

TOWN OF CLAYTON

Board of Supervisors

Meeting Minutes

7:00 p.m. on Wednesday, June 17, 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 PRESENT

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, June 3, 2020 Town Board Meeting.

**MOTION:**

Motion by unanimous consent to approve the minutes from the Wednesday, June 3, 2020 Town Board Meeting.

IV. Open Forum – Town-related Matters not on the Agenda: NONE

V. Correspondence: NONE

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. Clayton Fire Rescue Department

b. Emergency Management Activity Report

c. Clayton Police Department Larsen/Winchester Sanitary District—No Report

D. Larsen/Winchester Sanitary District Report—No Report

E. Administration Comments

- Engineer’s Report—Mary Jo Miller, M & E
  - Winncrest and Towne Court road work complete. Final pay request will come to the Board at the next meeting
  - Preparing Bid Documents to pulverize and pave 1 mile of Larsen Road
- Administrator Straw
  - Continued working with consultant Bill Forrest to finalize the Incorporation Submission for tentative July 1, 2020 submittal
  - Updating Capital Construction Plan
  - Meeting with McMahon to finalize PSC submission
- Clerk Stevens
  - August 11, 2020 Partisan Primary Election preparation. Almost 600 absentee ballots to be mailed by the 25<sup>th</sup> of June.
- Chair Geise
  - Joint Public Hearing with the Town of Neenah for the Border Agreement scheduled for July 13, 2020 at the Town of Neenah
  - Preapplication meeting with the PSC revealed an issue with the Village of Fox Crossing Border Agreement relating to charges for meters. Should be a relatively simple amendment to correct.
  - Planning to submit application to PSC beginning of July – PSC then has 6 months to make a determination. Once approved, construction can begin—possibly late fall, but realistically early 2021.
  - Working with Dennis Jochman on an Offer to Purchase for the remaining 108 acres of Town owned land. Offer is for about \$60k per acre for a total of \$6.5 million which will satisfy much of the Town’s current debt with the exception of the recent borrowing to pay the Village of Fox Crossing.

VII. Operator Licenses Issued by the Town Clerk:

A. New:

- i. Julia Smith
- ii. Amber Farrow
- iii. Mackenzie Blythe
- iv. Kristen Maes
- v. Jady Lutz
- vi. Gianna Gallucci
- vii. Nicole Van Wyk
- viii. Kaitlin Herman

B. Renewal:

- i. Cheryl Klotz
- ii. Shaina Carlson
- iii. David Cheslock
- iv. Alexandria Hueller

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

The following parties have a renewal 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. Micki D's, LLC (dba The ReMixx), 8386 State Rd 76, Suite B, Neenah, WI 54956  
Agent: Michelle A. Baumann

- Administrator Straw reported that the ReMixx is not compliant with the remodeling work they performed and have not been fully inspected.
- Administrator Straw said Ms. Baumann has been informed that she will not receive her liquor license until the work has been completed and inspected.
- Chair Geise suggested the Board approve the liquor license application contingent upon compliance with all building code requirements and inspections as well as compliance with State Statutes and Municipal Ordinances
- Administrator Straw noted that if the Board approves the license, she will not release it until compliance is verified.

**MOTION:**

Motion by unanimous consent to approve the renewal application submitted by Micki D's, LLC (dba The ReMixx), 8386 State Rd 76, Suite B, Neenah, WI 54956, Agent: Michelle A. Baumann, for a Class "B" license to sell fermented malt beverages, and a "Class B" license to sell intoxicating liquors for the licensing period of July 1, 2020 through June 30, 2021 contingent upon compliance with all building code requirements and inspections, as well as compliance with State Statutes and Municipal Ordinances

