

DATE: 02/28/23

# R E S O L U T I O N

No. 006

To The Board of Supervisors of Winnebago County, Wisconsin:

## AMENDATORY ORDINANCE 02/006/23

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF CLAYTON in accordance with the petition of TOWN OF CLAYTON and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use Plan.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the TOWN OF CLAYTON, be and the same, are amended to provide that the attached described property be changed from the classification of **A-2 (General Agriculture District)** of said ordinance, which it now and heretofore had, to the zoned district of **I-1 (Light Industrial District)**.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby  **ADOPTED** OR  **DENIED**.

\_\_\_\_\_  
see attached  
County Board Supervisor  
(Town of Clayton )

PARCEL NO: **006-0328-03**; FROM **A-2** TO **I-1**

### COUNTY DISCLAIMER:

County Board approval does not include any responsibility for County liability for the legality or effectiveness of the Town Zoning Amendment or the Town Zoning Ordinance.

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
Jon Doemel

County Board Supervisory district **29 - Youngquist**



## Winnebago County

Zoning Department

*The Wave of the Future*

### MEMO FOR P & Z MEETING AGENDA OF FEBRUARY 3, 2023

TO: Planning & Zoning Committee

FM: Zoning Administrator *CA*

RE: Review of Town Zoning Change(s)

1. Paul & Jolene Moran - Town Zoning Change (Tax ID No(s): 006-0652-03-01 & 006-0652-03-02) – Town of Clayton.

The town zoning change for Paul & Jolene Moran is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agriculture District) to R-2 (Suburban Residential District) and Winnebago County's future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.** *TE, SZ 5-0 approved*

2. Bret Blickhahn - Town Zoning Change (Tax ID No(s) 006-0816-01-03 & 006-0816-01-02) – Town of Clayton.

The town zoning change for Bret Blickhahn is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agriculture District) to R-1 (Rural Residential District) and Winnebago County's future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.** *TE, MG 5-0 approved*

3. Kevin & Janna Fischer - Town Zoning Change (Tax ID No(s): 006-0279-01) – Town of Clayton.

The town zoning change for Kevin & Janna Fischer is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agriculture District) to R-1 (Rural Residential District) and Winnebago County's future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *MG, HM2 5-0 Approved*

4. Town of Clayton - Town Zoning Change (Tax ID No(s) 006-0328-03) – Town of Clayton.

The town zoning change for the Town of Clayton is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agriculture District) to I-1 (Light Industrial District) and Winnebago County's future land use plan shows future land use as Non-Residential.

**RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.** *MG, HM2 5-0 Approved*

5. Town of Clayton - Town Zoning Change (Tax ID No(s): 006-0340-02-01) – Town of Clayton.

The town zoning change for the Town of Clayton is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agriculture District) to I-1 (Light Industrial District) and Winnebago County's future land use plan shows future land use as Non-Residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *MG, HM2 5-0 Approved*

6. Cody Robel - Town Zoning Change (Tax ID No(s) 006-0034-01) – Town of Clayton.

The town zoning change for Cody Robel is consistent with Winnebago County's Future Land Use Plan. The Town of Clayton approved the zoning change from R-1 (Rural Residential District) and R-2 (Suburban Residential District) to R-1 (Rural Residential District) and Winnebago County's future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone changes to County Board for action.** *SZ, HM2 5-0 Approved*



016-0328-03  
A-2 to I-1, FLU: Non-Res

TOWN OF CLAYTON

ORDINANCE 2022-Z005

AN ORDINANCE TO AMEND THE OFFICIAL TOWN OF CLAYTON ZONING ORDINANCE MAP

WHEREAS, one or more applications for amendments to the Map of the Town of Clayton Zoning Code of Ordinances have been filed with the Town Clerk as described herein; and

WHEREAS, following the requisite Notices and Public Hearings the proposed amendments have been reviewed and recommended to the Town Board by the Town's Plan Commission; and

WHEREAS, the applications for amendments to the Map of the Town of Clayton Zoning Code of Ordinances does comply with both the Town's existing land use and future land use elements of the CY 2015/16 update to the Town's Comprehensive Plan; and

WHEREAS, all other procedural requirements have been met for purposes of consideration of the amendment(s) as provided in Section 7 of the Town of Clayton Zoning Code of Ordinances; and

