
STATE OF WISCONSIN CIRCUIT COURT MARATHON COUNTY

In Re:

**THE INCORPORATION OF THE TOWN
OF KRONENWETTER IN MARATHON COUNTY,
WISCONSIN AS THE VILLAGE OF KRONENWETTER**

Case No. 00-CV-156

GUY W. FREDELAND

MYRON GOLEMBIEWSKI

Petitioners

and

VILLAGE OF ROTHSCHILD

Intervenors

**DETERMINATION OF THE WISCONSIN
DEPARTMENT OF ADMINISTRATION**

August 19, 2002

INTRODUCTION

It is the function of the Department of Administration, henceforth referred to as the Department, to prepare findings and to make a determination as to whether the territory petitioned for incorporation meets the applicable standards prescribed in Section 66.0207, Wis. Stats. Having completed that task, the analysis and findings are attached.

In summary, it is the DETERMINATION OF THE DEPARTMENT OF ADMINISTRATION that, when considering the petition submitted to the Circuit Court by the petitioners, under Section 66.0207, Wis. Stats.:

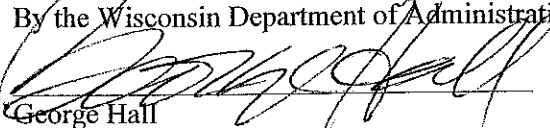
- STANDARD 1 (a), Homogeneity and Compactness - met
- STANDARD 1 (b), Territory Beyond the Core - met
- STANDARD 2 (a), Tax Revenue - met
- STANDARD 2 (b), Level of Services - met
- STANDARD 2 (c), Impact on the Remainder of the Town - met
- STANDARD 2 (d), Impact on the Metropolitan Community - met


All of the above is discussed in greater detail in the body of the Determination. The Determination of the Department to the Circuit Court, as prescribed by s. 66.0203(9)(e)2, Wis. Stats., is as follows:

The petition as submitted shall be granted and an incorporation referendum held.

Dated this 19th day of August 2002.

By the Wisconsin Department of Administration:


George Hall
Director of Municipal Boundary Review
Wisconsin Department of Administration


Mark Saunders
Deputy Counsel
Wisconsin Department of Administration

cc:

The Honorable Patrick Brady, Judge, Marathon
County Circuit Court
Richard J. Weber, Shane Vanderwaal, Attorneys for
Petitioners and Town of Kronenwetter
Guy W. Fredel, Petitioner, Town of Kronenwetter
Mary C. Wonsil, Clerk, Town of Kronenwetter
Sandra Morris, Clerk, Town of Knowlton
Patricia J. Jahns, Clerk-Treasurer, Town of Rib
Mountain
Bruce Jamroz, Clerk, City of Mosinee
Donna J. Seidel, Clerk of Courts, Marathon County
Lee Ann Budleski, Clerk, Town of Reid
Bill Nagle, Attorney, City of Wausau
Kelly Michaels-Saager, Clerk, City of Wausau

F. Thomas Creeron, III, Assistant Attorney General,
Wisconsin Department of Justice
Myron Golembiewski, Petitioner, Town of
Kronenwetter
Russel Knetzger, Consultant, Town of Kronenwetter
Philip J. Freeburg, Attorney, Village of Rothschild
Lawrence D. Pelot, President, Village of Rothschild
Sheila Pudelko, Clerk-Treasurer, Village of
Rothschild
Joan E. Whitt, Clerk, Town of Guenther
Sherry Weinkauf, Clerk, Village of Weston
Vilas Machmueller, President, Village of Weston
Robert Feit, Mayor, City of Mosinee
Linda E. Lawrence, Mayor, City of Wausau

The following analysis and findings relate to the "Standards to be applied by the Department of Administration," found in §66.0207, Wis. Stats.

**THE INCORPORATION OF THE TOWN OF KRONENWETTER
MARATHON COUNTY, WISCONSIN
AS THE VILLAGE OF KRONENWETTER**

Case No. 00-CV-156

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SECTION 1(a) HOMOGENEITY AND COMPACTNESS

The standard to be applied as found in §66.0207(1)(a) reads as follows:

The entire territory of the proposed village or city shall be reasonably homogenous 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.

In addition to the statutory factors cited above, Pleasant Prairie v. Department of Local Affairs & Development¹ allows the Department to consider land use patterns, population density, employment patterns, recreation, and health care customs.² Thus, Pleasant Prairie gives the Department flexibility to consider additional non-enumerated factors, but not the flexibility to eliminate or reduce the importance of the factors enumerated in §66.0207(1)(a).

The facts surrounding each incorporation petition are different. However, in each case and for each requirement, the Department must be able to state that, even though the situation presented may not be entirely perfect, *when taken as a whole*, the facts support a finding of homogeneity and compactness. Departmental determinations since the 1980s describe, in detail, the reasons for finding whether an incorporation criterion is met or not met.

General Town Description

The territory comprising the proposed village of Kronenwetter is located fully within the Town of Kronenwetter, which lies along the Wisconsin River in central Marathon County. Situated in the southern portion of the Wausau metropolitan area, Kronenwetter is a large Town with both urban and rural features. Development in Kronenwetter is concentrated in the western and northern sections of the Town. Interstate Highway-39 (I-39), which runs roughly north—south, and the Wisconsin Central Railroad line that nearly parallels I-39, bisect the proposed village resulting in two developed areas. The petitioners drew the village boundaries to include them. The proposed village includes the following PLS sections: T27N R7E Sections 1-3, 9-12, 15, 16, and 21; and T27N R8E Sections 1, 4, 5, 7, and 8.

The Town, established in 1887, presently contains 33,369.6 acres or approximately 52.14 square miles (The standard Wisconsin town contains 36 square miles). The proposed village contains 11.04 square miles, or 7,296 acres.³ Interstate 39 (I-39, also U.S. Highway (USH) 51 along this stretch) extends north/south through the western edge of the Town, traversing the length of the territory proposed for incorporation. The Village of Rothschild and Village of Weston border the Town to the north. The city of Mosinee, Town of Knowlton, and Town of Guenther border Kronenwetter to the south, and the Town of Reid borders Kronenwetter to the east. The area proposed for incorporation has the same northern boundary as the original Town. Rothschild and Weston border it on the north. **Map 1: Kronenwetter Area**, on page 71, shows the area in relation to other municipalities in the County.

The proposed village boundaries capture the most heavily inhabited areas of the Town. Population figures based on a 1999 estimate⁴ projected the population for the Town of Kronenwetter to be 5,331. From this estimate, proposed village boundaries include a village population of 4,172 and 1,159 in the

¹ Pleasant Prairie v. Department of Local Affairs & Development, 108 Wis.2d 465 (Ct.App. 1982), affirmed, 113 Wis.2d 327 (1983).

² *Ibid*, pg. 337.

³ Petitioners' Submittal, pg. 1.

⁴ Department of Administration, January 1, 1999.

remnant portion. The Town and surrounding region is experiencing significant growth. According to census data, Kronenwetter's population grew from 4,850 residents in 1990 to 5,369 residents by 2000. This increase of 10.7%⁵ is higher than the county rate of 9.04%. These rates of growth are expected to continue. In contrast, the population of the Village of Rothschild increased from 3,310 residents in 1990 to 4,970 in 2000, which is a rate of 50.15%.⁶

Physical and Natural Boundaries

Municipal Boundary Review evaluates the physical and natural boundaries of an area proposed for incorporation to determine if it is in agreement with the intent of Wis. Stats. and is supported by Departmental precedent. The following review details elements comprising the boundaries of the proposed village of Kronenwetter.

Topography

The topography in Kronenwetter ranges from extremely level to gently rolling, with the exception of an elevated ridge in section 16. The area proposed for incorporation is mostly flat with elevations around 1,150 feet. South and east of the proposed village and Bull Junior Creek, the topography becomes hilly. Elevations range from 1,150 feet near the Wisconsin River to an elevation of 1,328 in the eastern borders of the remainder of the Town.⁷

The slopes within the Town vary greatly, as can be seen from the, on page 72. The majority of the developed land within the proposed territory has slopes from 2-6%, and corresponds with the MbB Mahtomedi loamy sand soil, shown on **Map 2: Soils** on page 72. McA Mahtomedi loamy sand soil, corresponds to a slope of 0-3%. This moderate slope is fairly suitable for development when minor grade problems and soil erosion can be actively minimized. Approximately half of section 16 in the southwest quadrant of the proposed village contains Fh Fordum silt loam/muck soils that are not as suitable for development.

Drainage Basins

The Bull Junior Creek serves as the dominant drainage way for the Town of Kronenwetter, as shown on **Map 2: Soils** on page 72. The Bull Junior drains toward the Wisconsin River close to the Town's southwestern border. The Creek is contained within, and follows but does not exactly conform to the southern border of the proposed territory for incorporation. It flows southwest into the proposed village at Pine Road, veers north toward where Kowalski Road crosses I-39, and then runs south along the east side of the interstate. Land west of I-39 chiefly drains directly into the Wisconsin River.

Flood plains associated with the Bull Junior Creek, as well as the Wisconsin River, cover significant portions of the proposed village. **Map 4: Floodplain Boundary** on page 75 and **Map 5: DNR Delineated Wetlands** on page 76 shows the waterways and related floodplains. The Wisconsin River floodplain affects land use along the Wisconsin River on the Town's western border. West of I-39, the Bull Junior floodplain extends east to west and encompasses a large portion of the area adjacent to Business 51 and the southern Evergreen Area. In the remainder of the Town, small floodplains run along Peplin Creek and Johnson Creek, both of which lie in the southern portion of the Town and serve as smaller drainage ways.

⁵ Demographic Services Center, Wisconsin Department of Administration (Source: Bureau of the Census, U.S. Department of Commerce).

⁶ Ibid.

⁷ *Town of Kronenwetter Draft Comprehensive Plan*. March 2001, pg. 43

Physical Boundaries

The Town of Kronenwetter is an unusually large Town compared to other Wisconsin Towns, because

...Kronenwetter is a “double Township” caused by the presence of the Wisconsin River dividing what would otherwise be the second normal sized Town⁸.

The Town’s total area includes 52.14 square miles. The area proposed for incorporation makes up 11.04 square miles.⁹ The boundaries create an L-shaped village, containing the Town’s developed areas along I-39 and CTH-XX. The Wisconsin River acts as a natural western boundary, and the southern boundary roughly follows and includes Bull Junior Creek up to Kronenwetter’s border with the Town of Weston.

The western border of the territory at its southern-most corner runs north along Business 51. At West Flanner Road, the border juts directly west to the Wisconsin River. It follows the River north until County Trunk Highway (CTH) XX and turns east. The northern border follows CTH-XX except where the village of Rothschild has annexed two areas, with one being along the northeastern edge of I-39, the other, southwest of the CTH-XX and CTH-X junction. The eastern and southern border follows the Bull Junior Creek in a step-like fashion, capturing the curving Creek within the proposed village. **Map 1: Kronenwetter Area** on page 71 shows proposed village boundaries.

Soils

Map 2: Soils, on page 72, shows the area’s soils. A soils examination is important as soils influence the presence of vegetation and wildlife, how much rainfall or snow melt flows into rivers, lakes and wetlands and how much infiltrates the ground. They also determine the feasible location of residential and commercial development.

The area proposed for incorporation has predominantly one soil type, Mahtomedi Loamy Sand that ranges in slope from 0 to 6%. Silt loam and sandy loam soils occur along the Wisconsin River and Bull Junior Creek, including Dunnville fine sandy loam, Fordum silt loam, Newson mucky loamy sand, and a small area of Sturgeon silt loam and Mosinee sandy loam. The majority of the soils in the proposed village are not prime farming soils; in fact, the Mahtomedi loamy sand soils in the proposed village are poor for farming. With the exception of wetland areas and about half of section 16 in the southwest corner of the proposed village, the majority of the soils in the territory pose little, if any, hindrance to further development. **Table 26 Kronenwetter Area Soils**, on page 70, gives information about the soils within Kronenwetter and their compatibility for site-specific development. As noted in the table, much of the proposed village is located on soil needing slight to moderate mitigation to avoid flooding or wetness if used for construction.

Critical Species

The Wisconsin Department of Natural Resources (DNR) Bureau of Endangered Resources reviewed the area proposed for incorporation to determine the presence of endangered or threatened species. The presence of such species requires communities to plan for their protection and conservation. The area reviewed includes T27N R7E Sections 1-3, 9-12, 15, 16, and 21; and T27N R8E Sections 1, 4, 5, 7, and 8¹⁰.

⁸ Petitioners’ Submittal, pg. 11

⁹ Petitioners’ Submittal, pg. 1

¹⁰ Letter from Jamelle Schlangen, Wisconsin Department of Natural Resources, Bureau of Endangered Resources, dated 3/28/01.

As there are no records in the Natural Heritage Inventory (NHI) database of endangered resources occurring at the project site, it appears that comprehensive endangered resource surveys have not been completed for the project area. Since NHI data files may not be complete, it is possible that threatened or endangered species may exist within the area, and the Town and/or proposed village should take appropriate precautions when planning for and altering existing land use.

Two species of special concern inhabit areas near the Town. Planning and development within municipal boundaries can significantly affect the following species.

1. *Phyciodes batesii* (tawny crescent spot) – a State Special Concern butterfly and Species of Federal Concern known to occur west of the proposed village. The butterfly's preferred habitat is a range of meadows and pastures from low-lying and moist to dry hilltops.
2. *Haliaeetus leucocephalus* (bald eagle) – a State Special Concern and Federally Threatened Species known to occur south of the proposed village. Its preferred habitat includes wooded area near open water and major rivers.¹¹

Since both species of concern are capable of flight, there is high potential for them to occur within the Town. The Town and/or proposed village should take serious precautionary measures, including working with the DNR, when altering land use in the aforementioned habitats.¹²

Environmental Corridors, Wetlands and Natural Areas

Environmental corridors are defined as linear areas in the natural landscape containing concentrations of natural resources and visual amenities, and include steep slopes, wetlands, forested areas, remnant prairies, etc. The concept of environmental corridor stems from §208 of the Federal Clean Water Act, which requires that states limit the provision of publicly financed sanitary sewer systems to only those lands with soil conditions capable of supporting urban development.

The Town of Kronenwetter and the surrounding area contain significant waterway and forested corridors. The Wisconsin River, which forms the western border of the Town and proposed village territory, contains a variety of wetlands and grasslands that provide considerable wildlife habitat. The Bull Junior Creek flows through the territory and creates a similar corridor with associated wetlands, floodplains, and sensitive habitat.

The Marathon County Planning Department uses the Federal Emergency Management Agency (FEMA) map, and the DNR designated wetlands, to delineate the important environmental corridors for the region as shown on **Map 4: Floodplain Boundary** on page 75 and **Map 5: DNR Delineated Wetlands** on page 76.

The DNR defines wetlands as areas where water is at, near, or above, the land surface long enough to support aquatic or hydrophytic vegetation and that have wet soil conditions.¹³ All wetlands should be excluded from sanitary sewer service areas, and should be designated environmentally sensitive areas.¹⁴ Wetlands play a critical role in maintaining surface and groundwater quality; storing stormwater, which minimizes flooding; and reducing runoff and sedimentation.

¹¹ Ibid.

¹² Janelle Schlangen, Wisconsin Department of Natural Resources, Bureau of Endangered Resources, per comm., 7/13/01.

¹³ NR 103, Wis. Adm. Code.

¹⁴ <http://www.dnr.state.wi.us/org/water/wm/glwsp/ssaplan/delineate.htm#wetlands>

Other natural areas in the Town of Kronenwetter include the publicly and privately owned forest corridor in the eastern portion of the Town. The D.C. Everest Environmental Center is a 200-acre tract of forest owned by the D.C. Everest School District. It is adjacent to the County-owned Kronenwetter County Forest Unit, which is comprised of approximately 5,000 acres. The Forest Unit neighbors the Leather Camp Forest Unit, making up over 9,800 acres of contiguous forest corridor.¹⁵ While not within the boundaries of the territory proposed for incorporation, the wooded area is home to a variety of wildlife, and may be affected by decisions made within the territory proposed for incorporation.

Ambient Air Quality

The Town of Kronenwetter's ambient air quality is at attainment status for all pollutants of concern, however, nearby areas of Rothschild and Rib Mountain are listed as nonattainment for sulfur dioxide. According to the DNR, the state removed the nonattainment status after sulfur dioxide levels improved, and planned to petition the Federal Environmental Protection Agency to do the same.¹⁶

Historical, Archaeological or Architecturally Significant Resources

Resources situated within an area proposed for incorporation can have statewide or even national importance. The Department must consider the existence of such resources as well as actions taken to preserve them.

Communication with the State Historical Society of Wisconsin Division of Historic Preservation revealed that no systematic archeological or historical surveys exist for the area intended for incorporation. However, one recorded prehistoric workshop/campsite is located along the Wisconsin River in the NW ¼ of T27N R7E Section 3. Also significant is the Gate of Heaven cemetery located in the NW ¼ of T27N R7E Section 2.¹⁷

The deficiency of historical surveys does not preclude the existence of historically significant sites or structures. Mary Forer, Marathon County Historical Society Librarian, advised that there are structures in the Town, such as the Kronenwetter House, that would likely qualify for inclusion on the Wisconsin Architecture and History Inventory, the State Register of National Places, or the National Register of Historical Places.¹⁸

Transportation

The Department reviews modes of transportation within an area proposed for incorporation to determine if the area meets standards set forth in Wis. Stats. and is upheld by Departmental precedent. The following review details the state of transportation systems in Kronenwetter.

Highways and Roads

The chief mode of transportation within the Town and area proposed for incorporation is for motor vehicles. **Map 6: Existing & Proposed Kronenwetter Road Network** on page 77 depicts Town roads. I-39, runs north/south parallel to the Wisconsin River along the western portion of the Town. I-39 connects Kronenwetter to the city of Mosinee, the village of Rothschild, the larger Wausau

¹⁵ *Town of Kronenwetter Draft Comprehensive Plan*. March 2001, pg. 54.

¹⁶ Rhonda O'Leary, Environmental Engineer, Air Management Division, Wisconsin Department of Natural Resources, per comm. 8/20/01.

¹⁷ Richard Dexter, State Historical Society of Wisconsin, Division of Historic Preservation, per comm., 4/5/01.

¹⁸ Mary Forer, Librarian, Marathon County Historical Society, per comm., 7/17/01.

metropolitan area, and other state and federal highways. Kronenwetter Drive runs along the eastern side of I-39. Since the interstate is only currently accessible in the Town at Maple Ridge Road, Kronenwetter Drive provides the north/south arterial connecting the southern and western portions of the proposed village to the northeastern portion.

