

**TOWN OF CLAYTON**  
Board of Supervisors  
Meeting Minutes  
7:00 p.m. on Wednesday, July 15, 2020  
Town Meeting Room, 8348 County Road T, Larsen, WI 54947

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I. Call to Order: Town Board Chairman Geise called the meeting to order.

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 Wisnefske PRESENT

Supervisor Reif PRESENT

b. Staff

Administrator Straw PRESENT

Clerk Stevens EXCUSED

Treasurer Schiessl PRESENT

Town Engineer – Mary Jo Miller PRESENT

Town Attorney – Ben Lafrombois PRESENT

II. Public Hearing(s) and/or Public Information Meeting(s):

A. No Public Hearings and/or Public Informational Meetings are scheduled.

III. Approval of Minutes:

A. Approval of the Minutes of the Wednesday, July 1, 2020 Town Board Meeting.

**MOTION:**

Motion by unanimous consent to approve the minutes from the Wednesday, July 1, 2020 Town Board Meeting.

IV. Open Forum – Town-related Matters not on the Agenda:

Steve Kuehnl, 1501 Green Valley Rd, Neenah, WI 54956

- Water/drainage issues on farmland ditches washing out soil.
- Has been going on since the rebuilding of Larsen Rd.
- Has been communicating with the Town staff over the years and nothing gets done.

Chair Geise explained that winter started early last year and all the trucks were pulled for snowplowing in October. The Covid-19 pandemic sent the public works crew home for almost 3 weeks this spring, then when they returned, they have been limited to 1 person per truck and projects had to provide for “social distancing.” He noted that as the situation slowly returns to normal, the crew has been working diligently on the back log of projects.

Chair Geise continued explaining the Town is diligently working to deal with all the water issues. He noted there have been two additional employees hired to deal with storm water management projects. He said the Town is moving as quickly as possible. He also explained that every time there is a significant rain, it sets the crew back 3-4 days, and there has been a lot of rain lately. Chair Geise said the Board is not trying to make excuses, but simply explain the circumstances with which we are dealing.

Administrator Straw explained the public works department has a list/schedule they work from. They are scheduled to go out next week and fix the backslope of the ditch. The PW Foreman will assess the situation and see if anything else should be done related to the ditch.

Public Works Foreman, Mike Pfankuch stated he had talked with Mr. Kuehnl earlier in the season and told him you are on our list and we will get to you. He was disappointed that Mr. Kuehnl had not reached out to him directly, because he would have given him an update.

V. Correspondence:

- A. Distribution of the May 2020 Minutes of the Oshkosh Public Library Board

VI. Discussion Items (No action will be taken):

- A. County Supervisor Report—No Report
- B. Winnebago County Sheriff's Department: – Public Concerns and Issues—No Report
- C. Clayton Fire Rescue (First Meeting of the Month)
  - a. Emergency Management Activity Report—No Report
  - b. Clayton Police Department
- D. Larsen/Winchester Sanitary District Report—No Report
- E. Administration Comments
  - Engineer's Report—Mary Jo Miller, M & E
    - Bid documents to pulverize and pave 1 mile of Larsen Road have gone out and are due back by July 30th
    - Intend to collect bids for presentation to the Board at its August 5<sup>th</sup> meeting
  - Administrator Straw
    - Continue to work with the Village and McMahon on the PSC submission
    - Submission should not have to go to the full Commission so the review time may be shortened
    - Wastewater System is in final phase and should be able to go out for bid soon
    - Pipes were previously thought to be allowed staggered in the same trench—this was not accurate. Must be separated by 8 feet and in separate trenches unless installing on rock
    - Held a Joint Review Board meeting in July on the TID

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Marcus R. Molback

B. Renewal:

i. None

C. Town Board review and consideration of the following Alcohol License Applications:

The following parties have a new application for a Class “B” license to sell fermented malt beverages, and a “Class B” license to sell intoxicating liquors on file in the Town of Clayton Clerk’s Office for the licensing period of July 1, 2020 through June 30, 2021, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- a. KBN, LLC dba Willie Beamon’s, 2590 County Road II, Neenah, WI 54956  
Agent: Brian P. Stedl

**MOTION:**

Motion by unanimous consent to approve the Class “B” license to sell fermented malt beverages, and a “Class B” license to sell intoxicating liquors to KBN, LLC dba Willie Beamon’s.

