



STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor  
Kathy Blumenfeld, Secretary  
Dawn Vick, Division Administrator

January 19, 2022

Michael Farrell, President  
Village of Bristol  
Bristol Village Hall  
19801 83<sup>rd</sup> Street  
Bristol, WI 53104

John Holloway, Chair  
Town of Paris  
Paris Town Hall  
16607 Burlington Road  
Union Grove, WI 53182

**Re: Bristol – Paris Cooperative Plan**

Dear Mr. Farrell and Mr. Holloway,

On behalf of the Department of Administration, I am pleased to provide your communities with our approval of your Cooperative Plan.

Congratulations on your success in developing this plan. Your persistence in seeing this plan to its conclusion will help establish certainty regarding municipal boundaries, service provision, and land use matters, and provides a solid foundation for decades of future cooperation between your communities.

Should you have any questions concerning our approval, or subsequent cooperative plan implementation issues, please do not hesitate to contact Erich Schmidtke at (608) 264-6102.

Sincerely,

Dawn Vick, Administrator  
Division of Intergovernmental Relations

Cc: Christopher Geary, Pruitt, Ikes & Geary, SC      Jim Kreuser, Kenosha County Executive  
Kevin Muhs, SEWRPC      Kenosha County Planning & Zoning Department

(the following communities and jurisdictions may access the Department's full review determination and the communities' Cooperative Boundary Plan document at <http://doa.wi.gov/municipalboundaryreview>)

Craig Thompson, DOT Secretary	Diana Coughlin, Town of Paris Clerk
Michael McKinney, Village of Yorkville Clerk	Mary Cole, Village of Somers Clerk
Diana Coughlin, Town of Paris Clerk	Randy Romanski, DATCP Secretary
Amy Klemko, Village of Bristol Clerk	Preston Cole, DNR Secretary
Shannon Hahn, Village of Salem Lakes Clerk	Sabrina Waswo, Village of Twin Lakes Clerk
Callie Rucker, Town of Randall Clerk	Randall School District
Kansasville Graded 1-8 School District	Mary Cole, Town of Somers Clerk
Sheila Seigler, Town of Wheatland Clerk	Cheryl Zamecnik, Village of Sturtevant Clerk
Camille Gerou, Town of Dover Clerk	Tara Coolidge, City of Racine Clerk
Rebecca Wallendal, V. of Union Grove Clerk	Jeanne Rennie, Town of Burlington Clerk
Diahnn Halbach, City of Burlington Clerk	Racine Unified School District

Burlington Area School District Office  
Gateway Tech College  
Paris Consolidated School District Joint #1  
Stephanie Kohlhagen, V. of Mt Pleasant Clerk  
Village of Elmwood Park City of Kenosha  
Kenosha Unified School District  
Bristol School District  
Wilmot Union High School District  
Linda Perona, Town of Brighton Clerk  
Union Grove High School Dist.  
Trevor-Wilmot Consolidated School Dist.

Kimberly Bushey, Walworth County Clerk  
Union Grove Joint School District #1  
Regi Bachochin, Kenosha County Clerk  
Wilmot Grade School District  
Brighton Elem. School District  
Jane Snell, Village of Pleasant Prairie Clerk  
Salem Consolidated Grad School  
Riverview Joint School District #1  
Michelle Shramek, V. Paddock Lake Clrk  
Wheatland Center School



**WISCONSIN DEPARTMENT OF ADMINISTRATION**

**REVIEW of the COOPERATIVE PLAN  
under Section 66.0307 Wis. Stats.**

**between the**

**VILLAGE OF BRISTOL and TOWN OF PARIS  
KENOSHA**

**January 19, 2022**

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STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor  
Kathy Blumenfeld, Secretary  
Dawn Vick, Division Administrator

This determination constitutes the Department's review of the proposed cooperative plan between the Village of Bristol and Town of Paris under s. 66.0307 Wis. Stats. The Department is charged with reviewing cooperative plans for compliance with public interest standards set forth in s. 66.0307(5)(c) Wis. Stats.

In summary, it is the DETERMINATION OF THE DEPARTMENT OF ADMINISTRATION that when considering the proposed cooperative plan under Section 66.0307(5), Wis. Stats.:

Standard 1, Content of Cooperative Plan Sufficiently Detailed – Met

Standard 2, Cooperative Plan Consistent with Comprehensive Plans and State and Local Laws and Regulations – Met

Standard 3, Adequate Provision for Municipal Services – Met

Standard 4, Provision for Affordable Housing – [Repealed & Inapplicable]

Standard 5, Compactness of Plan Territory – Met

Standard 6, Planning Period is Consistent with Cooperative Plan – Met

The facts and analysis supporting these findings are discussed in the body of this determination. The Determination of the Department of Administration is as follows:

Pursuant to s. 66.0307(5)(d), Wis. Stats., the Department of Administration hereby determines that the proposed cooperative plan is APPROVED.

Amendments or revisions to the plan can only occur with the approval of the communities, and with the concurrence of the Wisconsin Department of Administration or any successor agency granted the authority to administer the provisions of s. 66.0307(8), Wis. Stats.

Dated this 19<sup>th</sup> day of January 2022.

\_\_\_\_\_  
Dawn Vick  
Administrator, Division of Intergovernmental Relations

## NOTICE OF RIGHT TO APPEAL

This Notice sets forth the requirements and procedures for obtaining review for those persons who wish to obtain judicial review of the attached decision of the Department. Per s. 66.0307(9), Wis. Stats., decisions of the Department are subject to judicial review under s. 227.52. Per s. 227.53 any person aggrieved by a decision of the Department is entitled to review in circuit court. Per s.227.53 (1) (a) 1., proceedings for review are instituted by serving a petition therefor upon the agency, either personally or by certified mail, and by filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. Per s. 227.53 (1) (a) 2m., an appeal must be filed and served within 30 days after mailing of the decision by the agency. Per s. 227.53 (1) (b), the petition shall state the nature of the petitioner's interest, the facts showing that petitioner is a person aggrieved by the decision, and the grounds specified in s. 227.57 upon which petitioner contends that the decision should be reversed or modified. Any petition for judicial review shall name the Department of Administration as the Respondent. Petitions for review should be served on the Department's Secretary, Kathy Blumenfeld. The address for service is:

c/o DOA, Municipal Boundary Review  
101 East Wilson Street, 9th Floor  
PO Box 1645  
Madison, WI 53701

Persons desiring to file for judicial review are advised to closely examine all provisions of ss. 227.52, 227.53 and 227.57 Wis. Stats. to ensure strict compliance with all requirements. The summary of appeal rights in this notice shall not be relied upon as a substitute for the careful review of all applicable statutes, nor shall it be relied upon as a substitute for obtaining the assistance of legal counsel.

## Executive Summary

In accordance with s. 66.0307(5) Wis. Stats., the Wisconsin Department of Administration (Department) approves the *Village of Bristol/Town of Paris Cooperative Plan* (Cooperative Plan).

The Village of Bristol and Town of Paris (Communities) developed this Cooperative Plan to maintain the boundaries between the communities as they currently exist.

### **Public Hearing, Resolutions, Referenda and other Procedural Matters**

Before a cooperative plan is submitted to the Department, several procedural steps must occur. These are:

- Joint initiating resolutions passed by each participating municipality authorizing its governing body to work to negotiate and develop the plan;
- A joint public hearing to receive comments from the public and other governmental bodies; and
- Resolutions adopted by each municipality to approve a final version of the cooperative plan and forward it to the Department for review.

The following procedural steps may occur:

- An advisory referendum; and
- A public hearing held by the Department.

No area residents requested that an advisory referendum on the Cooperative Plan be held, and no area residents requested that the Department hold a public hearing.

Authorizing resolutions were passed by the Village and Town on February 11<sup>th</sup> and 26<sup>th</sup>, 2021 respectively and are provided at Exhibit E of the Cooperative Plan. As required by s. 66.0307(4)(a) Wis. Stats., these resolutions were distributed to the neighboring municipalities and other area jurisdictions identified at Exhibit F.

A public hearing for the Cooperative Plan was held on June 28, 2021 by both Village and Town under s. 66.0307(4)(b) Wis. Stats. A transcript of this hearing is provided at Exhibit A. There were no public comments.

Following the public hearing, the Village and Town adopted resolutions approving the Cooperative Plan on August 23<sup>rd</sup> and 24<sup>th</sup>, 2021 respectively, provided at Exhibit G. The Communities then forwarded the Cooperative Plan to the Department for its statutory review on October 28, 2021.

## Approval Criteria Applicable to the Department

A cooperative plan shall be approved by the Department if the Department determines that each of the review criteria in s. 66.0307(5)(c), Wis. Stats., are met. The following paragraphs describe how the Cooperative Plan relates to these review criteria. It is important to understand that this review document is not a complete restatement of the Plan. Those wanting to learn specific details, provisions, nuances, and conditions should look to the text of the Cooperative Plan itself, which is available from the communities as well as on the Department of Administration's website at <http://doa.wi.gov/municipalboundaryreview>.

***(1) The content of the plan under sub. s. 66.0307(3)(c) to (e) is sufficient to enable the Department to make the determinations under subds. 2 to 5m. s. 66.0307(5)(c)1, Wis. Stats.***

The following are the fundamental components of this Cooperative Plan:

- Territory subject to the Plan – the entire territorial limits of the Village and Town are subject to the terms of this Cooperative Plan.
- Term – the Cooperative Plan takes effect upon Department approval and remains in effect for a period of 20 years, subject to a possible renewal for an additional 10 years.
- No Transfer of Territory – the Cooperative Plan states that the municipal boundaries between Bristol and Paris as they currently exist shall remain the boundaries between the communities during the Planning Period.

The Cooperative Plan expressly recognizes a separate cooperative plan Paris has with the City of Kenosha and Village of Somers which requires transfer of Town territory to Kenosha and Somers.

- Incorporation – the Communities acknowledge that at some point in the future the Town may attempt to incorporate as a city or village, and the Village may desire to become a city rather than a village. Each community agrees that it shall not oppose these efforts. The Cooperative Plan expressly provides that incorporation or consolidation with a neighboring community shall not affect implementation of the Cooperative Plan.
- Periodic Conferences and Long-Range Planning – the Village and Town agree to confer at least annually to review and discuss concerns relating to land use, stormwater management and drainage, boundary streets, capital improvement projects, and other matters of mutual concern.
- Dispute Resolution - the Cooperative Plan establishes a dispute resolution process.



The above information, along with other information included in the Cooperative Plan, provides sufficient detail to enable the Department to find that the standards in s. 66.0307(3)(c)1. Wis. Stats. have been met.

**(2) *Is the cooperative plan consistent with each participating municipality's comprehensive plan and with current state laws, municipal ordinances and rules that apply to the territory affected by the plan?* s. 66.0307(5)(c)2 Wis. Stats.**

Bristol and Paris have adopted the *Kenosha County Multi-Jurisdiction Comprehensive Plan: 2035* (2010) as their respective comprehensive plans. This comprehensive plan is based upon the same boundaries between Bristol and Paris that are preserved by this Cooperative Plan. By preserving the boundaries, the Communities can better implement the long-term planning goals and objective's set forth in their comprehensive plan.

Specifically, the Communities believe that by maintaining current boundaries the comprehensive plan's goals of encouraging efficient development patterns, heading off disputes, improving services, addressing regional issues, fostering trust and coordination and cooperation between the Communities can better be achieved.

Furthermore, as described in its Comprehensive Plan, Bristol seeks to encourage new urban development in areas already within or contiguous to its sewer service area to avoid major new infrastructure investments. These areas are located some distance from the shared Bristol-Paris boundary. By fixing boundaries for an extended period of time, growth in Bristol is encouraged to occur in these areas where growth is desired.

Meanwhile, Paris's comprehensive plan envisions the Town retaining its historic character as a largely rural and agricultural community, at least outside of the I-94 corridor. By fixing boundaries between the Communities development pressure is better managed.

Additionally, the Communities will be commencing work on their 2050 comprehensive plan and believe that this Cooperative Plan builds on the recently approved cooperative plan between Paris, Somers, and Kenosha in 2017. Together these cooperative plans provide sufficient stability can make the 2050 comprehensive planning effort maximally effective.

Finally, a comment letter from the Kenosha County Planning Department is fully supportive of the Cooperative Plan and does not indicate any conflicts or inconsistencies with regional plans or rules and regulations. Specifically, Kenosha County writes that the Cooperative Plan serves to facilitate implementation of the *Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035* (2010). This Cooperative Plan facilitates planning for and delivering municipal services and avoiding boundary disputes.

For the foregoing reasons, the Department finds that the Cooperative Plan is consistent with each community's comprehensive plan and with all current state laws, municipal regulations and administrative rules and that the standard in s. 66.0307(5)(c)(2) Wis. Stats. is therefore met.

***(3) Adequate provision is made in the cooperative plan for the delivery of necessary municipal services to the territory covered by the plan. s. 66.0307(5)(c)(3), Wis. Stats.***

The Cooperative Plan does not impact how services are provided. Each community will continue to provide the same level of services to its residents, or have services provided by other jurisdictions such as Kenosha County or private contractors. The Cooperative Plan includes an inventory of the various services provided in each community and these services are anticipated to continue unchanged.

For the foregoing reasons, the Department finds that adequate provision has been made for the delivery of necessary municipal services to the agreement territory and that the standard in s. 66.0307(5)(c)3, Wis. Stats., is met.

***(5) The shape of any boundary maintained or any boundary change under the cooperative plan is not the result of arbitrariness and reflects due consideration for compactness of area. Considerations relevant to the criteria under this subdivision include quantity of land affected by the boundary maintenance or boundary change and compatibility of the proposed boundary maintenance or boundary change with natural terrain including general topography, major watersheds, soil conditions and such features as rivers, lakes and major bluffs. s. 66.0307(5)(c)(5), Wis. Stats.***

The boundary between Bristol and Paris will remain unchanged over the next 20 years. The Cooperative Plan indicates that this boundary line has been in place and largely unchanged throughout the Communities' history as distinct jurisdictions, a fact the Communities' point to as evidence for how the boundary is compact and rational. For example, transportation, sewer and water services, and stormwater management facilities and other infrastructure and services have historically been developed considering this existing boundary. The existing boundary is also recognized by area residents, visitors, businesses, and elected officials and staff.

Because the Cooperative Plan makes no changes to an already regular and compact municipal boundary line, the Department finds that the standard in s. 66.0307(5)(c)5., Wis. Stats. is met.

***(6) Any proposed planning period exceeding 10 years is consistent with the plan. s. 66.0307(c)6 Wis. Stats.***

The Cooperative Plan takes effect upon Department approval and remains in effect for a period of 20 years. The Cooperative Plan shall be automatically renewed and extended by one term of ten (10) years, unless the Village or Town expressly elects not to extend the term.

The Department finds this arrangement to be appropriate and consistent with the Cooperative Plan's provisions. Therefore, the standard in s. 66.0307(5)(c)6, Wis. Stats., is met.



Pruitt, Ekes & Geary, S.C.

245 Main Street, Suite 404, Racine, WI 53403 Phone: 262-456-1216 Facsimile: 262-456-2086 www.peglawfirm.com

Timothy J. Pruitt  
Elaine Sutton Ekes  
Christopher A. Geary

Office Administrator:  
Eileen M. Zaffiro

October 28, 2021

**RECEIVED**

**October 28, 2021**

Municipal Boundary Review  
Wisconsin Dept. of Admin.

*Transmitted Via Electronic Mail: Erich.Schmidtke@wisconsin.gov*

Mr. Erich Schmidtke  
Municipal Boundary Review  
Wisconsin Department of Administration  
101 East Wisconsin Street  
P.O. Box 1645  
Madison, WI 53701

*RE: Submittal of Paris-Bristol Cooperative Boundary Agreement  
Per Sec. 66.0307, Wis. Stat.*

Dear Erich:

As attorneys for the Town of Paris, enclosed please find the Paris-Bristol Cooperative Boundary Agreement with the attachments for submission to the Department of Administration. This agreement was adopted by Resolutions by the Town of Paris and the Village of Bristol. The thirty-day period for appeal has expired from the last date of adoption of the Resolution, which was the August 25, 2021 by the Town of Paris.

This agreement has a long, and somewhat tortured history. It was actually first approved by the communities all the way back in 2009, but then it "fell through the cracks" for a decade after it had been rejected by DOA due to several technical failings. After we recently discovered that the agreement had never been approved, we worked to update the 2009 agreement to address the deficiencies. You were good enough to review and comment on several drafts, so we are hopeful that the agreement, which was recently re-approved by the communities, now satisfies the statutory requirements. To the extent there are any remaining deficiencies, however, please let us know so that we can get them corrected and finally get the agreement effective.

Mr. Erich Schmidtke  
Municipal Boundary Review  
Wisconsin Department of Administration  
October 28, 2021  
Page 2

Thank you again for your assistance up to this point and for your review of the attached agreement.

Sincerely,

**PRUITT, EKES & GEARY, S.C.**



Christopher A. Geary  
*cgeary@peglawfirm.com*

**Enclosure**

cc: Diana Coughlin, Clerk-Treasurer, Town of Paris (via electronic mail)  
Amy Klemko, Clerk/Treasurer, Village of Bristol (via electronic mail)

**VILLAGE OF BRISTOL/TOWN OF PARIS  
COOPERATIVE PLAN  
UNDER SECTION 66.0307, WISCONSIN STATUTES**

**VILLAGE OF BRISTOL/TOWN OF PARIS  
COOPERATIVE PLAN  
UNDER SECTION 66.0307, WISCONSIN STATUTES**

- Attachment A: Notice of Joint Public Hearing and Transcript of Public Hearing
- Attachment B: Maps of Boundaries
- Attachment C: Links to Kenosha County Multi-Jurisdictional Comprehensive Plan and Related Bristol and Paris Land Use Plans and Agreements
- Attachment D: Wisconsin Statutes Secs. 66.0201-66.02162
- Attachment E: Authorizing Resolutions
- Attachment F: Affidavit of Mailing Authorizing Resolutions
- Attachment G: Resolutions Indicating Adoption and Authorizing Transmittal to State of Wisconsin Department of Administration
- Attachment H: Comments on Cooperative Plan by Kenosha County Planning and Development, in satisfaction of 66.0307(4)(c), Wis. Stats.

**VILLAGE OF BRISTOL/ TOWN OF PARIS  
COOPERATIVE PLAN  
UNDER SECTION 66.0307, WISCONSIN STATUTES**

The Village of Bristol, a Wisconsin municipality with offices at 19801 83rd Street, Bristol, Wisconsin 53104 (hereinafter "Bristol") and the Town of Paris, a Wisconsin municipality with offices at 16607 Burlington Road, Union Grove, Wisconsin 53182 (hereinafter "Paris") enter into this Cooperative Plan (hereinafter "Cooperative Plan" or "Agreement"), subject to the approval of the State Department of Administration, under the authority of Section 66.0307 Wisconsin Statutes.

**WHEREAS**, Section 66.0307, Wisconsin Statutes, authorizes municipalities to determine the boundary lines between themselves upon approval of a cooperative plan by the State Department of Administration; and,

**WHEREAS**, the purpose of a cooperative plan is cited in Section 66.0307(3)(b), Wisconsin Statutes as follows:

(b) Purpose of Plan. The Cooperative Plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the Plan consistent with the comprehensive plan of each participating municipality; and,

**WHEREAS**, Section 66.0307(2)(a) through (d) of the Wisconsin Statutes requires that cooperative plans be organized around options for future boundary changes. These options, listed below, specify how boundary changes will occur over the boundary plan term:

(a) That specified boundary line changes shall occur during the planning period and the approximate dates by which such changes shall occur.