VIII. Business referred by the Plan Commission:

- A. Plan Commission review and recommendation on a Re-zoning Application from A-2 (General Agricultural) to R-1 (Rural Residential) submitted by Richard and Judy Christianson, PO Box 56, Larsen, WI 54947 for property located south of Grandview Road and specifically described as part of Tax ID # 006-0519-03 located in the Northeast ¼ of the Southeast ¼ and the Northwest ¼ of the Southeast ¼ of Section 19, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.
- Administrator Straw reported that the Plan Commission recommended to the Town Board approval of the application for rezoning from A-2 (General Agricultural) to R-1 (Rural Residential) submitted by Richard and Judy Christianson, PO Box 56, Larsen, WI 54947 for property located south of Grandview Road and specifically described as part of Tax ID # 006-0519-03 with staff recommendations.
  - Chair Geise noted the item is on the agenda later in the meeting.
- B. Plan Commission review and recommendation on a Certified Survey Map (CSM) Application submitted by Richard and Judy Christianson, PO Box 56, Larsen, WI 54947 and Lyle and Doris Schwartz, 4611 Grandview Road, Larsen, WI 54947 for property located south of Grandview Road and specifically described all of Tax ID # 006-0519-02 and part of Tax ID # 006-0519-03 located in the Northeast ¼ of the Southeast ¼ and the Northwest ¼ of the Southeast ¼ of Section 19, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Administrator Straw reported that the Plan Commission recommended to the Town Board approval of the Certified Survey Map (CSM) Application submitted by Richard and Judy Christianson, PO Box 56, Larsen, WI 54947 and Lyle and Doris Schwartz, 4611 Grandview Road, Larsen, WI 54947 for property located south of Grandview Road and specifically described all of Tax ID # 006-0519-02 and part of Tax ID # 006-0519-03 with staff recommendations

**MOTION:**

Motion by unanimous consent to approve the Certified Survey Map Application submitted by Richard and Judy Christianson, PO Box 56, Larsen, WI 54947 and Lyle and Doris Schwartz, 4611 Grandview Road, Larsen, WI 54947 for property located south of Grandview Road and specifically described all of Tax ID # 006-0519-02 and part of Tax ID # 006-0519-03 with staff recommendations

- C. Plan Commission review and recommendation on a Re-zoning Application from A-2 (General Agricultural) to B-1 (Local Service Business) submitted by Big Ring Property LLC, et al, 14 Lawrence Court, Appleton, WI 54911, 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.
- Administrator Straw reported that the Plan Commission recommended to the Town Board approval of the Application for Re-zoning from A-2 (General Agricultural) to B-1 (Local Service Business) submitted by Big Ring Property LLC, et al, 14 Lawrence Court, Appleton, WI 54911, for property located on Lind Lane specifically described as part of Tax ID #006-0006-10 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 Big Ring Property LLC, et al, 14 Lawrence Court, Appleton, WI 54911, 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.
- Administrator Straw reported that the Plan Commission recommended to the Town Board approval of the Certified Survey Map (CSM) Application submitted by Big Ring Property LLC, et al, 14 Lawrence Court, Appleton, WI 54911, for property located on Lind Lane specifically described as part of Tax ID #006-0006-10 with staff recommendations

**MOTION:**

Motion by unanimous consent to approve the Certified Survey Map Application submitted by Big Ring Property LLC, et al, 14 Lawrence Court, Appleton, WI 54911, for property located on Lind Lane specifically described as part of Tax ID #006-0006-10 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 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.
- Chair Geise noted the item was tabled by the Plan Commission due to non-compliance issues with overlying jurisdictions
- F. 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.
- Chair Geise noted the item was tabled by the Plan Commission due to non-compliance issues with overlying jurisdictions
- G. Plan Commission review and recommendation on a Certified Survey Map (CSM) submitted by Jeffrey W. and Wendy A. Eiden, 3430 Dekalb Lane, Neenah, WI 54956 for property located on Dekalb Lane specifically described as Tax ID # 006-1566 and Tax ID # 006-1567 located in part of the Northwest ¼ of the Southeast ¼ of Section 22, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.
- Administrator Straw reported the Plan Commission recommended approval of Certified Survey Map (CSM) submitted by Jeffrey W. and Wendy A. Eiden, 3430 Dekalb Lane, Neenah, WI 54956 for property located on Dekalb Lane specifically described as Tax ID # 006-1566 and Tax ID # 006-1567 with staff recommendations

**MOTION:**

Motion by unanimous consent to approve the Certified Survey Map submitted by Jeffrey W. and Wendy A. Eiden, 3430 Dekalb Lane, Neenah, WI 54956 for property located on Dekalb Lane specifically described as Tax ID # 006-1566 and Tax ID # 006-1567 with staff recommendations

- H. Plan Commission review and direction to staff regarding the amending of the Town of Clayton Chapter 9, Section 9.11, Access Control Ordinance.
- Administrator Straw reported the Commission directed staff to draft an amended ordinance for their review at their next meeting
- I. 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 – date of planned replacements.