VIII. Business referred by the Plan Commission:

A. Plan Commission review and recommendation on a Re-zoning Application from I-2 (Heavy Industrial) to B-2 (Community Business) submitted by the Town of Clayton, 8348 County Road T, Larsen, WI 54947 for property located at 2788 Towne Court, Neenah, WI 54956, specifically described as Tax ID #006-0620-06 and Tax ID #006-1776 being part of Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the application for rezoning from I-2 (Heavy Industrial) to B-2 (Community Business) submitted by the Town of Clayton, 8348 County Road T, Larsen, WI 54947 for property located at 2788 Towne Court, Neenah, WI 54956, specifically described as Tax ID #006-0620-06 and Tax ID #006-1776 being part of Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.
- Chair Geise noted the item is on the agenda later in the meeting

B. Plan Commission review and recommendation on a Re-zoning Application from R-1 (Rural Residential) to P-1 (Public Institutional) submitted by the Town of Clayton, 8348 County Road T, Larsen, WI 54946, for properties located south of 8348 County Road T specifically described as Part of Tax ID #006-0535-03-01 and Part of Tax Id #006-0535-06-04, both located in the Southwest ¼ of the Northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the rezoning application from R-1 (Rural Residential) to P-1 (Public Institutional) submitted by the Town of Clayton, 8348 County Road T, Larsen, WI 54946, for properties located south of 8348 County Road T specifically described as Part of Tax ID #006-0535-03-01 and Part of Tax Id

#006-0535-06-04, both located in the Southwest ¼ of the Northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.

- Chair Geise noted the item is on the agenda later in the meeting.

C. Plan Commission review and recommendation on a Re-zoning Application from R-1 (Rural Residential) to R-3 (Two-Family Residential) submitted by the Town of Clayton, 8348 County Road T, Larsen, WI 54947. For property located south of 8326 County Road T, Larsen, WI 54947 specifically describes as Part of Tax ID # 006-0535-06-04 located in the Southwest ¼ of the Northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the rezoning application from R-1 (Rural Residential) to R-3 (Two-Family Residential) submitted by the Town of Clayton, 8348 County Road T, Larsen, WI 54947. For property located south of 8326 County Road T, Larsen, WI 54947 specifically describes as Part of Tax ID # 006-0535-06-04 located in the Southwest ¼ of the Northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.
- Chair Geise noted the item is on the agenda later in the meeting.

D. Plan Commission review and recommendation on a Certified Survey Map (CSM) Application submitted by the Town of Clayton 8348 County Road T, Larsen, WI 54947 and White Feather Properties, LLC, 2517 N Alexander Street, Appleton, WI 54911, for property located south of 8348 County Road T specifically described as Part of Tax ID #006-0535-03-01 and Part of Tax Id #006-0535-06-04, both located in the Southwest ¼ of the Northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the Certified Survey Map (CSM) Application submitted by the Town of Clayton 8348 County Road T, Larsen, WI 54947 and White Feather Properties, LLC, 2517 N Alexander Street, Appleton, WI 54911, for property located south of 8348 County Road T specifically described as Part of Tax ID #006-0535-03-01 and Part of Tax Id #006-0535-06-04, both located in the Southwest ¼ of the Northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.

**MOTION:**

Motion by unanimous consent to approve the Certified Survey Map (CSM) Application submitted by the Town of Clayton 8348 County Road T, Larsen, WI 54947 and White Feather Properties, LLC, 2517 N Alexander Street, Appleton, WI 54911, for property located south of 8348 County Road T specifically described as Part of Tax ID #006-0535-03-01 and Part of Tax Id #006-0535-06-04, both located in the Southwest ¼ of the Northwest ¼ of Section 20, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.