(b) That specified boundary line changes may occur during the planning period and the approximate dates by which the changes occur.

(c) That a required boundary line changes under subparagraph (a) or an optional boundary line change under subparagraph (b) shall be subject to the occurrence of conditions set forth in the Cooperative Plan.

(d) That specified boundary lines may not be changed during the planning period.

This Cooperative Plan is organized around option "(d)," namely that specified boundary lines may not be changed during the planning period; and,



**WHEREAS**, Bristol and Paris enter into this Cooperative Plan to confirm their respective boundaries as to each other, and to guide and accomplish a coordinated, adjusted and harmonious development of the territory covered by this Cooperative Plan; and,

**WHEREAS**, Bristol has several utility districts organized under the laws of the State of Wisconsin, and the Village of Bristol Utility District (hereinafter collectively "Bristol Utility"), Bristol and Bristol Utility own and operate sewer and water utilities, and Paris has no sewer and water service; this Cooperative Plan does not provide for any exchange of those services; and

**WHEREAS**, Bristol and Paris enter into this Cooperative Plan for the purposes of confirming their boundaries with each other and assuring orderly development in a cooperative manner, consistent with each municipality's respective comprehensive plan; and

**WHEREAS**, this Cooperative Plan does not adversely affect the exercise of Kenosha County zoning, platting, and the general powers of Kenosha County; and,

**WHEREAS**, this Cooperative Plan was developed following a review of existing regional, county and local plans, including each municipality's respective comprehensive plan; and,

**WHEREAS**, Bristol and Paris have held a joint public hearing on this Cooperative Plan noticed under Wisconsin Statutes 66.0307(4)(b) on June 28, 2021, in which the public was afforded the opportunity to offer comments; see Attachment A, which consists of a notice of the joint public hearing and the transcript of the public hearing; and,

**WHEREAS**, this Cooperative Plan is substantially the same as an earlier cooperative plan that had been reviewed and approved by the respective Town Boards for the Town of Paris and the then-Town of Bristol in April, 2009, but which was never officially approved by the Wisconsin Department of Administration; and,

**WHEREAS**, it is the intention of Bristol and Paris that this Cooperative Plan be a binding and enforceable contract.

**WITNESSETH:**

The Village of Bristol and the Town of Paris enter into this Cooperative Plan under the authority of Section 66.0307, Wisconsin Statutes, and petition the State of Wisconsin, Department of Administration for approval, in accordance with statutory procedures and time frames.

**SECTION 1  
PARTICIPATING MUNICIPALITIES**

This Cooperative Plan applies to the Village of Bristol and the Town of Paris located in Southeastern Wisconsin, which respective municipal boundaries on the date of approval of this Cooperative Plan by the Parties are shown on the map found in Attachment B, excluding therefrom “Existing City of Kenosha” area and “City Growth Area” (as depicted on Attachment B, page 3) and “Potential City Growth Parcels” (as depicted on Attachment B, page 4).

**SECTION 2  
CONTACT PERSON**

The following person is empowered to speak for their municipality respecting this Cooperative Plan: for the Village of Bristol: the Village President or designee; for the Town of Paris: the Town Chairperson or designee.

**SECTION 3  
TERRITORY SUBJECT TO THE COOPERATIVE PLAN**

The Planning Area subject to this Cooperative Plan (“Planning Area”) is the territorial limits of Bristol and Paris as of the date of this Agreement, subject to any other boundary changes with other municipalities pursuant to statutorily-approved agreements or court decisions.

**SECTION 4  
ISSUES, PROBLEMS, OPPORTUNITIES**

This Cooperative Plan will address issues and problems and create opportunities as noted in the following areas below:

**4.01** Maintain Boundaries Between Bristol and Paris. The boundaries maintained by this Cooperative Plan will recognize the need of the municipalities to maintain secure boundaries and to engage in meaningful planning. Both municipalities engage in land use planning and seek to avoid boundary disputes. Both communities also need boundary certainty in order to properly plan for any longer-term public improvement projects, such as infrastructure improvements for sewer, water and other urban amenities, and new or expanded public roads, etc.

**4.02** Planning. Bristol and Paris have both adopted the “Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035” as their respective comprehensive plans, including the respective municipality-specific elements thereto (“Comprehensive Plan”). A

link to the Comprehensive Plan is attached as Attachment C. This Cooperative Plan is consistent with each municipality's Comprehensive Plan, as required by Wis. Stats. 66.0307(3)(c), and, in fact, is intended to help further the visions set forth in the municipalities' Comprehensive Plans [See Section 14].

## **SECTION 5 BOUNDARIES**

**5.01** The boundary between Bristol and Paris as it exists as of the date of the execution of this Agreement, shall remain the boundary between the municipalities during the Planning Period encompassed by this Cooperative Plan (other than with respect to the City Growth Area and Potential City Growth Parcels as shown on Attachment B, pages 3 and 4). No incorporation or consolidation of either all or part of Bristol or Paris during the Planning Period shall affect or result in a change in the boundary between Paris and Bristol. The Cooperative Plan's "Planning Period" shall be the full term of this Cooperative Plan, including any extension as set forth herein.

**5.02** The shape of the boundary between Bristol and Paris reflects due consideration for the general topography, major watersheds, soil conditions and other natural features, is long-established, and is not the result of arbitrariness.

**5.03** The boundary between Bristol and Paris is reasonably compatible with the characteristics of the surrounding community. Prior to Bristol's recent incorporation, the boundary between Bristol and Paris in its present location has been in place and largely unchanged, in terms of land changing from Bristol to Paris or vice versa, for many, many decades. Transportation, sewer, water and storm water drainage facilities and other infrastructure have historically developed in light of that existing boundary. Maintenance of the current boundary will not negatively impact shopping and social customs or the physical capacity of either Bristol or Paris.

**5.04** Maintaining the current boundary between Bristol and Paris also furthers the long-term planning goals of the municipalities. State law, including specifically sec. 66.1001, Wis. Stats., requires all municipalities to engage in long-term planning, which must include due consideration of "overall objectives, policies, goals and programs of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20-year planning period." Such long-term plans must take a comprehensive approach to the local government's future development, including reviewing and planning for the community's future housing, transportation, utilities, agriculture and economic development, intergovernmental cooperation, and land use needs and considerations. Both Bristol and Paris have adopted the Kenosha County Multi-Jurisdiction Comprehensive Plan as their respective "Smart Growth" comprehensive plans. The Multi-Jurisdiction Comprehensive Plan is intended to guide the municipalities' development through 2035, and the Plan is based upon the same boundaries between Bristol and Paris that are preserved by this Cooperative Plan. The municipalities therefore built their long-term planning

around the expectation that certain types of growth and development would occur in certain areas within their boundaries, thus necessitating the need to plan for, construct, and pay for the particular infrastructure and services that will be needed to accommodate such growth. But for the certainty created by this Cooperative Plan's preservation of the Bristol-Paris boundary, the municipalities' implementation of their Comprehensive Plans could be impaired by having to account for the possibility that areas upon which Paris built its long-term plan could nevertheless be annexed into Bristol, and that Bristol could end up with jurisdiction over land that it did not contemplate in its own long-term planning. Moreover, the municipalities are, or soon will be, commencing work on their 2050 comprehensive planning and, between this Cooperative Plan as well as the recently approved cooperative plan between Paris, Somers, and Kenosha, their municipalities' boundaries are now sufficiently stable that such planning efforts will be maximally effective. Finally, in terms specifically of compactness and shape of the subject boundary, it remains the same as it has historically been and, with respect to Bristol, the same as was approved as part of its recent incorporation.

## **SECTION 6 CURRENT LAND USE AND PHYSIOGRAPHIC CONDITIONS**

The current land use and physiographic conditions of the Planning Area territory included in this Cooperative Plan are identified in Attachment C.

## **SECTION 7 TERM OF THE BOUNDARY**

The term of this Cooperative Plan shall be twenty (20) years (following approval of the governing bodies of Bristol and Paris) from the date of approval of the State Department of Administration. This twenty-year period, plus the ten-year renewal set forth below, if elected, shall be the "Planning Period."

This Agreement shall be automatically renewed and extended by one term of ten (10) years unless, not sooner than one year and not later than six months before expiration, a party provides written notice to the other in the form required by Section 29 of this Agreement of that party's election not to extend the term of this Agreement, in which case this Agreement shall terminate on December 31<sup>st</sup> in the 20<sup>th</sup> year after approval by the State Department of Administration. The automatic renewal of this Agreement shall be interpreted as a completely new contract and the extension by automatic renewal shall create a new independent term for the period provided. However, if this Agreement is automatically renewed and extended, there shall be no further automatic renewal or extension.

During the term (or extended term) of this Cooperative Plan, neither party shall take any affirmative action to amend or alter the boundary in the Planning Area as defined in Section 5, including, but not limited to, the adoption of any ordinance or resolution approving or

effectuating any annexation of territory unless agreed to and approved by both parties in advance of the action.

Bristol and Paris believe that it is appropriate and necessary for the communities' boundary to remain fixed for longer than the default 10-year planning period provided in Wisconsin Statutes. As described in its Comprehensive Plan, Bristol seeks to encourage new urban development to occur in those areas that are already within or contiguous to its existing sewer service area, and which could readily be provided with sewer service without the need for any major new infrastructure investments. Those areas are located some distance from the Bristol-Paris boundary, so fixing that boundary for an extended period of time encourages growth in Bristol to occur in those areas which Bristol has determined can most easily accommodate such growth. Paris's Comprehensive Plan envisions the Town retaining its historic character as a largely rural and agricultural community, at least outside of the I-94 area, which is the subject of its own "neighborhood plan." Maintaining such a community character necessitates moderating the development pressure that could otherwise result in the transformation of large, unimproved rural tracts into smaller, residential or commercial parcels, which would thereby forever be removed from agricultural production. Controlling the Paris-Bristol boundary helps to control that development pressure. Additionally, Paris has recently entered into an intergovernmental boundary agreement with the City of Kenosha and the Village of Somers, pursuant to which certain areas of the Town are contemplated to move from Paris into the City and into the Village of Somers, respectively, over a 50-year planning period. Freezing the Paris-Bristol boundary for the term of this Cooperative Plan will enable Paris to properly plan for and accommodate the boundary changes that are contemplated under the Paris-Somers-Kenosha agreement, as well as to implement its I-94 Corridor Neighborhood Plan.

## **SECTION 8 PROVISION OF NECESSARY MUNICIPAL SERVICES**

**8.01** Bristol and Bristol Utility acknowledge and agree that the boundary between Bristol and Paris is fixed for the term of this Cooperative Plan, and Bristol and Bristol Utility agree that sewer or water service shall not be extended into Paris beyond the current mutual municipal boundary of Bristol and Paris without the consent or agreement of Paris. Bristol and Bristol Utility shall not sell or provide access to any other entity which would cause or permit an extension of sewer or water farther north into Paris than the Bristol/Paris boundary without the consent or agreement of Paris.

**8.02** Bristol and Paris each currently provide fire and rescue services within their respective territories and have entered into mutual assistance agreements which will continue following approval of this Cooperative Plan. Both communities also receive law enforcement services from the Kenosha County Sheriff's Department, and those arrangements are also expected to continue following approval of the Cooperative Plan.

**8.03** Bristol currently contracts with others for the provision of garbage pick-up and removal services. Garbage pickup and removal services in Paris are individually contracted by residents and Paris provides for disposal for its residents at the Paris landfill. The parties anticipate that each will continue to provide these services to residents on the same or similar basis following the adoption of this Cooperative Plan.

## **SECTION 9 ZONING, LAND USE AND LAND DIVISION**

**9.01** Paris has not enacted zoning regulations and is subject to county zoning pursuant to Section 59.69, Wisconsin Statutes. The County regulations and the enforcement thereof are to remain with the County subject to change only in accordance with the provisions of the statute or incorporation to a village or a city. Following its incorporation, Bristol adopted its own zoning regulations. Both parties acknowledge that zoning regulations shall be applicable only within the boundaries of the adopting municipality.

**9.02** Both parties acknowledge that in the event either is authorized by reason of incorporation, consolidation, statutory change or other change in circumstances, to exercise extraterritorial powers into the other municipality, the party authorized to exercise such authority waives the right to do so during the term of this Cooperative Plan. Those extraterritorial powers limited by this paragraph include, but are not limited to, extraterritorial zoning, plat approval, comprehensive planning, and subdivision of land, whether such power is derived from statutory authority or from interpretation of that authority by decisions of Wisconsin courts.

**9.03** The provisions of this section regarding limitations of extraterritorial authority shall not preclude the parties from cooperating with each other in the preparation or amendment of land use plans or other land use or land division decisions.

## **SECTION 10 INCORPORATION OR CONSOLIDATION**

**10.01** The parties acknowledge that at some time in the future part or all of Paris is or may be the subject of one or more petitions to the State of Wisconsin for incorporation into a city or a village, and parts or all of Bristol may be subject to a petition to become a city rather than a village. Each party agrees that it shall not oppose any present or future such effort filed by the other party, or the residents of the other party, under the standards and procedures set forth in Sections 66.0201 through 66.02162, of the Wisconsin Statutes, as said statutes exist on the effective date of this Cooperative Plan. A copy of said statutes are attached hereto as Attachment D.

**10.02** The consolidation of Bristol or Paris with a bordering town, or the incorporation of Paris as a city or village, or Bristol as a city, will not affect the implementation of this

Cooperative Plan, the boundary provided for, or the obligations of Bristol and Paris under this Cooperative Plan. In the event of consolidation or incorporation, the ordinance for consolidation or order for incorporation (or other change in the law) shall include a provision obligating the surviving municipality to implement this Cooperative Plan, the boundary provided for, and to otherwise carry out the obligations of Bristol and Paris under this Cooperative Plan. This agreement shall constitute binding continuing legal contract for each municipality and their successors and assigns.

**10.03** In the event Bristol or Paris, through changes identified in this section, or other change in the law, acquires the power to annex the territory of other municipalities, each agrees that the order for incorporation shall include a provision consistent with this paragraph prohibiting either party from the exercise of such authority to annex territory from the other without first obtaining the consent of the other party.

## **SECTION 11 ENVIRONMENTAL EVALUATION OF THE COOPERATIVE PLAN**

Bristol and Paris have evaluated the environmental consequences of this Cooperative Plan, including air and water pollution impacts, energy use, and effect on urban sprawl and expect minimum impacts. This Cooperative Plan facilitates consistent and coherent planning for infrastructure and other development in the municipalities. This Cooperative Plan is consistent with all applicable state and federal laws, municipal regulations, shoreland zoning ordinances and administrative rules.

Because intensive manufacturing development is not anticipated by this Cooperative Plan, there are no potential adverse environmental consequences (including air and water pollution) related to manufacturing development.

## **SECTION 12 PERIODIC CONFERENCES AND LONG-RANGE PLANNING**

Bristol and Paris shall confer at least annually, to review and discuss concerns relating to land use, stormwater management and drainage, boundary streets, capital improvement projects, and other matters of mutual concern. The annual meetings shall be held the second Monday of September with the meetings being held at the Paris Town Hall in even numbered years and at the Bristol Village Hall in the odd numbered years.

## **SECTION 13 LAND DEVELOPMENT WITHIN THE MUNICIPALITIES**

Bristol and Paris regulate land development by requiring, under ordinance, that developers execute land development agreements which require developers to provide, at their own cost and expense, all infrastructure required to serve their developments. Paris also

specifically utilizes an agricultural planned unit development-based land division system designed to allow and control new residential development while still maximizing the amount of land that remains available for agricultural practices.

To the extent that there are certain infrastructure costs which must be borne by the municipalities, the municipalities budget for such expenditures under a five (5) year Capital Improvements Plan funded through borrowing and bonding.

## **SECTION 14 COMPREHENSIVE PLANNING**

**14.01 Comprehensive Plans.** As per Wisconsin’s “smart growth” law, both Bristol and Paris participated in the development of and have adopted the “Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035” as their respective comprehensive plans, including the respective municipality-specific elements thereto (“Comprehensive Plan”). A link to the Comprehensive Plan is attached as Attachment C. This Cooperative Plan is consistent with each municipality’s Comprehensive Plan, as required by Wis. Stats. 66.0307(3)(c). In fact, the municipalities view this Cooperative Plan as an essential element of their efforts to further the municipality’s vision as set forth in the Comprehensive Plan. As set forth in Section 7, Bristol and Paris believe that maintaining the municipalities’ mutual boundary for the duration of this Cooperative Plan’s Planning Period will give the municipalities the geographic certainty necessary to further their long-term planning ends. Additionally, maintaining the municipalities’ current boundary will also further the Comprehensive Plan’s goals of encouraging efficient development patterns, minimizing new municipal costs, and fostering coordination and cooperation between neighboring municipalities. This Cooperative Plan also furthers the goals of the Comprehensive Plan in that the latter stresses the importance of intergovernmental agreements to head-off disputes and to foster trust between communities, and the Comprehensive Plan also recognizes that “annexation of property from a town to a village or city remains one of the most contentious issues between neighboring communities.” This Cooperative Plan, and the boundary assurance it contains, thus removes, for the full duration of the Planning Period, the likeliest source of potential conflict between Paris and Bristol, allowing the two municipalities to reduce the likelihood of wasteful litigation, to focus on identifying issues of interest to both communities, and to look for opportunities to realize cost savings, improve services, and address regional issues. In fact, the Comprehensive Plan notes that cooperative plans like this one, which was already under discussion by Paris and Bristol at the time the Comprehensive Plan was ratified, are the “best option” available, and that neighboring villages and towns ought to pursue them.

**14.02 Mutual Approval.** Bristol has no objection to the current, duly-adopted Paris Comprehensive Plan and Paris has no objection to the current, duly-adopted Bristol Comprehensive Plan.



**14.03 New Comprehensive Plans and Amendments To Existing Comprehensive Plans.** Subject to the procedures set forth in state statute and in the Comprehensive Plan, Bristol, at any time, may adopt a new, or amend its current, Comprehensive Plan. Subject to the procedures set forth in state statute and in the Comprehensive Plan, Paris, at any time, may adopt a new, or amend its current, Comprehensive Plan.

**SECTION 15**  
**AUTHORIZING RESOLUTIONS, ATTEST BY AFFIDAVIT,**  
**COOPERATIVE PLAN ADOPTION RESOLUTIONS, AND RECORD OF**  
**PUBLIC PARTICIPATION**

**15.01 Initial Authorizing Resolutions.** Section 66.0307(4)(a) of the Wisconsin Statutes, requires that initial authorizing resolutions for the preparation of a Cooperative Plan must be approved by each participating municipality (that is, Bristol and Paris) before Cooperative Plan preparation may commence. Authorizing resolutions must be dated and signed by the chief elected official and attested by the municipal clerk of each municipality participating in the Cooperative Plan. Copies of the Bristol and Paris initial authorizing resolutions are found in Attachment E.