- Administrator Straw reported Committee Chair Prusik is assisting her to contact the vendor who supplied the surface materials to remedy the issues they are experiencing.
- 2. Larsen-Winchester Lions Club Legacy Project at Trailhead Park update.
- Administrator Straw reported the Department of Public Works will be working on the drainage in the park later in the season and the project will progress from there.

II. Business:

- A. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-Z002 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Richard and Judy Christianson Rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District).

The Board reviewed Ordinance 2020-Z002 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Richard and Judy Christianson Rezoning from A-2 (General Agricultural District) to R-1 (Rural Residential District). The re-zoning applies to a 1-acre parcel on the north end of the property that will be removed from the parent parcel and added to an existing parcel that is zoned R-1. The zoning is consistent with the existing land use and the future land use.

**MOTION:**

**Motion by** Supervisor Grundman

**Second by** Supervisor Wisnefske

**Motion to** approve Ordinance 2020-Z002 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Richard and Judy Christianson 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.

**ROLL CALL VOTE:**

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

**Motion carried** by a vote of 5-0

- B. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-Z003 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Big Ring Property LLC Rezoning from A-2 (General Agricultural District) to B-1 (Local Service Business).

The Board reviewed Ordinance 2020-Z003 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Big Ring Property LLC Rezoning from A-2 (General Agricultural District) to B-1 (Local Service Business). The re-zoning applies to a 3-acre parcel on the South end of the parent parcel. The zoning is consistent with the existing land use and the future land use.

**MOTION:**

**Motion by** Supervisor Reif

**Second by** Supervisor Lettau

**Motion to** approve Ordinance 2020-Z003 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for Big Ring Property LLC Rezoning from A-2 (General Agricultural District) to B-1 (Local Service Business) and direct staff to submit to Winnebago County and publish the Ordinance as required.

**ROLL CALL VOTE:**

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

**Motion carried** by a vote of 5-0

- C. Discussion/Action: Town Board review and consideration of an offer to purchase Tax Parcel 006-0329 (16.67 acres).

The Board reviewed Offer to Purchase from Premier Real Estate Management LLC for the Town owned property located north of STH 10 and west of Clayton Avenue and identified as Tax Parcel 006-0329. The Offer to Purchase is for \$360,000. The Town purchased this parcel along with two other parcels for a total of 77 acres for \$2,000,000 in CY 2017.

The developer is offering to purchase this property based on the number of apartment units (96) proposed in the development of this property. The total proposed development at full build-out is valued at approximately \$10,080,000. The developer is anticipating full build-out within 2 to 3 years.

The Developer is requesting TIF incentives of 50% of the revenue generated from the development of this property for 10 years. The Town will be collecting the full value of TIF revenue for the remainder of the TID (additional 17 years). It was noted that TIF incentives are common when trying to encourage development. In order for the Town to attract the type of development the Plan Commission and the Town Board envisioned for the area, the TIF incentives will become part of many offers to purchase within the HWY 10 corridor. Administrator Straw recommended the Board accept the Offer to Purchase as presented.

- Chair Geise stated he was very excited about the Offer to Purchase. He explained the TIF incentive included in the offer is to the construction so it will encourage the buyer to begin the construction process as quickly as possible. He said the developer has also

agreed, as part of the offer, to construct the utility infrastructure within the development at their own cost, which accounts for the lower price per acre, but also saves the Town the cost of that construction as well as the need to borrow the funds to complete the construction of infrastructure.