Business 51 parallels I-39 on its western side and connects the Cedar Creek area in the village of Rothschild to the city of Mosinee. It is the primary means of access to development west of I-39. Business 51 intersects Maple Ridge Road to the south and Gardner Park/Kowalski Road to the north. Kronenwetter Road, I-39 and Business 51 serve as the prime north/south travel corridors within the proposed village.

Happy Hollow Road and Gardner Park Road run east/west in the portion of the Town west of I-39. Both streets intersect Business 51. Happy Hollow Road ends just west of I-39. Gardner Park Road turns into Kowalski Road after Business 51; it crosses over the interstate and continues west, ending two blocks after crossing CTH-X. Maple Ridge Road, located in the southern portion of the territory proposed for incorporation, begins at Business 51 and runs east until ending at CTH-X. Pine Road, located in the northern portion of the Town, begins at I-39 and runs east until turning north where it forms the proposed territory's most eastern border.

CTH-X bisects the Town in a step-like fashion, intersecting STH-153, Maple Ridge Road, and Kowalski Road in mostly a north/south direction. It then follows Pine Road east/west before turning north to leave the Town. CTH-XX marks a portion of the northern border of the proposed village.

Also serving the Town are STH-153, North Road, and Martin Brothers Road, which run east/west, and Creek Road, which runs north/south. All lie outside of the proposed village; the exceptions being a short distance of Martin Brothers Road that constitutes a proposed southern boundary and a nearby piece of Creek Road. STH- 153 and Martin Brothers Road provide road connections through Forest Unit lying in the eastern portion of Kronenwetter.

The remaining streets in the Town are local streets primarily intended to serve the residential and rural areas of the community. Generally, all Town roads are paved or asphalt, with the exception of a few roads in the rural areas adjacent to the Forest Unit property.¹⁹

Kowalski Road Interchange

An I-39 interchange has been proposed at Kowalski Road which has received wide support from area residents. In 99 WI Act 9 section 1819rg (the 2000-2001 Wisconsin state budget) directs the Wisconsin Department of Transportation (WisDOT) to study the construction of a new interstate interchange with I-39 at Kowalski Road. A consultant is currently preparing an interchange justification study for this location. Upon completion, WisDOT will review and then forward the project to the Federal Highway Administration (FHA) for consideration. If the federal and state agencies approve the project, then construction could occur within a period of 4-8 years, during which time the proposed interchange would be designed and undergo environmental review.

Informal discussion with WisDOT suggests that Act 9 does not specifically say that a local cost share would be waived, should approval to construct an interchange be received from the FHA. Depending upon the nature of the justification and the perceived distribution of benefits for this proposed interchange, a local cost share could be assigned. For example, the two interstate interchanges immediately north and south of the proposed Kowalski Road interchange have capacity and design issues that could reduce or eliminate the need to assign local project costs. In addition to providing enhanced local access to areas of the proposed village lying both west and east of I-39, Kowalski Road, when extended eastward, is expected to provide an alternate connection with STH-29. These and other factors could ultimately influence the decision of whether or not to construct an

¹⁹ *Town of Kronenwetter Draft Comprehensive Plan*. March 2001, pg. 27.

interchange, and whether to assign a local cost share. Should a local cost share be assigned, it could range from 25% to as much as 50% of total project costs, currently estimated in the range of \$3-4 million.

Due to the uncertainty of the approval and cost share of the interchange, for the purpose of assessing whether or not statutory incorporation criteria were met in other sections of this determination, the Department evaluated the petitioned territory without considering the influence of the Kowalski Road interchange. In the event the interchange were approved and constructed, a question of interest to area residents would be if the proposed village would have sufficient financial capacity in the near term to fund a local cost share, should one ultimately be assigned. This issue is briefly explored in the evaluation of petitioner's budget on page 45.

Alternate Transit

The Wausau Area Transit Service (WATS) provides bus service to the Wausau metropolitan area. WATS currently does not have any bus routes serving the Town of Kronenwetter. In addition, WATS has no short, or long, term plans to extend bus service into Kronenwetter.²⁰ The closest WATS service is located approximately one mile north of the Town in the village of Rothschild at the intersection of Military Road and Business 51. WATS is considering an extension to the Cedar Creek Mall in the village of Rothschild in the next year, which is very near the northern border of the proposed village. Several charter bus lines offer commercial bus service. A new regional commercial bus terminal was recently constructed in the village of Rothschild, south of the Cedar Creek Mall. For school age children, both the D.C. Everest School District and the Mosinee School District provide busing service in both the urbanized and rural areas of the Town. Taxi and van services in the area provide transportation at a nominal fee.²¹

Currently, limited opportunities exist for pedestrian and bicycle movement within the Town. Kronenwetter does not have any official bicycle paths or pedestrian trails. Sidewalks within the public right of way have not all been installed, and currently, the Town does not require the installation of such pedestrian facilities. Pedestrian and bicycle traffic currently is forced to utilize the hard surfaced portion of roads or grassed areas.²²

Wisconsin Central, Ltd. provides freight rail service to the metropolitan area. The main rail line parallels Business 51, serving the Wisconsin Public Service power plant. Rail extends north through the city of Wausau and south to Stevens Point and beyond. None of the rail lines are envisioned to be used for transit or commuter lines.²³

Two airports serve the general area. The Wausau Municipal Airport is located north of the Town and the Central Wisconsin Airport (CWA) is directly south of Kronenwetter in the city of Mosinee. The approach path of CWA's north/south runways traverses the northwest corner of the proposed village. Consequently, existing and proposed structures in the area must meet standards ensuring aircraft safety, mostly affecting height and lighting limits. CWA is a regional airport with a control tower and two lit runways, 7,645 and 5,700 feet in length. Three airlines provide daily commercial service to Minneapolis, Detroit, and Chicago. Private commercial service is also available.²⁴

²⁰ Greg Seubert, Transit Director, Wausau Area Transit Service, per comm. 7/30/01.

²¹ *Town of Kronenwetter Draft Comprehensive Plan*. March 2001, pg. 27.

²² *Ibid*, pg. 28.

²³ *Ibid*.

²⁴ *Ibid*.

Municipal Projects and Planning

The Town of Kronenwetter has included a transportation element within their draft comprehensive plan. This element has 3 goals, including traffic improvements, regional and alternative transit. The plan also calls for the adoption of a master road plan. **Map 6: Existing & Proposed Kronenwetter Road Network** on page 77 depicts proposed road extensions. Within the area proposed for incorporation, these extensions primarily serve to eliminate existing dead-end roads and to provide connections to existing arterials.

Recently the Town supported the adoption of the Metropolitan Planning Organization's (MPO) Local Area Circulation Plan. The plan affects Kronenwetter by supporting the maintenance of the I-39/Maple Ridge Road interchange, in addition to the widely supported construction of an interchange at I-39 and Kowalski Road.

Much of the Wausau metropolitan area is in favor of a proposed interchange at Kowalski Road, a proposal dating back fifteen years. The interchange is anticipated to improve traffic flow and circulation.²⁵ The Wisconsin DOT is currently working to meet federal requirements necessary for adding this interchange. With Federal approval, Bob Wagner, DOT Planning Supervisor, believes physical construction of the interchange can begin in four to six years.

Success or failure of the interchange construction at I-39 and Kowalski Road will greatly influence Kronenwetter, its proposed business park, and, perhaps, other municipal issues. Exploration of these issues and effects appears later within the Determination.

Political Boundaries

Map 1: Kronenwetter Area, on page 71, shows the political boundaries of the proposed Village of Kronenwetter and surrounding area. As protection from annexation is often an incentive for the Petitioners' desire to incorporate, this section also discusses land annexations from Kronenwetter to the city of Mosinee and the village of Rothschild.

The proposed village is contiguous to the villages of Rothschild and Weston on the north. The remainder of the Town of Kronenwetter is to the south and east, and the Wisconsin River forms the proposed village's western boundary. The proposed village is bisected by I-39, which runs roughly north—south, and the Wisconsin Central Railroad line that nearly parallels I-39. This division has resulted in two distinct neighborhoods on either side of the highway that are approximately 1.5 miles apart. The two Town areas, the area west of I-39 and the area east of I-39, are described below.

Proposed Village Area East of I-39:

The northern boundary of the territory is along CTH. "XX," with the exception of forty acres on the southwest quadrant of the intersection of CTH "XX" and "X", and another parcel bordered by I-39/USH 51 on the west, Pine Road on the south, and Trailwood Lane on the east. The proposed village boundary along CTH XX serves as a useful demarcation between the light commercial/industrial area north of the border with Rothschild and the residential subdivision to the south in Kronenwetter. The proposed village boundary extends southward where the Town line intersects with Pine Road. The boundary continues south over the Bull Junior Creek through the center of Section four to Martin Road. The boundary then generally follows the Bull Junior Creek; sometimes following major roads, always following quarter-quarter section lines. According to the petitioners' consultant, the boundary was drawn to generally follow the Bull Junior Creek, and deviations from the creek were made to avoid splitting tax parcels.²⁶ However, in several instances

²⁵ Public hearing testimony from Jim Jacobson, Director of Marketing and Governmental Relations, Schneider Consultants, 2/14/01.

²⁶ Public Hearing Testimony of Greg Michels, Schneider Consulting

properties are bisected by the proposed village boundary, making it unclear as to what rationale was used in drawing this southeastern portion of the boundary. The southern boundary begins at Maple Ridge Road, then drops south to include the territory surrounding the interchange at I-39 and Maple Ridge Road, before extending to I-39. The western boundary of this area extends along I-39.

Proposed Village Area West of I-39:

The proposed southern village boundary borders the Mosinee City Limit where it crosses I-39 approximately one-quarter mile south of the Maple Ridge Road Interchange. The boundary angles northward after crossing the Wisconsin Central Railroad line. It includes a few small parcels west of the railroad tracks before following the Mosinee City Limit westward to the Wisconsin River. The proposed boundary is then coterminous with the Town line, which follows the Wisconsin River northward for approximately three miles, until veering directly east along the town border with Rothschild, and then crosses the Wisconsin Central Railroad line before meeting I-39 one mile from the Wisconsin River.

Annexation History

Over the past 10 years, only three annexations of significance have transferred territory to the village of Rothschild from the Town of Kronenwetter. These annexations included approximately 60-70 acres during 1994, 1995, and 1996²⁷. The recent availability of municipal water and sewer services from Kronenwetter Sanitary District #2 has reduced the incentive for most property owners adjacent to Rothschild to annex. Most of the territory previously annexed from the Town was to the city of Mosinee, comprising territory north of the Central Wisconsin Airport.

One of the petitions for annexation at the northern Town boundary resulted from problems regarding provision of sewer and water services to Evergreen Elementary, in the D.C. Everest School district. Originally, the school was serviced by well and septic systems. With the passage of more restrictive federal drinking water standards, the existing well water failed to meet potable standards. Consequently the school was forced to bring in water from other sources. At that time, the village of Rothschild was able to provide the elementary school with sewer and water whereas the Town of Kronenwetter could not. To remedy the situation, the school district petitioned for annexation, which was approved in August 1995.²⁸

Intergovernmental Agreements

Pursuant to s. 66.30, Wis. Stats, in 1999 the City of Mosinee and Town of Kronenwetter entered into an Intergovernmental Agreement²⁹ that sought to provide planned growth and cost-effective municipal services for such growth. The Agreement provided for a City Growth Area and Town Growth Area, and included specific covenants and responsibilities concerning the Growth Areas for each governmental body. The Agreement also provided for a dispute resolution procedure should disagreements over the interpretation or application of the Intergovernmental Agreement arise. However, the Town and City should understand that s. 66.0301 agreements may not be legally binding to future elected bodies or to landowners.³⁰ Regardless, the petitioners took the

²⁷ Intervenor Exhibit I-12, Existing street map and annexation history of Rothschild.

²⁸ Tom Owen, D.C. Everest School District Business Office, per comm. 7/17/01.

²⁹ Section 66.30, Wis. Stats, has been recodified, it is now s. 66.0301, Wis. Stats.

³⁰ There are currently circuit court cases in Wisconsin that question the use of s. 66.0301 to fix municipal boundaries. The Department recommends that communities use s. 66.0307, Wis. Stats., for boundary agreements, not s. 66.0301. See *Town of Windsor v Village of DeForest*, Wisconsin Case 00-3421 (decision

Intergovernmental Agreement under consideration before drawing the proposed village's boundary; and the City Growth Area was left outside the proposed boundary.

The City Growth Area is described in the Intergovernmental Agreement³¹:

“The City Growth Area is defined as two parcels of land, one parcel being adjacent to U.S. 39/Highway 51 immediately north of the Stone Ridge Subdivision and bounded on the west by I-39 and on the north by a line which would be Oconto Road extended and on the west by certain section lines, all in Section Twenty-one (21), Township Twenty-seven (27) North, Range Seven (7) East, know as the Kordus and Nickolai Properties. The second parcel of land is located immediately east of the Central Wisconsin Business Park and is bounded on the south by Highway 153 and bounded on the north by a section line and on the east by Spring Road.”

The petitioners have excluded the territory described above from the proposed village. The Intergovernmental Agreement described property considered the Town Growth Area as the following:

“All property located north of the northern boundary line of the City Growth Area and east of U.S. 39/Highway 51, including property located east of the City Growth Area, property located east of the Central Wisconsin Airport to South Road and property located between U.S. 39/Highway 51 and Old Highway 51 from Oconto Road north, including the rectangle parcel of land bounded by Old Highway 51 on the west, Maple Ridge Road on the north, I-39 on the east and an extension of Oconto Road on the south and several parcels on the south east corner of the intersection of Flanner Road and Old highway 51.”

The City and Town Growth Areas currently consist of primarily undeveloped land.

Schools

Map 1: Kronenwetter Area on page 71, shows D.C. Everest and Mosinee School District Boundaries and locations of area school buildings. The area proposed for incorporation includes two school districts. The D.C. Everest School District serves the portion of the proposed village that is east of I- 39 and north of Bull Junior Creek, plus about half of the housing development located west of I-39 in the northern quadrant of the proposed village along an irregular border. The majority of school age children in the Town attend the D.C. Everest School District. The Mosinee School District serves the southeast portion of the proposed village and the southern area of the Town. Two-thirds of the students in the proposed village attend D.C. Everest schools, and one-third attend Mosinee schools.³²

For the 2000-2001 school year, 830 students from the Town attended D.C. Everest schools, comprising 16.3 % of the District's total enrollment.³³ The District's Administrative Office was unable to determine the percentage of students living in the area proposed for incorporation from the percentage residing in the remnant Town. Schools include Evergreen, Easton/Hatley, Riverside, Rothschild, Schofield, and Weston elementary schools, and a junior and senior high school. None of said schools are located within the Town of Kronenwetter, but as noted previously, Evergreen Elementary, annexed from Kronenwetter, serves the Town's Evergreen subdivision.

dated & filed December 28, 2001. Opinion not published. Also, Town of Hartford v City of Hartford Case No. 01-CV-797, Washington County Circuit Court, decided November 30, 2001.

³¹ Petitioner Exhibit O, Intergovernmental Agreement between the City of Mosinee and the Town of Kronenwetter to Provide for Orderly Growth and Development within Agreed-Upon Municipal Boundaries, undated, Page 2.

³² Petitioners' Submittal, pg. 2.

³³ D.C. Everest Area School District Administrative Offices, as per Shane VanderWaal, memo dated 3/19/01.

The Mosinee School District enrolls 203 school age students from the Town of Kronenwetter³⁴ comprising approximately 10% of the districts' 2000-2001 school year³⁵. All of the District's three schools are located in the city of Mosinee.

Neither District currently has plans to build additional school facilities within the Town of Kronenwetter. While there are no public schools located within either the proposed village or Town, a private high school lies within the territory proposed for incorporation. Northland Lutheran High School is a private school located at the intersection of Tower and Kowalski Road. According to school administrator Rick Grundman, 4 of the 127 students enrolled at Northland Lutheran High School are from the Town of Kronenwetter, which draws students from a wide geographic area.³⁶

Waste Treatment and Water Supply District

The proposed area for incorporation is served by Kronenwetter Sanitary District Number 2 (KSD2), which was formed to provide sanitary sewer service to a number of subdivisions on the northern and western portions of the Town of Kronenwetter. KSD2 encompasses the Evergreen Subdivision, which is all of Section 1, Township 27 North, Range 7 East, except for 40 acres of this Section in the village of Rothschild. A majority of the northern one-half of Section 12, Township 27, Range 7, is also in KSD2 as well as most of Section 6, and a portion of Section 5 on either side of C.T.H. "XX." To the west of I-39, KSD2 comprises areas near Business "51" and Gardner Park Road. KSD2 is a member of the Rib Mountain Metropolitan Sanitary District. Rib Mountain Metro receives sewage from the villages of Weston and Rothschild and the Towns of Kronenwetter and Rib Mountain. The treatment plant is located in the Town of Rib Mountain.

Large areas of the proposed village are not currently served by KSD2; however, most of the territory is included within a 208 sewer service area planning boundary. Territory outside the 208 boundary is in the eastern portion of the proposed village and adjacent to Bull Junior Creek, as well as the River Oak Estates subdivision. The district boundaries are shown on **Map 7: Kronenwetter Sanitary District 2 and 208 Planning Boundary** on page 78

Kronenwetter's water distribution system is owned and maintained by KSD2 as shown **Map 8: Kronenwetter Public Water Supply Service Plan** on page 79. The Town owns and maintains public wells located near Lea Road and Jackie Road on the south side of the Evergreen area. Each well has a pumping capacity of 1,200 gallons per minute, or 1.7 million gallons per day. The wells are operating at approximately 30 percent of capacity.³⁷ An elevated water tower is located near the intersection of Town Road and Pine Road.

A wellhead protection district has been established around the well facilities. Three protection zones have been defined to protect water recharge areas surrounding the wells. The Initial Zone, Zone A, is the most restrictive and is immediately adjacent to the water supply wells. The Intermediate Zone, Zone B, was established to manage the recharge protection district. Zone B has fewer limitations on land use. The Protection Zone, Zone C, is the least restrictive and is intended to provide a large area for groundwater recharge.

Further discussion of these special purpose districts is presented in the Services Section of this Determination

³⁴ Bill Shirer, Superintendent, Mosinee School District, memo to Greg Michael, Schneider Consultants.

³⁵ Wisconsin Department of Public Instruction 2000-01 Basic Facts.

³⁶ Rick Grundman, Administrator, Northland Lutheran High School, per comm., 7/16/01.

³⁷ Town of Kronenwetter Comprehensive Plan, Draft March 2001. Schneider Consultants, Inc.

Shopping and Social Customs

The Department considers shopping and social customs within an area proposed for incorporation to determine if the area meets standards set forth in Wis. Stats. and is consistent with Departmental precedent. The following review details the shopping, social, and recreational opportunities in Kronenwetter.