**15.02 Attestation By Affidavit,** Section 66.0307(4)(a)(1-4) of the Wisconsin Statutes regarding the Cooperative Plan requires an attestation by affidavit that authorizing resolutions described under Section 24.01 above were sent to: The Department of Administration, Department of Natural Resources (DNR), Department of Agriculture, Trade, and Consumer Protection (DATCP), and Department of Transportation (DOT); the clerks of any municipality, school district, vocational technical and adult education district, sewer or sanitary district which has any part of its territory within five (5) miles of a participating municipality; the clerk of each county in which a participating municipality is located; and, any county zoning agency or regional planning commission whose jurisdiction includes a participating municipality. The attestation by affidavit is found in Attachment F.

**15.03 Resolutions Indicating Adoption and Authorizing Transmittal of the Cooperative Plan to the State.** Copies of resolutions indicating adoption and authorizing transmittal of this Cooperative Plan to the Wisconsin Department of Administration for review, dated and signed by the chief elected official and attested by the clerk from both Bristol and Paris, are found in Attachment G.

**15.04 Record of Public Participation and Comment.** The public comment and hearing requirements in Section 66.0307(4)(b) and (c) of the Wisconsin Statutes were met. The public hearing notice and comments are found in Attachment A.

**SECTION 16  
NO THIRD-PARTY BENEFICIARY**

This Cooperative Plan is intended to be solely between the Bristol and Paris. Nothing in this Cooperative Plan shall be interpreted as giving to any person or entity not party to this Cooperative Plan any legal or equitable rights whatsoever, nor to obligate either party in their agreements with municipalities other than the parties hereto.

**SECTION 17  
ADMINISTRATION OF THIS COOPERATIVE PLAN**

This Cooperative Plan shall be administered on behalf of the Village of Bristol by the Village President or designee, and on behalf of the Town of Paris, by the Town Chairperson or designee. The appointment of a designee must be in writing, and the other party to this Cooperative Plan must be notified in writing of the appointment.

**SECTION 18  
ENFORCEMENT**

**18.01 Remedies.** This Cooperative Plan is intended to provide each party with the right and standing to challenge in Court any act or omission which violates this Cooperative Plan. This Cooperative Plan is intended to provide each party with the right and standing to seek any available legal or equitable remedy to enforce this Cooperative Plan and to seek damages for the breach of this Cooperative Plan.

**18.02 Notice of Breach/Dispute Resolution.** If a party to this Cooperative Plan believes that the other party is in breach of this Cooperative Plan, the aggrieved party shall promptly serve written notice of said breach upon the other party. The parties shall meet promptly thereafter and shall endeavor in good faith to resolve any dispute amicably. If the initial meeting fails to resolve the dispute, the parties shall meet again within thirty (30) days after service of the written notice. Failure or refusal of a party to meet promptly and attempt in good faith to resolve any dispute shall be deemed a waiver by such party of any right to recover any litigation expenses or attorney fees other than statutory costs; provided, however, that good faith shall not require an amendment of this Cooperative Plan. This subparagraph is intended by the parties to waive their respective statutory right to any further notice under Subsection 893.80(1d)(a), Wisconsin Statutes, to the extent such subsection is applicable.

**18.03 Limitation on Commencement of Civil Action.** No civil action may be commenced until after thirty (30) days from the effective date of written notice required by this Cooperative Plan, except that a party may commence an action seeking specific performance or injunctive relief in less than thirty (30) days if, in that party's good faith judgment, such an action is necessary to protect the public health, safety or welfare. Except as

otherwise provided in this Cooperative Plan, the prevailing party in any action concerning an alleged breach of this Cooperative Plan shall be entitled to recover from the other party its reasonable costs and expenses of litigation, including reasonable actual attorney's fees.

**SECTION 19  
NO CHALLENGES TO THIS COOPERATIVE PLAN**

Bristol and Paris hereby waive any right each may have to commence or maintain any civil action or other proceeding to contest, invalidate, or otherwise challenge this Cooperative Plan or any of the actions required or contemplated by this Cooperative Plan, or to take any actions, either directly or indirectly, to oppose in any other way, or to initiate, promote or support the opposition of this Cooperative Plan or any of the actions required or contemplated by this Cooperative Plan.

**SECTION 20  
AMENDMENT**

The procedure for amendment of this Cooperative Plan is found in Section 66.0307(8), Wisconsin Statutes. Either party may arbitrarily withhold its consent to any amendment.

**SECTION 21  
GOOD FAITH AND FAIR DEALING**

The parties hereby acknowledge that this Cooperative Plan imposes on them a duty of good faith and fair dealing.

**SECTION 22  
SEVERABILITY**

**22.01** The provisions of this Cooperative Plan, and the individual parts of each such provision, shall be severable. In the event that any provision of this Cooperative Plan, or any part thereof, is held by a court of competent jurisdiction to be invalid or ineffective, the balance of this Cooperative Plan shall survive. In such event, the parties shall promptly meet to discuss how they might satisfy the intent of this Cooperative Plan by alternative means.

**22.02** The parties shall use their best efforts to find, design and implement a means of successfully accomplishing the intent of this Cooperative Plan. If necessary, the parties shall negotiate appropriate amendments of this Cooperative Plan to maintain, as closely as possible, the original terms, intent and balance of benefits and burdens of this Cooperative Plan. In the event the parties are not able to reach agreement in such situation, either party may, by thirty

(30) days written notice to the other, require submission of such dispute to an impartial arbitrator, to be mutually selected by the parties during such thirty (30) day period, for binding arbitration. Bristol and Paris shall promptly pay on an equal basis all fees and expense of the selected arbitrator.

**SECTION 23  
INVALID OR INEFFECTIVE ORDINANCE OR RESOLUTION**

In the event that any ordinance or resolution, including but not limited to any ordinance or resolution which the parties are required or entitled to enact and/or enforce by this Cooperative Plan, is adjudged by any court of competent jurisdiction to be invalid or ineffective, in whole or in part, the parties shall promptly meet to discuss how they might satisfy the intent of this Cooperative Plan by alternative means, including, without limitation, enacting another ordinance designed to satisfy the court's objections. The parties shall use their best efforts to find, design and implement a means of successfully accomplishing the intent of this Cooperative Plan. If necessary, the parties shall negotiate appropriate amendments of this Cooperative Plan to maintain, as closely as possible, the original terms, intent and balance of benefits and burdens of this Cooperative Plan. In the event the parties are not able to reach agreement in such situation, either party may, by thirty (30) days written notice to the other, require submission of such dispute to an impartial arbitrator, to be mutually selected by the parties during such thirty (30) day period, for binding arbitration. Bristol and Paris shall promptly pay on an equal basis all fees and expenses of the selected arbitrator.

**SECTION 24  
SUCCESSORS**

This Cooperative Plan shall benefit and be binding upon the successors of Bristol and Paris, including any portion which may hereinafter be incorporated. Successors include, but are not limited to, a city, village or town being a party to a consolidation, and any other governmental entity which may govern Bristol and Paris.

**SECTION 25  
IMPLEMENTATION**

Bristol and Paris shall each take such actions as may be necessary or desirable to implement and effectuate the provisions and intent of this Cooperative Plan.

**SECTION 26  
REFERENCES**

Any references in this Cooperative Plan to any particular agency, organization or official shall be interpreted as applying to any successor agency, organization or official or to any other agency, organization or official to which contemplated functions are transferred by statute or ordinance. Except as described in Section 10.01, any references in this Cooperative Plan to any particular statute or ordinance shall be interpreted as applying to such statute or ordinance as recreated, amended, or renumbered from time to time.

**SECTION 27  
PARAGRAPH TITLES**

Paragraph titles in this Cooperative Plan are provided for convenience only and shall not be used in interpreting this Cooperative Plan.

**SECTION 28  
INTERPRETATION**

This Cooperative Plan shall be interpreted as though jointly drafted by the parties.

**SECTION 29  
NOTICES**

All notices required by or relating to this Cooperative Plan shall be in writing. Each notice shall specifically refer to this Cooperative Plan by name and shall refer specifically to the number of the paragraph(s) or subparagraph(s) to which the notice relates. Any such notice shall be delivered in person to the clerk of the party receiving the notice or to the person apparently in charge of the clerk's office during normal business hours, or shall be mailed to such clerk by certified mail, return receipt requested (or equivalent private delivery service). Each notice to the Village of Bristol shall be addressed to the Village Clerk/Treasurer, Village of Bristol, 19801 83rd Street, Bristol, Wisconsin 53104. Each notice to the Town of Paris shall be addressed to the Town Clerk, Town of Paris, 16607 Burlington Road, Union Grove, Wisconsin 53182.

**SECTION 30  
APPROVALS AND EFFECTIVE DATE**

**30.01 Village Approval.** This Cooperative Plan was approved by the Board of the Village of Bristol at a duly noticed and convened public meeting on August 23, 2021.


**30.02 Town Approval.** This Cooperative Plan was approved by the Board of the Town of Paris at a duly noticed and convened public meeting on August 24, 2021.

**30.03 Effective Date.** This Cooperative Plan shall only be effective and upon formal written approval by the State of Wisconsin, Department of Administration, under Section 66.0307, Wisconsin Statutes, (the "Effective Date").

**IN WITNESS WHEREOF,** the parties certify that this Cooperative Plan has been duly approved by their respective governing bodies in accordance with state and local laws, rules and regulations, and each party has caused their duly authorized officers to execute this Cooperative Plan on the dates written below their respective signatures.

**VILLAGE OF BRISTOL**

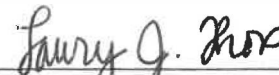
By:   
Michael Farrell  
Village President

Attest:   
Amy Klemko,  
Village Clerk/Treasurer

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF KENOSHA )

Personally came before me this 24<sup>th</sup> day of August, 2021, the Village of Bristol, a Wisconsin municipal corporation, to me known to be the Village President and Village Clerk/Treasurer of said municipal corporation and acknowledge that they executed the foregoing instrument as such officers as the agreement of said corporation by its authority



  
Notary Public, Kenosha County, Wisconsin  
My Commission Expires: June 5, 2022



ATTACHMENT A

**Notice of Joint Public Hearing and Transcript of Public Hearing**



**NOTICE OF JOINT PUBLIC HEARING REGARDING  
COOPERATIVE PLAN AND BOUNDARY AGREEMENT BETWEEN THE  
VILLAGE OF BRISTOL AND THE TOWN OF PARIS**

PLEASE TAKE NOTICE that a joint public hearing with representatives of the Village of Bristol and the Town of Paris shall be held on the 28<sup>th</sup> day of June, 2021, at 6:30p.m., at the Bristol Village Hall, located at 19801 83<sup>rd</sup> Street, Bristol, WI 53104, regarding a proposed Cooperative Plan and Boundary Agreement between the Village of Bristol and the Town of Paris under the provision of §66.0307, Wisconsin Statutes. A person may comment on the Cooperative Plan and Boundary Agreement during the hearing and may submit written comments before, at, or within 20 days following the hearing. Comments shall be considered by the Village, Town and City before finalization of the Plan.

A copy of the proposed Plan is available for review by contacting the Village Clerk/Treasurer or Town Clerk/Treasurer at the following:

Amy Klemko, Village Clerk/Treasurer  
Village of Bristol  
19801 83<sup>rd</sup> Street  
Bristol, WI 53104  
(262) 857-2368

Diana Coughlin, Town Clerk/Treasurer  
Town of Paris  
16607 Burlington Road  
Union Grove, WI 53182  
(262) 859-3006

This notice is provided as required under §66.0307(4)(b), Wis. Stats. Dated this 1st day of June, 2021.

/s/Amy Klemko  
Clerk/Treasurer  
Village of Bristol

/s/ Diana Coughlin  
Clerk/Treasurer  
Town of Paris

Publication dates: June 7, June 14, and June 21, 2021

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JOINT PUBLIC HEARING REGARDING  
COOPERATIVE PLAN AND BOUNDARY AGREEMENT BETWEEN THE  
VILLAGE OF BRISTOL AND THE TOWN OF PARIS

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JOINT PUBLIC HEARING  
Monday, June 28, 2021

6:30 p.m.

at

BRISTOL VILLAGE HALL  
19801 83rd Street  
Bristol, Wisconsin

Reported by Julie A. Poenitsch, RPR/RDR/CRC/CRR

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1 A P P E A R A N C E S

2 VILLAGE OF BRISTOL

3 PRESENT:

4 Mike Farrell, President

5 Carolyn Owens, Trustee

6 John McCabe, Trustee

7 Amy Klemko, Clerk-Treasurer

8 Randy Kerkman, Administrator

9

10 NOT PRESENT:

11 Kris Kordecki, Trustee

12 Chris Leker, Trustee

13

14 TOWN OF PARIS

15 PRESENT:

16 John Holloway, Town Chair

17 Ron Buttke, Supervisor No. 1

18 Ken Monson, Supervisor No. 2

19

20

21

22

23

24

25

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1 PRESIDENT FARRELL: Okay.

2 MR. KERKMAN: So I don't know if that's

3 enough of a --

4 PRESIDENT FARRELL: Yeah.

5 MR. KERKMAN: Okay.

6 PRESIDENT FARRELL: And I think that, for

7 me, this was really just about housekeeping and

8 updating, where necessary, and, I guess, you know,

9 adding additional language, as necessary, as well.

10 And this did go for attorney review,

11 correct?

12 MR. KERKMAN: Yes. Correct.

13 PRESIDENT FARRELL: Okay. As we're doing

14 this, are we actually conducting a motion and a

15 second and then a regular vote of each body?

16 MR. KERKMAN: No. I believe this is just

17 the public hearing. Correct me if I'm wrong.

18 MR. GEARY: Yep.

19 MR. KERKMAN: That will come at a later

20 point in time.

21 PRESIDENT FARRELL: Just so I know what

22 our process for tonight is. Okay.

23 MR. GEARY: If I could, Mr. President,

24 just very briefly. I'm Chris Geary. I'm one of

25 the lawyers for the Town of Paris.

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1 TRANSCRIPT OF PROCEEDINGS

2 (Meeting called to order)

3 (Pledge of Allegiance)

4 (Roll Call - Bristol Village Board)

5 (Roll Call - Paris Town Board)

6 PRESIDENT FARRELL: All right. So we are

7 going to conduct a joint public hearing regarding a

8 proposed Cooperative Plan and Boundary Agreement

9 between the Village of Bristol and the Town Paris

10 under the provision of 66.0307 of the Wisconsin

11 Statutes.

12 Randy, do you want to comment on this

13 first?

14 MR. KERKMAN: Sure. I'll just give a

15 brief overview.

16 Back in 2009, we did an agreement with

17 Paris and when we were a town, before we became a

18 village, and for some reason or other, it never got

19 recorded with the Department of Administration. So

20 we got a phone call from Paris to see if we could

21 relook at it, so we can re-agree to it, so we can

22 get it recorded.

23 So with that, it's fairly simple.

24 Nothing's changed. State statutes have changed,

25 but other than that, nothing has changed.

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1 As Randy indicated, this agreement

2 substantively is the same one that you guys looked

3 at back in 2009.

4 When it was submitted to the Department

5 of Administration, which is required to review and

6 approve these, there were some technical problems

7 that they had with it. They sent that back, and

8 then somewhere along the line, that just kind of

9 fell by the wayside.

10 So when we discovered that when Paris was

11 in the process of doing a different IGA in 2019, we

12 discovered that this one had never been approved.

13 So the town board directed us to go ahead and get

14 those technical letters cleaned up, get everything

15 back in front of the bodies, get it approved, and

16 get the final blessing this time.

17 So statutorily, one of the steps in the

18 process that had to happen is that we have to have

19 a public hearing in order to receive public input.

20 So I suppose, just for the record, I will read in

21 the public hearing notice. That's what we're here

22 for today.

23 Notice of joint public hearing regarding

24 the Cooperative Plan and Boundary Agreement between

25 the Village of Bristol and the Town of Paris.

Page 6

1 Please take notice that a joint public hearing with  
 2 representatives of the Village of Bristol and the  
 3 Town of Paris shall be held on the 28th day of  
 4 June, 2021, at 6:31 p.m., at the Bristol Village  
 5 Hall, located at 19801 83rd Street, Bristol,  
 6 Wisconsin 53104, regarding a proposed Cooperative  
 7 Plan and Boundary Agreement between the Village of  
 8 Bristol and the Town of Paris under provision of  
 9 66.0307 Wisconsin Statutes.

10 **A person may comment on the Cooperative**  
 11 **Plan and Boundary Agreement during the hearing and**  
 12 **may submit written comments before, at, or within**  
 13 **20 days following the hearing. Comments shall be**  
 14 **considered by the village, town, and city -- that's**  
 15 **a carryover -- before finalization of the plan. A**  
 16 **copy of the proposed plan is available for review**  
 17 **by contacting the Village Clerk/Treasurer or the**  
 18 **Town Clerk/Treasurer at the following: Amy Klemko,**  
 19 **Village Clerk/Treasurer, at Village of Bristol,**  
 20 **19801 83rd Street, Bristol, Wisconsin 53104,**  
 21 **Area Code (262)857-2368; and Diana Coughlin, Town**  
 22 **Clerk/Treasurer, at Town of Paris, 16607 Burlington**  
 23 **Road, Union Grove, Wisconsin 53182, phone,**  
 24 **Area Code (262)859-3006. This notice is provided**  
 25 **as required by 66.0307(4)(b) Wis. Stats.**

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1 already elapsed from when the agreement was  
 2 initially proposed. So now it's for 10 years, with  
 3 one extension of 10 years. And Nancy asked that  
 4 that language be clarified, so that's in there.

5 She also added language clarifying that  
 6 this agreement is strictly between Bristol and the  
 7 town. This doesn't have anything to do with your  
 8 other boundaries or the township's boundaries.

9 And then finally, she asked that we add  
 10 some language in recital that revised kind of the  
 11 background here, that this is an extension of an  
 12 existing agreement from 2009. So those changes  
 13 will be made.

14 I guess the last thing I would note for  
 15 the record, before we open it up to anybody who  
 16 wants to public -- to comment from the public, is,  
 17 another requirement of the statute is that we have  
 18 to solicit input from either the Regional Planning  
 19 Commission, which would be SEWRPC in the case of  
 20 Wisconsin -- or Kenosha; or, alternatively, the  
 21 Kenosha County Planning and Development Agency.

22 So I had reached out to them and  
 23 requested that they give us comment on the proposed  
 24 plan. Andy Buehler is actually on vacation, I  
 25 think, now, but when he gets back, we'll get those

Page 7

1 So that is -- that was what was noticed  
 2 up in the paper. It has been duly noticed. The  
 3 purpose tonight is strictly to receive public  
 4 input. There will be no action. In fact, by  
 5 statute, there can't be any action for a minimum of  
 6 at least 20 days after the public hearing. So  
 7 we're not asking for any action by the bodies  
 8 tonight. It's just to hear public input.

9 I did check with both Amy and Diana this  
 10 afternoon. At that time there hadn't been any  
 11 written comments that were submitted in advance of  
 12 the public hearing.

13 I did communicate a little bit with your  
 14 attorney. I got some emails from her the end of  
 15 last week. She had a few changes that, I guess,  
 16 I'll just kind of note for the record.

17 There were a few typographical and  
 18 drafting conventions that she wanted changed  
 19 throughout there. So those have been reflected.

