

**Annexation
1989**

Bath. Any connections, especially with Sue

ANNEXATION CONSENSUS 1988-89
LEAGUE OF WOMEN VOTERS OF APPLETON

The Appleton League of Women Voters adopted a local study on annexation policies in April, 1988. Consensus was reached February 21 and 22, 1989, with twenty-three members participating.

The study committee included representatives from the cities of Appleton and Menasha; the towns of Freedom, Grand Chute and Harrison; and the counties of Calumet, Outagamie and Winnebago. The committee held two sets of units, heard from city and town speakers at two general meetings, and interviewed widely.

League members recommend:

I. The following criteria should be applied to annexation decisions:

A. Overall Good of the Area:

Improving the long range good of the area was emphasized over shorter range issues of current costs and benefits. Growth was viewed, not as a good in itself, but as an inevitable pressure on the area, with annexation a method for managing growth.

1. Actions should be taken to prevent future problems, to include:
 - a. Areawide planning, particularly for sewers, drainage, and transportation.
 - b. Comprehensive city planning and strengthened extraterritorial zoning powers.
 - c. Cooperative planning among governmental entities, including municipalities and special districts, such as schools and sanitary districts.
2. The ability of a city to support diverse community resources which enhance the quality of life of the area should be strengthened by maintaining a strong city tax base (parks, library, museums, cultural activities).
3. Education of the public on long range issues is vital.

B. Environmental Quality:

Preserving and protecting the environment was emphasized. The manmade boundaries of municipal or county lines were seen as barriers to addressing environmental or public health problems.

1. Comprehensive land use planning is needed to protect health and safety.
2. Adequate services should be provided to maintain and/or improve the quality of air and water.
3. Sanitation and zoning laws should be enforced.

C. Fairness:

Fairness in paying for services is crucial. Those who benefit from services should be expected to share the cost, perhaps through user fees or applying the cost to a wider tax base. The services were seen as a package, and it is unfair to select parts of the package without supporting the whole.

1. Costs of services should be equitably shared by users, to include:
 - a. User fees, often a fair way of distributing costs.
 - b. Fully allocated costs, including capital and administrative expenses, as well as operating expenses.
 - c. Exploration of tax exempts paying for services, or costs distributed on a wider tax base.
 - d. Strengthening county government services, as a means of sharing costs fairly.
 - e. Requiring minimum service levels in urbanized areas (adequate drainage, sewer, and street standards)
2. Services should generally not be provided without annexation.

D. Efficiency of Urban Services:

Areawide and comprehensive city planning were supported to prevent costly duplication and proliferation of urban services. Strengthened extraterritorial zoning powers might prevent future expense.

1. Urban services should be provided economically and efficiently, with planning for possible future annexations.
2. Duplication of urban services should be avoided.
3. Service levels for existing residents are not to be weakened because of annexation.
4. Annexation is desirable when development will result in intensive uses or densities requiring urban services.

II. Action at the State Level:

The Appleton League continues to support the Wisconsin League of Women Voters position of strengthening county government rather than adding new powers to town government.

- A. Appleton League members recognize the difficulties caused by the city being in three counties, and would support exploring county boundary revisions.
- B. Members would like to see changes in state legislation relating to annexation, but would not favor legislation which weakens open meeting requirements or citizen rights, or which strengthens town powers.
- C. Fairness should be addressed through state legislation.
 1. Requiring minimum levels of urban services.
 2. Exploring the possibility of tax exempt institutions paying for services, or being supported on a wider tax base.
 3. Reviewing the effects of the state's revenue sharing policies.

Study Committee: Sue Kinde, Linda Bjella, Beth English, Anne Fahrenkrug, Marlys Fritzell, Vickie Milde, Sharon Persich, Bev Wieckert and M.J. Wurster

ANNEXATION CONSENSUS 1988-89
LEAGUE OF WOMEN VOTERS OF APPLETON

The Appleton League of Women Voters reached consensus on annexation February 21 and 22, 1989, with twenty-three members participating. The study committee included representatives from the cities of Appleton and Menasha, the towns of Freedom, Grand Chute, and Harrison, and the counties of Calumet, Outagamie, and Winnebago. The committee held two sets of units, heard from city and town speakers at two general meetings, and interviewed widely.