Shopping Opportunities

The proposed village contains two commercial areas, one along Business 51 and the other along CTH-XX. **Table 1 Business Composition and Location** on page 16, provides the name, location, and number of employees of Town businesses. The businesses listed in this table were provided by the Petitioners. The Department identified additional businesses from the Standard Name and Address Program (SNAP) in Wisconsin as of December 2001. SNAP contains the names and addresses of all employers covered by Wisconsin's Unemployment Insurance Law. Business identified in the SNAP state database located in the Town of Kronenwetter that were not included in Table 1 are listed in **Table 2 SNAP Business Locations** on page 17. The business locations listed in Table 1 and Table 2 are shown on **Error! Reference source not found.** on page **Error! Bookmark not defined.**

Table 1 Business Composition and Location

Business Name	Business Location³⁸	Employees³⁹
51 Auto Body, Inc.	1910 Old 51	16
A & W Cold Storage	774 Flanner Road	4
Action Appliance	2000 Old 51	1
American Asphalt	1116 Happy Hollow	125
Angle of the Glen I	1957 Kowalski Road	4 total in both Facilities
Angle of the Glen II	2170 Walker Road	
BAJ Enterprise	1572 Old 51	N/A
Bauer's Mega Storage	1398 Kronenwetter	N/A
Bob Apfelbeck Trucking	3211 Pine Road	2
Cedar Creek Manor	2480 Terebonne	15
Champines House of Wheels	2154 Old 51	2
Community Health Care	1841 County XX	N/A
Contractors Yard	Old 51	N/A
Dental Associates of Cedar Creek	1851 County XX	17
Fast Lane Automotive	1186 Creek Road	N/A
Four Seasons Heating & Cooling	1232 Old 51	1
Golembiewski Trucking	2338 Old 51	2
H & M Heavy Machine Sales	1425 O'Keefe Road	2
Happy Hollow Bar	Happy Hollow Road	2
Hauge Quality Water	1708 Old 51	N/A
ISUS Inc.	1442 Old 51	24

³⁸ Both existing business names and locations are taken from the *Town of Kronenwetter Draft Comprehensive Plan*. March 2001, pg. 64.

³⁹ Employment numbers are taken from a list of businesses provided by the Petitioners, received by the Department on 3/2/01.

SECTION 1(a) HOMOGENEITY AND COMPACTNESS

Business Name	Business Location ³⁸	Employees ³⁹
J & J Auto Body	1589 Kowalski Road	N/A
J & L Storage Center	900 O'Keefe Road	N/A
Jon's Auto Repair	Happy Hollow Road	3
Kowalski Trucking	2080 Old 51	N/A
Kronenwetter Veterinary Clinic	1346 Old 51	10
Langs Mini Storage	935 Happy Hollow	N/A
Little People Day Care	County X	1
LNJ Landscaping	1186 County XX	N/A
Location Bar	2494 Old 51	3
Midwest Coach	1110 Highway 153	N/A
Mosinee Small Motors	1132 Highway 153	N/A
Mumbles Pub & Grub	1718 Old 51	2
New Yorker Club	1896 Old 51	8
Prime Design Builders	County XX	6
Pro Care Landscaping Corp.	1930 Old 51	12
Schneider Consultants, Inc.	1801 County XX	8
Shidell Wood Products	1784 Old 51	16
Sitko's Bar	3374 Highway 153	N/A
Stolz's Bar	Highway 153	N/A
Strojny Implement Co.	1122 Highway 153	N/A
Studinski Welding	1137 Field Road	1
The Animal House	1174 Kowalski Road	2
Tropical Gardens	1296 Kowalski Road	40
Wausau Mosinee Paper Corp.	1244 Kronenwetter	35
Weasels Bar	1206 Old 51	1
WH Transport	Old 51	242
Williams Tank Farm	2007 Old 51	N/A
Wisconsin Public Service <i>Portion of plant in Kronenwetter</i>	2400 Old 51	N/A

Table 2 SNAP Business Locations

Business Name	Business Location	Employees ⁴⁰
Mosinee Cold Storage	751 Maple Ridge Road	C
In-Ex Construction, Inc.	405 Maple Ridge Road	B
Canine Adventures LLC	997 O'Keefe Drive	A
Ted Albright Construction	897 W. Nelson Road	A
Water Treatment Store	1708 Old Hwy 51	A
Gentle Ben's Inc.	1708 Old Hwy 51	B
Innovative Tile	608 River Oaks Trail	D
Tiry Plumbing	660 River Oaks Trail	A
Players of Wausau	836 Wiancki Road	D

⁴⁰ Employee code from SNAP is a letter designating range of employees. A = 0, B = 1-4, C = 5-9, D = 10-19, E = 20-49, F = 50-99.

SECTION 1(a) HOMOGENEITY AND COMPACTNESS

Business Name	Business Location	Employees ⁴⁰
JB Controls Inc.	1863 Sunny Ct.	A
Mark A. Daniek, Inc.	2017 James Street	B
Corwyn Transfer Ltd.	2067 James Street	C
Fire EX Systems Engineering, Inc.	936 Gardner Park Rd.	B
Animal House Pet Care Center	1174 Gardner Park Rd.	B
The Carpet Craftsman	1003 Blueberry Lane	B
Ketchum Tile LLC	2085 Tower Road	A
Homefront Construction, Inc.	1174 Judy Drive	B
Columbia Propane	2055 Terrebonne Drive	A
Eau Claire River View, Inc.	1884 Judy Drive	A
Applied Corrosion Control, Inc.	2016 Creciente Drive	B
JW Remodeling & Repair, Inc.	2012 Ryan Rd.	B
Buck's Golf Shop	1810 Seville Rd.	A
Ruck's Construction	1772 Norway Lane	A
Wausau Building Services, Inc.	1754 Plantation Ln	B
Misko Builders, Inc.	1828 Monatee Rd.	B
Pries Boiler & Burner Inc.	2355 Terrazea Drive	A
Systems 2000 LLC	2938 Setter Drive	B
Complete Quality Masonry	1877 County Hwy X	A
First Choice Plumbing	2236 Pleasant Drive	A
Driveway Doctors, Inc.	2705 Meadowlark Drive	A
Pluska's Creative Kitchens, Inc.	2265 Blue Jay Ln.	B
Don Apfelbeck Trucking	3205 Pine Rd.	B
PC Joseph & Assoc.	3205 Nick Avenue	B
Ketchum Tile, LLC	2085 Tower Road	A
ProCare Landscaping, Inc.	1930 Old Hwy 51	C
Bay West Paper Corporation	1244 Kronenwetter Drive	B

Source: Wisconsin Division of Workforce Development, Bureau of Workforce Information.

The 85 businesses listed above fall into seven categories, as listed in Table 3 Business Categories:

Table 3 Business Categories

Category	Number of Businesses
Construction	25
Automotive	8
Health and Human Services	8
Adult Oriented	1
Bar/Restaurant (primarily bar)	6
Non-industrial commercial	23
Industrial	6
Other	8

The proposed village of Kronenwetter does not currently include grocery stores, gas stations, and bar/restaurants. The circumstances surrounding the Kronenwetter area define the proposed territory as a metropolitan village; hence approval of the incorporation is not contingent upon such facilities. However, the Department has noted the importance of a broad array of shopping opportunities in creating a sense of autonomy and community. Kronenwetter is similar to other Wausau metropolitan communities, who rely substantially on the Cedar Creek Shopping Center located just North of the Kronenwetter Town Boundary, or shopping centers and businesses in the City of Wausau.

The Town's draft comprehensive plan recognizes and succinctly summarizes the current situation as is relevant to this section.

Kronenwetter does not have an established downtown and currently does not have an existing business park. Kronenwetter's business makeup includes various service-related businesses and small commercial businesses. Currently, Kronenwetter does not have a major manufacturing, office, or commercial business located in the community.⁴¹

Recreation

The Town of Kronenwetter has a fairly well established neighborhood park system within the territory proposed for incorporation. **Table 4 Kronenwetter Park Facilities**, lists Town-owned park acreage within the proposed village.

Table 4 Kronenwetter Park Facilities

Park	Acres
Kronenwetter Community Park	32.0
Sunset Park	3.5
Seville Park	3.5
Norm Plaza Memorial Park	2.9
JoAnn Heights	8.5
Kronenwetter Rec Area	9.95
Stroik Plat	2.08
Gooding Park	5.73 (Town is selling land)
Total acreage	66.08 acres ⁴²

Table 5 Park Amenities, on page 19, lists the amenities available in the Town parks within the territory proposed for incorporation.

Table 5 Park Amenities

Amenity	Sunset Park	Seville Park	Norm Plaza Mem. Park	JoAnn Heights	Kronenwetter Comm. Park	Stroik Plat	Kronenwetter Rec Area
Sitting Area	•	•			•		
Vegetative Cover		•	•	•		•	
Play Apparatus	•	•	•		•		•
Paved Area	•						
Safety Lighting					•		
Nature Study Area				•	•		
Picnic Tables	•	•	•		•		•
Grills	•	•					
Basketball	•		•				

⁴¹ *Town of Kronenwetter Draft Comprehensive Plan*. March 2001, pg. 64.

⁴² *Ibid*, pg. 52.

SECTION 1(a) HOMOGENEITY AND COMPACTNESS

Amenity	Sunset Park	Seville Park	Norm Plaza Mem. Park	JoAnn Heights	Kronenwetter Comm. Park	Stroik Plat	Kronenwetter Rec Area
Tennis Courts	•						
Ice Skating	•						
Softball	•		•				
Little League Baseball	•				•		
Auto Parking	•	•	•		•		•
Volleyball Court	•	•					
Hiking Trails		•			•		•
Shelters	•				•		
Restrooms	•		•		•		
Soccer					•		•
Primitive Camping		•					
Concession Stand					•		
Cross Country Ski Trails					•		

Source: *Town of Kronenwetter Draft Comprehensive Plan*. March 2001, pg. 53

The Town cooperates with the D.C. Everest Youth Soccer Program, which takes place during summer and utilizes the soccer fields at Kronenwetter Community Park. Kronenwetter also participates in a little league program with other nearby municipalities. The Town does not have an independent recreation program.

The Town’s draft comprehensive plan recognizes the importance of parks to the community. The plan states:

One objective of the plan is to ensure that newly developed residential areas are provided with adequate and accessible recreation facilities. Kronenwetter should not stop investing in recreational opportunities, parks, trails, and open space. Public opinion surveys generally indicate a high level of citizen approval for acquiring, developing, and maintaining quality park systems.⁴³

Outside the proposed village, in the eastern portion of the would-be remnant Town, lie the Kronenwetter County Forestry Unit and the D.C. Everest Environmental Center. The 4,999 acre Forest Unit is owned and managed by Marathon County, and provides area residents with opportunities for hiking, biking, camping, hunting, and snowmobiling. The D.C. Everest Environmental Center is owned by the D.C. Everest School District and is not a public park facility. However, a lodge, picnic tables, and hiking trails are available to District students, many of whom reside in the Town of Kronenwetter.

The Wisconsin River provides recreational opportunities, such as fishing, water skiing, and jet skiing. Larger craft are not permitted in this section of the River because of its shallow depth and dams located in the city of Mosinee and the village of Rothschild. Currently, there are no public access points to the Wisconsin River in Kronenwetter. The Town’s draft comprehensive plan calls for a

⁴³ Ibid, pg. 55.

public access point and boat landing to accompany future development along the riverfront. The smaller waterways permit similar recreational or small craft activities.⁴⁴

The Kronenwetter Municipal Center is located within the boundaries of the proposed village and houses community rooms available to the public seven days a week. Charitable groups can meet at the center free of charge.⁴⁵ There are no additional public facilities located within the proposed village.

Civic Organizations

Kronenwetter residents partake in activities in the larger Wausau metropolitan area. Organizations include Boy Scout and Girl Scout Councils, Boys and Girls Club, Jaycees Association, and Eagles Club, among others. Civic organizations within the Town of Kronenwetter are listed in **Table 6 Civic Organizations in Kronenwetter**⁴⁶ on page 21.

Table 6 Civic Organizations in Kronenwetter

Organization	Average Membership	Meeting Facility	General Services and Activities	Annual Events
Kronenwetter Lions Club	16 (80% from Kronenwetter)	Kronenwetter Municipal Center	Money raised for Town of Kronenwetter; goes to fire victims, handicap ramps, and one-time home roofing for elderly woman	Country Bluegrass Gospel Sing Fundraiser (last weekend in September)
Pine Road 4-H	25 (76% from Kronenwetter)	Kronenwetter Municipal Center	Youth-oriented activities	Sleigh ride; caroling at nursing home; nursing home project
Peplin Pioneer 4-H	30 (70% from Kronenwetter)	Kronenwetter Municipal Center	Youth-oriented activities	Petting zoo at Cedar Ridge Elder Services; Mosinee Christmas Parade
Mosinee Center Homemakers	30 (50% from Kronenwetter)	Kronenwetter Municipal Center	Changes year to year	County Day
Peplin VFW Post 8280	75 (percentage from Kronenwetter unknown)	3332 STH-153	Assisting former comrades; assisting less fortunate citizens; special projects	Raffle
Mosinee VFW Post 8733	179 (percentage from Kronenwetter unknown)	information not given	School scholarship; assisting former comrades; assisting less fortunate citizens; special projects	Raffle

⁴⁴ Ibid, pg. 30.

⁴⁵ Marie Wonsil, Kronenwetter Town Clerk, per comm. 7/25/01.

⁴⁶ Town of Kronenwetter's Civic Organizations were taken from a list provided by the Petitioners and received by the Department on 7/11/01.

Churches

Two churches are located within the proposed village. Fellowship Baptist Church, 1130 Field Road, has a congregation of 200 parishioners. Town petitioners were unable to determine the percentage of parishioners residing in Kronenwetter. The church offers Sunday school, community bible study, and counseling, and holds an annual “old fashion Sunday” church picnic. Bethlehem Lutheran Church, 1901 Kowalski Road, has an average congregation of 485, 90% of which are residents of the Town. The church offers nondenominational community preschool as well as bible school, and according to Town petitioners, does not hold any annual events.⁴⁷ St. John’s Catholic Church, 3308 STH-153, is located in the Town, but outside the perimeter of the proposed village. About 900 parishioners attend St. John’s; it is unknown how many of these reside in Kronenwetter. The church assists senior citizens and offers youth education. It holds a fall dinner and a Christmas cookie sale.

Summary of Current Land Uses

Local units of government use many techniques to encourage or discourage specific types of development and land use. Examples include public financing of street, sewer, and water extensions; purchase of park, recreation, and industrial sites; tax and expenditure policies; and housing improvement programs. As the Wisconsin Strategic Growth Task Force noted,

*“there are many options in land use, and every option has an effect on housing, the local tax base, municipal services, private property rights and environmental quality”.*⁴⁸

The proposed Village of Kronenwetter boundaries capture the majority of the developed and more densely inhabited territory, while the eastern and southern portion of the Town remains largely rural and/or undevelopable. Commercial areas are located along the northern border of the Town and along Business 51. The Evergreen and Gardner Park neighborhoods, both located inside the area for incorporation, are home to the majority of Town residents. See **Map 9: Existing Kronenwetter Land Use** on page 80.

Table 7 Town of Kronenwetter on page 23, shows the existing land use, in terms of acreage, for the Town of Kronenwetter. **Table 8 Land Use: Proposed Village vs. Remnant Town**, on page 24, separates land uses into two groups, the area proposed for incorporation and what would be the remainder of the Town.

⁴⁷ Information about churches in the Town of Kronenwetter was provided by the Petitioners and received by the Department on 7/11/01.

⁴⁸ *State of Wisconsin Blue Book 1997-1998*, pg. 157.

Table 7 Town of Kronenwetter Land Use

Land Use Category	Total Acreage	Percentage of Total
Single-Family R-1	1,289	3.87%
Large Lot Residential R-5*	685	2.05%
Multi-Family	26	.07%
Mobile Home	23	.06%
Commercial	108	.32%
Industrial	162	.48%
Government/Institutional	148	.44%
Park/County Forest	5,267	15.81%
ROW/Railroad	1,004	3.01%
Agricultural/Undeveloped	24,592	73.89%
Totals	33,304	100%

Source: Town of Kronenwetter Master Plan, as provided by Greg Michel, Schneider Consultants

The information presented in **Table 8 Land Use: Proposed Village vs. Remnant Town**, on page 24 shows that agricultural/undeveloped land comprises over 61% of the territory proposed for the proposed village, and over 77% in the remainder of the Town. Undeveloped land was not separated from agricultural land due to cost in the process used by Schneider Consultants to attain land use acreage. Greg Michel of Schneider Consultants presented justification for such categorization to the Department.

Generally land in the Town of Kronenwetter is not considered “prime” agricultural land due to soil limitations, excessive slope, forest cover and the large percentage of wetlands. According to the Wisconsin Town Land Use Databook Town Level Farming and Land Use Trends 1990-1998, published by the UW-Madison, the Town of Kronenwetter had a total of 52.1 square miles. Of the total square miles, 5.9% are row crops, 5.6% are forages and 19.7% is grassland, for a total of 31.3% square miles of total farmland. Approximately 50.9% are forest, 14.4% are wetlands and 2.7% are urban. The report also states in 1990 there were 110 farms and in 1997 there was 49 farms, a 55.5% reduction. In addition, in 1989 there were 10 dairy farms, which was reduced to 3 in 1997. As the numbers reveal, a large percentage of the remnant Town of Kronenwetter has a rural character, however, currently the property is not utilized as “prime” agricultural lands.

Within the area proposed for incorporation, there are only four “typical farms” that contain, barns, silos, crops, livestock, etc. The four farms contain a total of approximately 200 acres and are located in Sections 4 and 5, near the intersection of Pine Road and Creek Road. The only other area in the proposed village currently utilized for agricultural purposes is approximately 80 acres in Sections 10 and 11 on the southeast corner of Kowalski Road and Business 51. Throughout the proposed village, there are areas containing vacant fields with grasslands, however, the areas are not considered utilized for farm purposes. A large percentage of the vacant and undeveloped property in the proposed village is grasslands, wetlands or forests.

