



BOARD OF SUPERVISORS MEETING

Wednesday, October 01, 2025 at 6:30 PM

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

AGENDA

CALL TO ORDER

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, September 17, 2025 Town Board Meeting

OPEN FORUM – TOWN RELATED MATTERS NOT ON THE AGENDA

Individuals properly signed in may speak directly to the Town Board on non-repetitive Town Matters whether on or not on the agenda. Commentators must wait to be called, must speak from the podium, directing their comments to the Board. Comments must be orderly, and will be limited to a maximum of **2 minutes** per person. **Public comment is not permitted outside of this public comment period. Note:** The Board's ability to act on or respond to the public comments is limited by Chapter 19, Wis. Stats. Please complete the "Request to Speak at Meeting" form located on the agenda/sign-in table and submit the form to the Town Clerk for in-person attendance.

DISCUSSION ITEMS (NO ACTION WILL BE TAKEN)

- A. County Board Supervisor Report
- B. Winnebago County Sheriff's Department – Public Concerns and Issues
- C. Department of Public Safety Report
- D. Larsen/Winchester Sanitary District Report
- E. Administrator's Report
- F. Chair & Supervisor Reports

OPERATOR LICENSES ISSUED BY THE TOWN CLERK

- A. New - Charlotte Klossing, Larsen Tavern
- B. New - Stephanie Wiegman, Larsen Tavern

BUSINESS

- A. Discussion/Action: Town Board review & consideration of a renewal agreement for the Health and Welfare plan MP benefits for Town Staff.
- B. Discussion/Action: Town Board review & consideration of Ordinance 2025-008 Regarding Recycling Rules & Regulations in the Town of Clayton.
- C. Discussion/Action: Town Board review & consideration of a Development Agreement between the Town and Trident Holdings LLC for property addressed 2517 West American Dr (Tax ID #006-0340-03-01).

REVIEW OF DISBURSEMENTS

- A. [Check Summary Register](#)

UPCOMING MEETING ATTENDANCE

- A. Town Board (6:30 pm start unless otherwise noted) - Oct 15; Nov 5 & 19; Dec 3 & 17
- B. Plan Commission (6:30 pm start unless otherwise noted) - Oct 8; Nov 12; Dec 10
- C. Town Board Budget Meeting - Oct 21 beginning at 1 pm

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURNMENT

Respectfully submitted,

Russell D. Geise
Town Chairperson

Pursuant to Wisconsin Statute 19.84 (2) and (3) notice is hereby given to the public and the media that two or more members of any or all Boards, Commissions, and Committees of the Town of Clayton, may attend the meeting of the Town Board in order to gather information. For purposes of the Open Meetings Law only; attendance at a meeting by a quorum of members of the Town Boards, Commissions, and Committees constitutes a meeting of the Board, Commission, or Committee, pursuant to Badke Vs. Village Board of Village of Greendale, 173 Wis2d 553, 494 NW2d 408 (1993), and must be noticed as such, although it is not contemplated that any formal action by those bodies will be taken. The only business to be conducted is for Town Board action.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please call the Town Office at 920.836.2007.

This agenda has been posted at the following locations in the Town of Clayton:

1. The Town Hall Posting Board – 8348 Hickory Ave, Larsen, WI 54947
2. The Town’s Web Page: --



BOARD OF SUPERVISORS MEETING

Wednesday, September 17, 2025 at 6:30 PM

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

MINUTES

CALL TO ORDER – Chair Geise called the meeting to order at 6:30 pm.

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

PRESENT

Town Chair Geise
 Supervisor Lettau - arrived at 6:40 pm
 Supervisor Grundman
 Supervisor Reif

EXCUSED

Supervisor Christianson

STAFF

Administrator Wisnefske
 Clerk Faust-Kubale
 Treasurer Fietzer
 Attorney LaFrombois - virtual

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, September 3, 2025 Town Board Meeting

MOTION

Motion made by unanimous consent to approve the Minutes of the Wednesday, September 3, 2025 Town Board Meeting as presented.

Motion carried by unanimous voice vote.

OPEN FORUM – TOWN RELATED MATTERS NOT ON THE AGENDA

Mark Lesperance, 3373 Winnegamie Dr, Neenah WI, spoke regarding flooding of his property he felt was caused by a neighboring property.

Kathy Houle, 9619 Oakwood Ave, Neenah WI, responded to some of the concerns shared by Mr. Lesperance.

CORRESPONDENCE

- A. Distribution of the August 2025 Winnebago County Tonnage Report

DISCUSSION ITEMS (NO ACTION WILL BE TAKEN)

- A. Winnebago County Sheriff's Department – Public Concerns and Issues
- B. Larsen/Winchester Sanitary District Report

- C. Administrator's Report
- D. Chair & Supervisor Reports

BUSINESS REFERRED BY THE PLAN COMMISSION

- A. Plan Commission Recommendation: Town Board review & discussion on the potential impact to the Future Land Use Map of the Town of Clayton Comprehensive Plan 2040 and the Highway 10 Corridor with respect to possible new development projects.
DISCUSSION ITEM ONLY - NO ACTION TAKEN

BUSINESS

- A. Discussion/Action: Town Board review & consideration of Change Order #1 for Rocket Way & Larsen Rd Sanitary Extension submitted by Jossart Brothers, Inc in the amount of \$10,200.00.

