

What is municipal incorporation?

Municipal incorporation is the process of creating new villages and cities from town territory. It is regulated by the Wisconsin Statutes.

Why is the Town considering incorporation?

The primary reason to incorporate into a village is to protect the municipal borders from annexation by the Village of Fox Crossing and the City of Neenah which would erode the Town's tax base. Once incorporated, the new village lands would no longer be subject to annexation. Other benefits of incorporation include additional zoning authority, extra-territorial authority, subdivision autonomy, and community identity. A new Village would also be able to use development tools available only to cities and villages, like tax incremental financing.

What is the process for an incorporation?

The incorporation process begins with determination of the proposed boundaries of the territory to be incorporated and preparation of a map and legal description of the territory. Resident population of this territory must also be determined. Then a class 1 notice of intent to circulate a petition for incorporation is published. A petition which designates a representative of the petitioners as well as an alternate representative is then circulated for signatures. After enough signatures are gathered, the petition must be filed with the circuit court along with proof of the class 1 publication. The circuit court then conducts a hearing. If the court determines the map, legal description, population, and area standards are met, the petition is referred to the Municipal Boundary Review Section of the Wisconsin Department of Administration (DOA) for analysis of the proposed incorporation.

The DOA is required to determine whether the proposed incorporation meets certain standards. These standards include the following:

- Characteristics of the Territory
- Territory Beyond the Core
- Tax Revenue
- Level of Services
- Impact on the Remainder of the Town
- Impact on the Metropolitan Community

If the DOA approves the incorporation petition, there would be a referendum in the area to be incorporated to determine whether the incorporation is approved by the voters.

What area is being considered for incorporation?

The area of the Town proposed for incorporation is located west of Clayton Avenue and east of Oakwood Avenue, extending from Winnegamie Drive south to Breezewood Lane, and including the Larsen Road and CTR "II" corridor extended to include the Larsen area of the Town.

Why is only a portion of the Town, rather than the entire Town included in the proposed area for incorporation?

While the entire Town is well served with fire, EMR, Public Works services, Parks and Recreation, and other urban services, the area being considered for Incorporation is or soon will be served with sewer and water utility service as well. The remnant Town, primarily west of Oakwood Avenue, is generally agricultural in nature, and the Town's long-range land-use plan calls for these lands to remain agricultural for many years. Criteria for incorporation requires the lands in the town territory subject to the incorporation already be developed or will be developed to urban densities within the near future. Since, by plan, the remnant Town territory will not meet these criteria, they were not included as part of the proposed incorporation area.

What would happen to the remnant Town of Clayton?

First and foremost, the Town Board is committed to making sure that all of the current services enjoyed by the Town will continue to be provided to the Town's citizens at a cost similar to what the tax payers have historically paid.

There are two options for the remnant Town.

1. **Consolidation:** A provision in the Wisconsin Statutes allows a Village to consolidate with an adjacent Town. The conditions under which this is possible require the Village to provide full urban services and for there to be boundary agreements in place with bordering municipalities. The Town is in current discussions to negotiate agreements. If the Town is able to secure the boundary agreements, the plan would be to immediately move to consolidate and unify the remnant Town with the new Village once formed.
2. **Service Agreements:** If the new Village is unable to consolidate with the remnant Town, the Village, as part of the incorporation process will enter into a permanent service agreement to ensure that the current town services are continued. The Village would subsidize part of the cost of services through a division of assets and liabilities, as required under the Wisconsin Statutes. The agreement would address fire, EMR, highway, parks, town government needs (e.g. use of the current Town Hall and all other current Town buildings and grounds) as well as all other current Town services.

Will my taxes increase because of incorporation?

Taxes will not increase because of incorporation. Tax rates are established based upon the service level requested by the Town residents, and the assessed valuation of the Town. The Town presently maintains a service level necessary for incorporation; hence, no additional services will be required because of incorporation.

Would the new Village be required to provide additional services such as a library, a swimming pool, etc.?

The Town of Clayton already maintains a service level necessary for incorporation. In addition, the Board has given approval to research and create a full-time law enforcement function to start with the CY 2019.

If the Town incorporates into a village will my mailing address change?

Upon incorporation there would be no change to any mailing addresses—all residents and businesses would maintain their current Larsen 54947, Neenah 54956, Appleton 54914, or Appleton 54915 mailing addresses. In the future, the new Village could review options of changing mailing addresses, if desired. However, the United States Post Office prefers to not change mailing addresses due to the incorporation.

Will incorporation change the school district boundaries?

The current school district boundaries would remain in place with no changes due to incorporation.

How will the new Village be named?

The petitioners have selected the name Larsen as the name for the proposed new village. If the residents of the newly incorporated village do not like the name, it can be changed. The petitioners for incorporation have stated that while they selected and prefer the name the "Village of Larsen" they are open to other options.