Kronenwetter’s existing land uses are shown on Exhibit F in Kronenwetter’s submittal for incorporation. When the existing land use map is reviewed in conjunction with Exhibit E-1 Wetland Delineation and Exhibit E Topography and Forest Cover, the location of areas utilized for forestry, wetlands and urban land uses are well delineated. The only areas remaining for agricultural purposes are approximately one mile north and south of STH 153 and the area previously discussed in Sections 4 and 5. Throughout the Town there are also small pockets of agricultural land throughout the center portion of the Town. As previously

noted, the remnant Town of Kronenwetter has a rural character, however, a large percentage to the property is not utilized as “prime” agricultural lands.⁴⁹

Although traditional farming in Kronenwetter is declining and/or impractical, the farmland is visually indistinguishable from the vacant, undeveloped land. The Town itself has not taken proactive measures to preserve what active farming is left. Marathon County adopted a farmland preservation plan in the 1980s, but Kronenwetter never adopted exclusive agricultural zoning. Two residents have farmland preservation program contracts with Marathon County, but both properties lie outside the area proposed for incorporation.⁵⁰ Outside the proposed village boundaries, the forest unit, (land that is unavailable for development in the future), covers one-fifth of the remainder of the Town. Together the agricultural/undeveloped land and the forest unit categories comprise over 96% of the land use outside the territory for incorporation.

In the proposed village boundaries, the largest single land use is also categorized as agriculture/undeveloped. The percentage of land proposed for incorporation with developed infrastructure is approximately 25%, significantly higher than the developed portion of the remainder of the Town.

Table 8 Land Use: Proposed Village vs. Remnant Town

Land Use Category	Proposed Village Acres	Percentage of Total Village	Remnant Town Acres	Percentage of Total Remnant Town
Single-Family R-1	1,263	17.9%	26	.10%
Large Lot Residential R-5*	145	2.06%	540	2.07%
Multi-Family	26	.37%	0	0%
Mobile Home	23	.33%	0	0%
Commercial	93	1.32%	15	.057%
Industrial	162	2.3%	0	0%
Government/Institutional	101	1.43%	47	.18%
Park/County Forest	268	3.8%	4,999	19.05%
ROW/Railroad	659	9.34%	345	1.31%
Agricultural/Undeveloped	4,313	61.15%	20,279	77.26%
Totals	7,053	100%	26,251	100%

Source: Town of Kronenwetter Master Plan, as provided by Greg Michel, Schneider Consultants

The Town has engaged in a land use planning process since 1970 and adopted a zoning code and map that same year. **Table 9 Zoning: Town of Kronenwetter** on page 25 shows the status of zoning by acreage and percent in the entire Town of Kronenwetter. **Table 10 Zoning: Proposed Village & Remnant Town** on page 25 separates the zoning in the Town according to the proposed village boundaries. Again, emphasis on development within the proposed village, and lack thereof outside the proposed boundaries, is evident.

⁴⁹ Greg Michel, Schneider Consultants, per email to Dana Lucero dated 8/8/01.

⁵⁰ Letter from Dean Kaatz, County Conservationist, Land Conservation Department, Marathon County, dated 8/8/01.

Table 9 Zoning: Town of Kronenwetter

Zoning District	Total Acres	Percentage of Total
R-1 Single-family Residence	1,411	4.24%
R-2 Two Family Residence	5	.01%
R-4 Multi-Family Residence	55	.17%
R-5 Agriculture & Estate	30,653	92.04%
B-1 Neighborhood Shopping	7	.02%
B-2 Community Service	52	.16%
B-3 General Commercial	485	1.46%
M-1 Limited Industrial	101	.30%
M-2 General Industrial	497	1.49%
Conservancy/Wetlands	38	.11%
Totals	33,304	100%

Source: Town of Kronenwetter Master Plan, as provided by Greg Michel, Schneider Consultants

Table 10 Zoning: Proposed Village & Remnant Town

Zoning District	Proposed Village Zoning Acres	Percentage of Total Village	Remnant Town Zoning Acreage	Percentage of Total Remnant Town
R-1 Single-family Residence	1,381	19.60%	30	.12%
R-2 Two Family Residence	5	.071%	0	0%
R-4 Multi-Family Residence	55	.78%	0	0%
R-5 Agriculture & Estate	4,467	63.3%	26,186	99.75%
B-1 Neighborhood Shopping	7	.093%	0	0%
B-2 Community Service	52	.75%	0	0%
B-3 General Commercial	474	6.72%	11	.04%
M-1 Limited Industrial	77	1.09%	24	.09%
M-2 General Industrial	497	7.06%	0	0%
Conservancy/Wetlands	38	.54%	0	0%
Totals	7,053	100%	26,251	100%

Source: Town of Kronenwetter Master Plan, as provided by Greg Michel, Schneider Consultants

Figures from the Town's Land Use Master Plan further illustrate the intended plan for land use in the remnant Town and the proposed village. **Table 11 Land Use Master Plan: Proposed Village and Remnant Town** on page 26 shows the projected land usage. Significant changes projected within the proposed village include: a major increase in single family housing, from 1,381 acres to 4,563; a major decrease in agriculture and estate zoning, from 4,467 acres to 810; a slight increase in limited industrial land use; and the creation of a zoning designation for a business park.

Table 11 Land Use Master Plan: Proposed Village and Remnant Town

Land Use Category	Proposed Village Acres	Village Percentage	Remnant Town Acres	Remnant Town Percentage
Single Family Residence	4,563	64.7%	306	1.2%
Two Family Residence	51	.7%	0	0%
Agricultural & Estate	810	11.5%	20,837	79.4%
Multi-Family Residence	136	1.9%	0	.0%
Neighborhood Shopping	39	.6%	0	.0%
Community Service	50	.8%	0	0%
General Commercial	206	2.9%	42	.1%
Limited Industrial	229	3.3%	23	.08%
General Industrial	347	4.9%	0	0%
Conservancy/Wetland	40	.5%	0	0%
Park/Open Space	268	3.7%	4,999	19.0%
Governmental/Institutional	104	1.4%	44	.1%
Business Park	210	2.9%	0	.0%
Totals	7,053	100%	26,251	100%

Source: Town of Kronenwetter Master Plan, as provided by Greg Michel, Schneider Consultants

The draft comprehensive plan for the Town of Kronenwetter lists six goals relating to future land uses and growth.

- 1. Develop and redevelop in accordance with the policies and goals in the Town of Kronenwetter's adopted comprehensive plan.*
- 2. Enhance the image of the Town as a desirable place in which to live, work, and play.*
- 3. Encourage revitalization of residential, commercial, and industrial areas where needed to maintain a high quality of development in the Town.*
- 4. Maintain a compact pattern of urban growth and development that will promote infill and the efficient use of present and future public investments in roads, sewers, and other services.*
- 5. Encourage quality development of major commercial and industrial areas in planned and concentrated centers.*
- 6. Preserve and protect, with every reasonable effort, the natural resources and environmental systems from the adverse affects associated with urbanization.*

Growth and development are fundamental to the first five of the six land use goals, relating primarily to planned urbanized areas in the proposed village, and not to the remnant Town. Territory within the boundaries for incorporation contains the infrastructure and zoning needed for continued urban development. Territory outside the boundaries for incorporation is projected to remain rural with minimal and dispersed future development.

Summary and Conclusions

Natural Boundaries and Drainage Basin

The boundary proposed for the Village of Kronenwetter is partially defined by two water ways, the Wisconsin River to the West, and Bull Junior Creek somewhat forms the southern and eastern boundaries. The northern boundary follows the existing boundaries of the Villages of Rothschild and Weston. The proposed boundaries appear to be relatively well suited and formed by the area waterways, wetland areas, and drainage basin. The proposed business park development near Kowalski Road is within the fringe flood area, and will need fill to mitigate potential flooding

damage. The Wisconsin DNR advises that floodfringe areas can be developed pursuant to floodplain development standards found in NR 116.3 of the Wisconsin Administrative Code.

Soil Conditions

Soils within the proposed village are primarily similar and differ from soil types outside the proposed boundaries. The loamy sand soil conditions provide ample opportunity for residential, commercial and light industrial construction.

Intervenors claim that soils in part of Section 16 are silty loam, which helps to retain soil moisture and form wetlands. They indicate that since the remainder of the soils in the proposed village are sandy loam, they are significantly different and not homogenous with the remainder of the territory⁵¹. The Kronenwetter proposed land use master plan does not clearly identify how the area with silty loam would be developed, however the area designated for single family development in section 16 does not include the silty loam portion. This area was left in the Agricultural/Estate zoning classification in the proposed land use master plan that permits large lot single family development. The Town should permit only limited development on areas with silty loam soils. Regardless, state statutes only require soil conditions to be “reasonably” homogenous.

Present and Potential Transportation Facilities

The existing road network in Kronenwetter needs improvements to improve accessibility between the developed areas that are presently split by I-39. Improvements have been identified in the Town’s Comprehensive Plan that appear to suitably address this weakness. The planned interchange at Kowalski Road will greatly enhance resident mobility and the opportunity for business expansion. Even though there is currently no mass transit available in the Town, it is planned for the Cedar Creek shopping area, very near the proposed village border, and to the residential area south of CTH XX.

Previous Political and other Boundaries

Wisconsin Public Service Land

Intervenors note that Sections 2 & 3 in the northwest quadrant along the Wisconsin River contain land owned by Wisconsin Public Service that is currently divided between the Town of Kronenwetter and Village of Rothschild⁵². While Incorporation would result in the property being forever divided between the two municipalities until jurisdictional consolidation, it is common for property to be contained within two or more jurisdictions.

Postal Service

The Intervenors point out that the Town of Kronenwetter has no post office, and is presently served by the post office in the City of Mosinee, implying that this detracts from community identity or social cohesion⁵³. According to the USPS,

“The Postal Service does expand service to meet the needs of growing communities. However, community growth in itself is not sufficient cause to establish an independent post office. We usually consider establishment of an independent post office only when it is not possible to meet the needs of the community through present postal facilities or by creation of a station

⁵¹ Village of Rothschild’s Submittal in Opposition to the Proposed Incorporation of the Village of Kronenwetter, page 4, January 2001.

⁵² Ibid, Village of Rothschild, page 6.

⁵³ Ibid. Village of Rothschild, page 3.

or branch of an existing post office. Post offices are not established for the primary purpose of providing community identity or to conform delivery areas to political boundaries.”⁵⁴

Telephone Exchange/Ambulance Service

The town is split by a telephone exchange boundary running east/west, and served by two independent telephone companies, that also serves to identify areas of ambulance service. (355 and 359 exchanges served by the City of Schofield, 693 exchange served by Mosinee Fire District) 1a. From the PSC Calling Areas brochure,

“Why don’t exchange boundaries match city or county boundaries? In the early days of telephone service, switches were generally located in cities or villages. Exchange boundaries were established by extending lines to connect customers in all directions from the switch until they encountered customers receiving service from the opposite direction.”⁵⁵

Map 1: Kronenwetter Area on page 71 shows these boundaries. While this situation provides a minor inconvenience to Town residents in making telephone calls, it is similar to the situation with the US Post office location. Emergency ambulance services are negotiated between municipalities and ambulance service providers who determine what is believed to be the most efficient means of serving an area. Staff from the Wisconsin Public Service Commission indicated that calling area boundaries could be changed within jurisdictions through petition⁵⁶. If the incorporation petition were denied, annexation would not necessarily alleviate this situation.

School District Boundaries

The Town of Kronenwetter is served by the DC Everest and the Mosinee School Districts. It is a common occurrence for Wisconsin communities to be served by two or more districts. We note that in this region, the D.C. Everest Area School District that also serves the Village of Rothschild advises that their district is comprised of twelve municipalities of which only seven fall entirely within the district’s boundaries⁵⁷. Mosinee School District enrolls over 2,000 students from nine municipalities⁵⁸.

The Intervenors from the Village of Rothschild note that the Town of Kronenwetter has no schools within its territory and that “the area is more homogeneous with its neighbors than it is internally”.⁵⁹ Yet it is also true that the Village of Rothschild has only two grade schools within its territory. The closest school to the proposed village is Evergreen Elementary School located on Pine Road between Tower Road and I-39 in the village of Rothschild, and is a member of the D.C. Everest School District. The school was originally sited in the Town of Kronenwetter, until the village of Rothschild annexed the land in 1995 for reasons provided in the Annexation History section of this document. Evergreen Elementary enrollment reflects its close proximity to Kronenwetter. According to Tom Owens, Business Officer for D.C. Everest School District, 80 to 90% of the elementary school students reside in the Town of Kronenwetter⁶⁰. The most densely populated square mile of the territory proposed for incorporation appears to be the Evergreen neighborhood area. Junior high and

⁵⁴ Email to Department from USPS staff, February 26, 2002.

⁵⁵ Ibid. Village of Rothschild, page 7.

⁵⁶ February 19, 2002 Telephone conversation with Jay Deppe, Licensing Manager, Wisconsin Public Service Commission and PSC Calling Area brochure.

⁵⁷ Thomas R. Owns, Ph.D., Assistant Superintendent, D.C. Everest Area School District, letter to attorney Freeburg, dated March 6, 2001.

⁵⁸ Ibid. Bill Shirer.

⁵⁹ Freeburg, Philip, Brief in Opposition to Incorporation by Intervenors Village of Rothschild, page 3.

⁶⁰ Tom Owen, D.C. Everest School District Business Office, per comm. 7/17/01.

high school students living in this part of Kronenwetter, and practically in all of the area east of I39 attend DC Everest Junior High and High School in the City of Schofield, as do students from the Village of Rothschild. Given this perspective, the majority of Village of Rothschild students beyond elementary school age attend buildings outside of the municipal boundaries, as do similarly aged students in the Town of Kronenwetter, and other nearby towns and villages.

The Mosinee School District obtains 16.3 percent of its enrollment from the Town of Kronenwetter. The majority of students attending the Mosinee District reside in the neighborhoods west of I39. Unfortunately, the school district boundaries split this neighborhood approximately in half along an irregular border. All Mosinee District buildings are located in the City of Mosinee. Even though the department would rather not have the community split between two districts, such divisions have commonly occurred in many incorporated communities.

Further, the Department noted on page 17 of its Determination in Pewaukee (1991), schools have an impact in molding community allegiance through scholastic, social, and recreational activities, however,

“Although schools are an important determinant in molding community allegiance through scholastic, social, and recreational activities, the determination of their boundaries is entirely separate from the process of municipal governance. In order for school district boundaries to change to reflect altered land use, social and demographic patterns, the affected districts acting on their own must reach consensus. For that reason, school district boundaries are still considered to be neutral with respect to municipal incorporation.”

Boundaries of municipal governments do not affect nor are they affected by school district boundaries. The determination of their boundaries and school board issues are presently entirely separate from the process of municipal governance

Shopping and Social Customs

Basic shopping and service establishments are practically non-existent within the Kronenwetter boundaries, with community residents relying on nearby regional shopping centers within the adjacent City of Mosinee and Village of Rothschild. The major shopping area located just north of the boundary of Kronenwetter in the Village of Rothschild, having factory outlet, grocery, hotels, and other shopping and service opportunities attracts and is dependent upon business from the entire metropolitan area. The Village of Rothschild is also currently developing a 300 acre industrial park in the same vicinity, taking advantage of the nearby I-39 interchange at Highway 51.

More certainty over location of municipal boundaries would provide more incentive for economic development. Development at a proposed business park near the planned I-39 interchange at Kowalski Road would provide financial stimulus to invest in local business and employment opportunities. The proposed business park and associated employment opportunities would benefit Kronenwetter and the entire metro area. The Town of Kronenwetter recognizes the lack of a village center, general shopping and service opportunities, and has developed remedies for these deficiencies in its Comprehensive Plan, including shopping areas, rezoning, and opportunities for redevelopment of existing properties that adequately address this problem. The Town has three churches, two of which would remain within the boundaries of the proposed village, and which have been well attended by Town residents. The Town also has a good system of parks and several civic organizations.

Land Use Patterns

To date, Town of Kronenwetter development has been primarily residential, occurring in two distinct neighborhoods on the east and west sides of I-39 with some light industrial and commercial development along old Business 51. Residential development has occurred primarily on land most suitable for development, considering natural boundaries, roads, slope and wetland conditions. The

residential development east of I-39 along the northern Rothschild is primarily undeveloped on both sides. The northern border of the Village of Rothschild clearly differs in character and composition from the light commercial/industrial development across CTH XX, the boundary between Kronenwetter and Rothschild. The remainder of the northern border shared with Rothschild is primarily undeveloped. The northern border shared with the Village of Weston is primarily undeveloped, and Weston is supportive of the Town of Rothschild petition for Incorporation⁶¹.

Residential development west of I-39 is contained by the Wisconsin River to the west and south, and I-39 to the east. Further residential development to the North is unlikely to occur, as this land is presently owned by Wisconsin Public Service Corporation and likely to remain in industrial use.

Intervenors claim that the northern boundary includes vast rural areas that serve no purpose for inclusion other than to prevent future annexation by the Village of Rothschild.⁶² The Department recognizes that Sections 5 and 6 in this area contain undeveloped land, however the Town has invested in the infrastructure for water and sewer mains to serve these areas, and identified the lightly developed areas in Sections 4 and 5 for expansion of existing development. The Town has plans to infill the undeveloped portions with single family residence, neighborhood shopping, and limited general commercial, as shown in **Map 10: Kronenwetter Land Use Master Plan** on page 81.

The proposed village area west of I-39 will continue to be physically isolated by the Wisconsin River, railroad, and the interstate highway regardless of denial or approval of this petition. If denied, however, the Village of Rothschild is the only jurisdiction willing to annex, which would likely take many years, and create a planning dilemma for this environmentally sensitive area. While this area will continue to be physically isolated, the Department finds that the proposed Village would be in a better position to alleviate this isolation through road extensions and light commercial development, than the Village of Rothschild.

Section 1 (a) Determination

Recognizing that the Town of Kronenwetter is split by the interstate highway, school district and telephone exchange boundaries, denial of this petition, and total annexation by the Village of Rothschild would not resolve these situations, but merely transfer them to another jurisdiction. Providing certainty over boundaries will allow the proposed Village of Kronenwetter to attract the necessary economic investment for continued community planning and development, and is more likely to prevent the western part of the proposed village to become even further isolated and neglected. The Department finds that even though the situation is not perfect, taken as a whole, the entire territory of the proposed Village of Kronenwetter is reasonably homogenous and compact, thereby meeting the requirement of s. 66.016 (1) (a).

⁶¹ Richard S. Weber, Letter to George Hall regarding the Incorporation of the Village of Kronenwetter, page 2, dated June 8, 2000.

⁶² Ibid. Village of Rothschild, page 6.

SECTION 1(b) TERRITORY BEYOND THE CORE

The standard to be applied as found in §66.0207(1)(b) reads as follows:

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% 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 land use development on a substantial scale within the next three years. The Department may waive these requirements to the extent that water, terrain or geography prevents such development.

