the TIF District, the land would not develop because the needed infrastructure would not be available
- Developing the TIF allows for planned development on the east side of the Town allowing the west side to remain rural

MOTION:

Motion by Mark Luebke, 8425 Whispering Meadows Drive, Larsen

Second by Eric Linsmeier, 7976 CTR T, Larsen

Motion to authorize the Town Board under Wis. Stats. § 60.23 (3)(c) Miscellaneous Powers, to allocate funds to attract industry, specifically, to construct privately held water and sewer systems and to attract industry using Tax Increment Finance District funded incentives.

Vote: 20 Ayes 3 Nays

Motion carried

11) Town Elector approval of the Town Board wages.

a. Town Chair:

- i. Wage per Year: \$8,700.00
- ii. Full day meeting Per Diem: \$ 75.00
- iii. Half day meeting Per Diem: \$ 50.00

b. Town Supervisors:

- i. Wage per year: \$5,500.00
- ii. Full day meeting Per Diem: \$ 75.00
- iii. Half day meeting Per Diem: \$ 50.00

- Chair Geise requested that the electors consider increasing the Chairperson’s wage in consideration of the increased responsibilities the role now carries.
- Chair Geise noted he was not making the request for himself, as any change would not take affect for two years, but rather for future Chairpersons and as an incentive for people to run for the position.
- Chair Geise noted that in the recent election, three seats ran unopposed because no one wants the job. In order to attract future candidates, wages need to come in line with the roles and increase accordingly.

MOTION:

Motion by Mark Luebke, 8425 Whispering Meadows Drive, Larsen

Second by Rich Fischer, 8685 Oakwood Ave, Neenah

Motion to increase the Chairperson wage to \$10,000 per year to become effective with the term beginning after the April, 2021 spring election.

Motion carried by unanimous voice vote

MOTION:

Motion by Mark Luebke, 8425 Whispering Meadows Drive, Larsen

Second by Rich Fischer, 8685 Oakwood Ave, Neenah

Motion to increase the Town Supervisor wage to \$6,000 per year to become effective with the terms beginning after the April, 2020 spring election

Motion carried by unanimous voice vote

MOTION:

Motion by Arden Schroeder, 9458 STR 76, Neenah

Second by Carol Ihde, 7834 STR 76, Neenah

Motion to set the per diem rates for Town Officials at \$50 for half day meetings and \$75 for full day meetings

Motion carried by unanimous voice vote

12) Setting the meeting date for the Town’s CY 2019 Annual Meeting of the Town Electors for the 3rd Tuesday in April of CY 2020 or within ten (10) days following that date.

MOTION:

Motion by Laura Luebke, 8425 Whispering Meadows Drive, Larsen

Second by Eric Linsmeier, 7976 CTR T, Larsen

Motion to set the meeting date for the Town’s CY 2019 Annual Meeting of the Town Electors for the 3rd Tuesday in April of CY 2020.

Motion carried by unanimous voice vote

13) Town Elector Proposed Items

- Rich Fischer, 8685 Oakwood Ave, Neenah inquired about the rules applying to backyard chickens
- Dick Knapinski, Plan Commission Chair, explained that it is an allowable use in the A-1 and A-2 zoning districts and it is a Conditional Use in the R-1 and R-2 zoning districts with specific limitations and requirements
- Mr. Fischer questioned how the rules are enforced.
- Administrator Johnston explained that enforcement is acted on by complaint.

- Mike Pfankuch, 4556 Grandview Rd, Larsen, asked if the same rules apply to free range peacocks and guinea hens. He noted that there are birds roaming the local area and he has heard many complaints.
- Administrator Johnston explained the owner is zoned A-2 which allows for the activity. Additionally, the owner had the birds prior to adoption of the Zoning Ordinance.

14) Adjourn Sine Die—8:45 p.m.

MOTION:

Motion by Eric Linsmeier, 7976 CTR T, Larsen

Seconded by Becky Haskell, 9080 N Oakwood Ave, Neenah

Motion to Adjourn Sine Die

Motion carried by unanimous voice vote

Respectfully Submitted

Holly Stevens, Clerk