I. The following criteria should be applied to annexation decisions:

A. Overall Good of the Area:

Improving the long range good of the region was emphasized over shorter range issues of current costs and benefits. Growth was viewed, not as a good in itself, but as an inevitable pressure on the region, with annexation a mechanism for managing growth.

1. Actions should be taken to prevent future problems, to include:
 - a. Regional planning, particularly for sewers, drainage, and transportation.
 - b. Comprehensive city planning and use of extraterritorial zoning.
 - c. Cooperative planning among governmental entities, including municipalities and schools.
2. The ability of a city to support diverse community resources which enhance the quality of life of the region should be strengthened by maintaining a strong city tax base.
3. Education of the public on long range issues is vital.

B. Environmental Quality:

Preserving and protecting the environment was emphasized. The manmade boundaries of municipal or county lines were seen as barriers to addressing environmental or public health problems.

1. Comprehensive land use planning is needed to protect health and safety.
2. Adequate services should be provided to maintain and/or improve the quality of air and water.
3. Sanitation and zoning laws should be enforced.

C. Fairness:

Fairness in paying for services is crucial. Those who benefit from services should be expected to share the cost, perhaps through user fees or applying the cost to a wider tax base. The services were seen as a package, and it is unfair to select parts of the package without supporting the whole.

1. Costs of services should be equitably shared by users, to include:
 - a. User fees, often a fair way of distributing costs.
 - b. Full costs, including capital and administrative expenses, as well as operating expenses.
 - c. Exploration of tax exempts paying for services, or costs distributed on a wider tax base.
 - d. Strengthening county government services, as a means of sharing costs fairly.
 - e. Requiring minimum service levels in urbanized areas.
2. Services should generally not be provided without annexation.

D. Efficiency of Urban Services:

Regional and comprehensive city planning were supported to prevent costly duplication and proliferation of urban services. Use of a city's extraterritorial zoning powers might prevent future expense.

1. Urban services should be provided economically and efficiently, with planning for possible future annexations.
2. Duplication of urban services should be avoided.
3. Service levels for existing residents are not to be weakened because of annexation.
4. Annexation would be desirable when development plans will result in intensive uses or densities requiring urban services.

II. Action at the State Level:

The Appleton League continues to support the Wisconsin League of Women Voters position of strengthening county government rather than adding new powers to town government.

- A. Appleton League members recognize the difficulties caused by the city being in three counties, and would support redrawing county boundaries.
- B. Members would like to see changes in state legislation relating to annexation, but would not favor legislation which weakens open meeting requirements or citizen rights, and which strengthens town powers.
- C. Fairness is best addressed through state legislation.
 1. Minimum levels of urban services should be required.
 2. Exploration of tax exempt institutions paying for services, or being supported on a wider tax base.

Study Committee: Sue Kinde, Linda Bjella, Beth English, Anne Fahrenkrug, Marlys Fritzell, Vickie Milde, Sharon Persich, Bev Wieckert and M.J. Wurster

Handwritten notes at top of page:
Monday, August 7 7:00
7:30
City Hall
C.C. [unclear] [unclear] [unclear] [unclear]

ANNEXATION CONSENSUS 1988-89
LEAGUE OF WOMEN VOTERS OF APPLETON

The Appleton League of Women Voters reached consensus on annexation February 21 and 22, 1989, with twenty-three members participating. The study committee included representatives from the cities of Appleton and Menasha, the towns of Freedom, Grand Chute, and Harrison, and the counties of Calumet, Outagamie, and Winnebago. The committee held two sets of units, heard from city and town spokespersons at two general meetings, and interviewed widely.