This standard is comprised of two parts. The first part pertains only to “isolated” villages or cities, and permits one of two criteria to satisfy the standard: 30 housing units average per quarter section; or 25 percent or greater assessed value which is attributable to “existing or potential mercantile, manufacturing, or public utility uses.” The second part of section (1)(b) pertains to “metropolitan” villages or cities, and applies to this incorporation. The second part of section (1)(b) asks that the territory petitioned for incorporation have the “potential for residential or other land use development on a substantial scale” within the next three years. The Department may waive these requirements to the extent that water, terrain, or geography prevents such development.

Although identification is not necessary, the most densely populated square mile of the territory proposed for incorporation, as specified in §66.015(3), appears to be the Evergreen residential area, which is roughly one square mile (all of survey section number one). This area is predominantly comprised of residential subdivisions.

Summary and Conclusions

The petitioners for incorporation cite a number of land use planning documents, past and present, that show development trends and expectations for the Town of Kronenwetter, and in particular the proposed village territory. It appears that Town development has been reasonably consistent with its 1978 community development plan. The installation of municipal sewer and water service, beginning in 1996, increased the rapidity and extent of development within the proposed village. New home building permits within the area of the proposed village went from 27 in 1996 to 45 in 1997, then increased to 73 in 1998 and 78 in 1999.⁶³ These building trends are likely to continue as utility services are extended to undeveloped territory remaining within Kronenwetter Sanitary District 2 (KSD2), and eventually to other portions of the proposed village. **Map 7: Kronenwetter Sanitary District 2 and 208 Planning Boundary** on page 78 shows the KSD2 boundaries, the 208 sewer service boundaries, and the proposed village boundaries. KSD2 has legal authority under the 208 water quality plan, administered for the DNR by Marathon County, to provide sanitary sewer service to the majority of the proposed village and to serve future growth. The KSD2 water distribution system is currently at 30 percent capacity, and already serves most of the developed areas of the proposed village.⁶⁴ The efficacy of the Town having its own water wells and water tower when Rothschild has a system nearby is not central for meeting standard 1(b); therefore, is not addressed here. What is pertinent is that ample water capacity exists regardless of where the supply originates to serve a substantially greater level of development within the proposed village.

⁶³ Petitioner’s Brief in Support of Incorporation, p. 18.

⁶⁴ Town of Kronenwetter Comprehensive Plan, Draft March 2001, p 34.

Map 10: Kronenwetter Land Use Master Plan on page 81 shows the Town’s plan for providing sufficient traffic flow and connectivity for future development. The road hierarchy, existing and proposed roads—including the proposed diamond interchange at I-39 & Kowalski Road—are also shown in the Plan. Additional transportation links have been planned to enhance inter-community and neighborhood circulation. Even if the Kowalski Road interchange were not approved, the proposed Road Plan provides for sufficient future circulation within the proposed village and connectivity to destinations outside the village to accommodate future development in the territory.

Section 1(b) Determination

The exhibits, testimony, and documents collected by the Department demonstrate that the Town has the ability to develop most of the currently undeveloped territory to appropriate urban densities with public sewer and water. There is evidence to suggest future land use patterns are well established and that a conversion to developed uses is occurring at an accelerating pace. Therefore, the Department determines that the “potential for substantial development” test is met.

SECTION 2(a) TAX REVENUE

This section reviews comparative levels of revenues, expenditures, and tax rates for the proposed village as well as for the existing and remnant town of Kronenwetter. Budget and tax information has been included for both the Town of Kronenwetter and Village of Rothschild because the Village presented a resolution indicating a willingness to annex the territory proposed for incorporation pursuant to §66.0203(6), Wis. Stats. The standard to be applied is found in §66.0207(2)(a), Wis. Stats., and reads as follows:

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.

Local service expenditures vary greatly across Wisconsin communities and are determined by the needs and expectations of the local populace. For this reason, the Department recognizes the need for a range of service levels and does not hold communities to fixed standards. With this consideration, the Department compares municipalities sharing similar characteristics to determine whether a proposed budget is generally reasonable and able to support the desired level of municipal services.

The following section discusses similarities and differences between the existing Town of Kronenwetter, the proposed Village and remnant Town of Kronenwetter, the Village of Rothschild, and other Marathon County communities.

Fiscal Comparison

Table 12 Village and Town Revenues and Expenditures, beginning on page 34, compares the revenues and expenditures for the existing Town of Kronenwetter and the Village of Rothschild. The Department prepared the columns listing budget percentages and per capita information for each budget line item to facilitate comparison.

Table 12 Village and Town Revenues and Expenditures 2000

SECTION 2(a) TAX REVENUE

Revenues--Governmental Fund	Town of Kronenwetter			Village of Rothschild		
	Population	4703		Population	5248	
	1000's of Dollars	Percent	\$/Capita	1000's of Dollars	Percent	\$/Capita
Taxes						
General Property Taxes	870.4	11.4%	185.1	1470.2	30.2%	280.1
Tax Increments	0.0	0.0%	-	797.3	16.4%	151.9
In Lieu of Taxes	4.8	0.1%	1.0	80.9	1.7%	15.4
Other Taxes	0.0	0.0%	-	282.9	5.8%	53.9
Total Taxes	875.2	11.4%	186.1	2631.5	54.1%	501.4
Special Assessments	0.0	0.0%	-	52.6	1.1%	10.0
Intergovernmental Revenues						
Federal Aids	0.0	0.0%	-	41.9	0.9%	8.0
State Shared Revenues	332.1	4.3%	70.6	954.2	19.6%	181.8
State Highway Aids	108.8	1.4%	23.1	273.9	5.6%	52.2
All Other State Aids	97.7	1.3%	20.8	72.8	1.5%	13.9
Other Local Government Aids	0.0	0.0%	-	0.0	0.0%	-
Total Intergovernmental Rev.	538.7	7.0%	114.5	1343.1	27.6%	255.9
Licenses & Permits	36.0	0.5%	7.7	34.0	0.7%	6.5
Fines, Forfeits & Penalties	28.0	0.4%	6.0	80.5	1.7%	15.3
Public Chg. For Services	0.0	0.0%	-	493.8	10.2%	94.1
Interg. Chg. For Services	0.0	0.0%	-	35.2	0.7%	6.7
Miscellaneous Revenues						
Interest Income	30.1	0.4%	6.4	161.2	3.3%	30.7
Other Revenues	217.5	2.8%	46.2	29.6	0.6%	5.6
Total Miscellaneous	247.6	3.2%	52.6	190.8	3.9%	36.4
Subtotal--General Revenues	1725.5	22.6%	366.9	4861.9	100.0%	926.4
Other Financing Sources	?	#####	#VALUE!	0.0	0.0%	-
Total Revenue & Other Financing Sources	7646.1	100.0%	1,625.8	4861.9	100.0%	926.4

Table 12 Village and Town Revenues and Expenditures 2000, continued

SECTION 2(a) TAX REVENUE

Expenditures-Governmental Fund	Town of Hallie			Village of Rothschild		
	Population	4703		Population	5248	
	1000's of Dollars	Percent	\$/Capita	1000's of Dollars	Percent	\$/Capita
General Operations & Capital						
General Government	338.0	22.0%	71.9	524.4	13.3%	99.9
Law Enforcement	345.9	22.5%	73.5	870.2	22.0%	165.8
Fire	246.1	16.0%	52.3	281.1	7.1%	53.6
Ambulance	67.6	4.4%	14.4	61.2	1.6%	11.7
Other Public Safety	0.0	0.0%	-	51.1	1.3%	9.7
Roads	396.0	25.8%	84.2	516.2	13.1%	98.4
Other Transportation	22.1	1.4%	4.7	31.4	0.8%	6.0
Solid Waste Coll & Disposal	0.0	0.0%	-	153.9	3.9%	29.3
Other Sanitation	0.0	0.0%	-	401.6	10.2%	76.5
Health & Human Services	0.0	0.0%	-	0.0	0.0%	-
Culture & Education	0.0	0.0%	-	11.6	0.3%	2.2
Parks & Recreation	0.0	0.0%	-	222.9	5.6%	42.5
Conservation & Development	18.8	1.2%	4.0	232.6	5.9%	44.3
All Other Expenditures	102.2	6.7%	21.7	25.2	0.6%	4.8
Subtotal-Oper. & Cap. Expend.	1536.7	100.0%	326.7	3946.6	85.7%	752.0
Debt Service						
Principal	123.6	1.5%	26.3	795.0	65.1%	151.5
Interest & Fiscal Chg.	866.0	10.5%	184.1	426.8	34.9%	81.3
Total Debt Service	989.7	12.0%	210.4	1221.8	100.0%	232.8
Subtotal - Expenditures	7172.3	87.2%	1,525.0	5168.4	65.9%	984.8
Other Financing Uses	0.0	0.0%	-	0.0		-
Total Expenditures & Other						
Financing Uses	7172.3	87.2%	1,525.0	5168.4	100.0%	984.8
Total General Obligation Debt	8221.3		1,748.1	7840.0		1,493.9
Full Equalized Value	210901.0		44,843.9	292498.7		55,735.3
<i>Source of Information for Preceding Table: WI Department of Revenue</i>						
Mill Rate	4.13			5.03		Tax
Percent GO debt of FEV	3.90%			2.68%		Difference
Annual Tax on \$150,000 Home	\$ 619.02			\$ 753.95		\$ 134.93

Areas of Budget Differences

Although the Town of Kronenwetter and Village of Rothschild are very close in population size, the Village of Rothschild's equalized property value was nearly 39% more than that of the Town of Kronenwetter's in 2000. Kronenwetter received its revenues from a more diverse base than Rothschild, which obtains more than 54% from Village taxes, the majority of which are general property taxes (30.2%). By comparison, Kronenwetter received only 15.2% from tax revenues (7.4% from general property taxes), but received over 60 % from special assessments and other financing sources. These were due to the proceeds from sewer system bonds issued to pay for system improvements. If these sewer system bonds, (an unusual and unlikely to reoccur special financing sources) are not considered, the Town of Kronenwetter received about \$266/person/year less in revenues than the Village of Rothschild. Local property taxes were considerably higher in the Village of Rothschild in 2000.

On the expenditure side, Village government, law enforcement, fire, ambulance and other public safety services cost Rothschild taxpayers about \$209/person/year more than Town of Kronenwetter

residents paid. The major difference came from the cost for law enforcement services as the Town of Kronenwetter does not have a police force, but relies on a constable and the Marathon County Sheriff's department. The Department finds that the current arrangement in Kronenwetter has provided adequate law enforcement services in the past, and was provided with no information to indicate a change is needed. More discussion concerning law enforcement services is included in the services section of this Determination on pages 49 and 60.

As shown at the end of **Table 12 Village and Town Revenues and Expenditures 2000** on page 34, the tax bill on a \$150,000 home would be more than \$350 or approximately 87% less in Kronenwetter. Total debt service in Rothschild was about \$50/person/year higher in Rothschild, however general obligation debt was approximately \$25/person/year higher in Kronenwetter. State law limits Wisconsin municipalities to have no more than 5% of total equalized property value. Table 12 also shows that in 2000, Kronenwetter had GO debt of 3.9% compared to Rothschild's 2.68% debt.

As shown in **Table 13 Municipal Debt 2000** on page 37, at 78.1%, the Town of Kronenwetter had the second highest percentage of allowable debt of all municipalities in Marathon County and the highest percentage among Marathon County Towns in 2000. The Town of Kronenwetter, with its greater level of infrastructure development appears to be taking on debt in a way more similar to Marathon County Villages, with a few having similar debt loads. The Village of Rothschild was at 53.6% of their allowable debt level. The Department carefully scrutinized the Kronenwetter budget and financial statements, which included asking the petitioners for detail concerning long term debt obligations⁶⁵, and considering opinions expressed by the Intervenors⁶⁶. The Department found that although the Town is near their maximum allowable debt, that their tax revenues are sufficient to cover their obligations⁶⁷. Further, the Town incurred these debts to pay for significant and necessary improvements that have increased property values, and that will provide the sewer and water infrastructure to support additional Town development.

⁶⁵ Hall, memorandum dated April 8, 2002, Additional questions related to the incorporation petition filed with the department

⁶⁶ Freeburg, letter dated February 13, 2001, letter dated June 10, 2002 providing supplemental comments to Petitioners information provided for Hall's April 8 memorandum.

⁶⁷ VanderWaal, Letter and attachments dated April 22, 2002 providing responses to Hall April 8 letter. Letter Dated May 21, 2002 providing clarifying responses to Hall April 8 letter. Letter dated June 10, 2002 providing responses to Hall April 8 letter. Letter Dated June 18, with additional materials to Hall April 8 letter.

Table 13 Municipal Debt 2000

Municipal Code	Name	2000	Allowable Debt	Actual Debt	Margin	% of Allowable Debt
Towns						
37050	Kronenwetter	210,901,000	10,545,050	8,221,313	2,323,737	78.0%
37068	Rib Mountain	474,418,300	23,720,915	2,671,707	21,049,208	11.3%
37056	Mcmillan	98,730,200	4,936,510	501,610	4,434,900	10.2%
37040	Hewitt	26,042,600	1,302,130	123,395	1,178,735	9.5%
37048	Knowlton	110,445,600	5,522,280	474,955	5,047,325	8.6%
37072	Ringle	68,062,100	3,403,105	284,490	3,118,615	8.4%
37026	Frankfort	24,500,500	1,225,025	100,000	1,125,025	8.2%
37036	Hamburg	31,875,900	1,593,795	128,446	1,465,349	8.1%
37022	Elderon	32,053,900	1,602,695	61,263	1,541,432	3.8%
37010	Brighton	24,635,900	1,231,795	36,527	1,195,268	3.0%
37024	Emmet	38,564,300	1,928,215	54,400	1,873,815	2.8%
37064	Reid	58,118,100	2,905,905	70,953	2,834,952	2.4%
37014	Cleveland	48,098,800	2,404,940	40,000	2,364,940	1.7%
37008	Bevent	58,686,700	2,934,335	46,483	2,887,852	1.6%
37018	Easton	49,780,900	2,489,045	38,963	2,450,082	1.6%
37002	Bergen	36,099,000	1,804,950	27,395	1,777,555	1.5%
37030	Green Valley	32,925,200	1,646,260	20,000	1,626,260	1.2%
37028	Franzen	30,999,800	1,549,990	16,000	1,533,990	1.0%
37052	Maine	127,598,800	6,379,940	43,527	6,336,413	0.7%
37080	Wausau	107,502,900	5,375,145	18,991	5,356,154	0.4%
37004	Berlin	44,266,200	2,213,310	0	2,213,310	0.0%
Villages						
37181	Spencer	63,210,800	3,160,540	2,467,252	693,288	78.1%
37102	Athens	32,516,800	1,625,840	1,240,810	385,030	76.3%
37106	Brokaw	31,723,600	1,586,180	1,125,626	460,554	71.0%
37192	Weston	485,305,400	24,265,270	14,684,000	9,581,270	60.5%
37176	Rothschild	292,498,700	14,624,935	7,840,000	6,784,935	53.6%
37182	Stratford	51,684,800	2,584,240	1,311,937	1,272,303	50.8%
37186	Unity	9,826,300	491,315	221,908	269,407	45.2%
37151	Marathon	89,493,700	4,474,685	1,285,363	3,189,322	28.7%
37121	Edgar	46,564,800	2,328,240	191,945	2,136,295	8.2%
37136	Hatley	19,402,000	970,100	70,768	899,332	7.3%
37122	Elderon	4,541,300	227,065	9,000	218,065	4.0%
37126	Fenwood	3,900,400	195,020	0	195,020	0.0%
Cities						
37281	Schofield	161,687,900	8,084,395	3,655,130	4,429,265	45.2%
37251	Mosinee	200,413,200	10,020,660	4,343,263	5,677,397	43.3%
37291	Wausau	1,729,959,800	86,497,990	27,958,703	58,539,287	32.3%
37999	Marathon	5,939,781,200	296,989,060	15,833,755	281,155,305	5.3%
Information Source for Table: Municipal Debt Margins 2000, Wisconsin Department of Revenue Note that 21 Towns with 0 debt were eliminated from this table to conserve space.						

Property Tax Rates

As can be seen in **Figure 1 Selected Local Property Tax Rates** below, the Town of Kronenwetter has one of the lowest property tax rates in the listed municipalities, which includes the Village of

Rothschild. The Department notes, however, that the property tax rate in Kronenwetter increased by over 21% from 1997 to 2000, compared to a 2.65% decrease in Rothschild, as shown in **Figure 2 Percent Change in Property Tax Rates** on page 38.

Figure 1 Selected Local Property Tax Rates

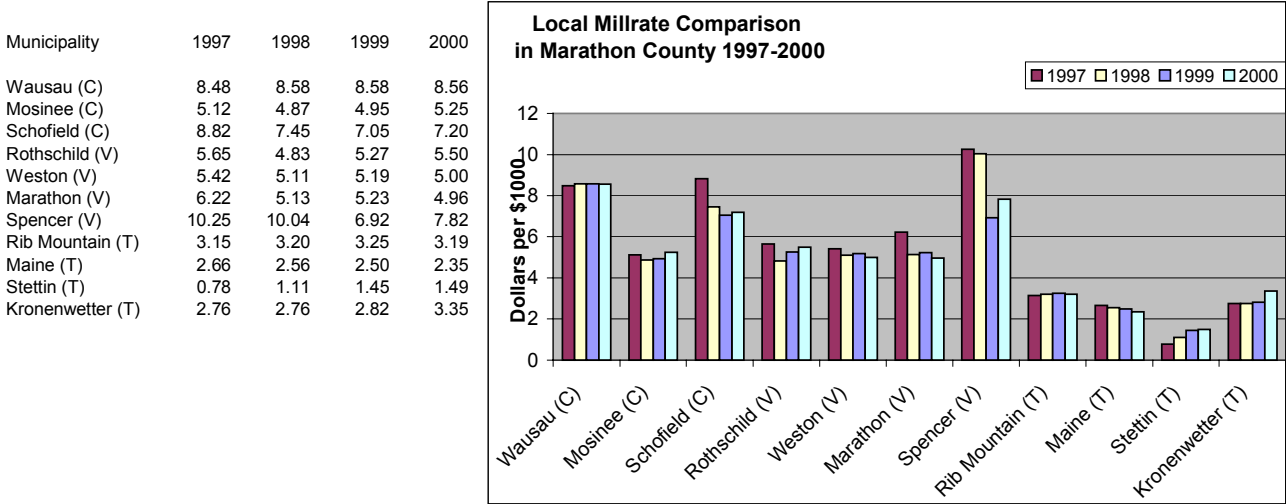
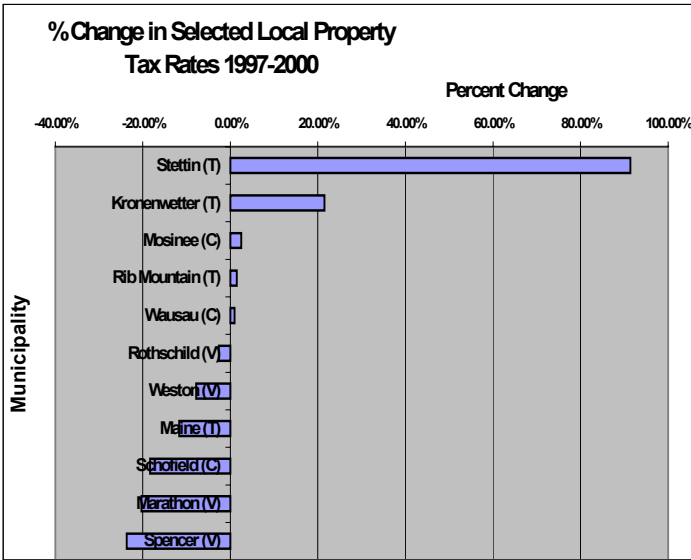


Figure 2 Percent Change in Property Tax Rates

Municipality	1997	1998	1999	2000	% Change 1997-2000
Stettin (T)	0.78	1.11	1.45	1.49	91.41%
Kronenwetter (T)	2.76	2.76	2.82	3.35	21.50%
Mosinee (C)	5.12	4.87	4.95	5.25	2.49%
Rib Mountain (T)	3.15	3.20	3.25	3.19	1.43%
Wausau (C)	8.48	8.58	8.58	8.56	0.97%
Rothschild (V)	5.65	4.83	5.27	5.50	-2.65%
Weston (V)	5.42	5.11	5.19	5.00	-7.83%
Maine (T)	2.66	2.56	2.50	2.35	-11.71%
Schofield (C)	8.82	7.45	7.05	7.20	-18.37%
Marathon (V)	6.22	5.13	5.23	4.96	-20.31%
Spencer (V)	10.25	10.04	6.92	7.82	-23.68%



The Town of Kronenwetter equalized property values were about 28% lower than the Village of Rothschild, as shown in **Figure 3 Selected Equalized Property Values** on page 39. However, equalized property values increased by 28.6% between 1997 and 2000 compared to only 17% in Rothschild as shown in **Figure 4 Percent Change in Selected Equalized Property** on page 39, suggesting a relatively higher rate of economic growth in the Town of Kronenwetter than Rothschild or in any of the other communities the Department selected for comparison in Marathon County.