- Supervisor Reif noted the price per acre seems low. Chair Geise again noted the developer will be constructing the utility infrastructure, so the price per acre is less due to the expense the developer is facing.
- Supervisor Reif asked what guarantee the Town has that the construction will be completed. Chair Geise explained the TIF incentives have a 10-year expiration and are tied to the assessed value of the property both of which will compel the developer to move quickly.
- Supervisor Reif inquired about the use of the incentive taking funding from the Town which should be used to pay for the debt incurred for engineering and planning related to the TID
- Administrator Straw said there will be other development increment which will be used to pay the debt
- Chair Geise noted the offer is for property which is not the prime corridor property. He said the developer's first choice was in the Village of Fox Crossing, specifically the land the Village annexed from the Town, but Dennis Jochman convinced them to make an offer for this property.
- Attorney Lafrombois noted the developer will be paying for the water and sewer infrastructure which they will construct to the Town's specifications which is offset by the lower price-per-acre.
- Dennis Jochman, Bechard Group, explained the developer has over 4000 rental units in the State which are quality apartments. He said the units in Fox Crossing near the corner of Jacobsen and Clayton Ave are owned by the same developer. He said they are an example of the type of units they intend to build in Clayton.
- Mr. Jochman also noted the TIF incentives not only have a 10-year limit, they also have a total value capped at \$1 million. He said their intent is to build 48 units in 2021 and 48 units in 2022.
- Chair Geise noted that Clayton does not have any rental properties like this and with the advent of the new school just a few years out, this type of development is important for the Town. He also noted that development spurs development so when construction begins, more will follow.

**MOTION:**

**Motion by** Supervisor Grundman

**Second by** Supervisor Wisnepske

**Motion to** accept the Offer to Purchase the Town owned property identified as Tax Parcel 006-0329 as presented and to authorize the Town Chair to sign the requisite documents.

**Motion carried** by unanimous voice vote

- D. Discussion/Action: Town Board review and consideration of the request from the Building Inspector to add the remainder of the approved wage adjustment to his salary as of July 2<sup>nd</sup>, 2020 payroll.

Administrator Straw reviewed that the Town Board approved a quarterly “bonus” of \$1,250.00 to the Building Inspector based on the service reports from the Towns of Winchester, Vinland, Winneconne, and Dale. On Wednesday, June 3, 2020, the Town Chair, the Town Vice-Chair, the Administrator, and the Building Inspector met. At that time, the Building Inspector requested that the remainder of the wage adjustment be added to his salary. The Town has not received any negative comments from the Towns that are served and the additional work load has not affected the service level at which the Building Inspector performs. Administrator Straw recommended the Board authorize the addition of the remainder of the wage adjustment to the Building Inspector’s salary effective with the July 2, 2020 payroll.

- Chair Geise noted that the Building Inspector has been performing well and he agrees that the rest of the wage increase could be added to his salary.
- Supervisor Lettau noted there had been some discussion of hiring a second building inspector. She asked if that is still needed.
- Chair Geise explained the discussion was the result of conversations which indicated the possibility of Mr. Spierowski leaving the Town and having a back-up in place if that occurred. He noted at this point, a second inspector is not needed, but as we grow it will be necessary.

**MOTION:**

Motion by unanimous consent to approve adding the remainder of the approved wage adjustment to the Building Inspector’s salary as of the July 2<sup>nd</sup>, 2020 payroll.

- E. Discussion/Action: Town Board review and consideration of the Town of Clayton Resolution 2020-007 A Resolution to Authorize a Taxation District to Waive Interest on Property Tax Payment Installments Due on or After April 1, 2020.

The Board reviewed Resolution 2020-007 A Resolution to Authorize a Taxation District to Waive Interest on Property Tax Payment Installments Due on or After April 1, 2020. On April 16, 2020, Act 185 was signed into law by Governor Evers in response to the Covid-19 Pandemic. The Administration provided a copy of the portion of this act that refers to waiving of interest/penalties on installment payments due/payable after April 1, 2020 to October 1, 2020. On May 19, 2020, Winnebago County passed a Resolution to Authorize a Taxation District to Waive Interest on Property Tax Payment Installments due on or after April 1, 2020. The County will not be collecting interest on the second installment payments of the CY 2019 Real Property Taxes and will be extending the second installment due date from July 31, 2020 to October 1, 2020.

Administrator Straw noted that by passing Resolution 2020-007, the Town would not be collecting interest on CY 2019 Personal Property Taxes payable in CY 2019/20. It would also extend the second installment due date of CY 2019 Personal Property Taxes from July 31, 2020 to October 1, 2020.