League members emphasize the importance of annexation decisions which improve the long range good of the region, rather than annexation decisions that look primarily at the shorter range issues of current costs and benefits. Growth is not viewed as an automatic good, but as an inevitable force on the region which must be addressed by good zoning and area-wide planning. Annexation is seen as a mechanism for managing growth.

The importance of preserving and protecting the environment was stressed. Municipal or county boundaries were often seen as barriers to addressing issues of environmental quality and public health.

Fairness in paying for services is crucial. Costs of services should be equitably shared by users. Allowing the picking and choosing among city services might lead to the erosion of those services. Strong cities capable of providing regional benefits are seen as strengthening the region as a whole.

There was strong support for a city being able to plan its future, through annexation and extraterritorial zoning. Members agreed that generally city services should not be provided without annexation.

The Appleton League continues to support the Wisconsin League of Women Voters position of strengthening county government rather than adding new powers to town government. Appleton League members recognize the difficulties caused by the city being in three counties, and would support redrawing of county boundaries.

I. The following criteria should be applied to annexation decisions:

A. Overall Good of the Area:

- 1. Actions should be taken to prevent future problems. to include regional sewer service plans, a city's comprehensive long range plans and extraterritorial zoning, cooperative measures among governmental entities.
- 2. Maintain a strong city tax base so that diverse services (parks, library, tax exempt institutions, the arts which benefit the region may thrive.
- 3. Education of the public about long range issues

B. Environmental Quality

- 1. Comprehensive land use planning to protect health and safety
- 2. Adequate provision of services to maintain and/or improve the quality of air and water.
- 3. Enforcement of sanitation and zoning laws.

C. Fairness:

- 1. Cost of services should be equitably shared by users
 - a. User fees often a fair way of distributing costs
 - b. Explore tax exempt institutions paying for services
 - c. Costs to be shared to include capital and administrative expenses
 - d. Strengthen county government as a means of sharing costs fairly
 - e. Minimum service levels to be required in urbanized areas

D. Efficiency of Urban Services:

- 1. Service levels for existing residents are not to be weakened because of annexation
- 2. Urban services should be provided economically and efficiently, with planning for possible future annexations
- 3. Duplication of urban services should be avoided.
- 4. Annexation would be desirable when development plans will result in intensive uses or densities requiring urban services

Action at the State level

There continues to be support for changing of county boundaries in the Fox Valley area.

The Appleton League would like to see changes in state statutes regarding annexation, but favors open meetings, citizen participation and does not favor the strengthening of town powers.

We do not support the draft legislation

Explore tax exempts paying for services

Fairness issues best addressed through state legislation to give equity.

Unbalanced when towns provide minimum level of services

Reluctant to give greater powers to towns.

Study Committee: Sue Kinde, Linda Bjella, Beth English, Anne Fahrenkrug, Marlys Fritzell, Vickie Milde, Sharon Persich, Bev Wieckert, M.J. Wurster

ANNEXATION continued

In addition, what should the city consider?

1. Will additional facilities be required to service the new area such as a new fire station, larger sewers, more fire and police, additional personnel, etc.?
2. Does the area fit into a natural extension of city services?

What should the citizens of the town consider?

- What additional services will be received and what is the difference in cost for each of these services?
- sanitary sewers
 - trash collection
 - public library
 - rapid emergency care
 - full-time, professional fire department
 - specialized police protection
 - rescue squad
 - parks
 - recreational programs for adults and children
 - street lighting
 - street maintenance
 - storm sewers
 - bus service
 - health programs
 - planning for growth
 - careful zoning
 - mayor-council government
 - professional assessors
 - educational system
 - swimming pools

ANNEXATION...

INCORPORATION.....

CONSOLIDATION.....

A CITIZEN'S GUIDE

Written and published by the League of Women Voters of Appleton

ANNEXATION...

-WILL I BE ANNEXED?

-WHO DECIDES?

-WHAT IS OR SHOULD BE CONSIDERED?

