

TOWN OF CLAYTON

Board of Supervisors

Meeting Minutes

7:00 p.m. on Wednesday, January 16th, 2019

Town Meeting Room, 8348 County Road T, Larsen, WI 54947

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 Schmidt	PRESENT
Supervisor Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Asst Admin/Treasurer Straw	PRESENT
Clerk Stevens	PRESENT
Town Engineer – Mary Jo Miller	EXCUSED
Town Planner – Ken Jaworski	PRESENT
Town Attorney – Ben Lafrombois	PRESENT

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

- A. No Public Hearings and/or Public Information Meetings.

III. Approval of Minutes:

- A. Approval of the Minutes of the Wednesday, January 2nd, 2019 Town Board Meeting

MOTION:

Motion by unanimous consent to approve the minutes from the Wednesday, January 2nd, 2019 Town Board Meeting.

IV. Open Forum:

- A. Please complete the “Request to Speak at Meeting” form located on the agenda/sign-in table and submit the form to the Town Clerk. Pursuant to Wisconsin Statutes 19.32 (2) and 19.84(2), Town Related matters not on the Agenda may be presented; however, only limited discussion may occur and no action may be taken until specific notice of the subject matter of the proposed action can be given.

1. Art Rathjen, Greater Oshkosh Economic Development Corp., presented the Board with information regarding the Winnebago Catch a Ride program
2. Art Rathjen, Greater Oshkosh Economic Development Corp., invited the Board and Staff to participate in an Economic Development 101 Seminar which will be

at the Oshkosh Convention Center near the end of February or beginning of March.

V. Correspondence:

A. No Correspondence

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

A. County Supervisor Report

- NO REPORT

B. Winnebago County Sheriff's Department – Public Concerns and Issues

- Deputy Belonger was in attendance—No concerns or issues

C. Clayton Combined Protective Services Department (First Meeting of the Month)

a. Clayton Fire Rescue Department

- Chief Rieckmann provided a written report:
 - 6 calls year to date of which 5 were EMR and 1 was Fire
 - 6 members signed up for Officer I Class which CFR is hosting
 - Cleaned out storage/pump room and created an office for Chief Rieckmann
 - Blood Mobile coming Tuesday, March 5, 2019

b. Clayton Fire Rescue First Responder

- NO REPORT

c. Clayton Police Officer

- NO REPORT

D. Larsen-Winchester Sanitary District

- NO REPORT

E. Administrative Comments

- Planner, Ken Jaworski provided a summary on behalf of Engineer Miller
 - Work on Regional Stormwater Pond continues
 - Working on the design of the Larsen Road Reconstruction Project
 - Highland Wood Development is ongoing
 - M & E assisted with wetland delineations on 5 properties this past year
 - Submitted a request to the Army Corps of Engineers for wetlands near STH 76 and USH 10 with a request that the wetlands be designated as non-federal
 - Continuing work with Plan Commission regarding signs and short-term lodging codes
- Administrator Johnston
 - Reported staff is resolving some IT issues which have arisen
 - Staff has completed a Population Data Report for the Incorporation process and has provided it to the Town's Incorporation Counsel and the Town's Consultant
- Chair Geise
 - Attended an ECWRPC Meeting with Attorney Lafrombois and clarified inaccurate statements which had been made by other communities

- Met with Attorney Riffle regarding the Annexation Lawsuit and the Incorporation process
- Administrator Johnston added that the Board needs to realize the Annexation Lawsuit is likely to advance to the Appellate Court, and possibly the State Supreme Court for resolution

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Hannah Schwandt
- ii. Clinton Wagner

B. Renewal Licenses:

- i. No Renewal Licenses Issued

VIII. Business referred by the Plan Commission:

Town Board receipt, review, and consideration of Plan Commission Referrals (Second Town Board Meeting of the Month):

A. Plan Commission recommendation to the Town Board on a Re-zoning Application submitted by the Town of Clayton, 8348 CTR T, Larsen, for property located on the south side of USH 10 between Clayton Avenue and STH 76 and specifically described as Tax ID# 006-0339 and a portion of Tax ID# 006-0339-01, located in Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from I-1 (Light Industrial District) to B-3 (General Business District).

- Plan Commission Chairman Knapinski reported the requisite Public Hearing was held and the Plan Commission received and addressed comments regarding the re-zoning
- Plan Commission recommends approval of the Re-zoning to the Town Board
- Item to be addressed later in the Town Board Meeting

B. Plan Commission recommendation to the Town Board on a Certified Survey Map (CSM) Application submitted by the Town of Clayton, 8348 CTR T, Larsen, for property located on the south side of USH 10 between Clayton Avenue and STH 76 and specifically described as Tax ID# 006-0338-05, Tax ID# 006-0339 and Tax ID# 006-0339-01, located in Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Chair Knapinski explained that the CSM directly relates to the Re-zoning in item A.
- Plan Commission determined the CSM was in order and complete
- Plan Commission recommends approval of the CSM to the Town Board with Staff recommendations

MOTION:

Motion by unanimous consent to approve the CSM as submitted by the Town of Clayton with Staff Recommendations

- C. Plan Commission recommendation to the Town Board on a Condition Use Application (CUP) for a Home Occupation Major submitted by B. Troy Ribble, 23532 CTR “JJ”, Chilton, WI 53014 for property located at 9618 Lind Lane, Neenah, WI 54956: specifically described as Tax ID# 006-0006, located in Section 1, Town 20 North, range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Chairman Knapinski reported the requisite Public Hearing was held and the Plan Commission received and addressed comments regarding the CUP
- Discussion included the type of traffic which will result and how it will affect Lind Lane, as well as hours of operation
- Plan Commission recommends approval of the CUP to the Town Board with Staff and Commission recommendations

MOTION:

Motion by unanimous consent to approve the CUP as submitted by B. Troy Ribble with Staff Recommendations

- D. Plan Commission recommendation to the Town Board on direction to staff relative to proposed Amendments to the Town’s Zoning Code of Ordinances relating to Short Term Lodging Rentals.

