

ORDINANCE O - 21 - 2014

AN ORDINANCE RELATING TO THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF MENASHA, WISCONSIN (Burroughs Annexation)

Introduced by Mayor Merkes.

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Territory Annexed. (Majority Annexation) In accordance with Sec. 66.0217(3)(a) Wis. Stats., and the Petition for Annexation filed with the City Clerk on the 2<sup>nd</sup> day of July, 2014, signed by the majority of owners of land in the following described territory in the Town of Menasha, Winnebago County, Wisconsin, is annexed to the City of Menasha, Winnebago County, Wisconsin.

Legal description:

PARCEL "A"

That part of the Northwest 1/4 of the Northwest 1/4 of Section 13, Township 20 North, Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, described as follows:

Commencing at the Northwest corner of said Section 13, thence South 89°06' 52" East 331.01 feet, along the North line of the said Northwest 1/4; thence South 00°02'54" West 213.44 feet, to the point of beginning; thence South 00°02'54" seconds West 19.35 feet, along the East right-of-way line of Woodland Drive; thence South 44°53'55" East 218.05, along the west line of Lot One (1) of Certified Survey Map No. 6822, as filed in Volume 1 of Survey Maps on Page 6822, recorded on March 21, 2014 as Doc. No. 1660046, Winnebago County Register of Deeds; thence South 44°41'31" East 166.94 feet along said West line; thence North 45°18'29" East 197.84 feet, along the south line of said Lot 1; thence North 31°03'01" West 173.87 feet, along the east line of said Lot 1; thence North 89°13'13" West 322.30 feet, along the north line of said Lot 1, to the point of beginning, containing 1.51 acres.

Parcel "B"

That part of the Southeast Quarter of the Southeast Quarter (SE 1/4 of the SE 1/4), Section Ten (10), Township Twenty (20) North, Range Seventeen (17) East, in the Town of Menasha, Winnebago County, Wisconsin, described as follows: Commencing at a point that is 538 feet North and 660 feet West of the Southeast corner of said Section 10, the point of beginning; thence North 146 feet; thence East to the Westerly line of County Trunk Highway "P"; thence Southwesterly, along the Westerly line of said Highway to a point due East of the point of beginning; thence due West to the point of beginning, containing 1.49 acres.

The population of the described parcels is 0.

SECTION 2: Effect of Annexation. From and after the date of this Ordinance, the territory described in Section 1 shall be a part of the City of Menasha for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Menasha.

SECTION 3: Pursuant to the recommendation of the Plan Commission, the temporary zoning classification for the annexed territory is as follows: Parcel A, R-1 Single Family District and Parcel B, C-1 General Commercial.

SECTION 4: Aldermanic District Designation. The territory described in Section 1 of this Ordinance as Parcel A is hereby made a part of Aldermanic District 6, Ward 30. The territory described

in Section 1 of this Ordinance as Parcel B is hereby made a part of Aldermanic District 4, Ward 31. All subject to the ordinances, rules and regulations of the City governing wards and aldermanic districts.

SECTION 5: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 6: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this \_\_\_\_ day of July, 2014.

\_\_\_\_\_  
Donald Merkes, Mayor

ATTEST:

\_\_\_\_\_  
Deborah A. Galeazzi, City Clerk



**MEMORANDUM**

TO: Administration Committee

FROM: Greg Keil, CDD 

DATE: July 16, 2014

RE: Annexation Impact Report – Kay V. Burroughs Trust

The Department of Community Development has considered the potential impacts of the Kay V. Burroughs Trust annexation as related to duties and functions of the department and as related to the growth and development of the community.

The two parcels included in this annexation comprise approximately three acres. The parcels are currently vacant. It is expected that these properties will develop into residential and commercial uses respectively.

Due to the small amount of territory included in the annexation, it is not anticipated that it will have a significant impact on the workload within the Community Development Department.

This annexation is consistent with the boundary agreement with the Town of Menasha. Adding this territory will make additional lands available for commercial and residential development and will result in increased tax base for the community. The Community Development Department supports this annexation as a logical extension of the city's boundary.