NOW, THEREFORE BE IT ORDAINED THAT, the Town Board of the Town of Clayton, County of Winnebago, State of Wisconsin, pursuant to Article 7 of the Town of Clayton Zoning Code of Ordinances, hereby adopts the following Amendment(s) to the Map of the Town's Zoning Code of Ordinances:

**Section 1:** The Official Zoning Map of the Town of Clayton is amended as follows:

**Property Owner(s):**

Town of Clayton, 8348 County Road T, Larsen, WI 54947

**Legal description of property:**

For property specifically described as Lot 3 of Certified Survey Map 7917 being part of the Northwest 1/4 of the Southeast 1/4 of Section 12, Town 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

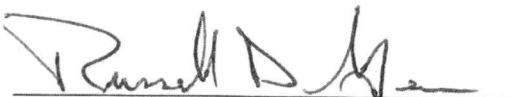
**The above-described property is hereby rezoned from:**

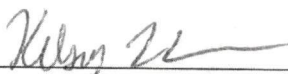
The application is to re-zone the property from A-2 (General Agriculture District) to I-1 (Light Industrial District).

**Section 2:** This Ordinance shall be submitted to the Winnebago County Board for approval. This amendment to the Town of Clayton Zoning Code of Ordinances shall be effective upon approval by the Winnebago County Board.

Adopted this 16<sup>th</sup> day of November, 2022

Vote: Yes: 5 No: 0 Abstain: 0 Absent: 0

  
Russell D. Geise, Chair

ATTEST:  
  
Kelsey Faust-Kubale, Town Clerk

# Town Board

## Roll Call Vote Tally

Meeting Date: November 16, 2022

Agenda Item: Town Board review and consideration of 2022-Z005 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning on Tax ID #006-0328-03 from A-2 (General Agriculture District) to I-1 (Light Industrial District).

Motion by: PC

Second by: LG

**MOTION:** Motion approve Ordinance 2022-Z005 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from A-2 (General Agriculture District) to I-1 (Light Industrial District) and direct staff to submit the Ordinance to Winnebago County and publish the Ordinance as required by law.

Supervisor Vote:	Aye	Nay	Abstain
① Chair Geise	<u>1</u>	<u>      </u>	<u>      </u>
② Supervisor Reif	<u>1</u>	<u>      </u>	<u>      </u>
③ Supervisor Lettau	<u>1</u>	<u>      </u>	<u>      </u>
④ Supervisor Grundman	<u>1</u>	<u>      </u>	<u>      </u>
⑤ Supervisor Christianson	<u>1</u>	<u>      </u>	<u>      </u>

TOWN OF CLAYTON  
Board of Supervisors  
Meeting Minutes  
Wednesday, November 16, 2022  
Immediately following the Town Board Closed Session  
Town Meeting Room, 8348 County Road T, Larsen, WI 54947

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I. Call to Order: Town Board Chair Geise called the meeting to order at 6:44 pm.

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 Reif PRESENT

Supervisor Christianson PRESENT

b. Staff

Administrator Wisnefske PRESENT

Clerk Faust-Kubale PRESENT

Treasurer Zolp PRESENT

Engineer Hamblin EXCUSED

Town Attorney LaFrombois PRESENT

II. Public Hearing(s) and/or Public Information Meeting(s): **NONE**

III. Approval of Minutes:

A. Approval of the Minutes of the Tuesday, November 1, 2022 Town Board Budget Workshop.

B. Approval of the Minutes of the Wednesday, November 2, 2022 Town Board Meeting.

**MOTION:**

**Motion made** by unanimous consent to approve the November 1, 2022 Town Board Budget Workshop; and Wednesday, November 2, 2022 Town Board Meeting Minutes as presented.

**Motion carried** by unanimous voice vote.

IV. Open Forum – Town-related matters not on the agenda: **NONE**

V. Correspondence:

A. Distribution of the October Building Inspection Report

- Chair Geise noted over \$4 million in new construction in the Town in the month of October.