20 She wanted language -- or she actually  
 21 added language clarifying. The agreement -- the  
 22 original agreement you guys did back in 2009 was  
 23 for 30 years, with one 10-year extension period.  
 24 When we did the update, we took it down to 20 years  
 25 to reflect the fact that 10 years had actually

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1 comments. And then at the end of the day, we'll  
 2 incorporate all the changes that we discussed, any  
 3 changes that come out of the public hearing today,  
 4 and then we'll bring everything back to both bodies  
 5 to review and, hopefully, approve.

6 Theoretically, there's the possibility  
 7 that there could be a petition that's filed that  
 8 requests a referendum. We don't think that's  
 9 likely. And then at that point, once everything  
 10 has been approved by both bodies, we submit it to  
 11 DOA, and then, hopefully, this time around  
 12 everything passes.

13 I did run our draft by Erich Schmidtke,  
 14 who is the person at DOA who's primarily  
 15 responsible for reviewing these things. And I kind  
 16 of incorporated his feedback as we went along, so  
 17 I'm confident that it should pass muster this time  
 18 around. But, obviously, he can't give us an  
 19 official blessing until it's been submitted to him.

20 So procedurally, that's kind of where  
 21 we're at.

22 SUPERVISOR MONSON: Chris, I think you  
 23 may have misspoke, or I heard you wrong.

24 MR. GEARY: Oh.

25 SUPERVISOR MONSON: You said we went from

Page 10

1 a 30/10 to a 10/10.  
 2 MR. GEARY: I'm sorry. 20/10. I  
 3 deducted the 10 years off that had essentially  
 4 lapsed.  
 5 SUPERVISOR MONSON: So it's a 20/10.  
 6 MR. GEARY: Correct. Yep. That's  
 7 correct. So it's the same -- effectively, the same  
 8 end date as it would have been --  
 9 SUPERVISOR MONSON: Correct.  
 10 MR. GEARY: -- going back to 2009.  
 11 SUPERVISOR MONSON: Yes. Okay.  
 12 MR. GEARY: Yeah, I may well have  
 13 misspoken. That happens a lot.  
 14 So at this point, I guess I would open it  
 15 up. If the public has any input, this would be  
 16 their opportunity to give it.  
 17 PRESIDENT FARRELL: Okay. So we just  
 18 need to verbally ask that of the audience. Is  
 19 there any public input that anyone wishes to  
 20 provide related to this Cooperative Agreement?  
 21 (No response.)  
 22 PRESIDENT FARRELL: Then hearing none, I  
 23 think we can adjourn. Is that correct?  
 24 MR. GEARY: Yeah. I guess I'd note again  
 25 for the record that the public -- the written

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1 and seconded to adjourn the meeting. Is there any  
 2 further comment? If not, all in favor, say aye.  
 3 (Ayes respond.)  
 4 CHAIRMAN HOLLOWAY: Opposed?  
 5 (No response.)  
 6 CHAIRMAN HOLLOWAY: Carried.  
 7 (Adjourned at 6:40 p.m.)  
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1 public comment period will remain open for at least  
 2 20 days.  
 3 PRESIDENT FARRELL: Right.  
 4 MR. GEARY: And if anyone happens to  
 5 submit anything, we'll gather it up, and we'll get  
 6 it in front of the bodies before you guys actually  
 7 take action. But barring that, that's it.  
 8 PRESIDENT FARRELL: Okay. Do we need  
 9 motions to adjourn?  
 10 TRUSTEE McCABE: I'll make a motion to  
 11 adjourn.  
 12 TRUSTEE OWENS: I'll second.  
 13 PRESIDENT FARRELL: Moved by  
 14 Trustee McCabe and seconded by Trustee Owens to  
 15 adjourn. All those in favor, say aye.  
 16 (Ayes respond.)  
 17 PRESIDENT FARRELL: Any opposed?  
 18 (No response.)  
 19 SUPERVISOR MONSON: Does Paris have to  
 20 also make --  
 21 CHAIRMAN HOLLOWAY: Yes.  
 22 SUPERVISOR MONSON: I would make a motion  
 23 to adjourn.  
 24 SUPERVISOR BUTTKE: I'll second it.  
 25 CHAIRMAN HOLLOWAY: Motion has been made

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1 STATE OF WISCONSIN )  
 ) SS  
 2 MILWAUKEE COUNTY )  
 3 I, JULIE A. POENITSCH, RPR/RDR/CRC,  
 4 Certified Realtime Reporter, and Notary Public in and  
 5 for the State of Wisconsin, do hereby certify that the  
 6 preceding public hearing was recorded by me and reduced  
 7 to writing under my personal direction.  
 8 I further certify that said public  
 9 hearing was taken before me at BRISTOL VILLAGE HALL,  
 10 19801 83rd Street, Bristol, Wisconsin, on the 28th day  
 11 of June, 2021, commencing at 6:30 p.m. and concluding at  
 12 6:40 p.m.  
 13 I further certify that I am not a  
 14 relative or employee or attorney or counsel of any of  
 15 the parties, or a relative or employee of such attorney  
 16 or counsel, or financially interested directly or  
 17 indirectly in this action.  
 18 In witness whereof, I have hereunto set  
 19 my hand and affixed my seal of office at Milwaukee,  
 20 Wisconsin, on this 9th day of July, 2021.  
 21  
 22 \_\_\_\_\_  
 23 JULIE A. POENITSCH - Notary Public  
 24 In and for the State of Wisconsin  
 25 My commission expires January 25, 2023.

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**Y**

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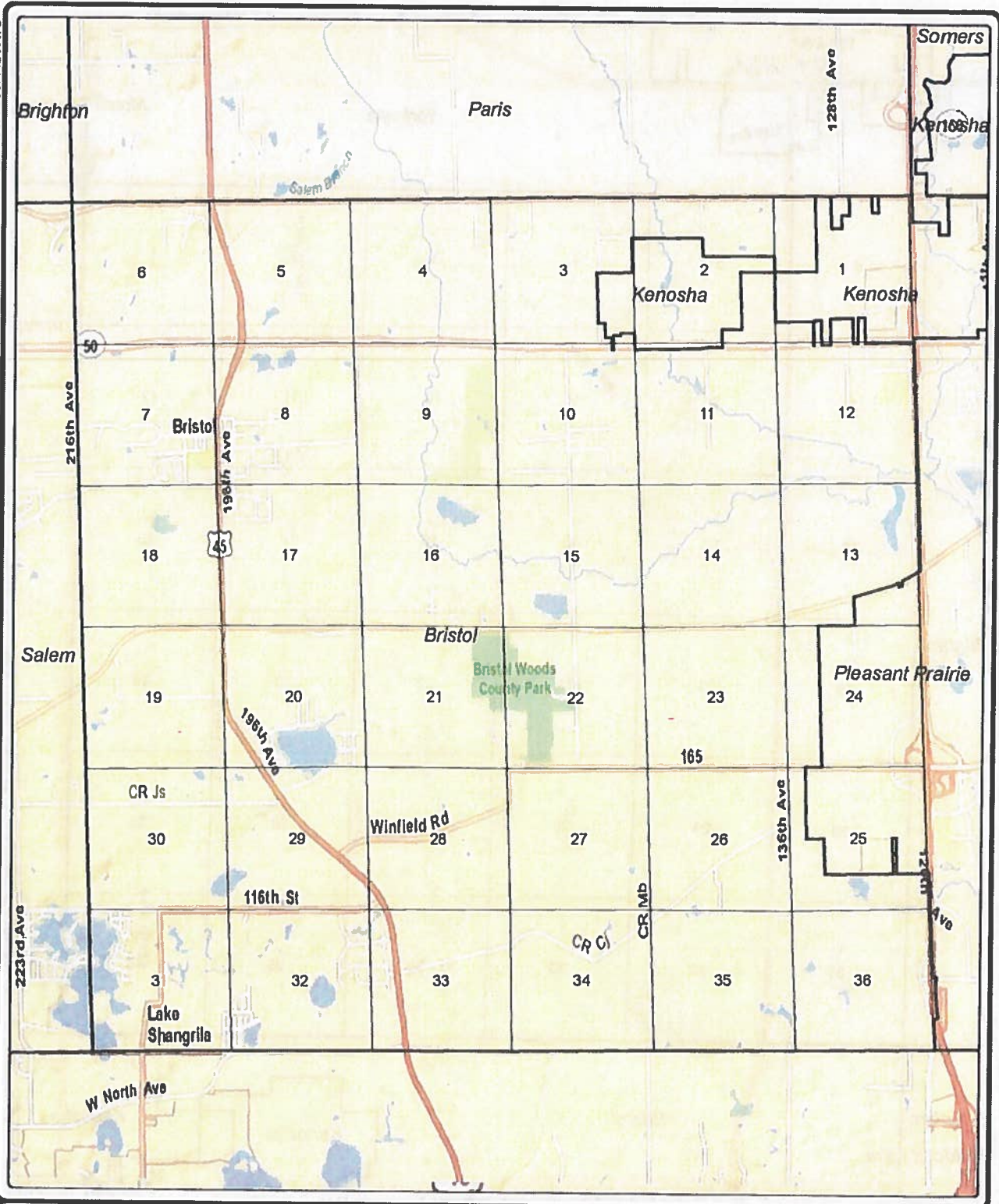
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ATTACHMENT B

**Maps of Boundaries**

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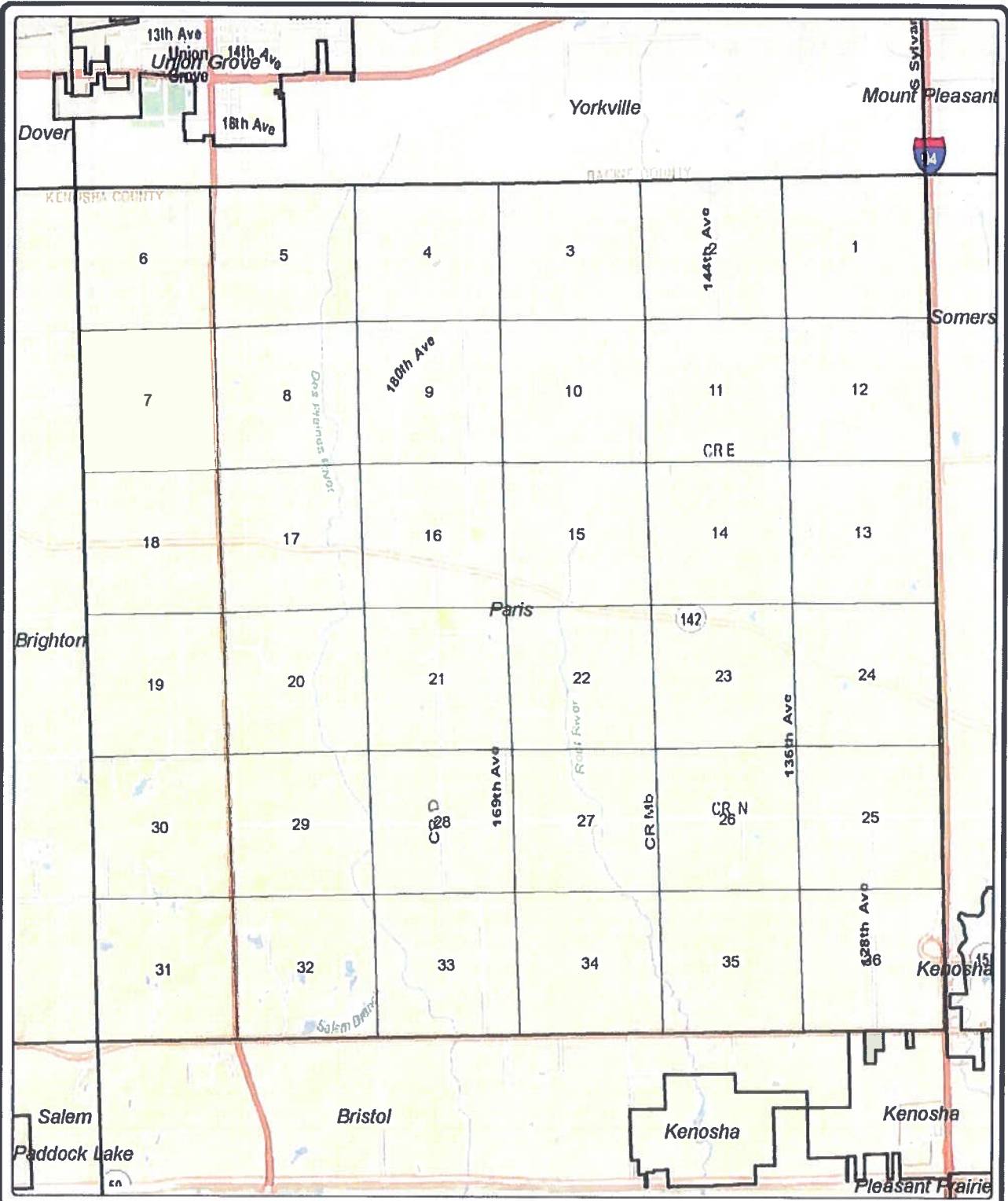


**TOWN OF BRISTOL  
MUNICIPAL BOUNDARY**

**PREPARED BY THE TOWN OF BRISTOL  
KENOSHA COUNTY, WISCONSIN**



S:\MADN\400-1499\1455203\Data\GIS\Figures\Town Paris Boundary 8x11.mxd



**TOWN OF PARIS  
MUNICIPAL BOUNDARY**

**PREPARED BY THE TOWN OF BRISTOL  
KENOSHA COUNTY, WISCONSIN**



Intergovernmental Cooperation  
 Agreement among  
 City of Kenosha, Kenosha County  
 Village and Town of Somers  
 and Town of Paris

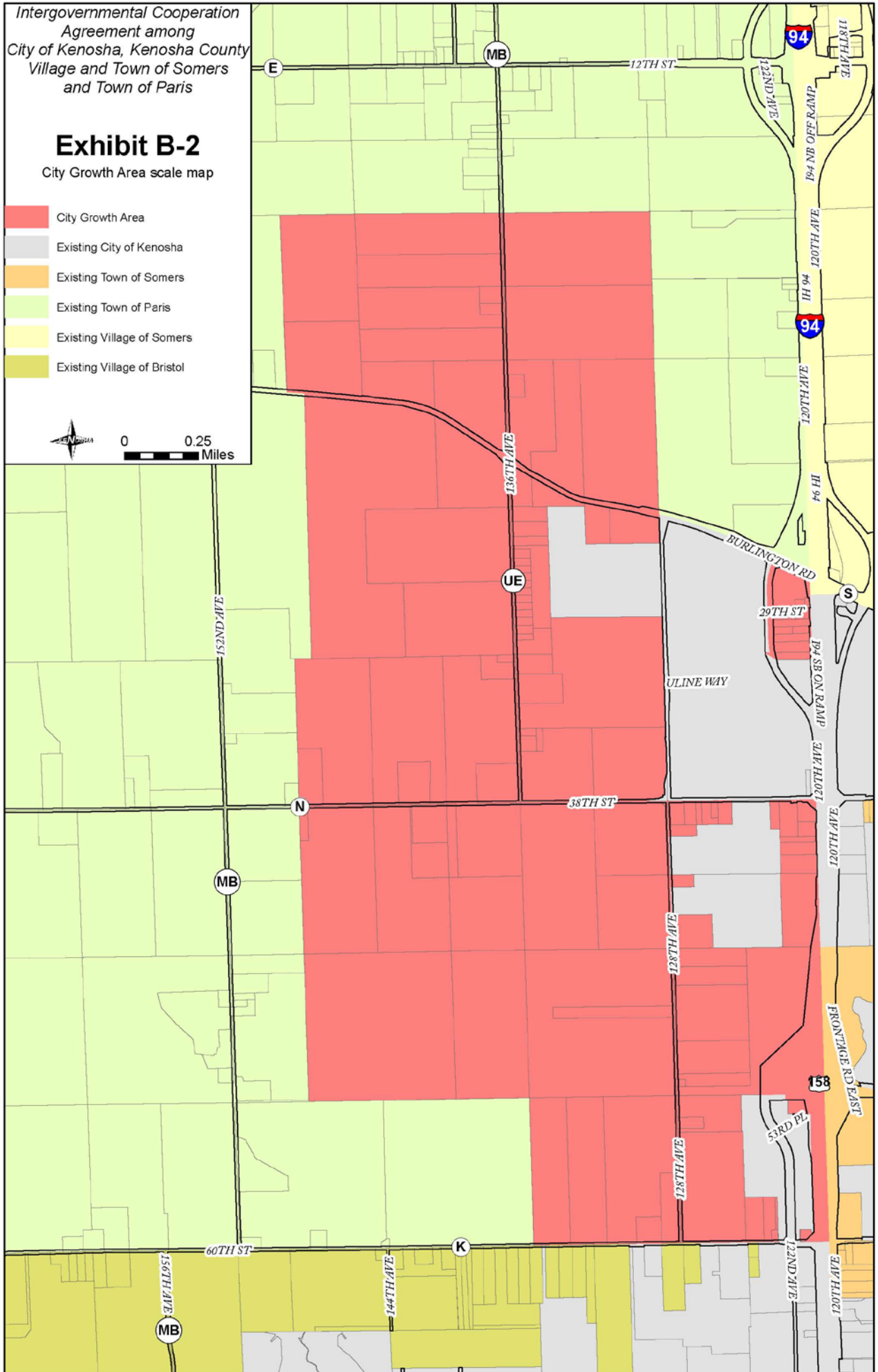
## Exhibit B-2

City Growth Area scale map

- City Growth Area
- Existing City of Kenosha
- Existing Town of Somers
- Existing Town of Paris
- Existing Village of Somers
- Existing Village of Bristol



0 0.25  
 Miles



## Legal Description of City Growth Area - Part 1

Part of the Southwest Quarter of Section 13, the Southeast and Southwest Quarters of Section 14, the Northeast, Northwest, Southwest and Southeast Quarters of Section 23, the Northwest and Southwest Quarters of Section 24, the Northwest, Southwest and Southeast Quarters of Section 25, the Northeast, Northwest, Southwest and Southeast Quarters of Section 26, the Northwest and Northeast Quarters of Section 35 and the Northeast, Northwest, Southwest and Southeast Quarters of Section 36, all in Town 2 North, Range 21 East of the Fourth Principal Meridian, lying and being in the Town of Paris, Kenosha County, Wisconsin and being more particularly described as follows:

Beginning at the southwest corner of the Southwest Quarter of the aforesaid Section 36; thence N01°39'08"W along and upon the west line of said Quarter Section, 2649.45 and to the northwest corner thereof; which corner is the East Quarter corner of Section 35; thence S89°02'34"W 2622.78 feet and to the Center of Section 35; thence S89°00'09"W 1331.72 feet; thence N02°03'06"W along and upon the west line of the East Half of the aforesaid Northwest Quarter of Section 35, 2649.49 feet; thence N01°47'46"W along and upon the west line of the East Half of the aforesaid Southwest Quarter of Section 26, 2649.24 feet; thence N01°46'44"W along and upon the west line of the East Half of the aforesaid Northwest Quarter Section, 2650.27 feet and to the south line of the aforesaid Southwest Quarter of Section 23; thence N89°08'19"E along and upon said south line, 306.95 feet; thence N01°34'58"W 2660.04 feet; thence N01°36'52"W 2103.83 feet and to the center line State Trunk Highway "142" (Burlington Road); thence N85°28'33"W along and upon said center line, 318.36 feet and to the west line of the East Half of the aforesaid Northwest Quarter of Section; 23; thence N01°43'32"W 517.18 feet; thence N02°18'59"W along and upon the west line of the East Half of the aforesaid Southwest Quarter of Section 14, 2657.37 feet; thence N89°15'26"E 1341.69 feet and to the Center of Section 14; thence N89°29'53"E 2637.66 feet; thence N89°27'23"E 2563.56 feet and to the Center of Section 13; thence S01°35'33"E 2645.75 feet; thence S01°47'34"E 2634.67 feet and to the Center of Section 24; thence S01°52'22"E 675.42 feet; S89°43'40"W 1333.40 feet; thence N01°33'14"W 668.30 feet and to the south line of the aforesaid Northwest Quarter of Section 24; thence S89°25'31"W along and upon said south line, 671.40 feet; thence S01°58'42"E 1992.14 feet; thence N89°31'48"E 1997.32 feet; thence S01°52'22"E 659.99 feet; thence S01°33'48"E 2647.34 feet and to the Center of Section 25; thence N89°23'03"E 1150.00 feet; thence S01°59'40"W 436.00 feet; thence S89°23'03"W 645.28 feet; thence S01°59'40"E 200.00 feet; thence S89°23'03"W 504.72 feet; thence S01°59'40"E 688.55 feet; thence N89°22'39"E 423.01 feet; thence S01°59'40"E 225.00 feet; thence S89°22'39"W 423.01 feet; thence S01°59'40"E 497.21 feet; thence N89°22'15"E 723.38 feet; thence S01°59'40"E 602.34 feet and to the south line of the aforesaid Southeast Quarter of Section 25; thence S89°22'15"E 1261.86 feet; thence N01°46'35"W 2120.41 feet; thence S89°23'03"W 165.00 feet; thence N01°46'33"W 528.00 feet; thence N89°23'03"E 830.11 feet and to the northeast corner of the aforesaid Southeast Quarter of Section 25; thence S01°42'13"E 2648.19 feet; thence S01°36'31"E 2645.31 feet; thence S01°48'54"E 2640.99 feet and to the southeast corner of the aforesaid Southeast Quarter of Section 36; thence S89°15'57"W 520.00 feet; thence N01°49'24"W 218.90; thence N89°15'57"E 213.97 feet; thence S01°49'24"E 90.85 feet; thence N43°43'02"E 16.70 feet; thence N01°49'24"W 1560.63 feet; thence northerly 594.90 feet along the arc of a circular curve concave to the east, said curve having a central angle of 01°57'18" and a chord which bears N00°50'45"E 594.88 feet; thence N89°26'35"W 375.82 feet; thence N01°49'42"W

246.48 feet; thence S89°26'35"W 40.17 feet; thence N01°49'24"W 100.02 feet; thence S89°26'35"W 795.21 feet; thence S01°49'24"E 655.71 feet; thence N89°26'35"E 10.83 feet; thence S01°49'24"E 1180.16 feet; thence N89°15'26"E 577.50 feet; thence S01°50'14"E 810.02 feet and to the south line of the aforesaid Southeast Quarter of Section 36; thence S89°15'57"W 1748.37 feet; thence S89°07'11"W 2643.43 feet and to the point of beginning. Containing 2,801.79 acres, more or less. Subject to easements, roadways and restrictions of record.

Bearings shown hereon refer to Wisconsin Plane Coordinate System South Zone.



## Legal Description of Potential City Growth Area

Part of the Southeast Quarter of Section 34, the Southwest Quarter of Section 35 and the Southeast Quarter of Section 35, all in Town 2 North, Range 21 East of the Fourth Principal Meridian, lying and being in the Town of Paris, Kenosha County, Wisconsin and being more particularly described as follows:

Beginning on the west line of the aforesaid Southeast Quarter of Section 34 at a point N02°02'11"W 783.81 feet from the southwest corner thereof; thence continue N02°02'11"W along and upon said west line, 1850.69 feet and to the northwest corner of the aforesaid Southeast Quarter of Section 34; thence N89°22'07"E along and upon the north line of said Quarter Section, 2644.04 feet and to the northeast corner thereof, which corner is also the northwest corner of the aforesaid Southwest Quarter of Section 35; thence N89°00'09"E along and upon the north line of said Quarter Section, 2663.44 feet and to the northeast corner thereof, which corner is also the northwest corner of the aforesaid Southeast Quarter of Section 35; thence N89°02'34"E along and upon north line of said Quarter Section, 2622.78 feet and to the northeast corner thereof; thence S01°39'08"E along and upon the east line of said Quarter Section, 2649.45 feet and to the southwest corner thereof; thence S88°56'41"W along and upon the south line of said Quarter Section, 2641.02 feet and to the southwest corner thereof, which corner is also the southeast corner of the aforesaid Southwest Quarter of Section 35; thence S89°20'04"W along and upon the south line of said Quarter Section, 2639.77 feet and to the southwest corner thereof, which corner is also the southeast corner of the aforesaid Southeast Quarter of Section 34; thence S89°27'59"W along and upon the south line of said Quarter Section, 1974.05 feet, which point is N89°27'59"E 658.00 feet from the southwest corner thereof; thence N02°02'11"W parallel to the west line of said Quarter Section, 783.81 feet; thence S89°27'59"W parallel to the south line of said Quarter Section, 658.00 feet and to the point of beginning. Containing 469.08 acres, more or less. Subject to easements, roadways and restrictions of record.

Bearings shown hereon refer to Wisconsin Plane Coordinate System South Zone.



## ATTACHMENT C

### **Links to Kenosha County Multi-Jurisdictional Comprehensive Plan and Related Bristol and Paris Land Use Plans and Agreements**

Kenosha County Multi-Jurisdictional Comprehensive Plan (Comprehensive Plans for Bristol and Paris) and Comprehensive Land Use Plan Map:

- <https://www.kenoshacounty.org/DocumentCenter/View/86/Comprehensive-Plan?bidId=>
- <https://www.kenoshacounty.org/DocumentCenter/View/4230/Map-65-as-of-January-2019?bidId=>

Village of Bristol Land Use Plans Page:

- <https://villageofbristol.org/2050-land-use-plan/>

Town of Paris Cooperative Plan and Intergovernmental Agreement with the City of Kenosha and the Village of Somers (2017):

- [https://www.peglawfirm.com/system/ckeditor\\_assets/attachments/182/ag2017comprehensiveagreement\\_final\\_exec\\_100617.pdf?1537998454](https://www.peglawfirm.com/system/ckeditor_assets/attachments/182/ag2017comprehensiveagreement_final_exec_100617.pdf?1537998454)

ATTACHMENT D

**Wisconsin Statutes Secs. 66.0201 – 66.02162**

SUBCHAPTER II  
INCORPORATION; MUNICIPAL BOUNDARIES

66.0201 Incorporation of villages and cities; purpose and definitions.

- (1) PURPOSE. It is the policy of this state that the development of territory from town to incorporated status proceed in an orderly and uniform manner and that toward this end each proposed incorporation of territory as a village or city be reviewed as provided in ss. 66.0201 to 66.0213 to assure compliance with certain minimum standards which take into account the needs of both urban and rural areas.
- (2) DEFINITIONS. In ss. 66.0201 to 66.0213, unless the context requires otherwise:
  - (am) "Board" means the incorporation review board.
  - (ar) "Department" means the department of administration.
  - (bm) "Isolated municipality" means any existing or proposed village or city entirely outside any metropolitan community at the time of its incorporation.
  - (c) "Metropolitan community" means the territory consisting of any city having a population of 25,000 or more, or any 2 incorporated municipalities whose boundaries are within 5 miles of each other whose populations aggregate 25,000, plus all the contiguous area which has a population density of 100 persons or more per square mile, or which the department has determined on the basis of population trends and other pertinent facts will have a minimum density of 100 persons per square mile within 3 years.
  - (d) "Metropolitan municipality" means any existing or proposed village or city entirely or partly within a metropolitan community.
  - (dm) "Population" means the population of a local unit as shown by the last federal census or by any subsequent population estimate certified as acceptable by the department.  
History: 1977 c. 29; 1979 c. 361 s. 112; 1991 a. 39; 1995 a. 27 ss. 3306 and 9116 (5); 1997 a. 27; 1999 a. 150 s. 33; Stats. 1999 s. 66.0201; 1999 a. 186; 2003 a. 171.

66.0203 Procedure for incorporation of villages and cities.

- (1) NOTICE OF INTENTION. At least 10 days and not more than 20 days before the circulation of an incorporation petition, a notice setting forth that the petition is to be circulated and including an accurate description of the territory involved shall be published within the county in which the territory is located as a class 1 notice, under ch. 985.
- (2) PETITION.
  - (a) The petition for incorporation of a village or city shall be in writing signed by 50 or more persons who are both electors and freeholders in the territory to be incorporated if the population of the proposed village or city includes 300 or more persons; otherwise by 25 or more persons who are both electors and freeholders in the territory to be incorporated.
  - (b) The petition shall be addressed to and filed with the circuit court of a county in which all or a major part of the territory to be incorporated is located. The incorporation petition is void unless filed within 6 months of the date of publication of the notice of intention to circulate.
  - (c) The petition shall designate a representative of the petitioners, and an alternate, who shall be an elector or freeholder in the territory, and state that person's address; describe the territory to be incorporated with sufficient accuracy to determine its location and have attached to the petition a scale map reasonably showing the boundaries of the territory; specify the current resident population of the territory by number in accordance with the definition given in s. 66.0201 (2) (dm); set forth facts substantially establishing the required standards for incorporation; and request the circuit court to order a referendum and to certify the incorporation of the village or city when it is found that all requirements have been met.
  - (e) No person who has signed a petition may withdraw his or her name from the petition. No additional signatures may be added after a petition is filed.
  - (f) The circulation of the petition shall commence not less than 10 days nor more than 20 days after the date of publication of the notice of intention to circulate.
- (3) HEARING; COSTS.

- (a) Upon the filing of the petition the circuit court shall by order fix a time and place for a hearing giving preference to the hearing over other matters on the court calendar.
  - (b) The court may by order allow costs and disbursements as provided for actions in circuit court in any proceeding under this subsection.
  - (c) The court may, upon notice to all parties who have appeared in the hearing and after a hearing on the issue of bond, order the petitioners or any of the opponents to post bond in an amount that it considers sufficient to cover disbursements.
- (4) NOTICE.
- (a) Notice of the filing of the petition and of the date of the hearing on the petition before the circuit court shall be published in the territory to be incorporated, as a class 2 notice, under ch. 985, and given by certified or registered mail to the clerk of each town in which the territory is located and to the clerk of each metropolitan municipality of the metropolitan community in which the territory is located. The mailing shall be not less than 10 days before the time set for the hearing.
  - (b) The notice shall contain:
    - 1. A description of the territory sufficiently accurate to determine its location and a statement that a scale map reasonably showing the boundaries of the territory is on file with the circuit court.
    - 2. The name of each town in which the territory is located.
    - 3. The name and post-office address of the representative of the petitioners.
- (4m) INCORPORATIONS INVOLVING PORTIONS OF 2 TOWNS. If the territory designated in the petition is comprised of portions of only 2 towns, the territory may not be incorporated unless the town board of each town adopts a resolution approving the incorporation.
- (5) PARTIES. Any governmental unit entitled to notice pursuant to sub. (4), any school district which lies at least partly in the territory or any other person found by the court to be a party in interest may become a party to the proceeding prior to the time set for the hearing.
  - (6) ANNEXATION RESOLUTION. Any municipality whose boundaries are contiguous to the territory may also file with the circuit court a certified copy of a resolution adopted by a two-thirds vote of the elected members of the governing body indicating a willingness to annex the territory designated in the incorporation petition. The resolution shall be filed at or prior to the hearing on the incorporation petition, or any adjournment granted for this purpose by the court.
- (7) ACTION.
- (a) No action to contest the validity of an incorporation on any grounds, whether procedural or jurisdictional, may be commenced after 60 days from the date of issuance of the certificate of incorporation by the secretary of administration.
  - (b) An action contesting an incorporation shall be given preference in the circuit court.
- (8) FUNCTION OF THE CIRCUIT COURT.
- (a) After the filing of the petition and proof of notice, the circuit court shall conduct a hearing at the time and place specified in the notice, or at a time and place to which the hearing is duly adjourned.
  - (b) On the basis of the hearing the circuit court shall find if the standards under s. 66.0205 are met. If the court finds that the standards are not met, the court shall dismiss the petition. Subject to par. (c), if the court finds that the standards are met the court shall refer the petition to the board. Upon payment of any fee imposed under s. 16.53 (14), the board shall determine whether the standards under s. 66.0207 are met.
- (c)
- 1. The court shall determine whether an annexation proceeding that affects any territory included in the incorporation petition has been initiated under s. 66.0217, 66.0219, or 66.0223. A court shall consider an annexation proceeding under s. 66.0223 to have been initiated upon the posting of a meeting notice by a city or village that states that the city or village is considering enacting an ordinance under s. 66.0223.
  - 2. If the court determines that an annexation proceeding described under subd. 1. was initiated before the publication of the notice under sub. (1), the court shall refer the petition to the board when the annexation proceeding is final. If the annexation is determined to be valid, the court shall exclude

the annexed territory from the territory proposed to be incorporated when it refers the petition to the board.

3. If the court determines that an annexation proceeding described under subd. 1. was initiated after, and within 30 days after, the publication of the notice under sub. (1), the annexation may not proceed until the validity of the incorporation has been determined. If the incorporation is determined to be valid and complete, the annexation is void. If the incorporation is determined to be invalid, the annexation may proceed.
4. If the court determines that an annexation proceeding described under subd. 1. was initiated on the same date as the publication of the notice under sub. (1), the court shall determine which procedure was begun first on that date and that action may proceed and the other action may not proceed unless the first action fails.
5. If the court determines that an annexation proceeding described under subd. 1. was initiated more than 30 days after the publication of the notice under sub. (1), the annexation is void.

(9) FUNCTION OF THE BOARD.

- (a) Upon receipt of the petition from the circuit court and payment of any fee imposed under s. 16.53 (14), the board shall make any necessary investigation to apply the standards under s. 66.0207.
- (b) Within 30 days after the receipt by the board of the petition from the circuit court and payment of any fee imposed under s. 16.53 (14), whichever is later, any party in interest may request a hearing. Upon receipt of the request, the board shall schedule a hearing at a place in or convenient to the territory sought to be incorporated.
- (c) Notice of the hearing shall be given in the territory to be incorporated by publishing a class 2 notice, under ch. 985, and by mailing the notice to the designated representative of the petitioners or any 5 petitioners and to all town and municipal clerks entitled to receive mailed notice of the petition under sub. (4).
- (d) Subject to par. (dm), unless the court sets a different time limit, the board shall prepare its findings and determination, citing the supporting evidence, within 180 days after receipt of the referral from the court and payment of any fee imposed under s. 16.53 (14), whichever is later. The findings and determination shall be forwarded by the board to the circuit court. Copies of the findings and determination shall be sent by certified or registered mail to the designated representative of the petitioners, and to all town and municipal clerks entitled to receive mailed notice of the petition under sub. (4).
- (dm) The time period specified or set by the court under par. (d) shall be stayed for a reasonable period of time to allow for alternative dispute resolution of any disagreements between interested parties that result from the filing of an incorporation petition if all interested parties agree to this stay and provide written notice of their agreement to the board and to the circuit court.
- (e) The determination of the board made in accordance with the standards under ss. 66.0205, 66.0207 and 66.0217 (6) (c) shall be one of the following:
  1. The petition as submitted is dismissed.
  2. The petition as submitted is granted.
  3. The petition as submitted is dismissed with a recommendation that a new petition be submitted to include more or less territory as specified in the department's findings and determination.
- (f)
  1. If the board determines that the petition shall be dismissed under par. (e) 1., the circuit court shall issue an order dismissing the petition. Except as provided in subd. 2., if the board grants the petition, the circuit court shall order an incorporation referendum as provided in s. 66.0211.
  2. If sub. (4m) applies, the court shall dismiss the petition if the court does not find that the resolutions required under sub. (4m) have been adopted. Paragraph (g) does not apply to this subdivision.
- (g) The findings of both the court and the board shall be based upon facts as they existed at the time of the filing of the petition.
- (h) Except for an incorporation petition which describes the territory recommended by the board under sub. (9) (e) 3., no petition for the incorporation of the same or substantially the same territory may

be entertained for one year following the date of dismissal under par. (f) of the petition or the date of any election at which incorporation was rejected by the electors.

(i) If the board fails to make a determination within the time limit under par. (d), the board shall refund the fees imposed by the board under s. 16.53 (14) and shall then make a determination as quickly as possible.

(10) CERTAIN TOWNS MAY BECOME A CITY OR VILLAGE. A town that is adjacent to a village that contains an electronics and information technology manufacturing zone that is designated under s. 238.396 (1m) may become a city or village if the town holds, and approves, an incorporation referendum as described in s. 66.0211 (3). None of the other procedures contained in ss. 66.0201 to 66.0213 need to be fulfilled, and no approval by the board under s. 66.0207 is necessary for the town to become a city or village.

History: 1973 c. 37; 1977 c. 29; 1977 c. 187 s. 134; 1983 a. 219; 1991 a. 316; 1993 a. 329; 1995 a. 201; 1999 a. 150 s. 36; Stats. 1999 s. 66.0203; 1999 a. 186; 2001 a. 16; 2003 a. 171; 2005 a. 254; 2007 a. 20; 2013 a. 38, 80; 2015 a. 13, 55; 2017 a. 58.

Sub. (5) does not empower a court to compel joinder. *In re Incorporation of Town of Fitchburg*, 98 Wis. 2d 635, 299 N.W.2d 199 (1980).

An incorporation petition's precedence over a competing annexation proceeding is discussed. *Town of Delavan v. City of Delavan*, 176 Wis. 2d 516, 500 N.W.2d 268 (1993).

Sub. (2) (e) prevents the signer of a petition from withdrawing his or her name. It does not prevent the circulator of the petition from striking invalid signatures. Sub. (2) (b) permits withdrawal of a signature before the petition is filed. *Walag v. Town of Randall*, 213 Wis. 2d 424, 570 N.W.2d 623 (Ct. App. 1997), 96-2987.

The effect of the requirement in sub. (2) (c) of a description with "sufficient accuracy" and a scale map "reasonably showing" the boundaries of the affected parcel is that the description and map, when viewed together, fairly apprise the public of the territory to be incorporated. *Wirth v. City of Port Washington*, 2001 WI App 277, 248 Wis. 2d 893, 637 N.W.2d 442, 01-0583.

The date a petition is "entertained" under sub. (9) (h) is the date the petition is filed with the circuit court. *Town of Sheboygan v. City of Sheboygan*, 2001 WI App 279, 248 Wis. 2d 904, 637 N.W.2d 770, 01-1129.

There are significant conflicts between a contingent narrative description that provides for more than one location and the sub. (2) (c) requirement that the petition describe the territory to be incorporated with sufficient accuracy to determine its location. *Town of Campbell v. City of La Crosse*, 2003 WI App 139, 266 Wis. 2d 107, 667 N.W.2d 356, 02-1150.

Under the rule of prior precedence, in case of conflict between competing annexations, or between an annexation and a proceeding for the incorporation of a city or village, the proceeding first instituted has precedence, and the later one must yield. Annexation proceedings did not lose priority status when the ordinances were deemed invalid and dismissed by the circuit court but subsequently vindicated on appeal. *Town of Campbell v. City of La Crosse*, 2003 WI App 139, 266 Wis. 2d 107, 667 N.W.2d 356, 02-1150.