Figure 3 Selected Equalized Property Values

Municipality	1997	1998	1999	2000
Spencer (V)	52	55	60	63
Marathon (V)	72	75	83	89
Maine (T)	106	110	122	128
Stettin (T)	128	135	145	149
Schofield (C)	127	140	151	162
Mosinee (C)	167	181	192	200
Kronenwetter (T)	164	174	200	211
Rothschild (V)	250	261	279	292
Rib Mountain (T)	391	415	451	474
Weston (V)	383	426	448	485
Wausau (C)	1,503	1,572	1,652	1,730

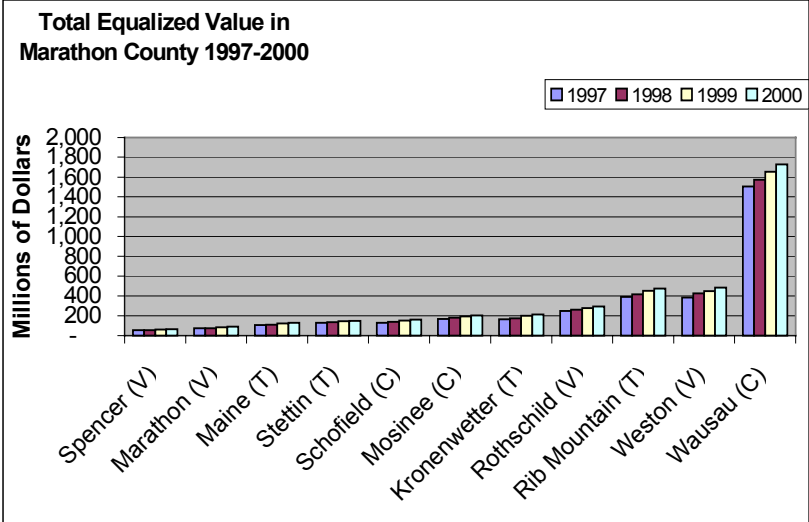


Figure 4 Percent Change in Selected Equalized Property Tax Values

Municipality	1997	1998	1999	2000	
Kronenwetter (T)	164	174	200	211	28.60%
Schofield (C)	127	140	151	162	27.31%
Weston (V)	383	426	448	485	26.71%
Marathon (V)	72	75	83	89	24.30%
Spencer (V)	52	55	60	63	21.56%
Rib Mountain (T)	391	415	451	474	21.33%
Maine (T)	106	110	122	128	20.38%
Mosinee (C)	167	181	192	200	20.01%
Rothschild (V)	250	261	279	292	17.00%
Stettin (T)	128	135	145	149	16.69%
Wausau (C)	1,503	1,572	1,662	1,730	15.10%

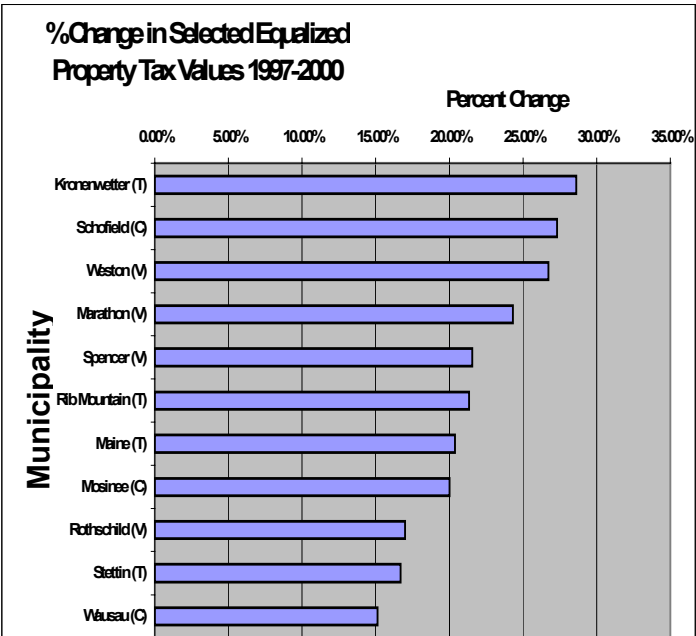


Figure 5 Per Capita Equalized Property Value: Selected Marathon County Municipalities

Municipality	1997	1998	1999	2000
Spencer (V)	28,025	29,163	31,867	33,304
Kronenwetter (T)	32,094	33,473	37,490	38,976
Weston (V)	34,081	36,949	38,457	40,954
Wausau (C)	38,811	40,531	42,501	44,431
Mosinee (C)	41,235	44,035	46,107	47,683
Marathon (V)	42,616	43,636	47,806	51,227
Maine (T)	46,606	48,044	52,396	54,344
Rothschild (V)	47,967	49,862	53,160	55,735
Stettin (T)	56,539	59,858	64,444	66,297
Schofield (C)	52,643	57,631	62,108	66,538
Rib Mountain (T)	57,946	60,653	65,260	68,311

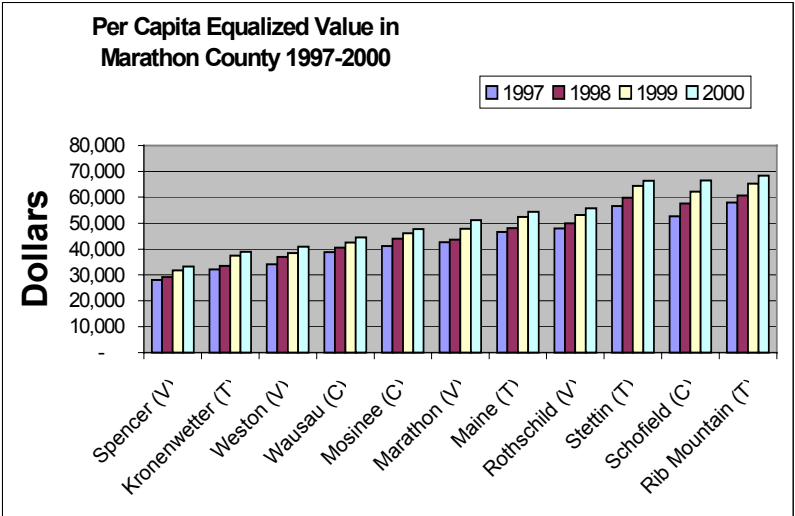
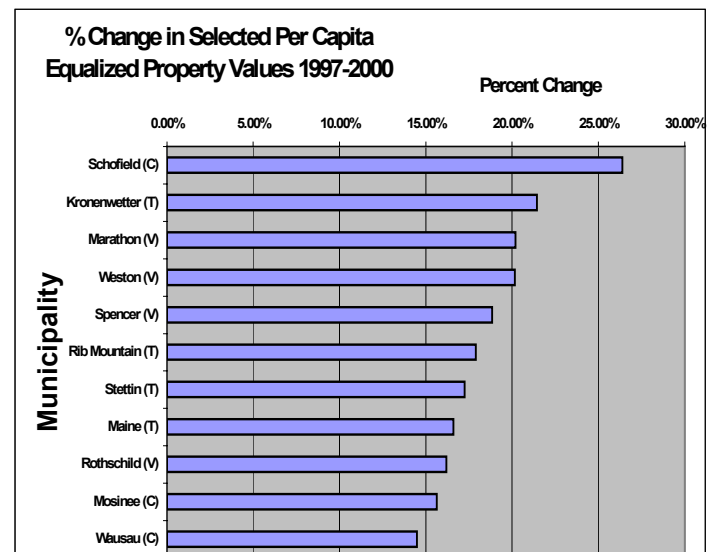


Figure 6 % Change Per Capita in Selected Equalized Property Value

Municipality	1997	1998	1999	2000	
Schofield (C)	52,643	57,631	62,108	66,538	26.40%
Kronenwetter (T)	32,094	33,473	37,490	38,976	21.44%
Marathon (V)	42,616	43,636	47,806	51,227	20.21%
Weston (V)	34,081	36,949	38,457	40,954	20.17%
Spencer (V)	28,025	29,163	31,867	33,304	18.84%
Rib Mountain (T)	57,946	60,653	65,260	68,311	17.89%
Stettin (T)	56,539	59,858	64,444	66,297	17.26%
Maine (T)	46,606	48,044	52,396	54,344	16.60%
Rothschild (V)	47,967	49,862	53,160	55,735	16.19%
Mosinee (C)	41,235	44,035	46,107	47,683	15.64%
Wausau (C)	38,811	40,531	42,501	44,431	14.48%



Proposed Village Budget

Table 14 Proposed 2001 Village/Town Budget on page 42 provides the “Draft 2001 Budget” presented by petitioners to the Department⁶⁸ for the existing Town of Kronenwetter, the proposed Village, and remnant Town of Kronenwetter. Department staff reorganized the line item expenditures and revenues provided by the Town of Kronenwetter according to the Wisconsin Department of Revenue prescribed financial report schedules⁶⁹ to make them comparable to other Wisconsin municipalities, and made other adjustments that are explained at the end of the table. The Department prepared the columns for budget percentages and per capita information for each budget line item.

⁶⁸ Letter dated February 14, 2002, from Attorney Shane VanderWall to Robert Zeinemann, (WI DOA).

⁶⁹ Wisconsin Department of Revenue, Ibid.

SECTION 2(a) TAX REVENUE

The Petitioners' proposed Village budget represents the expenditure and revenue estimates that they believe will be necessary and sufficient for the operation of a village-style government. The Petitioners based their estimate on the experiences of other villages and professional experience. Petitioners indicate that the proposed budget is intended to be a realistic projection of the costs for basic services, although the level of service ultimately provided will be decided through the political process.

Table 14 Proposed 2001 Village/Town Budget

Revenues--Governmental Fund	Town of Kronenwetter			Proposed Village			Town Remnant		
	Dollars	Percent	\$/Capita	Dollars	Percent	\$/Capita	Dollars	Percent	\$/Capita
		Population	5331		Population	4172		Population	1159
Taxes									
General Property Taxes	624,561	32.9%	117.16	457,518	31.5%	109.66	119,743	27.9%	103.32
Tax Increments		0.0%	-		0.0%	-		0.0%	-
In Lieu of Taxes		0.0%	-		0.0%	-		0.0%	-
Other Taxes	14,000	0.7%	2.63	13,000	0.9%	3.12	1,000	0.2%	0.86
Total Taxes	638,561	33.6%	119.78	470,518	32.4%	112.78	120,743	28.1%	104.18
Special Assessments	4,000	0.2%	0.75	3,520	0.2%	0.84	480		
Intergovernmental Revenues									
Federal Aids		0.0%	-		0.0%	-			
State Shared Revenues	475,148	25.0%	89.13	374,369	25.7%	89.73	100,779	23.5%	86.95
State Highway Aids	206,870	10.9%	38.81	117,916	8.1%	28.26	88,954	20.7%	76.75
All Other State Aids	6,000	0.3%	1.13	6,000	0.4%	1.44	-	0.0%	-
Other Local Government Aids		0.0%	-		0.0%	-		0.0%	-
Total Intergovernmental Rev.	688,018	36.2%	129.06	498,285	34.3%	119.44	189,733	44.2%	163.70
Licenses & Permits	30,841	1.6%	5.79	26,709	1.8%	6.40	4,132	1.0%	3.57
Fines, Forfeits & Penalties		0.0%	-		0.0%	-			-
Public Chg. For Services	3,595	0.2%	0.67	2,679	0.2%	0.64	916	0.2%	0.79
Interg. Chg. For Services		0.0%	-		0.0%	-		0.0%	-
Miscellaneous Revenues									
Interest Income	50,000	2.6%	9.38	39,395	2.7%	9.44	10,605	2.5%	9.15
Other Revenues	158,580	8.4%	29.75	156,766	10.8%	37.58	33,631	7.8%	29.02
Total Miscellaneous	208,580	11.0%	39.13	196,161	13.5%	47.02	44,236	10.3%	38.17
Subtotal--General Revenues	1,573,595	82.9%	295.18	1,197,872	82.4%	287.12	360,240	83.9%	310.82
Other Financing Sources	325,087	17.1%	60.98	256,136	17.6%	61.39	68,951	16.1%	59.49
Total Revenue & Other Financing Sources	1,898,682	100.0%	356.16	1,454,008	100.0%	348.52	429,191	100.0%	370.31

SECTION 2(a) TAX REVENUE

Expenditures-Governmental Fund									
General Operations & Capital									
General Government	310,988	16.4%	58.34	332,111	22.9%	79.60	46,167	10.4%	39.83
Law Enforcement	5,703	0.3%	1.07	5,403	0.4%	1.30	1,550	0.3%	1.34
Fire	102,350	5.4%	19.20	81,703	5.6%	19.58	20,647	4.6%	17.81
Ambulance	17,100	0.9%	3.21	13,472	0.9%	3.23	3,629	0.8%	3.13
Other Public Safety	21,650	1.1%	4.06	19,118	1.3%	4.58	2,532	0.6%	2.18
Highway Maintenance & Adm.	369,723	19.5%	69.35	235,439	16.2%	56.43	134,284	30.2%	115.86
Highway Construction	348,300	18.3%	65.33	58,715	4.0%	14.07	74,230	16.7%	64.05
Road-Related Facilities	6,500	0.3%	1.22	6,300	0.4%	1.51	200	0.0%	0.17
Other Transportation		0.0%	-		0.0%	-		0.0%	-
Solid Waste Coll & Disposal	153,650	8.1%	28.82	124,456	8.6%	29.83	29,194	6.6%	25.19
Other Sanitation		0.0%	-		0.0%	-		0.0%	-
Health & Human Services	100	0.0%	0.02	80	0.0%	0.02	20	0.0%	0.02
Culture & Education	-	0.0%	-		0.0%	-		0.0%	-
Parks & Recreation	67,014	3.5%	12.57	64,469	4.4%	15.45	2,555	0.6%	2.20
Conservation & Development		0.0%	-		0.0%	-		0.0%	-
All Other Expenditures	27,618	1.5%	5.18	40,756	2.8%	9.77	129,183	29.1%	111.46
Subtotal-Oper. & Cap. Expend.	1,430,696	75.4%	268.37	982,022	67.7%	235.38	444,191	100.0%	383.25
Debt Service									
Principal	93,173	4.9%	17.48	93,173	6.4%	22.33	-	0.0%	-
Interest & Fiscal Chg.	374,813	19.7%	70.31	374,813	25.8%	89.84	-	0.0%	-
Total Debt Service	467,986	24.6%	87.79	467,986	32.3%	112.17	-	0.0%	-
Subtotal - Expenditures	1,898,682	100.0%	356.16	1,450,008	100.0%	347.56	444,191	100.0%	383.25
Other Financing Uses									
Total Expenditures & Other Financing Uses	1,898,682	100.0%	356.16	1,450,008	100.0%	272.0	444,191	100.0%	383.25
Total General Obligation Debt¹	7,575,000			7,575,000			-		
Full Equalized Value (2000)	210,901,000		39,561.25	166,147,808		39,824.50	44,753,192		38,613.63
Debt: Percentage of Equalized Val	3.59%			4.56%			0.00%		
Percentage of Debt Capacity	71.8%			91.2%			0.00%		
Projected Equalized Tax Rate	2.96			2.75			2.68		

Prepared from the draft budget for 2001 submitted by the Town of Kronenwetter

¹Derived from debt information provided by Shane VanderWaal in letter to Department dated May 20, 2002

Revenues

Property Tax Base

The total estimated equalized value of property in the area proposed for incorporation is \$166,147,808. As can be seen by comparing this amount to the values in **Figure 5 Per Capita Equalized Property Value: Selected Marathon County Municipalities** on page 40, the new village's per capita equalized value of \$39,561, would be similar to that of the adjacent Village of Weston, and at the lower range of the selected Marathon County municipalities. The proposed Village of Kronenwetter's per capita equalized value of 2001 would be lower than the Marathon County Village average as shown in **Table 15 Marathon County Average Equalized Value** below. The Town of Kronenwetter's estimated equalized value for 2000 was \$210,901,000. The Petitioners proposed budget shows that the remnant town would have an equalized value to \$44,753,192, which is well below the 2001 average Village per capita equalized value in Marathon County.