The State and Courts consider:

A. Petition

1. Direct annexation-unanimous Have all the owners and electors signed? (Less time-consuming)

Direct annexation-majority Have a majority of the electors signed it AND one of the following:

- a. The owners of 1/2 of the land signed, OR
- b. The owners of 1/2 of the real property in assessed value signed?

2. Referendum

Will a referendum be needed? Did 20% of the electors and 50% of the real property owners sign a petition?

B. The area

1. Is the land contiguous?
2. Will a town island result?

What should the State, the Courts, and the communities consider?

1. Are there common interests between the area and the city?
2. Is there a reasonable present or future need for this area?
3. Does the area fit into a reasonable growth plan for the city?
4. Are there any natural barriers such as drainage?

INCORPORATION....

What do the State and Courts consider when examining an incorporation petition?

1. Are there enough common interests and problems within the area to be incorporated?
2. Is the area sufficiently large in population, area, and financial resources?
3. Is the area broad enough to cope effectively with problems?
4. Can adequate revenues be equitably raised?
5. Are the area and population large enough to produce economy of scale?
6. Is the area compact?
7. Is there a community center?
8. Are natural boundaries compatible with the proposed boundaries?
9. Does it hinder the solution of problems for the remainder of the town or the metropolitan community?

CONSOLIDATION....

1. Is the entire area of each municipality included?
2. Have both governing bodies agreed upon the contract for consolidation?
3. Has a majority of voters in each approved of the consolidation?
4. Has two-thirds vote of each governing body approved the contract?

LOCAL GOVERNMENT IN WISCONSIN

All Local Governmental Units Are Created by and Creatures of the State of Wisconsin.

In order to better understand the structure of local government, a brief description and definition of each follows.

WHAT IS....

COUNTY GOVERNMENT? Almost all states are divided into counties. In Wisconsin, counties are sub-divisions of the State and are directed to perform certain functions for citizens. They may provide additional services that towns once performed. Counties do not have home rule.*

TOWN GOVERNMENT? Unlike most states, Wisconsin has a town government system as well as a county system. All areas within the state are not only in a county but in a city, village, or town. Functions the towns once performed are now being accomplished by other units of government especially counties. Towns do not have home rule.*

A CITY? A city's primary responsibility is to provide services. A city is an incorporated area that has fulfilled state requirements. (See Incorporation) Cities, unlike town or county governments, do have home rule* so they are responsible for all the functions within the incorporated area such as law enforcement, fire protection, planning, health, trash collection, and any other service citizens within the city want performed.

A VILLAGE? A village is very similar to a city except it is governed by an elected board of trustees.

*HOME RULE: Cities and villages have all power not expressly denied them by state statute and can determine their own local affairs in compliance with the State Constitution.

Certain requirements exist before annexation to the City of Appleton can be considered:

1. The land in question must be contiguous to the City.
2. The annexation cannot create a "Town Island".
3. If a peninsula of town land is created by the annexation, it should be wide enough to be defensible in court.
4. A majority of electors (either owners of homes or renters, 18 years of age or older) residing in the land to be annexed need to sign the petition and, in addition, either one of the following:
 - a. The owners of one-half of the land in area within the proposed annexation.
 - b. The owners of one-half of the real property in assessed value within the proposed annexation.
5. If no electors reside in the area to be annexed, then only (a.) or (b.) as outlined above are required.

A petition for annexation to the City of Appleton can be done several ways:

1. Direct Annexation - Unanimous: All of the owners and all of the electors of the area in the proposed annexation can petition directly to the City without waiting for publication of the notice of intention to circulate. This is the fastest method of annexing land to the City.
2. Direct Annexation - Majority: A majority of the owners and a majority of the electors shall petition not less than ten days nor more than twenty days after the date of publication of the notice of intention to circulate. The annexation petition shall be filed within six months of the date of publication of the notice in order for it to be valid. This method is slightly more time consuming than the Unanimous Direct Annexation.
3. Annexation by Referendum: A petition for a referendum on the question of annexation may be filed with the city or village clerk signed by 20% of the electors residing in the area, and the owners of 50% of the real property either in area or assessed value. This method would be the most time consuming.