MOTION

Motion made by unanimous consent to approve Change Order #1 submitted by Jossart Brothers, Inc. in the amount of \$10,200.00.
Motion carried by unanimous voice vote.

- B. Review/Discussion: Town Board review & discussion on possible future development projects within the Town of Clayton TID #1.

DISCUSSION ITEM ONLY - NO ACTION TAKEN

- C. Review/Discussion: Town Board review & discussion on wildlife management options for the Eagle Heights Dr regional stormwater pond (Tax ID #006-0328-02-01).

DISCUSSION ITEM ONLY - NO ACTION TAKEN

UPCOMING MEETING ATTENDANCE

- A. Town Board (6:30 pm start unless otherwise noted) - Oct 1 & 15; Nov 5 & 19; Dec 3 & 17
- B. Plan Commission (6:30 pm start unless otherwise noted) - Oct 8; Nov 12; Dec 10

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURNMENT

MOTION

Motion made by unanimous consent to adjourn at 7:15 pm.
Motion carried by unanimous voice vote.

Respectfully submitted,

Kelsey Faust-Kubale
Town Clerk

County Update



Miller, Howard <Howard.Miller@winnebagocountywi.gov>
To ■ Holly Stevens; ■ Clerk Town of Clayton; ■ townofwolfriver@centurytel.net

↩ Reply
↶ Reply All
→ Forward
⋮

Tue 9/23/2025 6:16 AM

TO DO

Follow up. Start by Tuesday, September 23, 2025. Due by Tuesday, September 23, 2025.

Hi All

There are a couple of things that may be of interest to you.

- The county sales tax was overwhelmingly defeated.
- The new Shoreland Zoning ordinance is still waiting for DNR approval, However I will be explaining some of the changes at the WC Towns Association meeting on Oct 2.
- The county is preparing the budget for 2026. There will be 5 listening sessions for the public to give input on this. They are all listed on the county website. The two closest ones to our area are:
 - Oct. 8, 6pm, Winneconne Municipal Center
 - Oct. 9, 6pm, Neenah Police Department-DJ Forcey Community Room

In October I plan to attend the following town board meetings:

- Oct. 1 – Clayton
- Oct. 6 – Winchester

Thanks
Howie

Howard Miller
 Winnebago County Supervisor, Dist. 36
 Phone: (920) 427-6423
 e-mail: Howard.Miller@winnebagocountywi.gov

MEMORANDUM

Business Item A

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of a renewal agreement for the Health and Welfare plan MP benefits for Town Staff.

Administrator Wisnepske received notice (included in packet) of the notice of rates for the Health and Welfare Plan M9 benefits provided for Town Staff through 2028, as well as the renewal agreement. The rates for 2026 are the same as 2025, and minimal increases are expected through 2028 as documented in the notice letter.

SUGGESTED MOTION(S):

Motion to approve the renewal agreement and direct Administrator Wisnepske to sign & execute all relevant documents.

If you have any questions about this information, please call or e-mail me.

Respectfully Submitted
Kelsey



EMPLOYEE TRUSTEES
CHARLES A. WHITAKER
TREVOR LAWRENCE
JOSEPH GRONEK
TOM ERICKSON

Item A.

EMPLOYER TRUSTEES
GARY F. CALDWELL
CHRISTOPHER J. LANGAN
ROBERT WHITAKER
MARK F. ANGERAME

EXECUTIVE DIRECTOR
THOMAS C. NYHAN

September 9, 2025

TOM STRICKLAND
SECRETARY/TREASURER
LOCAL UNION NO. 662
1546 MAIN ST
GREEN BAY, WI 54302

KELLY WISNEFSKE
ADMINISTRATOR
TOWN OF CLAYTON
8348 HICKORY AVE
LARSEN, WI 54947

RE: TOWN OF CLAYTON
Account No. 1598470-0100-00662A
Account No. 1598470-0100-00662B (Non-Bargaining Unit)

REVISED LETTER (August 15, 2025) RETURNED WITH INCORRECT EMPLOYER ADDRESS

Dear Tom Strickland and Kelly Wisnefske:

Our records indicate that the most recent collective bargaining agreement between TOWN OF CLAYTON and LOCAL UNION NO. 662 provided for Health and Welfare Plan M9 benefits, excluding retiree coverage. The cost of providing this benefit level is as follows:

<u>Effective Date</u>	<u>Amount</u>
Current	\$451.30
01/04/2026	\$451.30
01/03/2027	\$469.40*
01/02/2028	\$488.20*

*Not to exceed.

Please note that the Fund will inform the parties when the 2027 and 2028 health and welfare contribution rates are established, and if lower the Fund will automatically reduce the rates to the newly established rates provided that the collective bargaining agreement contains the previously quoted "not-to-exceed" language. Therefore, the parties should also consider negotiating language as to how any potential health and welfare savings will be distributed.