A court's authority to determine whether 2 town boards have adopted resolutions under sub. (4m) approving an incorporation is triggered only after the incorporation review board has granted the incorporation petition under sub. (9) (f). *Walt v. City of Brookfield*, 2015 WI App 3, 359 Wis. 2d 541, 859 N.W.2d 115, 12-0919.

66.0205 Standards to be applied by the circuit court. Before referring the incorporation petition as provided in s. 66.0203 (2) to the board, the court shall determine whether the petition meets the formal and signature requirements and shall further find that the following minimum requirements are met:

- (1) ISOLATED VILLAGE. Area, one-half square mile; resident population, 150.
- (2) ISOLATED CITY. Area, one square mile; resident population, 1,000; density, at least 500 persons in any one square mile.
- (3) METROPOLITAN VILLAGE. Area, 2 square miles; resident population, 2,500; density, at least 500 persons in any one square mile.

- (4) METROPOLITAN CITY. Area, 3 square miles; resident population, 5,000; density, at least 750 persons in any one square mile.
- (5) STANDARDS WHEN NEAR 1ST, 2ND OR 3RD CLASS CITY. If the proposed boundary of a metropolitan village or city is within 10 miles of the boundary of a 1st class city or 5 miles of a 2nd or 3rd class city, the minimum area requirements are 4 and 6 square miles for villages and cities, respectively.

History: 1977 c. 29; 1999 a. 150 s. 37; Stats. 1999 s. 66.0205; 2003 a. 171.

The 4 square mile requirement of sub. (5) was met when 4.2 square miles of village land were proposed for annexation, although 2.5 square miles of that land was within floodway lines. In re Petition of Township of Campbell, 78 Wis. 2d 246, 254 N.W.2d 241 (1977).

66.0207 Standards to be applied by the board.

- (1) REQUIREMENTS. The board may approve for referendum only those proposed incorporations which meet the following requirements:
  - (a) Characteristics of territory. The entire territory of the proposed village or city shall be reasonably homogeneous and compact, taking into consideration natural boundaries, natural drainage basin, soil conditions, present and potential transportation facilities, previous political boundaries, boundaries of school districts, shopping and social customs. An isolated municipality shall have a reasonably developed community center, including some or all features such as retail stores, churches, post office, telecommunications exchange and similar centers of community activity.
  - (b) Territory beyond the core. The territory beyond the most densely populated one-half square mile specified in s. 66.0205 (1) or the most densely populated square mile specified in s. 66.0205 (2) shall have an average of more than 30 housing units per quarter section or an assessed value, as defined in s. 66.0217 (1) (a) for real estate tax purposes, more than 25 percent of which is attributable to existing or potential mercantile, manufacturing or public utility uses. The territory beyond the most densely populated square mile as specified in s. 66.0205 (3) or (4) shall have the potential for residential or other urban land use development on a substantial scale within the next 3 years. The board may waive these requirements to the extent that water, terrain or geography prevents the development.
- (2) ADDITIONAL CONSIDERATIONS. In addition to complying with each of the applicable standards set forth in sub. (1) and s. 66.0205 in order to be approved for referendum, a proposed incorporation must be in the public interest as determined by the board upon consideration of the following:
  - (a) Tax revenue. The present and potential sources of tax revenue appear sufficient to defray the anticipated cost of governmental services at a local tax rate which compares favorably with the tax rate in a similar area for the same level of services.
  - (b) Level of services. The level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed village or city and the level available from a contiguous municipality which files a certified copy of a resolution as provided in s. 66.0203 (6).
  - (c) Impact on the remainder of the town. The impact, financial and otherwise, upon the remainder of the town from which the territory is to be incorporated.
  - (d) Impact on the metropolitan community. The effect upon the future rendering of governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community. There shall be an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.

History: 1977 c. 29; 1983 a. 189 s. 329 (14); 1985 a. 297 s. 76; 1999 a. 150 s. 38; Stats. 1999 s. 66.0207; 2003 a. 171; s. 35.17 correction in (1) (title), (2) (title).

The delegation of legislative power under sub. (2) (d) is constitutional. The legislature stated the general purpose with sufficient clarity that it can be determined that it is the legislature's will and not that of the administrator [now board] that is served by following consideration guidelines enumerated in subs. (1) and (2). *Westring v. James*, 71 Wis. 2d 462, 238 N.W.2d 695 (1976).

The requirement of homogeneity seeks to assure that an incorporated area is urban rather than rural, that development in such an area is not scattered, fragmented, or haphazard, and that similar land uses are grouped together in appropriate municipal boundaries. *Pleasant Prairie v. Department of Local Affairs and Development*, 113 Wis. 2d 327, 334 N.W.2d 893 (1983).

That the department approved annexations that helped create fragmented town borders did not render arbitrary and capricious the department's determination that the town's proposed incorporation did not meet the requirement of homogeneity and compactness. *Incorporation of the Town of Pewaukee*, 186 Wis. 2d 515, 521 N.W.2d 453 (Ct. App. 1994).

Whether incorporation would benefit the proposed village area is not the standard for allowing incorporation. An area must meet all the requirements of subs. (1) and (2). *Walag v. DOA*, 2001 WI App 217, 247 Wis. 2d 850, 634 N.W.2d 906, 00-3513.

66.0209 Review of incorporation-related orders and decisions.

- (1) The order of the circuit court made under s. 66.0203 (8) or (9) (f) may be appealed to the court of appeals.
- (2) The decision of the board made under s. 66.0203 (9) is subject to judicial review under ch. 227.
- (3) Where a proceeding for judicial review is commenced under sub. (2), appeal under sub. (1) may not be taken and the time in which the appeal may be taken does not commence to run until judgment is entered in the proceeding for judicial review.
- (4) An incorporation referendum ordered by the circuit court under s. 66.0203 (9) (f) may not be stayed pending the outcome of further litigation, unless the court of appeals or the supreme court, upon an appeal or upon the filing of an original action in the supreme court, concludes that a strong probability exists that the order of the circuit court or the decision of the board will be set aside.

History: 1977 c. 29, 187; Sup. Ct. Order, 146 Wis. 2d xiii (1988); 1999 a. 150 s. 39; Stats. 1999 s. 66.0209; 2001 a. 103; 2003 a. 171.

When a petition to incorporate is dismissed due to DOA disapproval, sub. (2) prevents appellate court review prior to judicial review under ch. 227. *Petition to Incorporate Powers Lake Village*, 171 Wis. 2d 659, 492 N.W.2d 342 (Ct. App. 1992).

66.0211 Incorporation referendum procedure.

- (1) ORDER. The circuit court's order for an incorporation referendum shall specify the voting place and the date of the referendum, which shall be not less than 6 weeks from the date of the order, and name 3 inspectors of election. If the order is for a city incorporation referendum the order shall further specify that 7 alderpersons shall be elected at large from the proposed city. The city council at its first meeting shall determine the number and boundaries of wards in compliance with s. 5.15 (1) and (2), and the combination of wards into aldermanic districts. The number of alderpersons per aldermanic district shall be determined by charter ordinance.
- (2) NOTICE OF REFERENDUM. Notice of the referendum shall be given by publication of the order of the circuit court in a newspaper having general circulation in the territory. Publication shall be once a week for 4 successive weeks. The first publication may not be more than 4 weeks before the referendum.
- (3) RETURN. An incorporation referendum shall be conducted in the same manner as an annexation referendum under s. 66.0217 (7) to the extent applicable except that the ballot shall contain the words "For a city [village]" and "Against a city [village]". The inspectors shall make a return to the circuit court.
- (4) COSTS. If the referendum is against incorporation, the costs of the election shall be borne by the towns involved in the proportion that the number of electors of each town within the territory proposed to be incorporated, voting in the referendum, bears to the total number of electors in the territory voting in the referendum. If the referendum is for a village or city, the costs shall be charged against the municipality in the apportionment of town assets.
- (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an incorporation referendum are cast in favor of a village or city, the clerk of the circuit court shall certify the fact to the secretary of administration and supply the secretary of administration with a copy of a description of the



legal boundaries of the village or city and the associated population and a copy of a plat of the village or city. Within 10 days of receipt of the description and plat, the secretary of administration shall forward 2 copies to the department of transportation and one copy each to the department of administration and the department of revenue. The secretary of administration shall issue a certificate of incorporation and record the certificate.

History: 1971 c. 304; 1973 c. 37, 90; 1977 c. 29 s. 1654 (8) (c); 1977 c. 273; 1979 c.

361 s. 112; 1981 c. 4 s. 19; 1981 c. 377; 1993 a. 184; 1995 a. 27, s. 9116 (5); 1999 a. 150 s. 40; Stats. 1999 s. 66.0211; 2011 a. 32; 2015 a. 55.

A referendum is effective immediately if the majority of votes are for incorporation. 70 Atty. Gen. 128.

66.0213 Powers of new village or city: elections; adjustment of taxes; reorganization as village.

- (1) VILLAGE OR CITY POWERS. A village or city incorporated under ss. 66.0201 to 66.0213 is a body corporate and politic, with powers and privileges of a municipal corporation at common law and conferred by these statutes.
- (2) EXISTING ORDINANCES. Ordinances in force in the territory incorporated or any part of the territory, to the extent not inconsistent with chs. 61 and 62, continue in force until altered or repealed.
- (3) INTERIM OFFICERS. All officers of the village or town embracing the territory that is incorporated as a village or city continue in their powers and duties until the first meeting of the board of trustees or common council at which a quorum is present. Until a village or city clerk is chosen and qualified all oaths of office and other papers shall be filed with the circuit court with which the petition was filed. The court shall deliver the oaths and other papers with the petition to the village or city clerk when that clerk qualifies.
- (4) FIRST VILLAGE OR CITY ELECTION.
  - (a) Within 10 days after incorporation of the village or city, the county clerk of the county in which the petition was filed shall fix a time for the first election, and where appropriate designate the polling place or places, and name 3 inspectors of election for each place. The time for the election shall be fixed no less than 40 nor more than 50 days after the date of the certificate of incorporation issued by the secretary of administration, irrespective of any other provision in the statutes. Nomination papers shall conform to ch. 8 to the extent applicable. Nomination papers shall be signed by not less than 5 percent nor more than 10 percent of the total votes cast at the referendum election, and be filed no later than 15 days before the time fixed for the election. Ten days' previous notice of the election shall be given by the county clerk by publication in the newspapers selected under s. 66.0211 (2) and by posting notices in 3 public places in the village or city, but failure to give notice does not invalidate the election.
  - (b) The election shall be conducted as prescribed by ch. 6. The inspectors shall make returns to the county clerk who shall, within 14 days after the election, canvass the returns and declare the result. The clerk shall notify the officers-elect and issue certificates of election. If the first election is on the first Tuesday in April the officers elected and their appointees shall commence and hold their offices as for a regular term. Otherwise they shall commence within 14 days and hold their offices until the regular village or city election and the qualification of their successors and the terms of their appointees expire as soon as successors qualify.
- (5) TAXES LEVIED BEFORE INCORPORATION; HOW COLLECTED AND DIVIDED. If a village or city is incorporated after the assessment of taxes in any year and before the collection of the taxes, the tax assessed shall be collected by the town treasurer of the town or the town treasurers of the different towns of which the village or city formerly constituted a part, and all moneys collected from the tax levied for town purposes shall be divided between the village or city and the town or the towns, as provided by s. 66.0235 (13) (a) 1., for the division of property owned jointly by towns and villages.
- (6) REORGANIZATION OF CITY AS VILLAGE. If the population of any city falls below 1,000 as determined by the United States census, the council may upon filing of a petition conforming to the requirements of s. 8.40 containing the signatures of at least 15 percent of the electors submit

at any general or city election the question whether the city shall reorganize as a village. If three-fifths of the votes cast on the question are for reorganization the mayor and council shall record the return in the office of the register of deeds, file a certified copy with the clerk of the circuit court, and immediately call an election, to be conducted as are village elections, for the election of village officers. Upon the qualification of the officers, the board of trustees shall declare the city reorganized as a village, and the reorganization is effective. The clerk shall certify a copy of the declaration to the secretary of administration who shall file the declaration and endorse a memorandum of the declaration on the record of the certificate of incorporation of the city. Rights and liabilities of the city continue in favor of or against the village. Ordinances, so far as within the power of the village, remain in force until changed.

History: 1977 c. 203 s. 106, 1989 a. 192; 1991 a. 32, 316; 1993 a. 301, 329; 1995 a. 16 s. 2; 1995 a. 201, 216; 1999 a. 150 s. 41; Stats. 1999 s. 66.0213; 2011 a. 115, 130; 2013 a. 80, 165; 2015 a. 55.

66.0215 Incorporation of certain towns adjacent to 1st class cities.

- (1) PETITION. If the resident population of a town exceeds 5,000 as shown by the last federal census or by a census under sub. (2), if the town is adjacent to a 1st class city and contains an equalized valuation in excess of \$20,000,000 and if a petition signed by 100 or more persons, each an elector and taxpayer of the town, containing the signatures of at least 50 percent of the owners of real estate in the town and requesting submission of the question to the electors of the town, is filed with the clerk of the town, the procedure for becoming a 4th class city is initiated.
- (2) REFERENDUM. At the next regular meeting of the town board following the filing of the petition under sub. (1), the board by resolution shall provide for a referendum by the electors of the town. The resolution shall conform to the requirements of s. 5.15 (1) and (2) and shall determine the numbers and boundaries of each ward of the proposed city and the time of voting, which may not be earlier than 6 weeks after the adoption of the resolution. The resolution may direct that a census be taken of the resident population of the territory on a day not more than 10 weeks previous to the date of the election, exhibiting the name of every head of a family and the name of every person who is a resident in good faith of the territory on that day, and the lot or quarter section of land on which that person resides, which shall be verified by the affixed affidavit of the person taking the census.
- (3) NOTICE OF REFERENDUM. Notice of the referendum shall be given by publication of the resolution in a newspaper published in the town, if there is one, otherwise in a newspaper designated in the resolution, once a week for 4 successive weeks, the first publication to be not more than 4 weeks before the referendum.
- (4) VOTING PROCEDURE. The referendum shall be conducted in the same manner as elections for supervisors of the town board. The question appearing on the ballot shall be "Shall the town of ... become a 4th class city?". Below the question shall appear 2 squares. To the left of one square shall appear the words "For a city" and to the left of the other square shall appear the words "Against a city". The inspectors shall make a return to the clerk of the town.
- (5) CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a city the clerk shall certify the fact to the secretary of administration, together with the result of the census, if any, and 4 copies of a description of the legal boundaries of the town and 4 copies of a plat of the town. The secretary of administration shall then issue a certificate of incorporation, and record the certificate in a book kept for that purpose. Two copies of the description and plat shall be forwarded by the secretary of administration to the department of transportation and one copy to the department of revenue.
- (6) CITY POWERS. A city incorporated under this section is a body corporate and politic, with the powers and privileges of a municipal corporation at common law and conferred by ch. 62.
- (7) EXISTING ORDINANCES. Ordinances in force in the territory or any part of the territory, to the extent not inconsistent with ch. 62, continue in force until altered or repealed.
- (8) INTERIM OFFICERS. All officers of the town embracing the territory incorporated as a city continue in their powers and duties until the first meeting of the common council at which a quorum is present. Until a city clerk is chosen and qualified all oaths of office and other papers shall be filed

with the town clerk, with whom the petition was filed, who shall deliver them with the petition to the city clerk when the city clerk is qualified.

- (9) FIRST CITY ELECTION. Within 10 days after incorporation of the city, the town board and the town clerk who received the petition shall fix a time for the first city election, designate the polling place or places, and name 3 inspectors of election for each place. Ten days' previous notice of the election shall be given by the clerk by publication in the newspapers selected under sub. (3) and by posting notices in 3 public places in the city. Failure to give notice does not invalidate the election. The election shall be conducted as is prescribed by chs. 5 to 12. The inspectors shall make returns to the board which shall, within 14 days after the election, canvass the returns and declare the result. The clerk shall notify the officers-elect and issue certificates of election. If the first election is on the first Tuesday in April the officers elected and their appointees commence and hold their offices as for a regular term. Otherwise they commence within 14 days and hold until the regular city election and the qualification of their successors, and the term of their appointees expires as soon as successors qualify.

History: 1971 c. 304; 1977 c. 29 s. 1654 (8) (c); 1979 c. 89; 1981 c. 4 s. 19; 1981 c. 377; 1983 a. 532 s. 11; Stats. 1983 s. 66.012; 1991 a. 316; 1993 a. 329; 1995 a. 16 s. 2; 1995 a. 201; 1999 a. 150 s. 31; Stats. 1999 s. 66.0215; 2011 a. 115; 2013 a. 80; 2015 a. 55.

"Adjacent" under sub. (1) means "contiguous," not "near." *City of Waukesha v. Salbashian*, 128 Wis. 2d 334, 382 N.W.2d 52 (1986).

66.02162 Incorporation of certain towns contiguous to 3rd class cities or villages.

- (1) CONDITIONS. A town board may initiate the procedure for incorporating its town as a village under this section by adopting a resolution providing for a referendum by the electors of the town on the question of whether the town should become a village if on the date of the adoption of the resolution any of the following is satisfied:

(a) All of the following conditions apply:

1. The most recent federal decennial census shows that the resident population of the town exceeds 6,300.
2. The town is contiguous to a 3rd class city.
3. The most recent data available from the department of revenue show that the equalized value for the town exceeds \$600,000,000.
4. In one of the 5 years before the year in which the town board adopts the resolution, the town's equalized value increased more than 7 percent, compared to the town's equalized value for the prior year.
5. The town board of the town is authorized to exercise village powers.
6. The town has entered into, and is bound by, at least 2 separate cooperative boundary agreements under s. 66.0307 with at least 2 municipalities.
7. The town has created at least one tax incremental financing district as authorized under s. 60.23 (32).
8. The town has established at least one town sanitary district under subch. IX of ch. 60.

(b) All of the following conditions apply:

1. The most recent federal decennial census shows that the resident population of the town exceeds 2,300.
2. The most recent data available from the department of revenue show that the equalized value for the town exceeds \$190,000,000.
3. The area of the town exceeds 40 square miles.
4. The town is contiguous to a village to which all of the following conditions apply:
  - a. The most recent federal decennial census shows that the resident population of the village is less than 300.
  - b. The area of the village is less than 2 square miles.
  - c. The aggregate net tax rate of the village, as determined by the department of revenue under s. 70.114 (3), is greater than 36 mills.
5. The village under subd. 4. and the town are located in a county for which the most recent federal decennial census shows that the resident population is less than 150,000.