Table 15 Marathon County Average Equalized Value

Year	Towns	Per Capita EV	Villages	Per Capita EV	Cities	Per Capita EV
1999	2,430,115,900	45,388	1,053,699,600	40,749	2,059,061,600	43,815
2000	2,636,675,500	48,714	1,127,356,600	43,227	2,175,749,100	46,220
2001	2,925,017,300	53,733	1,220,241,400	46,949	2,345,618,100	50,644

Source: Town, Village & City Taxes 1999, 2000, 2001, WI Dept. of Revenue

Property Tax Rates

The Petitioners estimate a local mill rate of 2.75 to provide a similar level of services as is currently provided to residents in the petitioned territory, which is slightly lower than the Town of Kronenwetter mill rate of 3.35 in 2000, and significantly lower than the Village of Rothschild 2000 mill rate of 5.5. The petitioners' proposed budget for the new village and remnant town could be low in some areas, however, even if the Town's proposed budget were underestimated by \$500,000, it would still have a mill rate lower than the 2000 Village of Rothschild mill rate.

Shared Revenue Aid

Petitioners estimate of \$374,369 for shared revenue aid is consistent with the Department's estimate. It should be noted that the governor has proposed cuts in shared revenue payments that could substantially change this revenue source in the future.

State Recycling Aid

The Department concurs that the Petitioners' estimate of \$14,000 from state recycling aid is accurate.

State Highway Aid.⁷⁰

The petitioners' have indicated and the Department concurs that the proposed village will have 57% and the remnant town 43% of the total road miles of the town of Kronenwetter. This amounts to \$117,916 for the village and \$88,954 for the remainder of the town in state aid.⁷¹

Licenses and permits

Charging for licenses and permits on a similar scale as the Town would net approximately \$30,000. However, a new village may need to develop a framework of ordinances before it can begin collecting fees. Such ordinances would describe the various activities for which licenses and permits would be necessary.

Fines and forfeitures

The present town of Kronenwetter does not have ordinances or enforcement mechanisms to actively collect fines and forfeitures. In 1999, the Town collected only \$100 in fines. The Department assumes the new village would collect similar amounts.

Solid Waste

The Department finds that Petitioners' estimate of \$130,000 is reasonable.

Asset and Debt Distribution

An important issue for Kronenwetter residents, in the event that it successfully incorporates, will be asset and debt distribution. The equalized value of the territory proposed for incorporation represents approximately 27% (\$44,753,000) of the total \$210,900,000 estimated equalized value for the town of Kronenwetter. Thus, 27% of any assets and liabilities of the town of Kronenwetter could be subject to apportionment under section 66.0235, Wis. Stats. Asset or debt distribution could result through in-kind or cash payments, or exchanges for services received over a period of time mutually determined by the two communities. Typical items included in apportionment are local tax levy proceeds prorated for the remaining tax year, town assets such as bank accounts, state grants and aids (such as highway aid), existing machinery and equipment, as well as any outstanding debt or trusts.

The Town of Kronenwetter has substantial debt that was incurred primarily for the installation of sewer and water systems, and road reconstruction entirely within the territory proposed to

⁷⁰ Highway aids are paid on the basis of eligible average costs incurred over 3- and 6-year periods. Two years are required before eligible costs can be fully considered. However, no municipality can receive more than 85% of average 3-year costs. Thus, costs incurred during the first year of incorporation would be eligible for aid following year two, subject to the 85% cap.

⁷¹ Letter from Guy Fredel, dated February 14, 2002.

incorporate. The Department asked the Petitioners how the debt would be equitably distributed should the territory incorporate. The Petitioners propose that the new Village would assume full responsibility for the Town debt incurred for construction of sewer and water systems and associated road reconstruction that solely benefit residents within the proposed Village. Bond counsel has noted that the new Village would be able to assume all of the existing debt obligations that were issued by the Town of Kronenwetter, based upon an assumption concerning increased equalized valuations within the new Village and the possibility that certain bond anticipation notes could be extended if required.⁷²

Expenditures

General Government

Petitioners' estimated expenditures should provide a governing body that is similar in quality to that presently enjoyed by town of Kronenwetter residents. The estimate of \$332,111 for general government operations would result in a per capita government cost of approximately \$80 which appears to be reasonable compared to other villages in Marathon County as shown in **Table 16 Marathon County Town & Village Cost of General Government Expenditures** below. The estimate of \$46,167 for the remnant town, about \$40/capita is somewhat low, but within reason.

Table 16 Marathon County Town & Village Cost of General Government Expenditures

Year	General Government Expenditures					
	Towns (1000 Dollars)	Population	Cost/Capita in Dollars	Villages (1000 Dollars)	Population	Cost/Capita in Dollars
1999	2505.6	53,541	\$ 46.80	2077.3	26,036	\$ 79.79
2000	2400.7	54,126	\$ 44.35	1859.9	26,254	\$ 70.84

Source: Table prepared from County and Municipal Revenues and Expenditures 1999, 2000, Wisconsin Department of Revenue

Police. Kronenwetter currently receives police protection from the Marathon County sheriff's department. Dispatch reports show that Kronenwetter does not use a disproportionate share of the Sheriff services compared to other Marathon County communities. Local law enforcement budgets are determined by local circumstances and preferences. The existing Town employs a constable to enforce local ordinances. The petitioners propose that a new village of Kronenwetter spend \$4053 and the remainder of the town \$1550 on constables. As mentioned earlier, the Department finds that the current arrangement in Kronenwetter has provided adequate law enforcement services in the past, and was provided with no information to indicate a change is needed. More discussion concerning law enforcement services is included in the services section of this Determination on pages 49 and 60.

Fire Protection

The proposed village territory currently receives fire protection services from the Town of Kronenwetter Fire Department, which is adjacent to the Town Hall in the Kronenwetter Municipal Center. A paid volunteer fire chief and 26 volunteer part-time fire fighters staff the department. Town officials have discussed contracting fire services to the remnant Town should incorporation take place. However, if the proposed incorporation were approved by taxpayers, the fire department building would fall within the new village borders. This could result in issues related to division of assets, funding of services, and access to sanitary district hydrants. The City of Mosinee reports it would be willing to serve the entire proposed Village.

⁷² Letter, dated May 20, 2002, from Attorney Michael L. Roshar, Quarles & Brady, LLP, to Attorney Shane J. VanderWaal.

Petitioners estimated \$70,280 for fire protection service to cover the proposed Village. The Town of Kronenwetter budgeted \$95,000 for fire protection in 2001. The Petitioners propose that the remnant Town's fire protection expenditures to be \$17,570 for services contracted from the proposed Village. In the event that such an agreement cannot be reached, the remainder of the Town of Kronenwetter may need to develop a fire department of its own, or contract with another nearby municipality. Such a scenario would mean that the estimates for the proposed Village and remnant Town would be low.

Ambulance

The Petitioners state that the existing Town ambulance expenditure was \$17,100 in 2001, or about \$3.21 per capita, and based upon this cost prorated an expenditure of \$13,472 for a new village and \$2532 for the remnant Town. Ambulance services for average Marathon County Towns and Villages in 2000 were \$13.26 and \$14.36 respectively. The remnant Town and proposed village may need to spend more than the petitioners' indicate. Using the per capita averages, ambulance costs would be Approximately \$55,000 for the Village, and nearly \$17,000 for the remnant Town.

Highways

Of the 91.08 miles of road in the town of Kronenwetter, 51.86 miles (57%) are within the area proposed for incorporation. The Town of Kronenwetter highway department maintains local roads within the proposed village area. The Marathon County Highway Department maintains area county and state highways. Incorporation would not change the county's role. It would continue to maintain state and county roads within the area. The Town and the sanitary district have made substantial improvements recently to local roads, as part of the sanitary district's infrastructure projects. In the event that petitioned territory incorporates, the Town of Kronenwetter would no longer maintain the petitioned area's local roads. Any new village and the remainder of the Town would each establish a department of its own; alternatively, they could establish a service sharing and funding agreement for the highway department. Petitioners have proposed a 2001 draft budget of \$235,439 for the proposed village, and \$134,284 for the remnant town. These estimates appear to be appropriate considering that many of the roads were recently improved and in good condition. Should the previously mentioned I-39 interchange at Kowalski Road be approved, the proposed village could encounter the need to finance 25 to 50% of the estimated \$3 to 4 million needed for the project. This could be accomplished through the use of TIF, or special assessments on property owners benefiting from the interchange.

Solid Waste and Recycling

Kronenwetter residents currently receive solid waste service from a contractor hired by the Town. In 1999, the Town spent \$149,700 on solid waste and recycling. Petitioners estimate \$124,456 for solid waste and recycling in the proposed Village. The Department finds this estimate to be reasonable. It is useful to note that the fees charged for solid waste and recycling equal the cost of providing the service. The service is "self-funded" in that it does not require funds from general revenues. Consequently, inclusion or exclusion of solid waste pickup and disposal as a local government cost should not have a significant bearing on overall proposed village finances or taxes.

Parks and Recreation

Eight Town-owned neighborhood parks are contained within the area proposed for incorporation. The parks comprise a total of 66 acres. **Table 5 Park Amenities** are shown on page 19, which includes two parks that had not been developed as of the writing of this Determination. In 2000 the Town of Kronenwetter's park and recreation expenditures were approximately \$82,000. Therefore, the Department finds that the amount budgeted for the proposed village of 64,479 will be adequate for park maintenance and development.

Section 2 (a) Determination

The Department review of the budget provided by the petitioners for the proposed village indicates that the Village of Kronenwetter has the capacity to raise sufficient revenue to a level of services similar to those currently offered by the Town, should electors of the territory so desire. Should

incorporation occur, the new Village has a sufficiently high property tax base that is similar to those of similarly situated local governments and is believed to be sufficient to meet the prospective cost of urban services after absorbing and meeting the Town's existing debt obligations. Therefore, the Department finds that this standard has been met.

SECTION 2(b) LEVEL OF SERVICES

The standard to be applied is found in s. 66.0207(2)(b), Wis. Stats., and provides that the proposed incorporation must be in the public interest as determined by the department upon consideration of:

(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), Wis. Stats.

Because the village of Rothschild passed a resolution expressing a willingness to annex the territory proposed for incorporation pursuant to s. 66.0203(6), Wis. Stats., the following analysis will examine not only Town services, but those provided by the Village as well. The following sections examine fire protection, police protection, sewer and water service, solid waste collection, government services, planning, parks and recreation, streets and highways, and mass transit.

Fire Protection

The Town and Village have separate fire departments. **Petitioners' Map 11: Kronenwetter Fire Department Response Time** on page 82 shows the fire station locations in the Town and Village, and their respective response radii. Information concerning fire services are summarized in **Table 17 Fire Service Comparison** on page 48

Kronenwetter Fire Department

The Town's fire station is housed in the Kronenwetter Municipal Center, at 1582 Kronenwetter Drive. A paid volunteer fire chief and 26 volunteer part-time fire fighters staff the department. Annual training consists of 117 hours inside the classroom and 93 hours of non-classroom training. Fire drills are conducted two times a month on the first and third Thursday of each month, with a minimum of 24 fire drills per year. Intergovernmental fire drills with Wausau area municipalities have also taken place. Six vehicles serve the department, including an engine, a pumper, a rescue truck, a four-wheeler, a utility/supply truck, a brush truck, and a water tanker truck. Kronenwetter's fire department currently has adequate fire hydrant coverage in the urbanized area, and serves rural areas with the tanker and pumper trucks.

The fire station location and lack of an adequate local road network could make responding to fires on the west side of I-39 problematic. The town's fire station is located on the east side of I-39 and must travel north to Kowalski road to respond to calls on the west side of I-39. Consequently, the response radii shown on **Map 11: Kronenwetter Fire Department Response Time** on page 82 may not be achievable for certain areas west of I-39. Town plans for road improvements would improve response times to this area.

Fundraising efforts by the fire department concentrate on three annual events. During the summer, the department holds a firefighters' picnic open to the public at the Kronenwetter Municipal Center. In October, the department hosts an open house at the fire station. The major fundraiser is the firefighters' dance and raffle held in November. In the past, the department has held gun shows, minor events, and has participated in Fire Prevention Week. Depending on the year's activities, the department collects between \$1,500 and \$4,000 via their fundraising mechanisms.

A public safety committee, made up of five members appointed by the Town Board, oversees the operations of the fire department. Town officials have discussed contracting fire services to the remnant Town should incorporation take place. The City of Mosinee reports it would be willing to serve the entire proposed Kronenwetter village⁷³. Currently, ambulance service is provided to the

⁷³ Town of Kronenwetter Submittal for Incorporation, Page 15.

Town of Kronenwetter by the Cities of Schofield and Mosinee. Also, according to Kronenwetter Fire Chief Robert Apfelbeck,

“The present ISO rating is a 6 up to 5 miles from the station. A 7 from 5 to 7 miles from the station. A 10 after that... These ratings will be updated as soon as water lines and hydrants are installed on Kronenwetter Drive up to the fire station. I am told by ISO that the ratings will be better then.”⁷⁴

The Town of Kronenwetter is rated as a 7-9 because some areas of the Town are protected by public water while other areas rely on well water. When fighting a fire, the pressure and volume of water become critical. As the territory proposed for incorporation is served by a public water supply, it would have an ISO rating of 7.⁷⁵

Rothschild Fire Department

Rothschild’s fire station is located at 29 Alexander Street. Staff include a fire chief, 31 paid volunteer fire fighters, of which 29 are trained and certified Emergency Medical Technicians (EMT). Fire drills are held twice monthly, with an additional drill each quarter. The department owns the following emergency equipment: a fire engine, an aerial ladder, a water tanker truck, a rescue vehicle, a water rescue vehicle, and ambulances.⁷⁶ The fire station also houses the ambulance service for the Village, which is staffed by the 26 firefighters/EMTs. The Village’s fire/ambulance department is a budgeted item, and limited fundraising efforts are made.⁷⁷

Fire Insurance Ratings

The Insurance Services Office (ISO) rated the village of Rothschild a 6 because of the central location of its fire station and the availability of water throughout the entire Village.

Table 17 Fire Service Comparison

Component	Town of Kronenwetter	Village of Schofield
Number of Fire Stations	1	1
Staff	1 Paid volunteer Fire Chief 26 Paid volunteer part-time fire fighters, including 1 EMT & 12 first responders	31 part-time paid volunteers, 29 of which are Trained EMT’s ,Fire Chief, Asst. Fire Chief, and Asst. Ambulance Chief
Annual Training Hours	117 hours classroom 93 hours non-classroom At least 24 fire drills annually plus some w/ladder, rescue, & equipment training with City of Wausau	27 Annual drills with training
Fund Raising Efforts	Picnic Open House Dance & Raffle Raise \$1,500 to \$4,000 annually	Annual budget plus limited fundraising. Annual \$2,500 grant from Weyerhaeuser Corporation for special purchases
Operations Oversight	Five-member Committee	
Equipment	Fire Engine	Fire Engine

⁷⁴ Letter from Kronenwetter Fire Dept. to Shane K. VanderWaal, March 22, 2001.

⁷⁵ Letter from Michael Fochs, Account Executive, Wausau Insurance Companies, to Sheila Pudelko, Village Clerk, Village of Rothschild, 2/28/01.

⁷⁶ *Village of Rothschild’s Submittal in Opposition to the Proposed Incorporation of the Village of Kronenwetter*, January 2001, pg. 13

⁷⁷ Information about the village of Rothschild’s fire department was provided by Kathy Mason, village of Rothschild Deputy Clerk, per comm. 9/14/01.

Component	Town of Kronenwetter	Village of Schofield
	Pumper Rescue Four-Wheel Truck Utility/supply Truck Brush Truck Water Tanker Truck No ambulances, services contracted to City of Schofield and City of Mosinee	Aerial Ladder Water Tanker Rescue Vehicle Water Rescue Vehicle Ambulances
Average Response Time	5 to 7 minutes	6 to 8 minutes
Insurance Services Office (ISO) Rating	7 (Area served by public water supply—most or all of the proposed village) 9 (Area served by wells—primarily remnant Town)	6
Fire Protection Budget	\$70,280 (for proposed Village)	\$71,635
Population	4,172 (in proposed village)	5,252
Cost per resident	\$16.85	\$13.64

Source: information provided by Petitioners and Intervenors

Police Service

The Town of Kronenwetter does not have its own police department, but instead relies on police service provided by the Marathon County Sheriff's Department. The Sheriff's office is funded through the general county levy to which all municipalities in Marathon County contribute.

The Sheriff's Department provides one deputy and one squad for patrol for each quadrant of the County, Kronenwetter being in the southeast quadrant. The Town comprises 52.14 square miles, approximately 13%, of the 400 square mile quadrant. A fifth deputy patrols the area surrounding the metropolitan areas of the County. The officers do not report on the time spent in any given Town while on patrol, therefore it was not possible to precisely determine how much Sheriff's Department time was spent specifically in Kronenwetter. Service data from comparable Towns in Marathon County as shown in **Table 18** on the following page reveals the proportion of Kronenwetter's utilization of the Sheriff services.

Table 18 Marathon County Sheriff's Department Services

Town	1998	1999	2000
Town of Kronenwetter (pop. 5,369)			
Accidents:	214	230	274
Other Contacts:	1,594	1,537	1,765
Town of Maine (pop. 2,407)			
Accidents:	363	382	470
Other Contacts:	1,959	2,491	2,444
Town of Marathon (pop. 1,085)			
Accidents:	103	121	106
Other Contacts:	637	613	586
Town of McMillan (pop. 1,790)			
Accidents:	97	87	124
Other Contacts:	322	375	550
Town of Rib Mountain (pop. 7,556)			
Accidents:	500	568	604
Other Contacts:	4,073	4,748	4,517
Town of Stettin (pop. 2,191)			
Accidents:	184	192	272
Other Contacts:	1027	1,284	1,309

Source: Dispatch figures supplied by Marathon County Sheriff's Department via communication from Attorney Richard Weber on 2/28/01 for Kronenwetter and from Diane Sennholz on 8/3/01 for the additional Town data. Population numbers are taken from the 2000 census.

This comparison between the Town of Kronenwetter and other nearby Towns reveals that, in terms of dispatch service, Kronenwetter does not use a disproportionate share of Sheriff services. Kronenwetter does not have a special contract for services with the Sheriff's Department, but could request it if so desired. Kronenwetter could also create its own police force, but more likely, would enter into joint services with Rothschild or the Everest Metro Police Department, an intergovernmental police force based in Weston.⁷⁸ The Town employs a constable whose duties include keeping the peace and ensuring compliance with Town ordinances.

The village of Rothschild has its own police force. The department is made up of 10 full-time officers and 1 part-time officer, and is housed in the Village Hall. The Hall has the capacity to allow the department to double in size, should it extend services to Kronenwetter or another nearby municipality. The numbers in Table 19 Village of Rothschild Police Department Services show the occurrence of services provided by the department, and can be compared to Table 18 listing services provided to Kronenwetter by the County Sheriff. In this case, "other contacts" refers specifically to arrests, parking tickets, warnings, and citations.