**MOTION:**

**Motion by** Supervisor Grundman  
**Second by** Supervisor Wisnefske

**Motion to** approve Resolution 2020-007 A Resolution to Authorize a Taxation District to Waive Interest on Property Tax Payment Installments Due on or After April 1, 2020.

**ROLL CALL VOTE:**

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

**Motion carried** by a vote of 5-0

- F. Discussion/Action: Town Board review and consideration of the Town of Clayton Ordinance 2020-009 An Ordinance Repealing A General Ordinance of the Town of Clayton Creating Section 9.1 of the Municipal Code Pertaining to Hotel and Motel Room Tax and Creating Section 9.1 of the Municipal Code Relating to Hotel and Motel Room Tax.

The Board reviewed Ordinance 2020-009 An Ordinance Repealing A General Ordinance of the Town of Clayton Creating Section 9.1 of the Municipal Code Pertaining to Hotel and Motel Room Tax and Creating Section 9.1 of the Municipal Code Relating to Hotel and Motel Room Tax. The Town is now receiving room tax payments on the short-term rental homes within the Town of Clayton. After reviewing the Town’s original Ordinance, the staff found the Ordinance to be outdated, as the PAC Bonds have been paid off for several years. The Administration and the Town Attorney have reviewed the Ordinance and agree the updates to the Ordinance provide a clear understanding as to the distribution of the funds.

**MOTION:**

**Motion by** Supervisor Grundman

**Second by** Supervisor Wisnefske

**Motion to** approve Ordinance 2020-009 An Ordinance Repealing A General Ordinance of the Town of Clayton Creating Section 9.1 of the Municipal Code Pertaining to Hotel and Motel Room Tax and Creating Section 9.1 of the Municipal Code Relating to Hotel and Motel Room Tax and direct staff to publish the Ordinance as required.

**ROLL CALL VOTE:**

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

**Motion carried** by a vote of 5-0

- G. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-005 An Ordinance repealing Ordinance 16 § 3.7 and creating § 3.7 of the Town of Clayton Code of Ordinances Relating to Truck Traffic.

The Board reviewed Ordinance 2020-005 An Ordinance repealing Ordinance 16 § 3.7 and creating § 3.7 of the Town of Clayton Code of Ordinances Relating to Truck Traffic. This Ordinance was sent back to the Town’s Attorney in March, 2020 to address some concerns the Town Board had at that time. The Town’s Attorney has reviewed the Ordinance and has updated/corrected the Ordinance as directed by the Town Board.

- Supervisor Lettau stated she had received a complaint about truck traffic on Oakwood from Larsen Materials
- Administrator Straw said she cannot stop them if they are going to a job
- Supervisor Lettau said they were not going anywhere on Oakwood. She feels it would be better for them to go to STH 76 rather than drive on the Town roads
- Officer Zeinert explained there are no truck routes defined in Clayton

**MOTION:**

**Motion by** Supervisor Reif

**Second by** Supervisor Wisnefske

**Motion to** approve Ordinance 2020-005 An Ordinance repealing Ordinance 16 § 3.7 and creating § 3.7 of the Town of Clayton Code of Ordinances Relating to Truck Traffic and direct staff to publish the Ordinance as required.

**ROLL CALL VOTE:**

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

**Motion carried** by a vote of 5-0

- Karen Thorne, 8759 Clayton Ave, informed the Board that many trucks have been using Clayton Avenue, coming to and from Prospect. She said she recalled there being a restriction on Clayton Avenue when Long Trucking first went in.
- Officer Zeinert confirmed there are two “No Trucks” signs on Clayton Ave—just as you turn onto Clayton heading south from Prospect and just north of Long Trucking.
- Mrs. Thorne said the Long Trucking drivers are not using Clayton Ave—it is USF Holland Trucks, Dayton Trucks, and others
- Supervisor Reif noted there is a “No Trucks” sign on Pioneer Road also
- Officer Zeinert said she would confirm the signs are still in place and check out the situation

H. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-006 An Ordinance Repealing § 3.8 and Creating § 3.8 of the Town of Clayton Code of Ordinances Relating to Snowmobile Access.