- (2) REFERENDUM RESOLUTION. The resolution of the town board required under sub. (1) shall do all of the following:
- (a) Certify that the requirements under sub. (1) are satisfied.
  - (b) Contain a description of the territory to be incorporated sufficiently accurate to determine its location and a statement that a scale map reasonably showing the boundaries of the territory is on file with the town clerk.
  - (c) Determine the numbers and boundaries of each ward of the proposed village, conforming to the requirements of s. 5.15 (1) and (2).
  - (d) Determine the date of the referendum, which may not be earlier than 6 weeks after the adoption of the resolution.
- (3) NOTICE OF REFERENDUM. The town clerk shall publish the resolution adopted under sub. (1) in a newspaper published in the town. If no newspaper is published in the town, the town clerk shall publish the resolution in a newspaper designated in the resolution. The town clerk shall publish the resolution once a week for 4 successive weeks, the first publication to be not more than 4 weeks before the referendum.
- (4) VOTING PROCEDURE. The referendum shall be conducted in the same manner as elections for town board supervisors. The question appearing on the ballot shall be: "Shall the town of .... become a village?" Below the question shall appear 2 squares. To the left of one square shall appear the words "For a village," and to the left of the other square shall appear the words "Against a village." The inspectors shall make a return to the town clerk.
- (5) CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a village, the town clerk shall certify that fact to the secretary, together with 4 copies of a description of the legal boundaries of the town, and 4 copies of a plat of the town. The town clerk shall also send the secretary an incorporation fee of \$1,000. Upon receipt of the town clerk's certification, the incorporation fee, and other required documents, the secretary shall issue a certificate of incorporation and record the certificate in a book kept for that purpose. The secretary shall provide 2 copies of the description and plat to the department of transportation and one copy to the department of revenue. The town clerk shall also transmit a copy of the certification and the resolution under sub. (1) to the county clerk.
- (6) ACTION. No action to contest the validity of an incorporation under this section on any grounds, whether procedural or jurisdictional, may be commenced after 60 days from the date of issuance of the certificate of incorporation by the secretary. In any such action, the burden of proof as to all issues is upon the person bringing the action to show that the incorporation is not valid. An action contesting an incorporation shall be given preference in the circuit court.
- (7) VILLAGE POWERS. A village incorporated under this section is a body corporate and politic, with the powers and privileges of a municipal corporation at common law and conferred by ch. 61.
- (8) EXISTING ORDINANCES. Ordinances in force in the territory or any part of the territory, to the extent not inconsistent with this section or ch. 61, continue in force until altered or repealed.
- (9) EXISTING INTERGOVERNMENTAL AND COOPERATIVE BOUNDARY AGREEMENTS. Intergovernmental cooperation agreements entered into under s. 66.0301 and cooperative boundary agreements approved under s. 66.0307, to which a town incorporating under this section is a party, that are still in effect on the effective date of the incorporation, shall continue in force until altered or repealed, to the extent allowed under the agreements. When incorporated under this section, a village shall be considered the town's successor with respect to such agreements.
- (10) INTERIM OFFICERS, FIRST VILLAGE ELECTION. Section 66.0215 (8) and (9), as it applies to a town that is incorporated as a city under s. 66.0215, applies to a town that is incorporated as a village under this section.
- (11) SUNSET. This section does not apply after June 30, 2020.
- History: 2015 a. 55.

ATTACHMENT E

**Authorizing Resolutions**

RESOLUTION NO. 2019- 2

**TO AUTHORIZE THE PRESIDENT AND VILLAGE ADMINISTRATOR OF THE VILLAGE OF BRISTOL, WITH THE ASSISTANCE OF SUCH VILLAGE STAFF AS MAY BE NECESSARY, PURSUANT TO §66.0307, WISCONSIN STATUTES, TO PARTICIPATE WITH THE TOWN OF PARIS IN THE PREPARATION OF A COOPERATIVE PLAN, UNDER THE GUIDANCE OF THE VILLAGE BOARD AND THE VILLAGE PLAN COMMISSION**

WHEREAS, §66.0307, Wisconsin Statutes, authorizes municipalities to set the boundary lines between/among themselves upon adopting and having approved by the State of Wisconsin Department of Administration a cooperative plan in accordance with statutory procedures and requirements; and

WHEREAS, the cooperative plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan, consistent with the comprehensive plans of the Village of Bristol and Town of Paris.

WHEREAS, cooperative planning is in the best interest of the participating municipalities:

WHEREAS, the Village of Bristol and Town of Paris intend to use a cooperative plan previously submitted to the Department of Administration in 2009 as a guide in the formation of a new cooperative plan to be presented to the public for comment and input in accord with all statutory requirements, before submitting the cooperative plan to the Department of Administration for approval.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Bristol, Kenosha County, Wisconsin, that the President and other Village Designees, with the assistance of such Village staff as may be necessary, are authorized pursuant to §66.0307, Wisconsin Statutes, to participate with the Town of Paris in the preparation of a cooperative plan, under the guidance of the Village Board and Village Plan Commission.

BE IT FURTHER RESOLVED that notice of this Resolution shall be given, in writing, by the Village Clerk, within five (5) days after its adoption, to the parties specified in §66.0307(4)(a), Wisconsin Statutes.

Adopted this 11<sup>th</sup> day of February, 2019.

VILLAGE OF BRISTOL,  
KENOSHA COUNTY, WISCONSIN

By: 

Mike Farrell, Village President

Attest: Amy E. Klemko

Amy E. Klemko, Village Clerk/Treasurer

RESOLUTION NO. 2019-2-26

TO AUTHORIZE THE CHAIRMAN OF THE TOWN OF PARIS, WITH THE ASSISTANCE OF SUCH TOWN STAFF AS MAY BE NECESSARY, PURSUANT TO §66.0307, WISCONSIN STATUTES, TO PARTICIPATE WITH THE VILLAGE OF BRISTOL IN THE PREPARATION OF A COOPERATIVE PLAN, UNDER THE GUIDANCE OF THE TOWN BOARD AND THE TOWN PLAN COMMISSION

WHEREAS, §66.0307, Wisconsin Statutes, authorizes municipalities to set the boundary lines between/among themselves upon adopting and having approved by the State of Wisconsin Department of Administration a cooperative plan in accordance with statutory procedures and requirements; and

WHEREAS, the Cooperative Plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan, consistent with the comprehensive plans of the Town of Paris and Village of Bristol.

WHEREAS, cooperative planning is in the best interest of the participating municipalities:

WHEREAS, the Town of Paris and Village of Bristol intend to use a cooperative plan previously submitted to the Department of Administration in 2009 as a guide in the formation of a new cooperative plan to be presented to the public for comment and input in accord with all statutory requirements, before submitting the cooperative plan to the Department of Administration for approval.

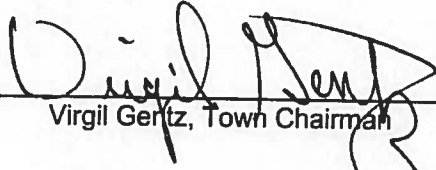
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Paris, Kenosha County, Wisconsin, that the Chairman and other Town Designees, with the assistance of such Town staff as may be necessary, are authorized pursuant to §66.0307, Wisconsin Statutes, to participate with the Village of Bristol in the preparation of a cooperative plan, under the guidance of the Town Board and Town Plan Commission.

BE IT FURTHER RESOLVED that notice of this Resolution shall be given, in writing, by the Town Clerk, within five (5) days after its adoption, to the parties specified in §66.0307(4)(a), Wisconsin Statutes.

Adopted this 26 day of February, 2019.

TOWN OF PARIS

By: \_\_\_\_\_

  
Virgil Geritz, Town Chairman

Attest: \_\_\_\_\_

  
Diana Coughlin, Town Clerk/Treasurer

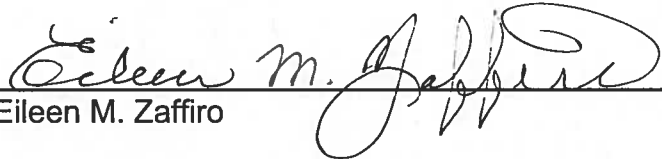
ATTACHMENT F

**Affidavit of Mailing Authorizing Resolutions**




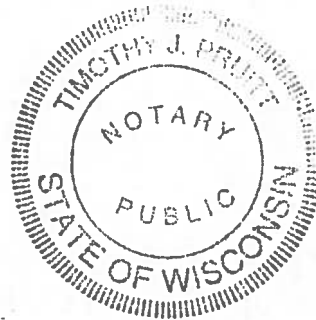
**AFFIDAVIT OF MAILING**

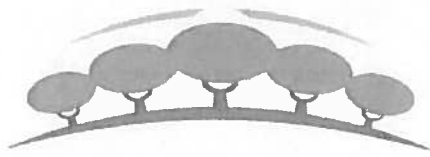
I, the undersigned, Eileen M. Zaffiro, certify that on February 13, 2019, I placed in the mail with the correct postage affixed on it, a true and correct copy of the Village of Bristol cover letter dated February 12, 2019 from Amy E. Klemko, Village Clerk/Treasurer, with its enclosure, adopted Resolution No. 2019-02, "To Authorize the President and Village Administrator of the Village of Bristol, With the Assistance of Such Village Staff as May Be Necessary, Pursuant to §66.0307, Wisconsin Statutes, to Participate With the Town of Paris in the Preparation of a Cooperative Plan, Under the Guidance of the Village Board and the Village Plan Commission," copies of which are attached hereto, to the individuals and/or entities at their addresses listed on the attached document, to me know to be their correct mailing address.

  
Eileen M. Zaffiro

Subscribed and sworn to before me  
This 14<sup>th</sup> day of February, 2019.

  
Notary Public, Racine County, WI  
My Commission Is Permanent





*The Village of*

**BRISTOL**

NATURALLY

February 12, 2019

Pursuant to the requirements set forth in Wis. Stat. §66.0307, the Village of Bristol hereby provides written notice that the Village Board of the Village of Bristol has adopted Resolution No. 2019-02 authorizing the Village of Bristol to participate in the preparation of a Cooperative Plan with the Town of Paris. Enclosed please find a copy of Resolution No. 2019-02.

This notice is required to be sent to you pursuant to Wis. Stat. §66.0307. Should the parties specified in the resolution agree to enter into a Cooperative Plan, you will have the opportunity to submit oral comments at a noticed public hearing and/or provide written comments.

Should you have any questions, please contact Randy Kerkman, Village Administrator at (262) 857-2358.

Sincerely,

VILLAGE OF BRISTOL

*Amy E. Klemko*

Amy E. Klemko  
Village Clerk/Treasurer

RESOLUTION NO. 2019- 2

**TO AUTHORIZE THE PRESIDENT AND VILLAGE ADMINISTRATOR OF THE VILLAGE OF BRISTOL, WITH THE ASSISTANCE OF SUCH VILLAGE STAFF AS MAY BE NECESSARY, PURSUANT TO §66.0307, WISCONSIN STATUTES, TO PARTICIPATE WITH THE TOWN OF PARIS IN THE PREPARATION OF A COOPERATIVE PLAN, UNDER THE GUIDANCE OF THE VILLAGE BOARD AND THE VILLAGE PLAN COMMISSION**

WHEREAS, §66.0307, Wisconsin Statutes, authorizes municipalities to set the boundary lines between/among themselves upon adopting and having approved by the State of Wisconsin Department of Administration a cooperative plan in accordance with statutory procedures and requirements; and

WHEREAS, the cooperative plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan, consistent with the comprehensive plans of the Village of Bristol and Town of Paris.

WHEREAS, cooperative planning is in the best interest of the participating municipalities:

WHEREAS, the Village of Bristol and Town of Paris intend to use a cooperative plan previously submitted to the Department of Administration in 2009 as a guide in the formation of a new cooperative plan to be presented to the public for comment and input in accord with all statutory requirements, before submitting the cooperative plan to the Department of Administration for approval.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Bristol, Kenosha County, Wisconsin, that the President and other Village Designees, with the assistance of such Village staff as may be necessary, are authorized pursuant to §66.0307, Wisconsin Statutes, to participate with the Town of Paris in the preparation of a cooperative plan, under the guidance of the Village Board and Village Plan Commission.

BE IT FURTHER RESOLVED that notice of this Resolution shall be given, in writing, by the Village Clerk, within five (5) days after its adoption, to the parties specified in §66.0307(4)(a), Wisconsin Statutes.

Adopted this 11<sup>th</sup> day of February, 2019.

VILLAGE OF BRISTOL,  
KENOSHA COUNTY, WISCONSIN

By: 

Mike Farrell, Village President

Attest: Amy E. Klemko

Amy E. Klemko, Village Clerk/Treasurer

Dept. of Commerce, Secretary  
State of Wisconsin  
201 West Washington Avenue  
Madison, WI 53707

Callie Rucker, Clerk  
Randall Town Hall  
34530 Bassett Road  
Bassett, WI 53101

Rainbow Lake Manor  
19900 128<sup>th</sup> Street  
Bristol, WI 53104

Kansasville Graded 1-8  
4101 South Beaumont Avenue  
Kansasville, WI 53139

Mary Cole, Clerk-Administrator  
Village of Sturtevant  
2801 89<sup>th</sup> Street  
Sturtevant, WI 53177

Town of Burlington  
Clerk-Treasurer  
32288 Bushnell Road  
Burlington, WI 53105

Burlington High School  
400 McCanna Pkwy  
Burlington, WI 53105

Gateway Tech College  
496 McCanna Pkwy.  
Burlington, WI 53105

Dept of Administration  
Secretary  
State of Wisconsin  
P.O. 80x7864  
Madison, WI 53707-7864

Department of Transportation  
Secretary  
State of Wisconsin  
P.O. Box 7910  
Madison, WI 53707-7910

Village of Salem Lakes – Sewer Utility  
P.O. Box 443  
Salem, WI 53168

Randall School District – Clerk  
37101 87<sup>th</sup> Street  
Burlington, WI 543105

Town of Dover – Clerk/Treasurer  
4110 South Beaumont Avenue  
Kansasville, WI 53139

Bradley Calder, Clerk-Treasurer  
Village of Union Grove  
925 15<sup>th</sup> Avenue  
Union Grove, WI 53182

Village of Sturtevant - WWTF  
2801 89<sup>th</sup> Street  
Sturtevant, WI 53177

City of Burlington – City Clerk  
300 N. Pine  
Burlington, WI 53105

Burlington Area School District Office  
100 N Kane Street  
Burlington, WI 53105

Union Grove Grade & Middle School  
Joint School District #1  
1745 Mildrum Street  
Union Grove, WI 53182

Paris Consolidated School District  
Joint #1  
1901 – 176<sup>th</sup> Avenue  
Kenosha, WI 53144

Gateway Technical College  
400 County Road H  
Elkhorn, WI 53121

Village of Twin Lakes – Utility District  
P.O. Box 1024  
Twin Lakes, WI 53181

Sheila Siegler-Clerk  
Town of Wheatland  
PO Box 797  
New Munster, WI 53152-0915

Town of Dover – WWTF  
4110 South Beaumont Avenue  
Kansasville, WI 53139

Union Grove - WWTF  
925 15<sup>th</sup> Avenue  
Union Grove, WI 53182

City of Racine, Clerk's Office  
730 Washington Avenue  
Racine, WI 53403

City of Burlington – WTF  
2100 S. Pine Street  
Burlington, WI 543105

Walworth County Clerk  
P.O. Box 1001  
Elkhorn, WI 53121

Central High School  
District of Westosha  
24617 75<sup>th</sup> Street, P.O. Box 38  
Salem, WI 53168

Dept. of Agriculture – Secretary  
Trade & Consumer Protection  
2811 Agriculture Drive  
P.O. Box 8911  
Madison, WI 53708-8911

SE Wisconsin Regional Planning Comm.  
Chairman  
W239 N1812 Rockwood Drive  
P.O. Box 1607  
Waukesha, WI 53187-1607

Mary Kubicki  
Clerk – Kenosha County  
1010 56<sup>th</sup> Street  
Kenosha, WI 53140

Racine County  
730 Wisconsin Avenue  
Racine, WI 53403

Racine County Planning  
& Development Director  
14200 Washington Avenue  
Sturtevant, WI 53177

Racine Unified School District  
3109 Mount Pleasant Street  
Racine, WI 53404

Village of Mount Pleasant  
8811 Campus Drive  
Mount Pleasant, WI 53406

Mount Pleasant Sewer Utility  
Utility Manager  
6126 Durand Avenue  
Racine, WI 53406

City of Racine – Hall Annex  
Attn: General Manager  
800 Center Street  
Racine, WI 53403

Village of Elmwood Park  
Clerk/Treasurer  
3131 Taylor Avenue, Unit 1  
Elmwood Park, WI 53405-4503

Director of Intergovernmental  
Relations  
P.O. Box 1645  
Madison, WI 53703-3219

City of Kenosha  
625 – 52<sup>nd</sup> Street  
Racine, WI 53140

Kenosha Unified School District  
No. 1  
2902 -35<sup>th</sup> Street  
Kenosha, WI 53140

Director of Kenosha City  
Planning & Development  
19600 – 75<sup>th</sup> Street, Suite 185-3  
Bristol, WI 53703-0520

Village of Pleasant Prairie –  
Clerk  
9915 – 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

Bristol School District – Clerk  
20121 83<sup>rd</sup> Street  
Bristol, WI 53104

Village of Pleasant Prairie  
Community Development Director  
9915 – 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

Salem Consolidated Grade School  
8828 Antioch Road  
P.O. Box 160  
Salem, WI 53168

Wilmot Union High School Dist.  
Clerk  
1112 308<sup>th</sup> Avenue  
P.O. Box 8  
Wilmot, WI 53192

Riverview Joint School District #1  
P.O. Box 69  
Silver Lake, WI 53170

Village of Paddock Lake  
6969 236<sup>th</sup> Avenue  
Paddock Lake, Salem, WI 53192

Village of Paddock Lake  
Building Inspector  
6969 236<sup>th</sup> Avenue  
Paddock Lake, Salem, WI 53192

Town of Brighton – Clerk  
25000 Burlington Road  
P.O. Box 249  
Kansasville, WI 53139

Union Grove High School Dist.  
3433 South Colony Avenue  
Union Grove, WI 53182

Wheatland Center School  
Joint District #1  
6606 368<sup>th</sup> Avenue  
Burlington, WI 53105

Brighton Elem. School District  
1200 – 248<sup>th</sup> Avenue  
Kansasville, WI 53139

Village of Salem Lakes  
P.O. Box 443  
Salem, WI 53168

Wilmot Grade School District  
Clerk  
P.O. Box 8  
Wilmot, WI 53192

Clerk - Trevor – Wilmot  
Consolidated School  
26325 Wilmot Road  
Trevor, WI 53179

Town of Somers  
P.O. Box 197  
Somers, WI 53171

Village of Somers  
P.O. Box 197  
Somers, WI 53171

Wisconsin Dept. of Natural Resources  
1010 S. Webster Street  
P.O. Box 792  
Madison, WI 53707-7921

Wisconsin Dept. of Transportation  
Southeast Region Office  
141 NW Barstow Street  
P.O. Box 798  
Waukesha, WI 53187-1607

Gateway Technical College  
Attention: Clerk  
3520 30<sup>th</sup> Avenue  
Kenosha, WI 53144

KR – Sewer District  
Attention: Clerk  
7511 12<sup>th</sup> Street  
P.O. Box 197  
Somers, WI 53171

Somers Utility District  
Attention: Clerk  
7511 12<sup>th</sup> Street  
P.O. Box 197  
Somers, WI 53171

Diana Coughlin, Clerk/Treasurer  
Town of Paris  
16607 Burlington Road  
Union Grove, WI 53182

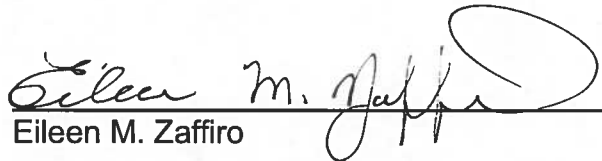
Bristol Point  
Attention: Clerk  
19801 83<sup>rd</sup> Street  
Bristol, WI 53104

Kenosha Water Utility  
4401 Green Bay Road  
Kenosha, WI 53144

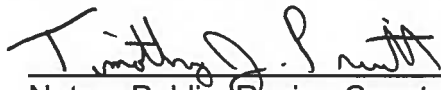
Michael McKinney,  
Clerk/Treasurer  
Village of Yorkville  
925 – 15<sup>th</sup> Avenue  
Union Grove, WI 53182

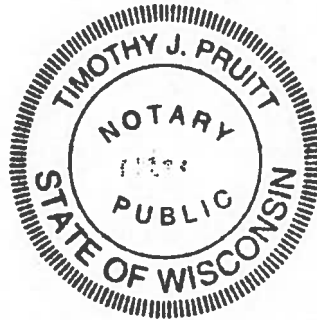
**AFFIDAVIT OF MAILING**

I, the undersigned, Eileen M. Zaffiro, certify that on February 28, 2019, I placed in the mail with the correct postage affixed on it, a true and correct copy of the Town of Paris cover letter dated February 27, 2019 from Diana Coughlin, Town Clerk/Treasurer, with its enclosure, adopted Resolution No. 2019-2-26, "To Authorize the Chairman of the Town of Paris, With the Assistance of Such Town Staff as May Be Necessary, Pursuant to §66.0307, Wisconsin Statutes, to Participate With the Village of Bristol in the Preparation of a Cooperative Plan, Under the Guidance of the Town Board and the Town Plan Commission," copies of which are attached hereto, to the individuals and/or entities at their addresses listed on the attached document, to me know to be their correct mailing address.