- E. Plan Commission review and recommendation on a Re-zoning Application from A-2 (General Agricultural) to R-1 (Rural Residential) submitted by Robbin Parker, 7364 Jensen Road, Oshkosh, WI 54904, for property located at 7364 Jensen Road specifically describes as Part of Tax ID #006-0817-05 being part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and part of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 32, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.
- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the rezoning application from A-2 (General Agricultural) to R-1 (Rural Residential) submitted by Robbin Parker, 7364 Jensen Road, Oshkosh, WI 54904, for property located at 7364 Jensen Road specifically describes as Part of Tax ID #006-0817-05 being part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and part of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 32, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.
  - Chair Geise noted the item is on the agenda later in the meeting.
- F. Plan Commission review and recommendation on a Certified Survey Map (CSM) submitted by Robbin Parker, 7364 Jensen Road, Oshkosh, WI 54904, for property located at 7364 Jensen Road specifically describes as Part of Tax ID #006-0817-05 being part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and part of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 32, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.
- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the Certified Survey Map (CSM) submitted by Robbin Parker, 7364 Jensen Road, Oshkosh, WI 54904, for property located at 7364 Jensen Road specifically describes as Part of Tax ID #006-0817-05 being part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and part of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 32, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.

**MOTION:**

Motion by unanimous consent to approve the Certified Survey Map (CSM) submitted by Robbin Parker, 7364 Jensen Road, Oshkosh, WI 54904, for property located at 7364 Jensen Road specifically describes as Part of Tax ID #006-0817-05 being part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and part of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 32, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.

- G. Plan Commission review and recommendation on a Conditional Use Permit (CUP) submitted by Joseph and Nicole Malchow, 2285 Willow Way Dr., Oshkosh, WI 54904 for property located on the West side of Center Road approximately 2,500 feet South of Larsen Road specifically described as Tax Id #006-0701-02 located in the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 28, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.
- PC Chair Knapinski reported that the Plan Commission dismissed the Conditional Use Permit Application submitted by Joseph and Nicole Malchow, 2285 Willow

Way Dr., Oshkosh, WI 54904 for property located on the West side of Center Road approximately 2,500 feet South of Larsen Road specifically described as Tax Id #006-0701-02 located in the South ½ of the Southeast ¼ of the Northeast ¼ of Section 28, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- PC Chair Knapinski stated that a precedent was set about 5 years ago with the Jankowski property on Center Road. The Plan Commission is looking at an update to the Zoning Code to reflect the agricultural use of an accessory building vs a general use of an accessory building on A-2 property.

**NO ACTION TAKEN**

- H. Plan Commission review and recommendation on a Re-zoning Application from A-2 (General Agricultural) to R-1 (Rural Residential) submitted by Ryan and Amber Pheifer, 9336 Timber Ridge Road, Neenah, WI 54956 for property located on Timber Ridge Road specifically described as part of Tax ID# 006-0015-03 located in part of the Southeast ¼ of the Southwest 1/4 of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. PLEASE NOTE THE PUBLIC HEARING FOR THIS AGENDA ITEM WAS JUNE 10, 2020.
- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the rezoning application from A-2 (General Agricultural) to R-1 (Rural Residential) submitted by Ryan and Amber Pheifer, 9336 Timber Ridge Road, Neenah, WI 54956 for property located on Timber Ridge Road specifically described as part of Tax ID# 006-0015-03 located in part of the Southeast ¼ of the Southwest 1/4 of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.
  - Chair Geise noted that this item is on the agenda later in the meeting.
- I. Plan Commission review and recommendation on a Certified Survey Map (CSM) submitted by Ryan and Amber Pheifer, 9336 Timber Ridge Road, Neenah, WI 54956 for property located on Timber Ridge Road specifically described as part of Tax ID# 006-0015-03 located in part of the Southeast ¼ of the Southwest 1/4 of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.
- PC Chair Knapinski reported that the Plan Commission recommended to the Town Board approval of the Certified Survey Map (CSM) submitted by Ryan and Amber Pheifer, 9336 Timber Ridge Road, Neenah, WI 54956 for property located on Timber Ridge Road specifically described as part of Tax ID# 006-0015-03 located in part of the Southeast ¼ of the Southwest 1/4 of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.

**MOTION:**

Motion by unanimous consent to approve the Certified Survey Map (CSM) submitted by Ryan and Amber Pheifer, 9336 Timber Ridge Road, Neenah, WI 54956 for property located on Timber Ridge Road specifically described as part of Tax ID# 006-0015-03 located in part of the Southeast ¼ of the Southwest 1/4 of Section 1, Township 20 North,

Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin with staff recommendations.

