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WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
GOVERNOR

MIKE HUEBSCH
SECRETARY

Municipal Boundary Review
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Email: wimunicipalboundaryreview@wi.gov
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November 21, 2012

Mr. Terry McMahon, Supervisor
Town of Yorkville
18114 52nd Road
Union Grove, WI 53812

Mr. Lonnie Muller, Clerk
Town of Stark
S4654 Aumock Road
LaFarge, WI 54639

Paul Fisk, Mayor
City of Lodi
130 South Main Street
Lodi, WI 53555

Rich Eggleston
2358 Fitchburg Road
Fitchburg, WI 53593

**Re: The Incorporation of a portion of the Towns of Harrison, Calumet County,
and Buchanan, Outagamie County, Wisconsin, as a Village
Calumet County Circuit Court Case No. 2012CV28**

Gentlemen:

Please find enclosed the agenda for the Board's meeting in Madison on Tuesday, December 4th
from 1:00 – 3:00pm.

Also enclosed are the draft minutes from our previous meeting.

Sincerely,

Erich Schmidtke
Municipal Boundary Review

cc: Ed Eberle, Incorporation Review Board Chair
Mark Herman, DOA attorney
Celine Romenesko, Petitioners' Representative
Rick Kindschi, Petitioners Alternate Representative
Travis Parish, Town of Harrison Administrator
Andrew Rossmeissl, Petitioners' Attorney
Kevin Davidson, City of Kaukauna Attorney
Pam Captain, City of Menasha Attorney
John St Peter, Town of Buchanan Attorney
Gary Sharpe, Calumet County Circuit Court Judge



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NOTICE

WISCONSIN INCORPORATION REVIEW BOARD MEETING/TELECONFERENCE

December 4, 2012

Wisconsin Department of Administration

Yahara Room, First Floor

101 East Wilson Street

Madison, WI 53703

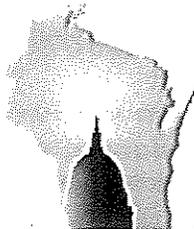
1 p.m. – 3:00 p.m.

Agenda

- | | |
|------|---|
| 1:00 | Welcome, roll call and introductions |
| 1:05 | Approval of September 12, 2012 meeting minutes |
| 1:10 | Deliberation on the proposed determination for the Incorporation Petition of a portion of the Towns of Harrison and Buchanan, in Calumet and Outagamie Counties |
| 2:45 | Other business matters |
| 3:00 | Adjourn |

PLEASE NOTE:

- Board members may choose to appear telephonically. The Department does not have the capacity to offer telephonic access to all members of the public. Members of the public are welcome to attend the meeting at the date, time and place indicated above.
- This meeting does not contain a public comments portion. Additional information or comments regarding the Petition for Incorporation will not be received.
- The Board waives any right to deliberate on the proposed determination in closed session under Wis. Stats. § 19.85 (1) (a) for this meeting only. The Board reserves the right to deliberate on similar matters in closed session in the future.



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MINUTES

WISCONSIN INCORPORATION REVIEW BOARD MEETING

September 12, 2012

Wisconsin Department of Administration

Conference Room 121, First Floor

101 East Wilson Street

Madison, WI 53703

1:30 p.m. – 5 p.m.

Welcome, roll call and introductions

Chairman Ed Eberle called the meeting to order at 1:30pm. Present were: Ed Eberle, Chairman of the Incorporation Review Board; Renee Powers, Erich Schmidtke, and Phil Wells, DIR staff to the Incorporation Review Board; Mark Herman, DOA legal counsel; Rich Eggleston, Board member representing the Wisconsin Alliance of Cities; Terry McMahon, Town of Yorkville Supervisor and Board member representing the Wisconsin Towns Association; Paul Fisk, City of Lodi Mayor and Board member representing the League of Wisconsin Municipalities; Lonnie Muller, Town of Stark Clerk and Board member representing Wisconsin Towns Association; Rick Kindschi, Petitioners' Representative; Travis Parish, Town of Harrison Administrator; Mark Mommaerts, Town of Harrison Planner; Andy Rossmeyssl, Town of Harrison Attorney; and Bill Forrest, Town of Harrison Planning Consultant.

Approval of August 9th, 2011 meeting minutes

The minutes were approved without change.