The Board reviewed Ordinance 2020-006 An Ordinance Repealing § 3.8 and Creating § 3.8 of the Town of Clayton Code of Ordinances Relating to Snowmobile Access. This

Ordinance was sent back to the Town’s Attorney in March, 2020 to address some concerns the Town Board had at that time. The Town’s Attorney has reviewed the Ordinance and has updated/corrected the Ordinance as directed by the Town Board.

**MOTION:**

**Motion by** Supervisor Wisnefske

**Second by** Supervisor Lettau

**Motion to** approve Ordinance 2020-006 An Ordinance Repealing § 3.8 and Creating § 3.8 of the Town of Clayton Code of Ordinances Relating to Snowmobile Access and direct staff to publish the Ordinance as required.

**ROLL CALL VOTE:**

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

**Motion carried** by a vote of 5-0

- I. Discussion/Action: Town Board review and consideration of Town of Clayton Ordinance 2020-007 An Ordinance Repealing § 4.6 and Creating § 4.6 of the Town of Clayton Code of Ordinances Relating to the Keeping of Dogs.

The Board reviewed Ordinance 2020-007 An Ordinance Repealing § 4.6 and Creating § 4.6 of the Town of Clayton Code of Ordinances Relating to the Keeping of Dogs. The Ordinance was sent back to the Town’s Attorney in March, 2020 to address some concerns the Town Board had at that time. The Town’s Attorney has reviewed the Ordinance and has updated/corrected the Ordinance as directed by the Town Board.

- Chair Geise questioned why the Ordinance includes language allowing for the keeping of vicious dogs. He noted that it refers to dog fighting, which is illegal, and he did not understand why the Town would allow vicious dogs at all.
- Attorney Lafrombois explained the language allows for an aggressive approach to regulating dogs which become vicious. He said it has to do with property laws.
- Supervisor Grundman said she agreed with the Chair and does not think vicious dogs should not be allowed.
- Supervisor Wisnefske noted that many dogs are protective of their property and can present as vicious when all they are doing is defending their owner(s) or property.
- Attorney Lafrombois explained the Ordinance language is written to deal with those dogs which become vicious, for example, as they age. He said citizens have property rights and dogs are property. He noted the Town cannot immediately demand destruction of a dog—the ordinance puts a procedure and regulations in place which must be complied with. If noncompliant, then the animal can be ordered to be destroyed. He said it is based on State Statutes.

**MOTION:**

**Motion by** Supervisor Reif

**Second** by Supervisor Lettau

**Motion to** approve Ordinance 2020-007 An Ordinance Repealing § 4.6 and Creating § 4.6 of the Town of Clayton Code of Ordinances Relating to the Keeping of Dogs and direct staff to publish the Ordinance as required

**ROLL CALL VOTE:**

Supervisor Lettau	Aye
Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Grundman	No
Supervisor Wisnefske	Aye

**Motion carried** by a vote of 4-1

- J. Discussion/Action: Town Board review and consideration of awarding the contract for Codification Services.

The Board reviewed the proposals for Codification Services. Administrator Straw sent out RFPs to four companies, two of which replied.

Administrator Straw reviewed the proposals noting both companies had proposed the same services. She said she researched both companies for services within Wisconsin, and both companies have great reviews from the municipalities that utilize their services. Administrator Straw noted one point of interest which was General Code’s bid includes supplemental services for the first 2 years at no additional charge.

Administrator Straw recommended the contract be awarded to General Code for a project cost of \$11,304 with a start date of July 1, 2020. She noted the Town Board included \$20,000 in the CY 2020 budget for Codification.

- Attorney Lafrombois noted the project is a really good idea and he fully supports Board action to have this done.

**MOTION:**

**Motion by** unanimous consent to award the contract for Codification Services to General Code, 781 Elmgrove Road, Rochester, NY 14624 as presented and for a cost not to exceed \$20,000.

- IX. Review of Disbursements

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

- XI. Upcoming Meeting Attendance:

- July 13, 2020 Joint Public Hearing with the Town of Neenah (at Neenah) regarding Border Agreement—meeting details to be determined

- XII. Board Member Requests for Future Agenda Items

XIII. Adjournment

**MOTION:**

Motion made by unanimous consent to adjourn 8:35 p.m.

Respectfully submitted,  
Holly Stevens, Clerk