B. Distribution of the September 29, 2022 Oshkosh Public Library Board Minutes.

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



- A. Winnebago County Sheriff's Department: Public Concerns and Issues: **NONE**
- B. Larsen/Winchester Sanitary District Report on October 2022 Activity
  - Supervisor Reif noted at the last meeting the billing for last quarter was discussed as several customers were overbilled. That has been corrected. Supervisor Reif also noted there has been no updates from the DNR.
- C. Administrator's Report on November 2022 Activity
  - Administrator Wisnefske noted no new updates.
  - Chair Geise reported he and the Town Broker met with a developer regarding a potential \$78 million development within the Town. Chair Geise reported that at present the Town is not ready to commit to the developer's needs for additional sewer and water installation.

VII. Business referred by the Plan Commission:

- A. Plan Commission review and recommendation on a Re-zoning Application submitted by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 for property owned by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 WI Tax ID #006-0328-03.
  - Plan Commission Chair Knapinski noted this change would be from A-2 to I-1 to accommodate a planned warehouse distribution center.
- B. Plan Commission review and recommendation on a Re-zoning Application submitted by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 for property owned by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 WI Tax ID #006-0340-02-01.
  - Chair Knapinski noted this change would be from A-2 to I-1 for potential development of a cast and die facility.
- C. Plan Commission review and recommendation on a Re-zoning Application submitted by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 for property owned by Town of Clayton, 8348 County Rd T, Larsen, WI 54947 WI Tax ID #006-0328-02.
  - Chair Knapinski noted this change would be from A-2 to R-4 for a proposed multi-family housing development.
- D. Plan Commission review and recommendation on a Certified Survey Map (CSM) Review Application submitted by Keith & Katherine Salm, for Tax ID #006-0615 and Tax ID #006-0615-01.
  - Chair Knapinski noted this CSM is proposing to correct current property lines that pass through the storage units constructed on the parcels. Chair Knapinski also noted that the Commissioners recommended approval of the CSM, but have also requested that the property be rezoned to also correct the dual zoning currently in place.

VIII. Business:

- A. Discussion/Action: Town Board review and consideration of Resolution 2022-020 A Resolution Adopting the CY 2022 Tax Levy payable in CY 2023 as set by the Wednesday, November 16, 2022 Special Meeting of the Town Electors, and Adopting the following Town CY 2023 Budgets as presented:

- i. CY 2023 General Fund Revenue and Expense Budgets.
- ii. CY 2023 Capital Projects Fund Revenue and Expense Budgets.
- iii. CY2023 Debt Service Fund Revenue and Expense Budgets.
- iv. CY 2023 Stormwater Management Utility Fund Revenue and Expense Budgets
- v. CY 2023 Solid Waste and Recycling Fund Revenue and Expense Budgets.
- vi. CY 2023 Tax Increment Finance District #1 Fund Revenue and Expense Budgets.
- vii. CY 2023 Clayton Sanitary District #1 Fund Revenue and Expense Budgets.

- Chair Geise noted at the Elector’s Meeting earlier in the night, the levy was approved.

**MOTION:**

**Motion by:** Supervisor Grundman

**Second by:** Supervisor Christianson

**Motion made** to approve Resolution 2022-020 A Resolution Adopting the CY 2022 Tax Levy payable in CY 2023 as set by the Wednesday, November 16, 2022 Special Meeting of the Town Electors, and Adopting the following Town CY 2023 Budgets as presented.

**ROLL CALL:**

Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Christianson	Aye
Supervisor Reif	Aye
Chair Geise	Aye

**Motion carried 5-0.**

- B. Discussion/Action: Town Board review and consideration of Ordinance 2022-Z005 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning on Tax ID #006-0328-03 from A-2 (General Agriculture District) to I-1 (Light Industrial District).

**MOTION:**

**Motion by:** Supervisor Grundman

**Second by:** Supervisor Christianson

**Motion made** to approve Ordinance 2022-Z005 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning on Tax ID #006-0328-03 from A-2 (General Agriculture District) to I-1 (Light Industrial District)



and direct Staff to submit the Ordinance to Winnebago County and publish the Ordinance as required by law.

**ROLL CALL:**

Chair Geise	Aye
Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Christianson	Aye

**Motion carried 5-0.**

- C. Discussion/Action: Town Board review and consideration of Ordinance 2022-Z006 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning on Tax ID #006-0340-02-01 from A-2 (General Agriculture District) to I-1 (Light Industrial District).