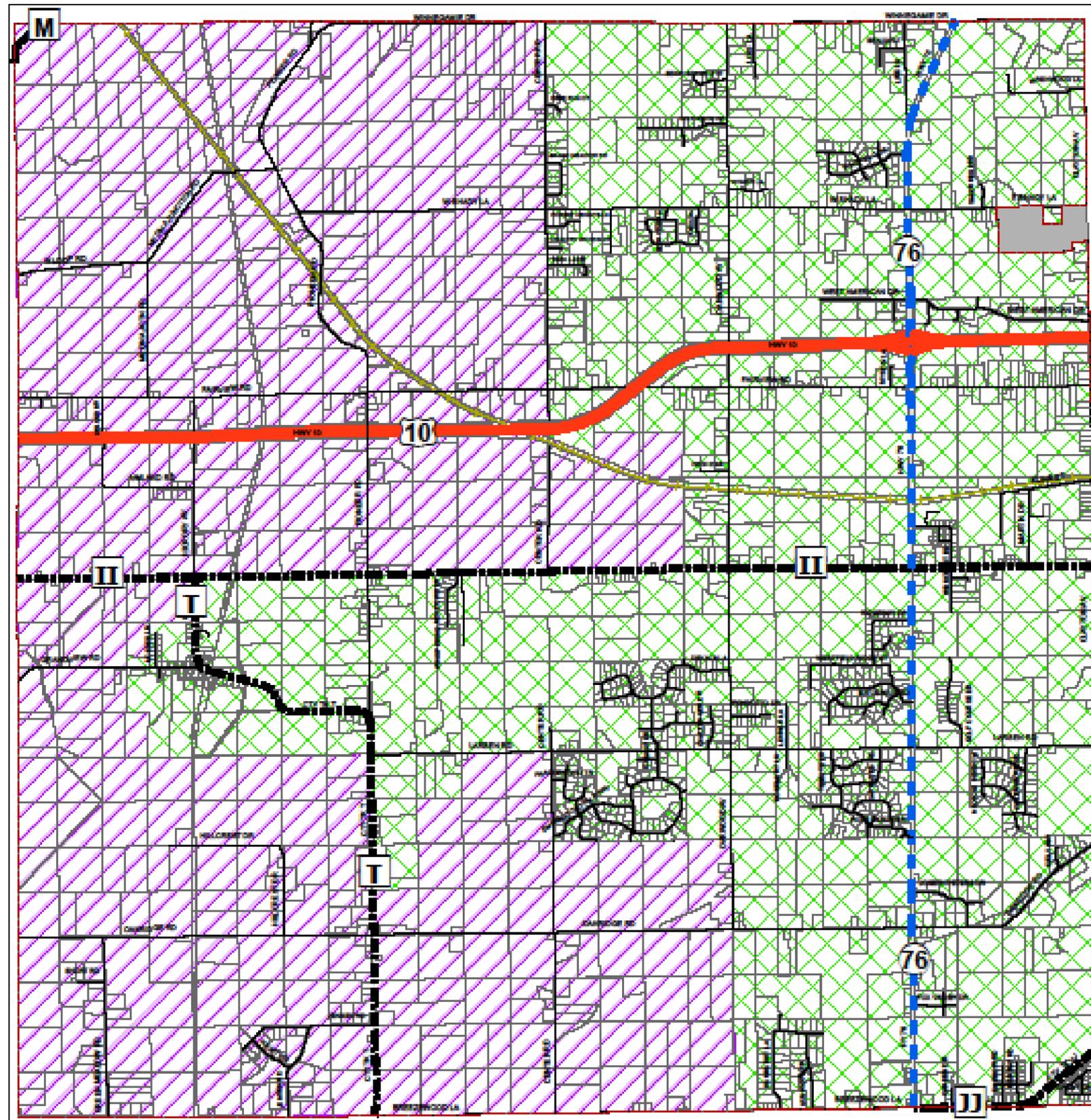
What are the next steps?

The Town Board is working to schedule Public Information Sessions to listen to residents' concerns, answer any questions, and generally invite comments from all residents. At this time, the Town Board is gathering information pertinent to making informed decisions in regard to what is in the best interest of the entire community.

Where can I find additional information regarding incorporation?

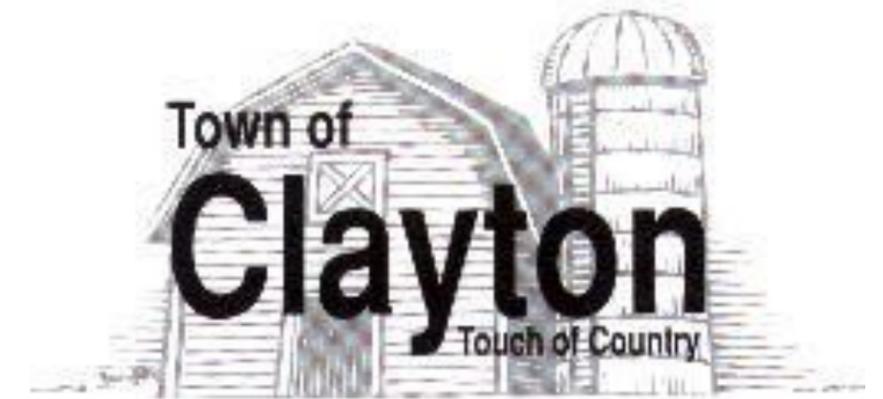
The Town of Clayton website will be updated with a compilation of information as it becomes available. Office staff is also available to address questions and concerns. Contact information is listed below.

Town of Clayton Website: www.townofclayton.net
Phone: (920) 836-2007
Email: tocclerk@new.rr.com



Map Features		Municipal Areas	
	Parcel Line		Town of Clayton
	Railroad Centerline		Village of Clayton
	Local Road		Village of Fox Crossing
	County Road		
	State Highway		
	Federal Highway		

Incorporation of a portion of the



Frequently Asked Questions