## **Memorandum**

DATE: July 9, 2014

TO: Debbie Galeazzi, City Clerk

FROM: Mark Radtke, Public Works Director

RE: Impact Report for Kay V. Burroughs Trust Annexation

This annexation will have minimal impact on Public Works and Engineering Department operations. I recommend approval of this annexation from the perspective of the Department of Public Works.

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To: Kara Homan, AICP, Principal Planner

From: Tim Styka, Police Chief

Date: July 11, 2014

RE: Annexation Impact Reports - Kay V. Burroughs Trust Dated August 2, 2002

As with any annexation by the City, the service area for the Police Department does increase. However, I do not anticipate where these annexations would have an adverse impact requiring additional staffing or equipment above our current levels.



## **Memorandum**

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**TO:** Debbie Galeazzi, City of Menasha Clerk

**FROM:** Al Auxier, Chief

**DATE:** July 11, 2014

**RE:** Impact Report for Kay V. Burroughs Trust Annexation

The above referenced annexation will have minimal impact on Neenah-Menasha Fire Rescue operations. I recommend approval of this annexation from the perspective of the Neenah-Menasha Fire Rescue.



## MEMORANDUM

To: Debbie Galeazzi, City Clerk  
From: Brian Tungate, Parks & Recreation Director  
Date: July 17, 2014  
RE: Impact Report for Kay V. Burroughs Trust Annexation

This annexation will have minimal impact on Parks and Recreation services. I recommend approval of this annexation on behalf of the Parks and Recreation Department.



## MEMORANDUM

To: Kara Homan, AICP, Principal Planner  
From: Peggy Steeno, Administrative Services Director  
Date: July 17, 2014  
RE: Annexation Impact Report - Kay V. Burroughs Trust Dated August 2, 2002

Pursuant to City of Menasha Ordinance 13-1-123, I am providing the following report regarding the above noted proposed annexation:

- The Administrative Services Department will not require any additional full-time personnel, equipment, buildings, or other improvements if the annexation is approved.
- The Administrative Services Department will not incur any costs over and above those costs normally incurred in any annexation if the annexation is approved.
- Based upon an estimated assessed value of \$266,000, for the land, at the City's current assessment rate of \$10.3401, the City would realize an increase in tax collections of approximately \$2,750 annually if the annexation is approved.

Due to my statements above, and the absence of any negative effects, I am recommending that the Common Council vote to approve the annexation.



WISCONSIN DEPARTMENT OF  
ADMINISTRATION

SCOTT WALKER  
GOVERNOR  
MIKE HUEBSCH  
SECRETARY

Municipal Boundary Review  
PO Box 1645, Madison WI 53701  
Voice (608) 264-6102 Fax (608) 264-6104  
Email: [wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
Web: <http://doa.wi.gov/municipalboundaryreview/>

July 10, 2014

PETITION FILE NO. 13787

DEBORAH A. GALEAZZI, CLERK  
CITY OF MENASHA  
140 MAIN ST  
MENASHA, WI 54952

KAREN BACHMAN, CLERK  
TOWN OF MENASHA  
2000 MUNICIPAL DR  
NEENAH, WI 54956

Subject: KAY BURROUGHS ANNEXATION

The proposed annexation submitted to our office on June 16, 2014 and as amended on July 2, 2014, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city and any other contiguous village or city...." so as unincorporated land transitions to city or village status, the resulting boundaries are rational and easy for jurisdictions and residents to follow.

The subject petition consists of two separate parcels of reasonable shape; one of these parcels is not contiguous with the City of Menasha. However, the City and Town of Menasha have entered into an Intermunicipal Agreement per s. 66.027, Wis. Stats. and dated April 13, 1999 that provides for the annexation of these non-contiguous parcels into the City of Menasha.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13787**

The address of the Office of the Secretary of State is:

Annexations and Railroads  
Division of Government Records  
Office of the Secretary of State  
PO Box 7848  
Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

**RECEIVED**

JUL 11 2014

cc: petitioner

CITY OF MENASHA  
BY dg