**MOTION:**

**Motion by:** Supervisor Reif  
**Second by:** Supervisor Grundman

**Motion made** to approve Ordinance 2022-Z006 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning on Tax ID #006-0340-02-01 from A-2 (General Agriculture District) to I-1 (Light Industrial District) and direct Staff to submit the Ordinance to Winnebago County and publish the Ordinance as required by law.

**ROLL CALL:**

Supervisor Reif	Aye
Supervisor Lettau	Aye
Supervisor Grundman	Aye
Supervisor Christianson	Aye
Chair Geise	Aye

**Motion carried 5-0.**

- D. Discussion/Action: Town Board review and consideration of Ordinance 2022-Z007 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning on Tax ID #006-0328-02 from A-2 (General Agriculture District) to R-4 (Multi-Family Residential District).

**MOTION:**

**Motion by:** Supervisor Grundman  
**Second by:** Supervisor Christianson

**Motion made** to approve Ordinance 2022-Z007 An Ordinance to Amend the Official Town of Clayton Zoning Ordinance Map for the Town of Clayton Rezoning from A-2 (General Agriculture District) to R-4 (Multi-Family Residential District) and direct staff to submit the Ordinance to Winnebago County and publish the Ordinance as required by law.

**ROLL CALL:**

Supervisor Grundman	Aye
Supervisor Lettau	Aye
Supervisor Reif	Aye
Chair Geise	Aye
Supervisor Christianson	Aye

**Motion carried 5-0.**

- E. Discussion/Action: Town Board review and consideration of a Certified Survey Map (CSM) Review Application submitted by Keith & Katherine Salm, for Tax ID #006-0615 and Tax ID #006-0615-01.

**MOTION:**

**Motion by:** Supervisor Grundman

**Second by:** Supervisor Christianson

**Motion made** to approve the Certified Survey Map Review Application submitted by Keith & Katherine Salm, for Tax ID #006-0615 and Tax ID #006-0615-01 provided all conditions recommended by Staff and the Plan Commission are met.

**Motion carried** by unanimous voice vote.

- F. Discussion/Action: Town Board review and consideration of a change in the Town Hall Operating Hours.

- Chair Geise noted he consulted with neighboring Towns and the proposed hours are in line with the other communities, especially with the option of Staff being available for appointments as well.
- Supervisor Reif noted he was originally against the proposal, but after hearing it is in line with other communities, is willing to give it a try.
- Plan Commission Chair Knapinski noted that the residents made a choice during the November Election to vote down the Town Referendum and this is a ramification of that choice.
- Chair Geise noted that the Town has to be respectful of and value the amount of time that Staff puts in above and beyond the normal 40-hour work week in service of the Town.

**MOTION:**

**Motion made** to approve the new Town Hall Operating Hours of Monday through Thursday 7:45 am to 4 pm and Friday 7:45 am to 1 pm, effective November 17, 2022,

with any necessary Statutory and Administrative exceptions, as well as appointments as requested.

**Motion carried** by unanimous voice vote.

G. Discussion/Action: Town Board review and consideration of the Agreement for Automatic Fire Protection between Clayton Fire Rescue and Town of Neenah Fire Department.

- Chair Geise noted that the Auto Aid agreements have been working well for the Town.
- Chief Rieckmann noted that Town of Neenah has been open to this new agreement and passed the Agreement at their meeting on November 14, 2022.

**MOTION:**

**Motion made** to approve the new Town Hall Operating Hours of Monday through Thursday 7:45 am to 4 pm and Friday 7:45 am to 1 pm, effective November 17, 2022, with any necessary Statutory and Administrative exceptions, as well as appointments as requested.

**Motion carried** by unanimous voice vote.

IX. Review of Disbursements

X. Upcoming Meeting Attendance

- Chair Knapinski noted that the Plan Commission Comprehensive Plan Meeting has been moved to November 30, 2022.
- Chief Rieckmann noted that the Supervisors will be invited, pending formal invitation, to the 2<sup>nd</sup> Annual Awards Banquet on December 6, 2022.

XI. Board Member Requests for Future Agenda Items

XII. Adjournment

**MOTION:**

**Motion made** by unanimous consent to adjourn at 7:22 pm.

**Motion carried.**

Respectfully Submitted,  
Kelsey Faust-Kubale, Town Clerk