Other methods of annexation are as follows:

1. Town Island Annexations 66.021(15): The City can annex town islands on its own motion without petition. However, after December 2, 1973, no City may create a town island.
2. City Property Annexation 66.025: The City may annex territory which it owns whether it is contiguous or not. If it is not contiguous, the City annexation must not be contrary to County Zoning Regulations.
3. Annexation by Court Order Referendum 66.024: A City may petition circuit court for an annexation by referendum for contiguous unincorporated territory.

The Common Council has 60 days after the filing of the petition to either accept or reject the petition.

Methods of Annexation

RE:

Annexations 1954-1983 (30 years)

<u>Year</u>	<u>Acreage</u>	<u># of Annexations</u>
1954	133.82	3
1955	232.73	1
1956	26.60	1
1957	193.70	2
1958	106.10	4
1959	319.07	5
1960	5.94	1
1961	424.80	6
1962	327.25	5
1963	48.08	3
1964	5.00	1
1965	374.78	6
1966	72.91	4
1967	151.42	3
1968	2.93	2
1969	389.18	6
1970	15.55	4
1971	102.77	2
1972	79.85	3
1973	699.72	4
1974	200.86	9
1975	52.29	6
1976	72.47	3
1977	335.46	6
1978	150.36	5
1979	326.96	7
1980	1.81	2
1981	6.07	2
1982	59.09	3
1983	447.65	12

5,365.22
or 178.84 Ac.

121
or 4 petitions annually

1983 Annexations

#	Date Adopted	Ordinance No.	Annexation Name	Tax Assessment	Acres	Population		
						Adults	Child-dren	Total
1	5- 4-83	52-83	Schmidt Oil	172,207	51.81	0	0	0
2	5- 4-83	53-83	Lecker-Fischer	332,493	9.20	13	1	14
3	7-20-83	94-83	Moore	840,399	*64.14	124	40	164
4	7-20-83	95-83	Utschig	1,112,260	62.66	0	0	0
5	8-17-83	112-83	Techlin	703,093	8.94	22	7	29
6	9- 8-83	119-83	Williams	73,511	10.38	0	0	0
7	9-22-83	128-83	Lembcke	95,200	1.28	4	0	4
8	11-17-83	141-83	Westgor	1,254,647	27.09	7	5	12
9	11-17-83	142-83	Hoffman	24,866	29.05	0	0	0
10	12- 7-83	158-83	Fabel	120,624	15.70	6	5	11
11	12- 7-83	159-83	Memorial Drive	15,829,857	105.00	17	5	22
12	12-21-83	-83	W. College Ave.	8,297,973	62.40	0	0	0

**28,857,130 447.65 193 63 256

1981 Annexations

Van Dinter Femals	2 Annexations	42,100	6.06	0	0	0
----------------------	---------------	--------	------	---	---	---

1982 Annexations

Downs Opp. Inv. Koehnke's W.	3 Annexations	753,500	59.09	0	0	0
------------------------------------	---------------	---------	-------	---	---	---

* Based on proposed compromise with City of Menasha. (originally 91.07 - 26.93 = 64.14)

** Equalized Tax Assessment

BENEFITS OF HAVING APPLETON CITY SERVICES

Below is a list of benefits that are received by present city residents of the City of Appleton.