- Plan Commission Chair Knapinski explained that WI Act 59 permits Short Term Lodging Rentals, and also gives municipalities the authority to permit the activity
- The Plan Commission will be working with Planner Jaworski to develop the Town’s Zoning Code of Ordinances to address the activity

NO ACTION TAKEN

- E. Plan Commission recommendation to the Town Board on direction to staff relative to proposed Amendments to the Town’s Zoning Code of Ordinances relating to Signs

- Plan Commission Chair Knapinski explained that the Commission is reviewing the existing sign ordinance as a proactive activity in anticipation of the development of the USH 10 corridor
- The Plan Commission will be working with Planner Jaworski to develop the Town’s Zoning Code of Ordinances to address the sign ordinance

NO ACTION TAKEN

- IX. Business referred by the Green Space Committee:

Town Board receipt, review, and consideration of Green Space Committee Referrals (Second Town Board Meeting of the Month):

A. No Referrals – The January 9th, 2019 Green Space Committee Meeting was Cancelled

X. Business:

A. Discussion/Action: Town Board review and consideration of Ordinance 2019-001 approving a Re-zoning application submitted by the Town of Clayton, 8348 CTR T, Larsen, for property located on the south side of USH 10 between Clayton Avenue and STH 76 and specifically described as Tax ID# 006-0339 and a portion of Tax ID# 006-0339-01, located in Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from I-1 (Light Industrial District) to B-3 (General Business District).

The Board reviewed a copy of Ordinance 2019-001 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map. The application submitted by the Town of Clayton, 8348 CTR T, Larsen, is for property located on the south side of USH 10 between Clayton Avenue and STH 76 and specifically described as Tax ID# 006-0339 and a portion of Tax ID# 006-0339-01, located in Section 12, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The application is to re-zone the property from I-1 (Light Industrial District) to B-3 (General Business District).

MOTION:

Motion by Supervisor Schmidt

Second by Supervisor Grundman

Motion to approve Ordinance 2019-001 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map, re-zoning property located on the south side of USH 10 between Clayton Avenue and STH 76 and specifically described as Tax ID# 006-0339 and a portion of Tax ID# 006-0339-01, re-zoning the property from I-1 (Light Industrial District) to B-3 (General Business District).

ROLL CALL VOTE:

Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Schmidt	Aye

Motion carried with a vote of 5-0

B. Discussion/Action: Town Board review of the January Settlement Report for CY 2018 Taxes Payable in 2018/19.

- Chair Geise noted the Town of Clayton only receives approximately 14¢ of each dollar collected in taxes.

NO ACTION TAKEN

C. Discussion/Action: Town Board review of the December, 2018 Tax Payment Refund Report for CY 2018 Taxes Payable in 2018/19.

- The Board reviewed the refund report

NO ACTION TAKEN

D. Discussion/Action: Town Board review and consideration of Resolution 2019-001 A Resolution Forwarding to the Plan Commission the authorization to create and make a recommendation on a project plan for Tax Increment Finance District #1 (TID) for the development of Sanitary District #1 in the Town of Clayton.

The Board reviewed a copy of Resolution 2019-001 A Resolution Forwarding to the Plan Commission the authorization to create and make a recommendation on a project plan for Tax Increment Finance District #1 (TID) for the development of Sanitary District #1 in the Town of Clayton. The Board also reviewed a copy of a preliminary TID Boundary Map and the relating TID property list. Town Staff is workin to creat a TID that will allow the Town to develp the Town’s Sanitary District #1 while at the same time fostering athe continued use of the farmland in the center and on the east side of Town.

- Consultant Gary Becker provided a presentation regarding the preliminary TID project
- Mr. Becker reviewed the different Statutory requirements for Towns developing TIDs versus Villages or Cities developing TIDs.
- Towns may create TIDs which relate to Agriculture, Forestry, or Tourism
- Villages and Cities may create TIDs for Industry, Mixed Use Districts, Neighborhood Construction projects, and others
- Mr. Becker noted that the Town of Clayton has met the \$500,000,000.00 Assessment Value which results in the Town being able to develop a TID with the same requirements as a Village or City
- Staff advised that Board that the proposed Resolution contains a typographical error and correction of the referenced Statute will be made

MOTION:

Motion by Supervisor Reif

Second by Supervisor Grundman

Motion to approve Resolution 2019-001 A Resolution Forwarding to the Plan Commission the authorization to create and make a recommendation on a project plan for Tax Increment Finance District #1 (TID) for the development of Sanitary District #1 in the Town of Clayton with the Statutory reference corrected.

ROLL CALL VOTE:

Supervisor Schmidt	Aye
Supervisor Grundman	Aye

Supervisor Lettau	Aye
Supervisor Reif	Aye
Chair Geise	Aye

Motion carried with a vote of 5-0

- XI. Review of Disbursements
- XII. Review of General Fund Budget Update (Second Town Board Meeting of the month)
- XIII. Upcoming Meeting Attendance: NONE
- XIV. Board Member Requests for Future Agenda Items: NONE
- XV. Adjournment

MOTION:

Motion made by unanimous consent to adjourn at 7:55 p.m.

Respectfully submitted,
Holly Stevens, Clerk