Enclosed please find a notice concerning the "grandfathered health plan" status of the Central States Health and Welfare Fund. The Trustees have chosen to maintain this status in order to maintain low contribution rates and to minimize changes needed to be implemented on account of the Affordable Care Act in order to limit disruption to the administration of the plan. In accordance with the present requirements for grandfathered status plans please be advised that there are two restrictions that you need to be aware of. First, the Fund has a limited ability to accept renewal contracts that change benefits that were in effect on March 23, 2010 unless the parties sign a "bona fide employment based reason" statement. Also, the Fund is limited in being able to accept new contracts that shift any

September 9, 2025
TOWN OF CLAYTON
PAGE TWO

additional portion of the cost of the health coverage to the bargaining unit member. If you have questions in regard to this, please contact your Field Service Representative or the Contract Department on at (847) 232-5703 before entering into any new agreement which may not be acceptable to the Fund.

Also be advised that the waiting periods for new hires must be in accordance with Question and Answer #1 of Special Bulletin 2013-1. Collective Bargaining Agreements ratified on or after July 1, 2013 will not be accepted unless the waiting period under the terms of the agreement is no more than thirty (30) calendar days unless the Board of Trustees explicitly consents in writing to a longer period.

Lastly, Fund policy requires that health and welfare contributions be submitted on all employees covered by the agreement for all periods including full-time and non-full-time employees after they have been on the Employer's payroll for no longer than 30 calendar days. However, if your agreement has historically excluded or limited health contributions on non-full-time employees, the agreement may or may not be in compliance with the Fund's policies. If you have historically excluded non-full-time employees, please contact the Fund at (847) 232-5703 for discussion and information prior to completing your negotiations.

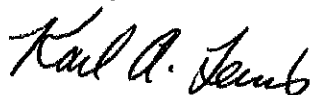
Please sign and return the attached Participation Agreement by **December 5, 2025**, if the group wishes to continue participating in the Health Funds.

The rates listed above are valid if incorporated into your renewal agreement. Upon execution of the Renewal Agreement, you are required to send a copy to:

**Central States Health and Welfare Fund
8647 W Higgins Road
Chicago, IL 60631
Attn: Contract Department**

If there are any questions, please let me know. I can be reached at (847) 232-5703.

Sincerely,



Karl A. Lewis
Division Manager
Contracts

cc: Heather Schissel, Teamleader, Contracts Department

MEMORANDUM

Business Item B

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of Ordinance 2025-008 Regarding Recycling Rules & Regulations in the Town of Clayton.

The Department of Natural Resources (DNR) has revised the administrative code governing statewide materials recycling. These changes have an effect on local governments, like the Town, designated as responsible units for recycling (RUs). As a result, new ordinances must be passed to reflect the recycling rule revisions. The changes most affecting RUs are education, collection, considerations for multi-family complexes, and the elimination of static pounds per person collection standard.

SUGGESTED MOTION(S):

*Motion and **ROLL CALL** to approve Ordinance 2025-008 and direct Staff to post and publish as required.*

If you have any questions about this information, please call or e-mail me.

Respectfully Submitted
Kelsey

Summary of Recycling Rule Revisions (WA-13-21)

(See [Wisconsin Legislature: CR 23-065 Rule Text](#) for full text)

In November 2020, the Legislative Audit Bureau (LAB) conducted an audit of the state recycling program. One LAB recommendation was to “update provisions in administrative rules pertaining to effective recycling programs,” as the rules were last updated in 2005.

As a result, the Department of Natural Resources has gone through the rulemaking process to revise administrative code governing statewide materials recycling and “effective recycling programs.” These rule revisions affect local governments designated as responsible units for recycling (RUs), materials recovery facilities (MRFs) that process residential recyclables, waste haulers, and waste storage and transfer facilities that handle recyclable materials.

The code revisions reflect operational changes within the recycling industry and the DNR. They also seek to streamline requirements, reduce reporting obligations, and ensure a level playing field among facilities that provide processing and recycling services. The information below is a high-level summary of the revisions.

Changes for local government responsible unit (RU) recycling programs

- RU education: specifies educational materials be reviewed for accuracy and provided annually. Adds batteries and food waste/composting to the list of topics RUs must educate residents on (public outreach materials available for use at no cost from DNR).
- Collection: additional documentation requirements added for RUs that meet recycling collection standards by having residents contract individually for recycling pick-up. Additional recycling drop-off location requirement for RUs that only offer monthly curbside collection to residents.
- Multi-family complexes/apartments (5 or more units): provides specific options for how to provide “adequate” recycling.
- Eliminates static pounds per person collection standard.