1. A Rescue Squad, provided by Appleton Fire Department paramedics, responds to emergencies within minutes - so critical for life-threatening situations.
2. 95 full-time firefighters, positioned in four different stations (three in close proximity to your area), respond to calls for assistance within two-three minutes. Firemen are also trained in C.P.R. and Fire Aid for initial action when necessary.
3. A full-service Police Force operates 24 hours a day.
4. A full-time Health Department offers Appleton residents such services as free blood pressure clinics, free vaccinations, plus public health nursing.
5. The Parks and Recreation Department provides programs for the entire family (Town of Menasha citizens are charged a non-resident fee for participation in Appleton recreation programs).
6. A free Public Library offers a full range of reader and media services (Town of Menasha citizens are assessed an annual fee of \$34.98).
7. The Appleton Area School District has schools within walking distance in contrast to busing in the Menasha district.
8. Valley Transit bus service is available (the Town of Menasha does not budget to provide this service to its residents).
9. Street lights, located in closer proximity to each other than those in the Town, give greater protection.
10. Direct representation through an aldermanic form of government. The name of your alderman would be David Swayne-738-0031.

In addition to the foregoing benefits, you will realize monetary advantages by receiving greater purchasing power from your tax dollar as a resident of a full-service city. Also, it is less expensive to reside in the Appleton Area School District than the City of Menasha School District (as validated by the Winnebago County Treasurer's Office).

Police protection - 1/678 residents - Town ratio 1/1096
Garbage pickup - once a week included in taxes - Town special assessm^t
\$30.84
Subsidized housing may be available - Town offers no such prop^{er}

Annexation Strategy

Wisconsin State Law specifies that land contiguous to a municipality, not in an incorporated area, can be annexed by petition of a majority of the electors in the area to be annexed and a majority of land owners (measured by either acreage or assessed value). Non-unanimous petitions may be subject to a referendum. Thus, the City has little control over where land is annexed except by denying a petition when land is proposed to be annexed.

In 1942, the City of Appleton contained approximately 6.5 square miles of land. During the 1940's only 174 acres were annexed to the City. In the 1950's, annexations increased, amounting during that decade to 1,984 acres. The City added another 1,802 acres of land by annexation in the 1960's. During the 1970's the greatest number of acres in recent years were annexed totalling 2,320 acres. The largest annexation to the City since 1942 was in 1950, when 884 acres came into the City by two annexations, Bell Heights and Whispering Pines. In 1973 the AAL annexation accounted for 684 acres coming into the City. Figure 5 illustrates annexations between 1950 and 1983.

The City of Appleton should develop a general policy statement regarding annexation to serve as a guide for making a determination on whether or not an area proposed for annexation ought to be accepted. The policy should cover the following timing considerations.

1. No annexation should be approved by the City until a thorough review has been made to determine a) the necessity and desirability of the annexation, and b) the feasibility and methods for providing public services.

2. Generally, areas already within the city boundaries should be given priority for the expansion of public services before newly annexed areas.
3. An expanding population should be planned for in a manner that will not place undue burdens upon existing neighborhood facilities.

Other considerations the policy should address could include:

1. An area proposed for annexation should be contiguous, to the city boundary by at least the frontage of one minimum standard sized lot, with the size being determined by the existing zoning districts.
2. An area proposed for annexation should have boundaries containing at least the minimum area for the proper and orderly extension of municipal services, such as, but not limited to, sewers, storm drains, water systems, and roads and streets.
3. The proposed annexation of an area should not be approved unless all of the proposed area has, or will have when developed, a direct access roadway for ingress and egress enclosed within corporate city limits. Exceptions may be made where the road is a surfaced county maintained roadway.
4. When an area is approved for annexation, all non-conforming uses existing in the area at the time of annexation should be recorded by the Director of Inspections.

Annexation strategy for the next 27 years should seek to encourage annexations where they are consistent with adopted policy, should seek to attract at least 81 acres of vacant, undeveloped land per year, and finally should first focus on the remaining areas inside the highway frame before extending beyond. Figure 6, Annexation Plan, illustrates those areas needed and recommended for addition to the City over the next 25 years.