Discussion of Harrison incorporation petition:

- 1) **Compactness & Homogeneity** – Erich thanked Petitioners and Town of Harrison staff for their excellent work on the petition. He indicated that because of the thoughtful manner in which Petitioners drew their boundaries, and the urban nature of the proposed village, there is not a lot to criticize regarding how the petition matches up with the statutory standards. Erich mentioned how the Petition's boundaries are physically-demarcated by roads, which makes identifying the village easy. He also talked about the compactness of the proposed village. While there are a scattering of town islands and peninsulas to the east, these will eventually transfer to the Cities of Appleton and Menasha pursuant to boundary agreements with those communities. Paul Fisk asked Petitioner's why they are naming their proposed village 'Harrison' rather than 'Darboy' like the watertower and area signs show, and like residents mentioned at the hearing when they said they are from 'Darboy'. Travis responded that they did not want to offend those residents in Darboy in the Town of Buchanan who are not a part of the petition. Paul asked why only one-half of Darboy was included. Travis responded that they were advised to keep things simple, that the petition would stand the best chance of succeeding if they did not include Buchanan territory and possibly risk having more municipalities intervene against the petition. Also, staff and residents of Buchanan were lukewarm about incorporation. Bill Forrest agreed, saying

that when he met with both the Harrison and Buchanan sides of Darboy jointly four years ago, it was the Harrison residents and staff who were excited about incorporation. The Buchanan side wanted to wait. Paul indicated his concern that this incorporation will split the Darboy community. He suggested that annexation might be utilized afterwards to rejoin the two sides of Darboy. Travis indicated that they would consider incorporating as 'Darboy' and annexing Buchanan residents according to the Harrison-Buchanan boundary agreement. Erich continued the discussion of whether the petition is compact and homogenous. He indicated that the proposed area has many interconnected local roads to facilitate movement throughout the area, and also has many sidewalks, bike paths, and even public transit. Socially, although only the Harrison half of the Darboy Community has been included in the petition, the Harrison side does show a distinct social and community identity that is separate from Appleton, Menasha, and other surrounding municipalities. Erich went on to describe how the area's population density and urban land uses also show that the petition is compact and homogenous.

- 2) **Territory Beyond the Core** – Erich indicated the petition includes 887 acres of vacant and developable land that must show the potential to be developed within 3 years. Examining past population growth and past development trends, Erich showed that the area does in fact have a strong development potential. Paul added that because Harrison is part of the Fox Valley metropolitan area, and really the Green Bay metropolitan area too, it is less likely to experience a slowdown from the recession because of its proximity to jobs, education, parks, and other amenities. Furthermore, Harrison itself has mass transit, parks, schools, etc. that make it an attractive place to be.
- 3) **Tax Impact** – Erich indicated that the petition appears to have sufficient financial resources to function as a village, looking at indicators such as mill rate, equalized value, and the proposed budget. Erich indicated that police service is something the new village would be responsible for providing, and Travis mentioned that three alternative police staffing levels have been proposed. Elected officials and residents will need to choose one of the alternatives. Paul indicated that Harrison's financial numbers are similar to his City of Lodi, and that Lodi has a 24/7 five-member police force. He feels comfortable that Harrison will be able to provide village-level resources.
- 4) **Impact on the Remainder of the Town** – Erich indicated that based on the shape of the Town remainder, its population, and its equalized value, the remnant will likely be able to continue to function as the Town of Harrison. Paul indicated that he has concerns about the Town remnant area south of the Village of Sherwood, which is almost entirely cut off from the rest of the Town by the Village. Paul also asked about the finger-like peninsula of Town remnant territory along Lake Winnebago, and why it was not included in the petition. Travis responded that it was not included because Petitioners wanted to make the territory as compact as possible, and also because that area is oriented to Lake Winnebago rather than the Darboy area. The peninsula area refers to itself as the Waverly Neighborhood and shares more in common with other Town remnant areas than with the Darboy area. Paul indicated that excluding these lake homes also probably helps the Town remnant from a financial standpoint.
- 5) **Impact on the Metropolitan Community** – Erich indicated that Harrison appears to be a good municipal member of its region, cooperating with other jurisdictions on a wide range of projects, issues, and initiatives. Paul suggested that incorporating the Darboy area may even benefit the larger metropolitan community because it will result in the creation of a jurisdiction with improved efficiency and problem-solving capacity. Phil indicated that incorporation of the southern one-half of Darboy gives the entire

Darboy community more certainty in that they will be less likely to become gradually and incrementally gobbled up by other municipal neighbors.

Other business matters

Erich updated the group on the Town of Brookfield's incorporation petition, indicating that the parties continue to be in mediation. Erich also mentioned that the Town of Bridgeport in Crawford County has expressed interest in incorporation, and that he and Renee met with the Bridgeport Town board to talk about the incorporation process and statutory standards.

Adjourn

The meeting was adjourned at 3:20pm.