Changes for materials recovery facilities (MRFs)

- Starting in 2027, requires MRFs processing more than 5,000 tons/year to have owner financial responsibility (OFR) in place to cover facility closure and cleanup costs should the operator abandon or be unable to properly close a facility. OFR is already required for other solid waste processors.
- Establishes a minimum glass recycling rate of 12% unless the facility can provide justification of lower rate or creates a glass recycling improvement plan.
- Sets maximum residual rate of 20% (i.e., no more than 20% of the material a MRF receives may be sent for disposal) unless the facility can provide justification of a higher rate or establishes a residual rate improvement plan.
- Reduces the amount of information MRFs need to provide on their annual report to the DNR.
- Requires MRFs to provide the RUs and haulers they work with information about materials accepted and to review contracted RUs’ educational materials within 60 days of a request. If the MRF produces/provides its own educational material (not required), it must specify that the guidelines apply to its facility only (as recycling guidelines vary from facility to facility).
- Specifies that material delivered directly from RUs must be inventoried as residential material on annual report.

- Requires MRFs to develop short-term (<48 hrs) and long-term (≥48 hrs) contingency plans for use in case of shutdown.
- Requires MRFs to prevent litter from unbaled paper, plastic or other easily airborne materials.

Changes for haulers, transfer and storage facilities

- Haulers must provide RUs recycling tonnage and name(s) of MRF(s) used by Feb. 1 each year for the previous year (current requirement is supplying data within 4 weeks of a written request).
- Haulers must notify RUs if using a new MRF.
- Haulers must ensure containers used for recycling are clearly labeled.
- Transfer and storage facilities must keep segregated recyclables separate from solid waste and maintain cleanliness of recyclable material.
- Transfer and storage facilities must prevent litter from unbaled paper, plastic or other easily airborne material.

The rule revision generally revises, clarifies and removes obsolete language from chs. NR 500, 502, 542 and 544, Wis. Adm. Code. It also codifies guidance and existing practices related to beneficial reuse of glass and for facilities requesting residual disposal fee exemptions at landfills.

For more information, please contact Jennifer Semrau, Waste Reduction and Diversion Coordinator, at Jennifer.Semrau@wisconsin.gov or 608-381-0960.

Dated: July 14, 2025



TOWN OF CLAYTON ORDINANCE 2025-008

AN ORDINANCE REGARDING RECYCLING RULES AND REGULATIONS IN THE TOWN OF CLAYTON

WHEREAS, the Town of Clayton, County of Winnebago, State of Wisconsin is designated as a Responsible Unit under Section 287.09(1) of the Wisconsin Statutes; and

WHEREAS, as a Responsible Unit, the Town of Clayton is authorized to develop and implement a recycling program to manage the solid waste generated within its region pursuant to the provisions of Section 287.09(2) of the Wisconsin Statutes; and

WHEREAS, effective July 1, 2025, the Department of Natural Resources revised the administrative code that oversees Responsible Units’ effective recycling programs, requiring Responsible Units to modify their recycling ordinances to address new requirement; and

WHEREAS, this ordinance to establish an effective recycling program within the Town is in compliance with the new requirements established by the Department of Natural Resources.

NOW, THEREFORE, BE IT ORDAINED THAT, the Town Board of Supervisors of the Town of Clayton, County of Winnebago, State of Wisconsin, hereby adopts the following ordinance, thereby establishing the recycling program detailed therein.

Adopted this _____ day of _____, 20_____

Russell D. Geise, Town Chair

ATTEST: _____
Kelsey Faust-Kubale, Town Clerk

**TOWN OF CLAYTON, COUNTY OF WINNEBAGO, STATE OF WISCONSIN
ORDINANCE 2025-008**

**AN ORDINANCE REGARDING THE RULES AND REGULATIONS OF RECYCLING
IN THE TOWN OF CLAYTON**

TABLE OF CONTENTS

- SECTION I – Background & Authority**
- SECTION II – Definitions**
- SECTION III – Recycling Rules & Regulations**
- SECTION IV – Cart Rules**
- SECTION V – Enforcement**

SECTION I. BACKGROUND & AUTHORITY

1. **Purpose.** The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program (this “**Ordinance**”), as provided in s. 287.11, Wis. Stats., and ch. NR 544, Wis. Adm. Code.
2. **Statutory Authority.** This Ordinance is adopted by the Town of Clayton, County of Winnebago, State of Wisconsin (the “**Town**”) as authorized under s. 287.09(3)(b), Wis. Stats. This Ordinance applies from the adoption date below forward.
3. **Abrogation and Greater Restrictions.** It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to local, county, or state law. However, whenever this Ordinance imposes greater restrictions, the provisions of this ordinance shall apply.
4. **Interpretation.** In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this Ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this Ordinance is required by Wisconsin Statutes, or by a standard in ch. NR 544, Wis. Adm. Code, and where the Ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the ch. NR 544 standards in effect on the date of the adoption of this Ordinance, or in effect on the date of the most recent text amendment to this Ordinance.
5. **Severability.** Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.
6. **Applicability.** The requirements of this Ordinance shall apply to all persons within the Town.
7. **Administration.** The provisions of this Ordinance shall be administered by the Town and the Town Board of Supervisors (the “**Town Board**”).