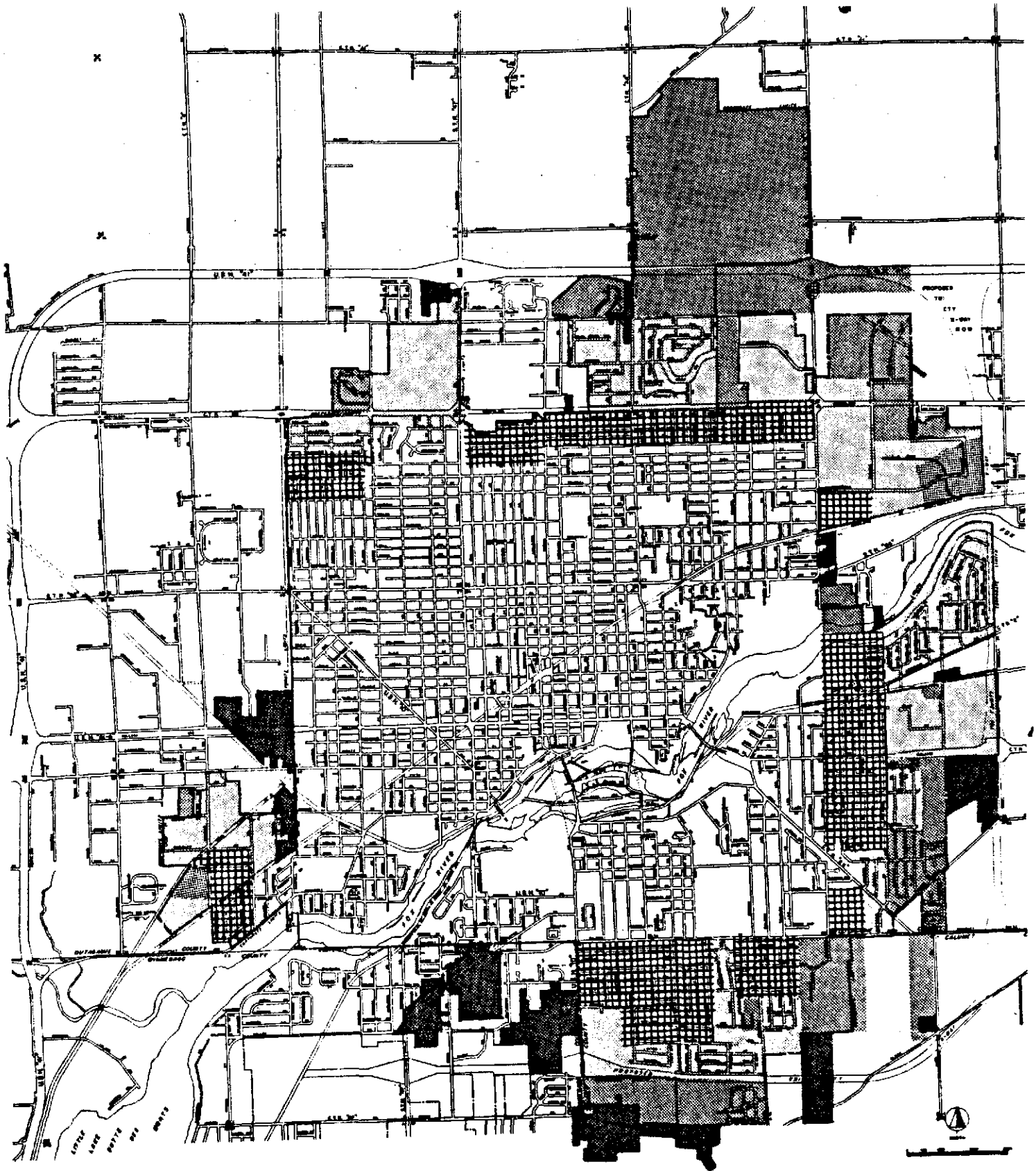






FIGURE FIVE: ANNEXATIONS, 1950 - 1983

 1951-1960
 1961-1970