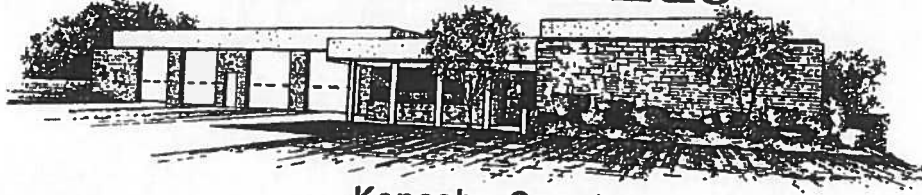
  
\_\_\_\_\_  
Eileen M. Zaffiro

Subscribed and sworn to before me  
This 1<sup>st</sup> day of March, 2019.

  
\_\_\_\_\_  
Notary Public, Racine County, WI  
My Commission Is Permanent



# TOWN OF PARIS



**Kenosha County**

16607 Burlington Rd. Union Grove, WI 53182, Phone: (262) 859-3006, Fax: (262) 859-3008

Office Hours: Monday, Wednesday & Friday: 9:00 a.m. - 5:00 p.m.  
First Saturday of the Month: 9:00 a.m. - Noon

February 27, 2019

Pursuant to the requirements set forth in Wis. Stat. §66.0307, the Town of Paris hereby provides written notice that the Town Board of the Town of Paris has adopted Resolution No. 2019-2-26 authorizing the Town of Paris to participate in the preparation of a Cooperative Plan with the Village of Bristol. Enclosed please find a copy of Resolution No. 2019-2-26.

This notice is required to be sent to you pursuant to Wis. Stat. §66.0307. Should the parties specified in the resolution agree to enter into a Cooperative Plan, you will have the opportunity to submit oral comments at a noticed public hearing and/or provide written comments.

Should you have any questions, please contact Diana Coughlin, Town Clerk-Treasurer at (262) 859-3006.

Sincerely,

TOWN OF PARIS

A handwritten signature in cursive script that reads "Diana L. Coughlin". The signature is written in black ink and is positioned above the printed name and title.

Diana Coughlin  
Town Clerk/Treasurer



RESOLUTION NO. 2019-2-26

**TO AUTHORIZE THE CHAIRMAN OF THE TOWN OF PARIS, WITH THE ASSISTANCE OF SUCH TOWN STAFF AS MAY BE NECESSARY, PURSUANT TO §66.0307, WISCONSIN STATUTES, TO PARTICIPATE WITH THE VILLAGE OF BRISTOL IN THE PREPARATION OF A COOPERATIVE PLAN, UNDER THE GUIDANCE OF THE TOWN BOARD AND THE TOWN PLAN COMMISSION**

WHEREAS, §66.0307, Wisconsin Statutes, authorizes municipalities to set the boundary lines between/among themselves upon adopting and having approved by the State of Wisconsin Department of Administration a cooperative plan in accordance with statutory procedures and requirements; and

WHEREAS, the Cooperative Plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan, consistent with the comprehensive plans of the Town of Paris and Village of Bristol.

WHEREAS, cooperative planning is in the best interest of the participating municipalities:

WHEREAS, the Town of Paris and Village of Bristol intend to use a cooperative plan previously submitted to the Department of Administration in 2009 as a guide in the formation of a new cooperative plan to be presented to the public for comment and input in accord with all statutory requirements, before submitting the cooperative plan to the Department of Administration for approval.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Paris, Kenosha County, Wisconsin, that the Chairman and other Town Designees, with the assistance of such Town staff as may be necessary, are authorized pursuant to §66.0307, Wisconsin Statutes, to participate with the Village of Bristol in the preparation of a cooperative plan, under the guidance of the Town Board and Town Plan Commission.

BE IT FURTHER RESOLVED that notice of this Resolution shall be given, in writing, by the Town Clerk, within five (5) days after its adoption, to the parties specified in §66.0307(4)(a), Wisconsin Statutes.

Adopted this 26 day of February, 2019.

**TOWN OF PARIS**

By: \_\_\_\_\_

  
Virgil Geritz, Town Chairman

Attest: \_\_\_\_\_

  
Diana Coughlin, Town Clerk/Treasurer

Callie Rucker, Clerk  
Randall Town Hall  
34530 Bassett Road  
Burlington, WI 53105

Randall School District – Clerk  
37101 87<sup>th</sup> Street  
Burlington, WI 53105

Sheila Siegler-Clerk  
Town of Wheatland  
PO Box 797  
New Munster, WI 53152-0915

Rainbow Lake Manor  
19900 128<sup>th</sup> Street  
Bristol, WI 53104

Town of Burlington  
Clerk-Treasurer  
32288 Bushnell Road  
Burlington, WI 53105

City of Burlington – City Clerk  
300 N. Pine  
Burlington, WI 53105

Burlington High School  
400 McCanna Pkwy  
Burlington, WI 53105

Walworth County Clerk  
P.O. Box 1001  
Elkhorn, WI 53121

Gateway Tech College  
496 McCanna Pkwy.  
Burlington, WI 53105

Gateway Tech College  
496 McCanna Pkwy.  
Burlington, WI 53105

Gateway Technical College  
400 County Road H  
Elkhorn, WI 53121

Racine County  
730 Wisconsin Avenue  
Racine, WI 53403

Racine County Planning  
& Development Director  
14200 Washington Avenue  
Sturtevant, WI 53177

Village of Elmwood Park  
Clerk/Treasurer  
3131 Taylor Avenue, Unit 1  
Elmwood Park, WI 53405-4503

Director of Intergovernmental  
Relations  
P.O. Box 1645  
Madison, WI 53703-3219

Village of Paddock Lake  
Building Inspector  
6969 236<sup>th</sup> Avenue  
Paddock Lake, Salem, WI 53192

Wilmot Grade School District  
Clerk  
P.O. Box 8  
Wilmot, WI 53192

Town of Somers  
P.O. Box 197  
Somers, WI 53171

Paddock Lake Sanitary District  
6969 236<sup>th</sup> Avenue  
Paddock Lake, WI 53168

Wisconsin Dept. of Administration  
Division of Intergovernmental Services  
101 E. Wilson Street, 9<sup>th</sup> Floor  
P.O. Box 8944  
Madison, WI 53708-8944

Wisconsin Dept. of Natural Resources  
1010 S. Webster Street  
P.O. Box 792  
Madison, WI 53707-7921

Wisconsin Dept. of Agriculture,  
Trade & Consumer Protection  
2811 Agriculture Drive  
P.O. Box 8911  
Madison, WI 53708-8911

Wisconsin Dept. of Transportation  
Southeast Region Office  
141 NW Barstow Street  
P.O. Box 798  
Waukesha, WI 53187-1607

Mary Kubicki  
Kenosha County Clerk  
1010 – 56<sup>th</sup> Street  
Kenosha, WI 53140

Kenosha County Planning & Development  
19600 75<sup>h</sup> Street, Suite 185-3  
Bristol, WI 53104

SE Wis. Regional Planning Commission  
Chairman  
W239 N1812 Rockwood Drive  
P.O. Box 1607  
Waukesha, WI 53187-1607

Village of Somers  
7511 12<sup>th</sup> Street  
P.O. Box 197  
Somers, WI 53171

Kenosha Unified School Dist. No. 1  
3600 52<sup>nd</sup> Street  
Kenosha, WI 53144

Gateway Technical College  
Attention: Clerk  
3520 30<sup>th</sup> Avenue  
Kenosha, WI 53144

KR – Sewer District  
Attention: Clerk  
7511 12<sup>th</sup> Street  
P.O. Box 197  
Somers, WI 53171

Somers Utility District  
Attention: Clerk  
7511 12<sup>th</sup> Street  
P.O. Box 197  
Somers, WI 53171

Paris Consolidated School Jt. District  
No. 1  
Attention: Clerk  
1901 – 176<sup>th</sup> Avenue  
Kenosha, WI 53144

Diana Coughlin, Clerk/Treasurer  
Town of Paris  
16607 Burlington Road  
Union Grove, WI 53182

Union Grove Grade & Middle School  
Joint School District #1  
1745 Mildrum Street  
Union Grove, WI 53182

Union Grove High School Dist.  
3433 South Colony Avenue  
Union Grove, WI 53182

Central High School  
District of Westosha  
24617 75<sup>th</sup> Street, P.O. Box 38  
Salem, WI 53168

Amy Klemko  
Clerk/Treasurer  
Village of Bristol  
19801 83<sup>rd</sup> Street  
Bristol, WI 53104

Salem Consolidated Grade School  
8828 Antioch Road  
P.O. Box 160  
Salem, WI 53168

Bristol School District – Clerk  
20121 83<sup>rd</sup> Street  
Bristol, WI 53104

Bristol Point  
Attention: Clerk  
19801 83<sup>rd</sup> Street  
Bristol, WI 53104

Village of Paddock Lake  
6969 236<sup>th</sup> Avenue  
Paddock Lake, Salem, WI 53192

Brighton Elem. School District  
1200 – 248<sup>th</sup> Avenue  
Kansasville, WI 53139

Wilmot Union High School Dist.  
Clerk  
1112 308<sup>th</sup> Avenue  
P.O. Box 8  
Wilmot, WI 53192

Village of Salem Lake Utility District  
9814 Antioch Road  
P.O. Box 443  
Salem, WI 53168

Village of Salem Lake  
9814 Antioch Road  
P.O. Box 443  
Somers, WI 53171

Clerk - Trevor–Wilmot Consolidated  
School District  
26325 Wilmot Road  
Trevor, WI 53179

Riverview Joint School District #1  
P.O. Box 69  
Silver Lake, WI 53170

Wheatland Center School  
Joint District #1  
6606 368<sup>th</sup> Avenue  
Burlington, WI 53105

Debra Salas, Clerk  
City of Kenosha  
625 – 52<sup>nd</sup> Street  
Kenosha, WI 53140

Town of Brighton – Clerk  
25000 Burlington Road  
P.O. Box 249  
Kansasville, WI 53139

Burlington Area School District Office  
100 N Kane Street  
Burlington, WI 53105

Kansasville Graded 1-8  
4101 South Beaumont Avenue  
Kansasville, WI 53139

Kenosha Water Utility  
4401 Green Bay Road  
Kenosha, WI 53144

Town of Dover – Clerk/Treasurer  
4110 South Beaumont Avenue  
Kansasville, WI 53139

Town of Dover – WWTF  
4110 South Beaumont Avenue  
Kansasville, WI 53139

Eagle Lake Sewer Utility District  
4110 South Beaumont Avenue  
Kansasville, WI 53139

Michael McKinney, Clerk/Treasurer  
Village of Yorkville  
925 – 15<sup>th</sup> Avenue  
Union Grove, WI 53182

Yorkville J2 School District  
18621 Washington Avenue  
Union Grove, WI 53182

Bradley Calder, Clerk-Treasurer  
Village of Union Grove  
925 15<sup>th</sup> Avenue  
Union Grove, WI 53182

Stephanie Kohlhagen, Clerk  
Village of Mount Pleasant  
8811 Campus Drive  
Mount Pleasant, WI 53406

Mary Cole, Clerk-Treasurer  
Village of Sturtevant  
2801 89<sup>th</sup> Street  
Sturtevant, WI 53177

City of Racine, Clerk's Office  
730 Washington Avenue  
Racine, WI 53403

General Manager  
City of Racine Wastewater Utility  
City of Racine – Hall Annex  
800 Center Street, Room 227  
Racine, WI 53403

Racine Unified School District  
3109 Mount Pleasant Street  
Racine, WI 53404

Village of Pleasant Prairie – Clerk  
9915 – 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

Waterford Grade School District  
819 W. Main Street  
Waterford, WI 53185

Union Grove Wastewater Utility  
925 – 15<sup>th</sup> Avenue  
Union Grove, WI 53182

ATTACHMENT G

**Resolutions Indicating Adoption and Authorizing Transmittal to State of Wisconsin  
Department of Administration**

**RESOLUTION NO. 2021- 8**

**TO ADOPT THE VILLAGE OF BRISTOL/TOWN OF PARIS COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES AND TO AUTHORIZE TRANSMITTAL OF THE COOPERATIVE PLAN TO THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION.**

**WHEREAS**, §66.0307, Wisconsin Statutes authorizes municipalities to set the boundary lines between/among themselves upon adopting and having approved by the State of Wisconsin Department of Administration a cooperative plan in accordance with statutory procedures and requirements; and,

**WHEREAS**, a cooperative plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and,

**WHEREAS**, cooperative planning is in the best interest of the participating municipalities; and,

**WHEREAS**, the Village of Bristol and the Town of Paris have participated in the preparation of a Cooperative Plan; and,

**WHEREAS**, the public was afforded with required notice and the opportunity to be heard regarding the proposed Cooperative Plan; and,

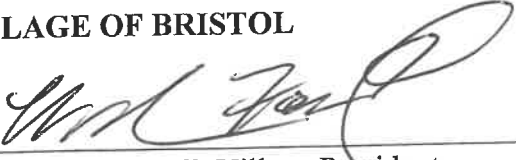
**WHEREAS**, the Village Board of the Village of Bristol finds that it is the best interest of the public health, safety and welfare of the community to participate in and adopt the Cooperative Plan with the Town of Paris.


**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of the Village of Bristol, Kenosha County, Wisconsin, that the Village hereby adopts the Village of Bristol/Town of Paris Cooperative Plan under Section 66.0307, Wisconsin Statutes; and,

**BE IT FURTHER RESOLVED** that the Cooperative Plan shall be transmitted to the State of Wisconsin Department of Administration as specified by Section 66.0307, Wisconsin Statutes.

Adopted this 23<sup>rd</sup> day of August, 2021.

**VILLAGE OF BRISTOL**

By   
Mike Farrell, Village President

Attest:   
Amy Klemko, Village Clerk

**RESOLUTION NO. 2021-5**

**TO ADOPT THE VILLAGE OF BRISTOL/TOWN OF PARIS COOPERATIVE PLAN  
UNDER SECTION 66.0307, WISCONSIN STATUTES AND TO AUTHORIZE  
TRANSMITTAL OF THE COOPERATIVE PLAN TO THE STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION.**

**WHEREAS**, §66.0307, Wisconsin Statutes authorizes municipalities to set the boundary lines between/among themselves upon adopting and having approved by the State of Wisconsin Department of Administration a cooperative plan in accordance with statutory procedures and requirements; and,

**WHEREAS**, a cooperative plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and,

**WHEREAS**, cooperative planning is in the best interest of the participating municipalities; and,

**WHEREAS**, the Village of Bristol and the Town of Paris have participated in the preparation of a Cooperative Plan; and,

**WHEREAS**, the public was afforded with required notice and the opportunity to be heard regarding the proposed Cooperative Plan; and,

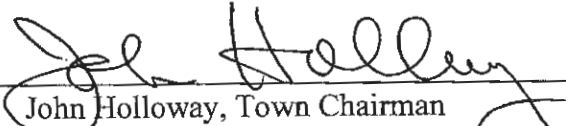
**WHEREAS**, the Town Board of the Town of Paris finds that it is the best interest of the public health, safety and welfare of the community to participate in and adopt the Cooperative Plan with the Village of Bristol.

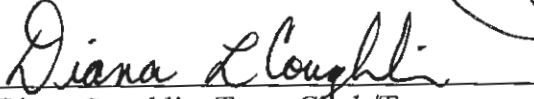
**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Paris, Kenosha County, Wisconsin, that the Town hereby adopts the Village of Bristol/Town of Paris Cooperative Plan under Section 66.0307, Wisconsin Statutes; and,

**BE IT FURTHER RESOLVED** that the Cooperative Plan shall be transmitted to the State of Wisconsin Department of Administration as specified by Section 66.0307, Wisconsin Statutes.

Adopted this 24 day of August, 2021.

**TOWN OF PARIS**

By   
John Holloway, Town Chairman

Attest:   
Diana Coughlin, Town Clerk/Treasurer

ATTACHMENT H

**Comments on Cooperative Plan by Kenosha County Planning and Development,  
in satisfaction of 66.0307(4)(c), Wis. Stats.**





# COUNTY OF KENOSHA

## Division of Planning & Development

Andy M. Buehler, Director  
Division of Planning & Development  
19600 75<sup>th</sup> Street, Suite 185-3  
Bristol, WI 53104-9772  
(262) 857-1895

August 13, 2021

Town of Paris c/o Diane Coughlin Clerk/Treasurer 16607 Burlington Road Union Grove, WI 53182	Village of Bristol c/o Amy Klemko Clerk/Treasurer 19801 83 <sup>rd</sup> Street Bristol, WI 53104
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Dear Ms. Coughlin and Ms. Klemko:

The following comments are being provided in accordance with Wis. Stat. 66.0307(4)(c). Upon its approval and implementation, the plan and boundary agreement set forth in the proposed 2021 Village of Bristol/Town of Paris Cooperative Plan should serve to facilitate implementation of the Multi-Jurisdictional Comprehensive Plan for Kenosha County, as adopted by the Kenosha County Board of Supervisors on March 17, 2010, to which both Paris and Bristol are parties.

The Cooperative Plan should also help facilitate the planning for, and delivery of, municipal services and should also help prevent boundary disputes of the kind that can be so destructive of efforts to foster intermunicipal cooperation. Kenosha County Planning and Development is supportive of the proposed Cooperative Plan.

Please forward our comments to the Paris Town Board, the Bristol Village Board, and the State of Wisconsin.

We trust that the support from Kenosha County Planning and Development will be helpful to all the parties involved in reviewing the Master Agreement.

Sincerely,

ANDY M. BUEHLER, Director  
Division of Planning & Development

cc: Christopher A. Geary  
Nancy Haggerty