8. **Collection Schedule.** Collection services for recyclable materials within the Town shall be provided by the Town or the Town’s collection contractor once every week, on a scheduled collection day, Monday through Friday, subject to all of the terms and conditions of this Ordinance. Collection schedules for defined areas of the Town shall be determined by the Town. Collection schedules may be altered due to holidays or other circumstances, in the Town’s discretion.
9. **Effective Date.** The provisions of this Ordinance shall take effect on [October 1, 2025].

SECTION II. DEFINITIONS

For the purpose of this Ordinance:

- **“Bi-metal container”** means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- **“Cart”** means the approved container specifically delivered by the Town or its agents to be used for the collection of recyclable materials by the Town.
- **“Container board”** means corrugated paperboard used in the manufacture of shipping containers and related products.
- **“Foam polystyrene packaging”** means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
 - Is designed for serving food or beverages.
 - Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
 - Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- **“Glass Container”** means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, heat-resistant glass such as pyrex, lead based glass such as crystal, or TV tubes.
- **“HDPE”** means high density polyethylene, labeled by the resin code # 2.
- **“LDPE”** means low density polyethylene, labeled by the resin code # 4.
- **“Magazines”** means magazines and other materials printed on similar paper.
- **“Major appliance”** means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.
- **“Multiple-family dwelling”** means a structure containing 5 or more residential units, including units that are occupied seasonally.
- **“Newspaper”** means a newspaper and other materials printed on newsprint.
- **“Non-residential facilities and properties”** means commercial, retail, industrial, institutional and government facilities and properties. Non-residential facilities and properties includes any location at which goods or services are provided or manufactured, including locations under construction, demolition, or remodeling, or used for special events such as fairs, festivals, sport venues, conferences, and exhibits. This term does not include multiple family dwellings.

- **“Office paper”** means a variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper or packaging.
- **“Other resins or multiple resins”** mean plastic resins labeled by the resin code # 7.
- **“Property Owner”** means, collectively, the owners or designated agents of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties located within the Town.
- **“Person”** includes any individual, corporation, limited liability company, partnership, association, local government unit, as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.
- **“PETE”** or **“PET”** means polyethylene terephthalate, labeled by the resin code # 1.
- **“Plastic container”** means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.
- **“Postconsumer waste”** means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7) Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 289.01(17), Wis. Stats.
- **“PP”** means polypropylene, labeled by the resin code # 5.
- **“PS”** means polystyrene, labeled by the resin code # 6.
- **“PVC”** means polyvinyl chloride, labeled by the resin code # 3.
- **“Recyclable Materials”** means household waste that is accepted by the Town recycling program, including: lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires; and bi-metal containers.
- **“Solid waste”** has the meaning specified in s. 289.01(33), Wis. Stats.
- **“Solid waste facility”** has the meaning specified in s. 289.01(35), Wis. Stats.
- **“Solid waste treatment”** means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. “Treatment” includes incineration.
- **“Waste tire”** means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- **“Yard waste”** means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

SECTION III. RECYCLING RULES & REGULATIONS

1. **Separation of Recyclable Materials.** Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties (collectively, **“Occupants”**) shall separate the following Recyclable Materials from postconsumer waste:

- a. Lead acid batteries
 - b. Major appliances
 - c. Waste oil
 - d. Antifreeze
 - e. Electronics
 - f. Scrap metal
 - g. Waste tires
 - h. Oil filters
 - i. Yard waste
 - j. Aluminum containers
 - k. Bi-metal containers
 - l. Corrugated paper or other container board
 - m. Foam polystyrene packaging
 - n. Glass containers
 - o. Magazines
 - p. Books
 - q. Newspaper
 - r. Office paper
 - s. Paper cartons
 - t. Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins
 - u. Steel containers
2. **Separation Requirements Exempted.** The separation requirements of Section III(1) do not apply to the following:
- a. Occupants that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources (the “WI DNR”) that recovers the materials specified in Section III(1) from solid waste in as pure a form as is technically feasible.
 - b. Solid waste which is burned as a supplement fuel at a facility if less than 30% of the heat input to the facility is derived from the solid waste burned as supplement fuel.
 - c. A Recyclable Material specified in Sections III(1)(e) through (o) for which a variance has been granted by the WI DNR under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.
3. **Care of Separated Recyclable Materials.** To the greatest extent practicable, Occupants shall keep the Recyclable Materials separated in accordance with Section III(1) clean and free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable Materials shall be stored in a manner which protects them from wind, rain, and other inclement weather conditions.