- J. Plan Commission review and recommendation on a Site Plan Application submitted by Katherine Ratka/EEASE Properties, LLC, N3402 Dax Daniel Lane, Black Creek, WI 54106, for property located on Lind Lane specifically described as part of Tax ID #006-0006-10 located in part of the fractional Northwest ¼ of the Northwest ¼ and part of the Southwest ¼ of the fractional Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- PC Chair Knapinski reported that the Plan Commission tabled the Site Plan Application submitted by Katherine Ratka/EEASE Properties, LLC, N3402 Dax Daniel Lane, Black Creek, WI 54106, for property located on Lind Lane specifically described as part of Tax ID #006-0006-10 located in part of the fractional Northwest ¼ of the Northwest ¼ and part of the Southwest ¼ of the fractional Northwest ¼ of Section 1, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin until such time as the Site Plan Submission is complete and ready for full evaluation.

**NO ACTION TAKEN**

- K. Plan Commission review and recommendation on a resubmittal of a Site Plan Application and Building Color Pallet plan submitted by CRL Surveying, N1674 Median Dr, Greenville, WI 54942 for property located at 7577 Black Top Way, Neenah, WI 54956 specifically described as Tax ID #006-0895-06 being a part of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- PC Chair Knapinski reported that the Plan Commission tabled the Site Plan Application and Building Color Pallet plan submitted by CRL Surveying, N1674 Median Dr, Greenville, WI 54942 for property located at 7577 Black Top Way, Neenah, WI 54956 specifically described as Tax ID #006-0895-06 being a part of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin until such time as the submission is complete and the issues identified are resolved.

**NO ACTION TAKEN**

- L. Plan Commission review and direction to staff regarding the amending of the Town of Clayton Chapter 9, Section 9.11, Access Control Ordinance.

- PC Chair Knapinski reported that the Plan Commission along with the Town Planner and Staff are continuing to refine the language of the Town's Access Control Ordinance. It is challenging trying to find a balance between the growth and development occurring on the East side of Town and continuing to uphold the "Touch of Country" on the West side of Town.

**NO ACTION TAKEN**

## IX. Business referred by the Green Space Committee:

- A. Green Space Committee review of the Public Works Department Summer projects in the Town's parks and on the Town's Trails.
1. Picnic Tables at Clayton Park and Trailhead Park – Chair Prusik Update.
    - Administrator Straw reported that Chair Prusik is working with the company that sold the picnic table board material to the Town. Chair Prusik will continue to work with the vendor in an attempt to resolve the issues.
    - Chair Geise recommended that the Committee look at the thermoplastic coated steel product for the picnic tables.
  2. Budget Review of Parks and Trail Budgets.
    - Administrator Straw reported that the Committee reviewed the budget and determined there is enough money to replace another set of dug out benches at Clayton Park.
  3. Review the Pricing of the dugout benches for replacement.
    - Administrator Straw reported that the Committee would like to compare the cost of the thermoplastic steel benches against the cost of replacing the benches with the aluminum seat planks.

**NO ACTION TAKEN**

## X. Business:

- A. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-Z004 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Mag Properties, LLC Rezoning from I-2 (Heavy Industrial District) to B-2 (Community Business District).

The re-zoning applies to Headliners Bar & Grill and the parking lot. The Staff received a call from a potential buyer of this property inquiring the use of the property as a funeral home. While researching this property, staff discovered that the current zoning of I-2 (Heavy Industrial District) does not allow Restaurants or Bars. Under the current zoning of I-2, Headliners Bar & Grill has been operating as a non-conforming business. The Town's Future Use Map shows this property as Business District. Prior to the Town Board Meeting, staff received a phone call from a potential developer interested in the property. The potential developer asked if the Town Board could table the re-zoning of the property. The potential developer would like to use the property for a light industrial building.

Having conferred with the Town's Planner, Ken Jaworski and PC Chair Knapinski, the Town Chair tabled this item.

- B. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-Z005 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from R-1 (Rural Residential District) to P-1 (Public Institutional District).

