



## MEMORANDUM

Date: September 3, 2015

To: Common Council

From: Pamela A. Captain, City Attorney  
*PAC*

RE: City of Kaukauna et al. v. Village of Harrison et al.  
Appeal No. 2014AP2828; Calumet County Case No. 2013CV159

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On August 26, 2015, the Court of Appeals issued its decision in the City of Kaukauna et al. v. Village of Harrison et al. case. This case challenged the Village and Town of Harrisons' use of an intergovernmental cooperation agreement, after the initial partial incorporation of the Village, to transfer all of the remaining town territory (except those portions defined as growth areas under the agreements with the cities of Appleton and Menasha) to the Village. The initial incorporation included approximately 3,003 acres. The agreement between the Town and Village added substantial town area now totaling approximately 19,580 acres or 6.5 times the initial land area.

The Court of Appeals affirmed the trial court's decision indicating that nothing in the statutes prohibits the scope of or the notice to the public of the boundary change complained of in the case by its municipal neighbors, the cities of Kaukauna and Menasha and the Village of Sherwood.