4. **Items to be Recycled at Winnebago County Solid Waste Drop-Site.** Occupants shall recycle the items listed in this Section III(4) at Winnebago County Solid Waste (charges may apply), as such items are banned from landfills. Information regarding local drop-sites can be found at www.RecycleMoreTriCounty.org.
 - a. Lead acid batteries,
 - b. Major appliances,
 - c. Waste oil,
 - d. Antifreeze,
 - e. Electronics,
 - f. Scrap metal,
 - g. Waste tires,
 - h. Oil filters,
 - i. Yard waste.
5. **Composting.** Yard waste may be composted rather than taken to a drop-site. Composting may be done at Occupants' property or a composting facility, in accordance with the Town of Clayton Zoning Code of Ordinance and other applicable town, county, and state rules and regulations. Information regarding composting can be found at <https://www.townofclayton.net/media/546>.
6. **Preparation and Collection of Recyclable Materials.** Except as otherwise directed by the Board, occupants of single family and 2-to-4-unit residences shall do the following for the preparation and collection of the recyclable materials listed in this Section III(6):
 - a. **Aluminum containers**, such as bottles and cans, shall be emptied, rinsed, and any caps shall be replaced back on the container, before being recycled with other curbside recycling. Aluminum pans and foil may not be recycled and must be disposed of in regular trash receptacles.
 - b. **Bi-metal containers** shall be emptied, rinsed, and any caps shall be replaced back on the container, before being recycled with other curbside recycling.
 - c. **Corrugated paper** or other container board shall be flattened, if boxes, and cut to no larger than 2' x 2', and then recycled with other curbside recycling.
 - d. **Foam polystyrene packaging** may be recycled at the Foam Dome at 1919 Holland Rd. in Appleton drop-off program only; otherwise, such products shall be disposed of in regular trash receptacles.
 - e. **Glass food and beverage containers** (excluding glass drinkware) shall be recycled with other curbside recycling.
 - f. **Magazines**, including junk mail and catalogs, shall be recycled with other curbside recycling.
 - g. **Books** shall be recycled with other curbside recycling.
 - h. **Newspaper** shall be recycled with other curbside recycling.
 - i. **Office paper** shall be recycled with other curbside recycling.

- j. **Paper cartons**, such as for milk, juice, and soup, shall be recycled with other curbside recycling.
 - k. **Rigid plastic containers**, such as dairy, produce, bakery, and deli containers and lid (excluding motor oil bottles) shall be recycled with other curbside recycling.
 - l. **Steel** containers shall be recycled with other curbside recycling.
7. **Non-Recyclable Materials.** This Section III(7) provides a non-exclusive list of items which are not recyclable and should be disposed of in regular trash receptacles:
- a. Foam polystyrene packaging (unless recycled as provided in Section III(6)(d)),
 - b. Plastic motor oil bottles
 - c. Plastic bags, film, and wraps,
 - d. Liquids and foods,
 - e. Shredded paper,
 - f. Tissue paper,
 - g. Pet food bags,
 - h. Mirrors,
 - i. Window glass,
 - j. Drinking glassware,
 - k. Ceramics & china,
 - l. Propane tanks,
 - m. Aluminum pans and foil,
 - n. Aerosol cans,
 - o. Empty paint cans,
 - p. Pet food cans.
8. **Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.**
- a. Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in Sections III(1)(e) through (o):
 - i. Provide adequate, separate containers for the recycling program established in compliance with this Ordinance. The number of recycling containers shall equal or be greater than the number of trash containers and at least one of the following shall be met:
 - 1. The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - 2. The ratio of trash container volume to recycling container volume is at most 2:1.
 - 3. An alternative method that does not result in the overflow of a recycling container during the time period between collection of materials and delivery to a recycling facility.
 - ii. Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.

- iii. Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
 - iv. Notify tenants which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- b. The requirements specified in Section III(8)(a) do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the WI DNR that recovers for recycling the materials specified in Sections III(1)(e) through (o) from solid waste in as pure a form as is technically feasible.

9. Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

- a. Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in Sections III(1)(e) through (o):
- i. Provide adequate, separate containers for the recycling program established under this section. The total volume of recycling containers shall be sufficient to avoid overflow during the time period between collection of materials and delivery to a recycling facility.
 - ii. Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
 - iii. Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.
 - iv. Notify users, tenants and occupants which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- b. The requirements specified in Section III(9)(a) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the WI DNR that recovers for recycling the materials specified in Sections III(1)(e) through (o) from solid waste in as pure a form as is technically feasible.

10. Prohibitions on Disposal of Recyclable Materials Separated for Recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in Sections III(1)(e) through (o) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

11. Scavenging Prohibited. Recyclable Materials placed for collection shall remain the property of the Occupant that placed the items until the items are collected by the Town’s collection contractor, at which time it shall become the property of the Town. No persons

other than the Property Owner, Occupant that placed the items for collection, the Town, or the Town's collection contractor, may take possession of such items.