 1971-1980
 1981-1983

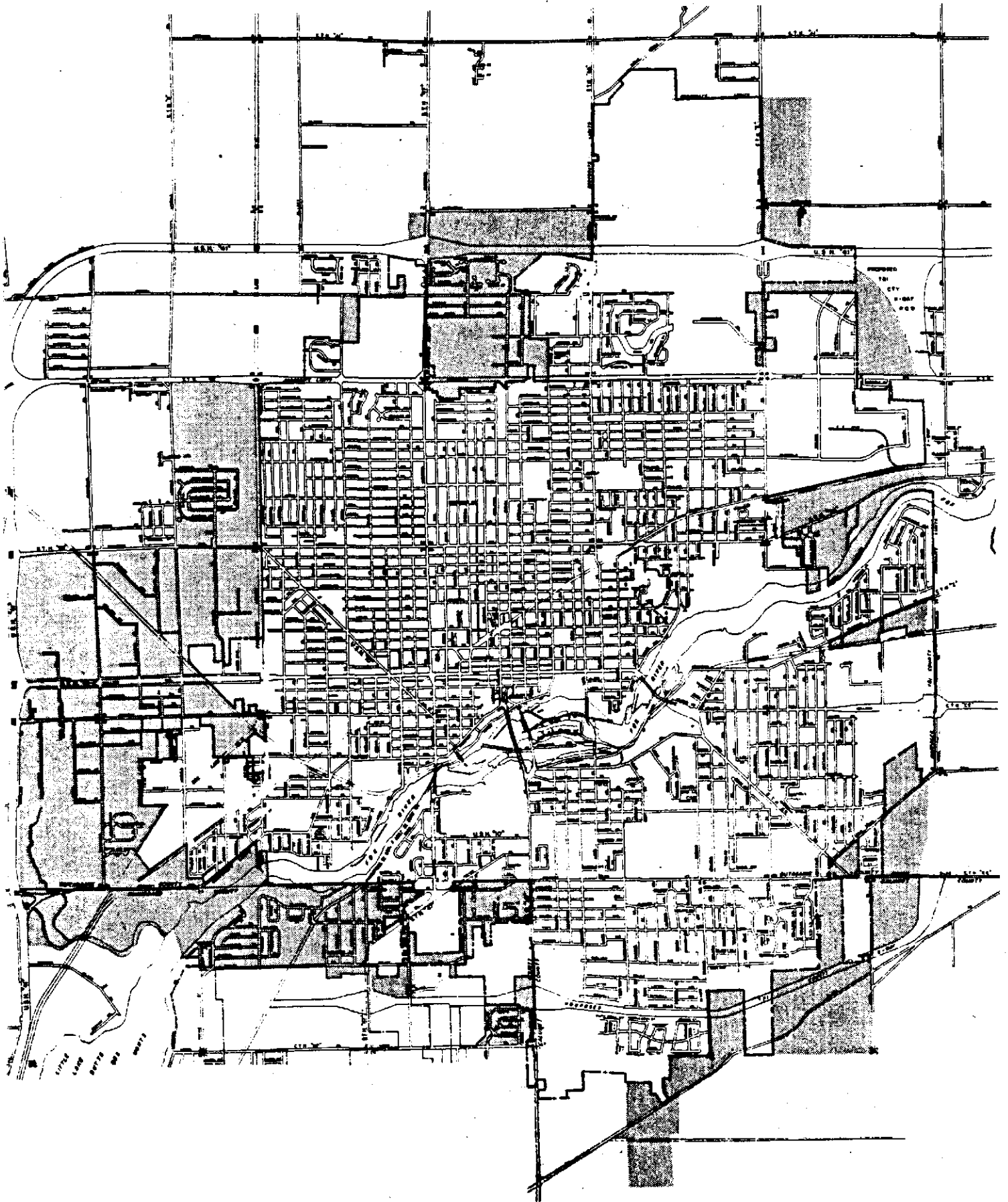


FIGURE SIX: ANNEXATION PLAN, 1985-2010