The Board reviewed a draft copy of Ordinance 2020-Z005 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from R-1 (Rural Residential District) to P-1 (Public Institutional District). The re-zoning applies to the property the Town purchased from Scott Reif in CY 2019 for the purpose of expanding the Town’s proposed Yard Waste Site area. This re-zone is to “clean up” the zoning of the Town’s property.

**MOTION:**

**Motion by** Supervisor Reif

**Second by** Supervisor Lettau

**Motion to** Approve Ordinance 2020-Z005 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from R-1 (Rural Residential District) to P-1 (Public Institutional District) and direct staff to submit to Winnebago County and publish the Ordinance as required by law.

**ROLL CALL VOTE:**

Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Wisnefske	Aye

**Motion carried unanimously**

- C. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-Z006 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from R-1 (Rural Residential District) to R-3 (Two-Family Residential District).

The Board reviewed a draft copy of Ordinance 2020-Z006 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from R-1 (Rural Residential District) to R-3 (Two-Family Residential District). The re-zoning applies to the property the Town purchased from Scott Reif in CY 2019 for the purpose of expanding the Town’s proposed Yard Waste Site area. The new owner of the apartment building adjacent to this property wants to purchase the .09- acre piece of parcel 006-0535-06-04 south of the apartment building for additional parking.

**MOTION:**

**Motion by** Supervisor Lettau

**Second by** Supervisor Grundman

**Motion to** Approve Ordinance 2020-Z006 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from R-1 (Rural Residential District) to R-3 (Two-Family Residential District) and direct staff to submit to Winnebago County and publish the Ordinance as required by law.

**ROLL CALL VOTE:**

Supervisor Wisnefske	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Chair Geise	Aye
Supervisor Reif	Aye

**Motion carried unanimously**

- D. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-Z007 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Robbin Parker Rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District).

The Board reviewed a draft copy of Ordinance 2020-Z007 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Robbin Parker Rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District). The re-zoning applies to the property located at 7364 Jensen Road, Oshkosh, WI 54904. The applicant has also submitted a Certified Survey Map (CSM) for the division of the property. The new lot created does not meet the requirement of the A-2 (General Agricultural District) 5-acre minimum for a parcel, therefore a rezone to R-1 (Rural Residential District) is required to meet the standards of the Town’s Zoning Code.

**MOTION:**

**Motion by** Supervisor Grundman

**Second by** Supervisor Lettau

**Motion to** Approve Ordinance 2020-Z007 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Robbin Parker Rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District) and direct staff to submit to Winnebago County and publish the Ordinance as required by law.

**ROLL CALL VOTE:**

Supervisor Reif	Aye
Supervisor Grundman	Aye
Supervisor Wisnefske	Aye
Supervisor Lettau	Aye
Chair Geise	Aye

**Motion carried unanimously**

- E. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-Z008 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Ryan and Amber Pheifer Rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District).

The Board reviewed a draft copy of 2020-Z008 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Ryan and Amber Pheifer Rezoning from A-

2 (General Agricultural District) to R-1 (Rural Residential District). The re-zoning applies to the property located at 9336 Timber Ridge Road, Neenah, WI. The applicant has also submitted a Certified Survey Map (CSM) for the division of the property. The new lot created does not meet the requirement of the A-2 (General Agricultural District) 5-acre minimum for a parcel, therefore a rezone to R-1 (Rural Residential District) is required to meet the standards of the Town’s Zoning Code.

**MOTION:**

**Motion by** Supervisor Reif

**Second by** Supervisor Wisnefske

**Motion to** approve Ordinance 2020-Z008 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Ryan and Amber Pheifer Rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District) and direct staff to submit to Winnebago County and publish the Ordinance as required by law would be in order.

**ROLL CALL VOTE:**

Supervisor Grundman	Aye
Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Wisnefske	Aye
Supervisor Lettau	Aye

**Motion carried unanimously**

- F. Discussion/Action: Town Board review and consideration of the First Amendment to the Agreement for the Provision of Water Service Between the Town of Clayton and The Village of Fox Crossing.