SECTION IV. CART RULES

1. **Only Recyclable Materials in Carts Will Be Collected.** Recyclable Materials that are not placed in the appropriate cart will not be collected. All Recyclable Materials must fit within the cart and not extend beyond the upper edge of the cart to the point where it may fall or blow out. Property Owners and Occupants shall be responsible for compressing Recyclable Materials to fit, reducing production of Recyclable Materials, or obtaining a larger or additional cart as necessary to comply.
2. **Only Recyclable Materials Allowed in Carts.** Only Recyclable Materials may be placed in carts; placement of any other materials in carts is prohibited.
3. **Cart Placement and Removal Times.** Carts shall be placed for collection no earlier than 12:00 pm CST the day before scheduled collection, and no later than 6:00 am CST the day of scheduled collection. Carts that have been emptied shall be removed from the collection no later than 9:30pm the day of scheduled collection; carts that have not been emptied shall be removed from the collection location no later than 12:00 pm CST the day after scheduled collection. Violations of this subsection may result in carts being removed by the Town, and fees for the removal and return of the carts being charged to the Property Owner responsible for the placement of the carts, as provided in this Ordinance.
4. **Recycle Cart Orientation.** Carts shall be placed within 2 feet of the street on one side of the driveway. Recycle carts must keep 3 feet of clearance between the carts and other objects such as mailboxes and vehicles. The arrows on the lid of the recycle cart must point towards the street.
5. **Placement of Items in Others' Carts Prohibited.** No one other than Property Owners and Occupants of the properties with which the carts are associated may place any items in carts.
6. **Care and Replacement of Carts and Containers.** Property Owners and Occupants are responsible for the proper usage and care of carts. Carts shall be kept in a clean and sanitary condition. Carts may not be altered in any way. Property Owners shall be responsible, at their expense, for the replacement of carts that are stolen, lost, damaged, or are rendered unusable by user acts or neglect.
7. **Cart Use Restricted to Eligible Properties.** Properties that are not located within the Town, or are otherwise not subject to the terms of this Ordinance, are prohibited from using Town-supplied carts.
8. **Initial Cart Delivery.** Carts will be assigned and delivered to eligible properties by the Town or its agents. The initial delivery shall be at the Town's expense.
9. **Ownership of Carts.** Carts remain solely the property of the contractor providing collection services for the Town, and shall not be the property of the Property Owner.
10. **Carts Stay with Eligible Properties.** Carts shall remain at their assigned properties, regardless of any changes in ownership or occupancy.

SECTION V. ENFORCEMENT

1. For the purpose of ascertaining compliance with the provisions of this Ordinance, any authorized officer, employee or representative of the Town may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the Town who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
2. Any person who violates a provision of this Ordinance may be issued a citation by the Town to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.
3. Penalties for violating this Ordinance may be assessed as follows:
 - a. Any person who violates Section III(10) of this Ordinance may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000 for a third or subsequent violation.
 - b. Any person who violates a provision of this Ordinance, except Section III(10), may be required to forfeit not less than \$10 or more than \$1000 for each violation, unless otherwise specified.

SIGNATURE PAGE FOLLOWS

Adopted this _____ day of _____, 20____

Russell D. Geise, Town Chair

ATTEST: _____
Kelsey Faust-Kubale, Town Clerk

MEMORANDUM

Business Item C

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of a Development Agreement between the Town and Trident Holdings LLC for property addressed 2517 West American Dr (Tax ID #006-0340-03-01).

Administrator Wisnefske & Attorney LaFrombois have been reviewing the draft and proposed edits from the developer. The terms included were already determined by the Board at the July 16, 2025, meeting. The agreement is based on a 65% share to the developer, 10% to administrative costs, and the remaining 25% to the Town in tax revenues. The most recent draft will be provided to the Board in advance of the meeting, after review from the Administrator & Attorney.

SUGGESTED MOTION(S):

Motion to approve the development agreement between the Town & Trident Holdings LLC.

If you have any questions about this information, please call or e-mail me.

Respectfully Submitted
Kelsey

9/25/2025 11:08 AM

Reprint Check Register - Quick Report - ALL

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ACCT

NICOLET NATIONAL BANK (POOLED)

Accounting Checks

Posted From: 9/01/2025 From Account:
Thru: 9/30/2025 Thru Account:

Check Nbr	Check Date	Payee	Amount
31989	9/10/2025	ADVANTAGE OVERHEAD DOOR, LLC	1,150.00
31990	9/10/2025	AIT BUSINESS TECHNOLOGIES LLC	2,891.20
31991	9/10/2025	ASCENSION MEDICAL GROUP	71.00
31992	9/10/2025	ASSOCIATED APPRAISAL CONSULTANTS INC	1,942.54
31993	9/10/2025	BECKER PROFESSIONAL SERVICES	832.50
31994	9/10/2025	CEDAR CORPORATION	10,748.30
31995	9/10/2025	CINTAS CORPORATION	1,147.11
31996	9/10/2025	COUNTRY VISIONS COOPERATIVE	280.92
31997	9/10/2025	DOCUMENT SALES AND DISTRIBUTION	1,002.80
31998	9/10/2025	GFL ENVIRONMENTAL	25,826.30
31999	9/10/2025	GREEN BAY HIGHWAY PRODUCTS LLC	1,458.25
32000	9/10/2025	LANGE ENTERPRISES INC	957.72
32001	9/10/2025	LARSEN MATERIALS LLC	160.00
32002	9/10/2025	LARSEN WINCHESTER SANITARY DISTRICT	9,072.10
32003	9/10/2025	LUCKY'S LAND MANAGMENT LLC	4,200.00
32004	9/10/2025	MANNING GROSS & MASSENBURG LLP	30,569.00
32005	9/10/2025	MCMAHON ASSOCIATES INC	1,961.98
32006	9/10/2025	MENARDS	104.75
32007	9/10/2025	MIKE RINTELMAN	85.00
32008	9/10/2025	NEW FARM TECHNOLOGIES LLC	1,311.00
32009	9/10/2025	NORTHEAST ASPHALT INC	2,480.30
32010	9/10/2025	POMP'S TIRE SERVICE INC	305.00
32011	9/10/2025	PREMIER CLAYTON LLC	23.14
32012	9/10/2025	PREMIUM WATERS INC	54.44
32013	9/10/2025	QUALITY TRUCK CARE CENTER, INC	355.47
32014	9/10/2025	RHYME BUSINESS PRODUCTS	525.13
32015	9/10/2025	STERICYCLE/SHRED-IT	159.56
32016	9/10/2025	TEAMSTERS LOCAL UNION 662	203.00
32017	9/10/2025	TED ECKSTEIN	5,500.00
32018	9/10/2025	WAUPACA MACHINE AND REPAIR LLC	2,968.75
32019	9/10/2025	WI SCTF	148.00
32020	9/10/2025	WINNEBAGO COUNTY TREASURER	6,188.14
32021	9/10/2025	WINNEBAGO LIQUID WASTE	300.00