The Board reviewed a copy of the First Amendment to the Agreement for the Provision of Water Service Between the Town of Clayton and The Village of Fox Crossing. During the first meeting with the PSC and the DNR, the PSC expressed concerns with the way the original agreement for water service was written. The Staff asked Attorney Kobza to create this amendment based on the conversation during the initial meeting and her experience with the PSC and the DNR. Attorney Kobza and Fox Crossing’s Attorney Rossmessl worked together to create this amendment. Attorney Kobza has already passed this document to the staff at the PSC and DNR to get their comments on it prior to submitting it to the Town and the Village for approval. Both the PSC and the DNR are comfortable with the language in the amendment and feel that this document will help expedite the process for approving the Water Service Area Amendment being submitted by the Village of Fox Crossing.

Chair Geise stated there was a preliminary meeting with the PSC on June 10<sup>th</sup>. The only concern they had was about the water meters and who would own them and maintain them. Since Fox Crossing will have the water utility they need to own and maintain them. Original agreement needed to be revised to reflect this. The Town will loan the money to Fox Crossing for the meters and Fox Crossing will pay the Town yearly. The meters will be depreciated and turned over to the Town at the same value of the remaining outstanding loan to Fox Crossing when we are allowed to have our own water utility.

Administrator Straw said the Village of Fox Crossing is set to send the amendment to the PSC next week.

**MOTION:**

**Motion by** Supervisor Grundman

**Second by** Supervisor Reif

**Motion to** approve the First Amendment to the Agreement for the Provision of Water Service Between the Town of Clayton and The Village of Fox Crossing and direct staff to submit the signed document to the Village and Attorney Kobza.

**ROLL CALL VOTE:**

Supervisor Wisnefske	Aye
Supervisor Lettau	Aye
Supervisor Reif	Aye
Chair Geise	Aye
Supervisor Grundman	Aye

**Motion carried unanimously**

- G. Discussion/Action: Town Board review and consideration of moving forward with documentation and process necessary to add the Town of Winchester and the Town of Neenah to the Winneconne Municipal Court.

Attached please find a copy of an email from Attorney Emily Z. Dunham asking each of the current members of the Winneconne Municipal Court to place this item on the agenda. Both the Town of Winchester and the Town of Neenah have requested to be part of the Winneconne Municipal Court.

**MOTION:**

Motion by unanimous consent to approve moving forward with documentation and process necessary to add the Town of Winchester and the Town of Neenah to the Winneconne Municipal Court and direct staff to submit the necessary documentation of the approval to Attorney Dunham.

- H. Discussion/Action: Town Board review and consideration of the estimate from Fahrner Asphalt Sealers for crack sealing the following Town Roads:

- i. Hickory Avenue from Umland Road to Fairview Road
- ii. Larson Road from State Hwy 76 to Clayton Ave
- iii. Oakwood Avenue from County Road II to Fairview Road
- iv. Clayton Avenue from Clayton Maintenance line to County Road II

Attached please find a copy of an estimate from Fahrner Asphalt Sealers for crack sealing the sections of Town Roads listed above. At the April 18, 2019 Town Board meeting the Town Board approved the award of a maintenance contract under the Statutory limit by solicitation as well as approval by the Town Chair. The crack sealing of Town roads is considered routine maintenance and helps to preserve the life of the asphalt.

Supervisor Grundman asked why we are working on Larsen Road when we are planning on repaving it. Administrator Straw stated the work by Fahrner Asphalt Sealers is only for crack filling the portion of Larsen Road that is East of State Hwy 76.

**MOTION:**

Motion by unanimous consent to approve the estimate from Fahrner Asphalt Sealers for Crack sealing portions of Hickory Ave, Larsen Road, Oakwood Ave, and Clayton Ave for \$9,551.00 and direct staff to publish a Class 1 Notice in the newspaper of record prior to signing the contract.

XI. Review of Disbursements

XII. Review of General Fund Budget Update (Second Town Board meeting of the month)

XIII. Upcoming Meeting Attendance:

XIV. Board Member Requests for Future Agenda Items

XV. Adjournment

**MOTION:**

Motion made by unanimous consent to adjourn 8:18 p.m.

Respectfully submitted,

Tori Straw, Administrator/Deputy Clerk/Deputy Treasurer