9/25/2025 11:08 AM

Reprint Check Register - Quick Report - ALL

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ACCT

NICOLET NATIONAL BANK (POOLED)

Accounting Checks

Posted From: 9/01/2025 From Account:
Thru: 9/30/2025 Thru Account:

Check Nbr	Check Date	Payee	Amount
32022	9/10/2025	WISCONSIN DEPARTMENT OF HEALTH SERVICES	90.00
32023	9/19/2025	DGV PROPERTIES LLC	24,281.69
32024	9/19/2025	DOMINION VOTING	200.54
32025	9/19/2025	FOX VALLEY TECHNICAL COLLEGE	10.00
32026	9/19/2025	FOX WEST REGIONAL SEWERAGE COMMISSION	7,449.34
32027	9/19/2025	GARROW OIL MARKETING INC	2,685.15
32028	9/19/2025	LANGE ENTERPRISES INC	1,015.06
32029	9/19/2025	LIBERTY MUTUAL SURETY	711.00
32030	9/19/2025	MENARDS	519.96
32031	9/19/2025	PROFESSIONAL SERVICE INDUSTRIES , INC	1,995.00
32032	9/19/2025	TRIDENT HOLDINGS LLC	10,403.97
32033	9/19/2025	US LUBRICANTS	1,806.74
32034	9/19/2025	VILLAGE OF FOX CROSSING	37,856.00
32035	9/19/2025	WI PUBLIC SERVICE	26.54
32036	9/19/2025	WI SCTF	148.00
32037	9/19/2025	WINNEBAGO COUNTY TREASURER	30.00
32038	9/19/2025	WINNEBAGO LIQUID WASTE	560.00
32039	9/24/2025	CLAYTON DEVELOPMENT GROUP	67,374.00
031997	9/10/2025	DOCUMENT SALES AND DISTRIBUTION	-1,002.80
KT8-25	9/15/2025	KWIK TRIP INC	435.16
83487-25	9/05/2025	WI PUBLIC SERVICE	928.59
90238-25	9/19/2025	WI PUBLIC SERVICE	448.08
CSHI9-25	9/25/2025	CENTRAL STATES H&W FUND	18,052.00
DOR483360	9/19/2025	WI DEPT OF REVENUE	967.39
WPSGEN725	9/02/2025	WI PUBLIC SERVICE	21.01
WPSSL8-25	9/24/2025	WI PUBLIC SERVICE	926.78
EFTPS26700	9/19/2025	EFTPS	5,270.89
EFTPS90845	9/16/2025	EFTPS	434.92
NNBSVC9-25	9/16/2025	NICOLET NATIONAL BANK	105.00
WE90237-25	9/10/2025	WE ENERGIES	14.93
EFTPS198333	9/05/2025	EFTPS	5,196.95
EFTPS394874	9/04/2025	EFTPS	798.74
Grand Total			304,744.03

9/25/2025 11:08 AM

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ACCT

NICOLET NATIONAL BANK (POOLED)

Accounting Checks

Posted From: 9/01/2025 From Account:
Thru: 9/30/2025 Thru Account:

	Amount
Total Expenditure from Fund # 100 - GENERAL FUND	104,227.85
Total Expenditure from Fund # 230 - SOLID WASTE/RECYCLING	30,933.64
Total Expenditure from Fund # 240 - CEMETERY	7,188.70
Total Expenditure from Fund # 250 - FIRE DONATIONS	1,079.96
Total Expenditure from Fund # 400 - GENERAL CAPITAL PROJECTS	3,342.34
Total Expenditure from Fund # 420 - TID #1	103,355.17
Total Expenditure from Fund # 620 - SANITARY DISTRICT	45,328.48
Total Expenditure from Fund # 640 - STORM WATER	9,287.89
Total Expenditure from all Funds	304,744.03