Table 19 Village of Rothschild Police Department Services

	1998	1999	2000
Village of Rothschild (pop. 5,252)			
Accidents:	294	277	318
Other Contacts	3,746	4,200	4,741

Source: Village of Rothschild's Submittal in Opposition to the Proposed Incorporation of the Village of Kronenwetter, January 2001, pg. 11-12

⁷⁸ *Town of Kronenwetter Draft Comprehensive Plan, pg. 36-37*

The police department is involved in Village activities and programs including Officer Friendly, DARE, National Night Out, and Neighborhood Watch. The department also provides services such as fingerprinting, issuance of licenses and vehicle registration, and safety checks to the larger Rothschild area, including Kronenwetter. Rothschild's police department occasionally responds to emergencies in Kronenwetter as they are often closer than the Sheriff's patrol. This kind of service is performed as a courtesy, and the department does not keep track of the frequency of assistance. The department also provides community policing/outreach in Kronenwetter.⁷⁹

Sanitary Sewer Service

The Towns of Kronenwetter and Rib Mountain and the villages of Rothschild and Weston Sanitary Districts constitute the sanitary sewer utilities that make up the Rib Mountain Metropolitan Sewerage District (RMMSD). The RMMSD treatment plant's current total capacity is 4.94 million gallons per day (mgd) and the plant is currently operating at approximately 50 percent of capacity.⁸⁰ The existing treatment plant is located north of Kronenwetter in the Town of Rib Mountain on the west side of the Wisconsin River. The plant was built in the 1980's with the anticipation of future expansion. Sewage or wastewater generated on the east side of the Wisconsin River is transported through interceptors under the Wisconsin River. The cost for the treatment facility and the interceptors are allocated to the member communities based upon projected growth patterns, utilization and planned service areas as determined by the Wausau Urban Area Sewer Service 208 Plan.

Section 208 of the Clean Water Act requires area wide water quality management plans, more commonly known as "sewer service area plans". These plans project future sewer service needs, establish a 20-year sewer service area, provide technical data, identify sensitive environmental resources and provide a strategy for their protection, define the procedures for varying sewer service boundaries, and serve as a guideline for community plans. Any changes to the existing 208 planning area require an amendment or update to the 208 plan. The last major amendment to the plan occurred in March 1998. The Town of Kronenwetter has been allocated approximately 500,000-mgd capacity. This is roughly 10 percent of the existing plant capacity. Kronenwetter is presently using 15 to 18 percent of its allocation.⁸¹

Prior to 1996, Kronenwetter did not have any public sewer facilities. Installation of public services was prompted by a number of failing septic systems, poor water quality, and contaminated groundwater near the Williams Pipeline facility. In 1996, the Town Board and the Commissioners of Kronenwetter Service District 2 (KSD2) reached an agreement which led to the installation of municipal sewer and water for 700 residences and businesses within one year. Since the initial installation, over 200 additional customers have been served.⁸² Sewer and water distribution facilities are proposed to be installed throughout a majority of the area proposed for incorporation. Kronenwetter received two Community Development Block Grants to assist with the installation of the infrastructure and to help defray the cost of the assessments for a number of the Town's low- to moderate-income families. Census figures from 1990 reveal that over 91% of Kronenwetter residents relied on septic tank or cesspool systems for managing onsite waste. With the installation of the new sewer and water system, approximately 1,200 single-family homes and 20 businesses were removed from private, onsite sewage systems. At the time of the writing this determination, KSD2 had installed 33.8 miles of sewer lines.

⁷⁹ Public hearing testimony from William Tremp, Rothschild Police Chief, 2/14/01

⁸⁰ Email from Greg Michel, Schneider Consultants, October 22, 2001. (The email is based on Greg's discussion with Ken Ligman, Director, Rib Mountain Metropolitan Sewerage District).

⁸¹ Ibid.

⁸² Exhibit Z, page 1, Letter from Guy W. Fredel.

The Kronenwetter Public Works Department and the Kronenwetter Sanitary Sewer District maintain the local sanitary sewer distribution system and associated facilities for collection and transportation of wastewater. New facilities are installed according to Kronenwetter Sanitary District specifications. The main interceptor lines and treatment facility are maintained by RMMSD.

The Town of Kronenwetter and Village of Rothschild have entered into various agreements regarding construction of sewer interceptors. The Department is aware of an agreement completed in 1988, pursuant to s. 66.30 Wis. Stats.⁸³, which provides for sharing and allocating ownership, construction, and maintenance responsibilities and costs of the County Trunk Highway “XX” and Business Highway 51 interceptors. This agreement was updated or modified in 1998 and 2000.

Ownership of the Highway 51 interceptor is divided equally between Rothschild and Kronenwetter; however, Kronenwetter owns 75 percent of the flow capacity and Rothschild 25 percent. Neither community may exceed its allotted capacity.⁸⁴ The 1998 agreement also specified cost shares for each community. However, these cost shares were modified by the 2000 agreement as Kronenwetter constructed a force main rather than a gravity sewer, which was the type of line contemplated in the 1998 agreement.⁸⁵

Water Service

Rothschild residents receive potable water supply from either Rothschild or Weston. A portion of the eastern side of the Village (east of Volkman Street) receives service from Weston because they were part of the Weston Water Utility prior to their annexation into the Village. The Weston Water Utility also serves a limited area (Foremost Foods) with a water tower located at the intersection of I-39 and Business 51.

The Rothschild Water Utility maintains three wells and an iron and manganese removal treatment system on the north side of the Village. The \$2 million treatment system was placed online in 2001. The three wells have a combined capacity of 2,000 gallons per minute or 2.9 million gallons per day. The Rothschild Water Utility owns and operates three water storage facilities with a combined storage capacity of 488,000 gallons. The newest tower, with a capacity of 300,00 gallons, is located at the intersection of Tesch Lane and Creske Avenue. The tower is approximately one mile north of Kronenwetter, and has capacity to serve the Town. The Utility installed a new 12-inch main along Business 51 from Yawkey Avenue to Imperial Avenue to provide additional capacity to Cedar Creek and areas to the south and east. In addition, there is a 100,000-gallon water storage tower located near Brown Boulevard and 1st Street and an 88,000-gallon ground level facility located adjacent to the wells in the Park and Grand Avenue area.⁸⁶

As mentioned early in the determination, the Town of Kronenwetter owns and maintains public wells located near Lea Road and Jackie Road on the south side of the Evergreen area. Each well has a pumping capacity of 1,200 gallons per minute, or 1.7 million gallons per day. The wells are operating at approximately 20 to 30 percent of capacity.⁸⁷ An elevated water tower is located near the intersection of Town Road and Pine Road. The KSD2 had a total of 981 customers in 2000⁸⁸ and a

⁸³ Section 66.30 of the Wisconsin Statutes is now s. 66.0301. Chapter 66 was recodified in 2000.

⁸⁴ Agreement between the Town of Kronenwetter and Village of Rothschild, dated and signed March 17, 1998.

⁸⁵ Agreement between the Town of Kronenwetter and Village Rothschild, dated and signed October 11, 2000.

⁸⁶ Information regarding Rothschild sanitary sewer service is taken from *Village of Rothschild's Submittal in Opposition to the Proposed Incorporation of the Village of Kronenwetter*, January 2001.

⁸⁷ Town of Kronenwetter Comprehensive Plan, Draft March 2001. By Schneider Consultants, Inc.

⁸⁸ Exhibit I-3

water utility rate charge that is one of the higher in Marathon County.⁸⁹ A comparison of water rates are shown in **Table 20 Marathon County Water Cost Comparison** on page 53.⁹⁰ The cost for water in Kronenwetter falls midway between the cost of Village of Rothschild and the City of Mosinee. On average, Kronenwetter residents paid about \$9 more per quarter than Village of Rothschild residents, and about 6\$ less than City of Mosinee residents. The water charges for Kronenwetter residents do not include the cost of providing fire protection service, which are separately billed to the customer. KSD2 has 40 miles of water mains, as shown on **Map 8: Kronenwetter Public Water Supply Service Plan** on page 79.

Table 20 Marathon County Water Cost Comparison

County: Marathon				
5/8 - Inch Meter Connection - Residential And Small Commercial Services				
Water Tariff Utility Name	Net Bill Per Quarter		Date Rate Effective	Foot Notes
	Min Bill	2,500 CF 18,750 GAL		
Athens Municipal Water Utility	\$12.50	\$74.38	08/01/1991	
Brokaw, Village of, Water Utility	\$10.00	\$28.75	12/01/1984	3
Colby, City of, Municipal Water Utility	\$18.45	\$69.64	12/15/1989	
Edgar Municipal Water Utility	\$10.82	\$55.63	10/01/1997	
Hatley Water Utility	\$25.00	\$65.84	03/01/1993	
Kronenwetter Sanitary District No.2	\$16.20	\$82.91	12/20/1999	1
Marathon, Village of, Water & Sewer Utility	\$18.00	\$60.19	12/26/2001	
Mosinee Municipal Water and Sewer Utility	\$20.25	\$88.88	12/14/1998	1
Rib Mountain San. District	\$32.40	\$57.15	01/02/1992	
Rothschild Municipal Water Utility	\$21.00	\$73.88	03/15/2000	
Schofield Municipal Water & Sewer Utility	\$9.00	\$31.50	02/26/1996	
Spencer Municipal Water Utility	\$24.15	\$99.15	06/26/2000	
Stratford Municipal Water & Electric Utility	\$16.50	\$71.81	12/20/1990	
Wausau Water Utility	\$12.00	\$46.00	10/01/2001	
Weston, Town. Of, Water Utility	\$15.20	\$58.33	09/08/1995	
		County Average \$64.27		
Footnote Definitions				
Footnote ID	Description			
1	Bills do not include Public Fire Protection, which the municipality has chosen to direct charge to customers.			
2	To the extent Public Fire Protection is provided, the charge is included as part of the general service rates.			
3	Bills include any applicable Purchased Water Adjustments.			
<i>Source: Public Service Commission of Wisconsin, Comparison of Net Quarterly Bills of Wisconsin Water Utilities</i>				

In a memo dated February 2, 2001, Mark Thompson of Marathon Technical Services, which manages the operation of the sewer and water utilities serving Kronenwetter, stated that the water from the Kronenwetter well field is of unusually high quality for central Wisconsin River valley wells. The water is relatively free of the iron and manganese that afflicts other wells in the region. Mr. Thompson acknowledged that the wells' water quality may change over time, especially if pumped

⁸⁹ Village of Rothschild Submittal in Opposition Exhibit I-11, taken from Public Service Commission web site.

⁹⁰ Note that on page 15 of the Rothschild Submittal in Opposition, Intervenor incorrectly interpreted a PSC chart indicating the \$18,750 gallons of water per quarter in Rothschild costs \$43.25 to \$53.15 while the same service costs \$66.45 to \$337.50 in Kronenwetter. These cost figures refer to the range of costs associated with different water utilities in the county, not for individual utilities.

very hard. The Kronenwetter wells are lightly pumped (at less than 25% capacity), yet Marathon Technical Services continues to monitor water quality. The levels of iron and manganese have remained below levels of concern since well operation. The test results do not indicate any trend toward elevated levels that cause aesthetic color, odor, or taste problems.⁹¹

The groundwater in the Gardner Park neighborhood in the Town of Kronenwetter is contaminated from past activities at the Williams Pipeline Company. The Town of Kronenwetter negotiated an agreement with Williams Pipeline Company in which Williams Pipeline provided over \$315,000 to help fund the installation of municipal water and sewer in the Gardner Park neighborhood.

The presence of two 300,000 gallons water tower and distribution systems within close proximity in the Town of Kronenwetter and village of Rothschild provide redundant water capacity. In 1995, as series of meetings between members of KSD2 and the Rothschild Water Utility were held and correspondence exchanged. Rothschild Water Utility and KSD2 both contacted Becher-Hoppe Associates, Inc. to do engineering studies and cost analysis for new water towers. In a March 1995 letter, Becher-Hoppe proposed to perform an analysis of a joint water reservoir and purchase of water by Rothschild from KSD2.⁹² Becher-Hoppe was not given approval to proceed with the study. After preliminary consideration of a joint water reservoir and discussions at various meetings, the KSD2 and Rothschild Water Utility chose to build separate water reservoirs in close proximity to each other.

The Town of Kronenwetter and KSD2 entered a Memorandum of Agreement (MOA) on February 8, 1996, regarding the construction and funding of sanitary sewer and water mains, and reconstruction of Town roads within KSD2. Money was borrowed by the Town of Kronenwetter to fund the construction of wells and a water reservoir for KSD2 as well as fund road reconstruction. The Town purchased real estate from KSD2 for the well site. Upon completion of the reservoir and wells, the Town became the exclusive supplier of water to properties within KSD2. The Town sells water to KSD2 on a not-for-profit basis. The MOA states that the Town charge to KSD2 for “its” water shall be equivalent in all respects to the charge that would be established by the Wisconsin Public Service Commission.⁹³

Solid Waste

The Town of Kronenwetter contracts with Waste Management to collect residential solid waste and material from the Municipal Center. Commercial waste is handled on a contractual basis through a number of local disposal companies serving the Wausau metro area. All solid waste is hauled to private or County landfills, none of which are located within the Town. Residents can drop off large items at these area landfills. The Town plans to continue contracting for solid waste disposal services. Hazardous materials are collected at the County’s solid waste department. A local hauler collects materials such as metals, glass, plastics, and cardboard for recycling. Yard material, including grass clippings, leaves, and branches are recycled at a yard waste site on Martin Road in the Town’s east side. Residents must transport yard material to the facility themselves.

The village of Rothschild contracts with Deluxe Disposal Service, Inc. The company provides both refuse and recycling collection for residential dwellings.

⁹¹ Petitioner’s Brief in Support of Incorporation, dated March 22, 2001, attached memo.

⁹² Exhibit I-5, March 28, 2001 proposal from Becher-Hoppe Associates, Inc. to KSD2 and KWU.

⁹³ Memorandum of Understanding Between the Town of Kronenwetter and Kronenwetter Sanitary District Number Two, (submitted by the intervenors).

Government

Town of Kronenwetter

The Town reorganized in January 2001 and now has a full-time Town Administrator appointed by a 5-member Town Board, an elected Town Treasurer, and Town Clerk. There is a Public Safety Committee with 5 appointed members, a Public Works Committee with 5 appointed members, a Town recycling Committee with 5 appointed members, and Town Planning and Town Park Commissions, each with 7 appointed members. The Town also has a Fire Department with a Fire Chief, a Public Works department with a director, a Parks Supervisor, and 5 workers.

Village of Rothschild

The Village of Rothschild was incorporated in 1917, and is governed by a Village Board consisting of 1 President and 6 Trustees, all elected at large.

The Public Works Committee and Water Utility Commission members are the Village Board, with the Present being the Chairman. The Village also has a Finance Committee; Personnel Committee; Environment and Public Health Committee; Parks, Grounds & Buildings Committee; Public Safety Committee, and a Legislative Committee. Each Committee consists of 3 Trustees, with each Trustee serving on 2 Committees, one of which they serve as Chair. A Zoning Board of Appeals consists of 5 citizens members appointed by the Board for 1, 2 and 3 year staggered terms. A Police & Fire Commission acts under Section 62.13(5) of the Wisconsin Statutes, consisting of 5 citizen members appointed by the Board for 1, 2, 3, 4 and 5 year staggered terms. The Village has a Planning & Zoning Commission consisting of 7 members appointed by the Board.

Planning

Kronenwetter Planning Efforts

The Town of Kronenwetter has a Town Planning Commission with a Chair and 6 appointed members. Kronenwetter's original planning efforts commenced with a 1978 *Community Development Plan*. In 1988, the Town worked with Marathon County Planning Department to prepare a *Kronenwetter Community Development Plan Update*. The 1988 plan was intended to serve as a policy guide for decisions about the development of the Town for ten to fifteen years.

The latest planning effort in the Town was the *2010 Town of Kronenwetter Comprehensive Plan* Draft completed 2001. The Plan was developed to provide a vision for the Town with general goals, objectives and policies to guide development and implementation strategies. In March of 2000, the Town Board entered into a contract with Schneider Consultants, Inc. to complete the comprehensive plan. The planning process included public participation and input, community visioning, and creation of a Comprehensive Planning Committee. The plan process and document were designed to comply with s. 66.1001, Wis. Stats., Comprehensive Planning.

Town of Kronenwetter Planned Development

Map 10: Kronenwetter Land Use Master Plan on page 81 shows planned future land use in the Town and proposed Village.

Rothschild Planning Efforts

The village of Rothschild has an established planning and zoning commission with duties reflected in 62.23 Wis. Stats. The commission consists of seven members including a Village President, Chair of Finance, Chair of Parks and Grounds, a trustee, and three citizens. The village of Rothschild's zoning ordinance lays out the details of the commission in section 12.

Rothschild administers a zoning code ordinance and follows the comprehensive land use master plan that were both adopted in 2000. The Village contracted with Landscape Architects, Inc. to create a plan that is intended to emphasize open space preservation and economic development.⁹⁴ The community of Rothschild participated in the planning process through open invitations to attend public meetings (meetings that residents of Kronenwetter were not specifically invited to but were welcome to attend). The plan addresses 7 of the 9 elements required by the Smart Growth legislation – the remaining 2 elements are to be revisited in the near future.

The comprehensive plan also incorporates a Shoreland Wetlands Ordinance, a Floodplains Ordinance, a Wellhead Protection Ordinance, and a Nonmetallic Mining Reclamation Ordinance. The Village is developing neighborhood plans that lay out roads, green space, and building location and density, among other elements. Creation of a new downtown area is commensurate with Village plans. Cedar Creek, located in the southern portion of the Village, is a new commercial development on property annexed from the Town of Weston.

Village of Rothschild Planned Development

Intervenors' Map 12: Village of Rothschild Future Land Use on page 83 shows planned future land use in the Village, with reference to zoning districts. The map shows potential annexation territories south of Evergreen Elementary to Kowalski Road and east of the Evergreen neighborhood.

Intergovernmental Agreements Submitted to Department

The agreements listed in **Table 21 Intergovernmental Agreements** on page 56 were documented during the Determination proceedings. :Other agreements may exist.

Table 21 Intergovernmental Agreements

Agreement	Between		
	Village of Rothschild	Town of Kronenwetter	Other Jurisdictions or Agencies
Provide for orderly growth and development within agreed-upon municipal boundaries		X	City of Mosinee
Mutual aid for fire and rescue services	X	X	Surrounding towns and villages
Ambulance Service Agreement		X	Cities of Schofield & Mosinee
Informal agreements for police protection ⁹⁵	X	X	Marathon County Sheriff's Department, Everest Metro & Village of Rothschild Police Departments
Member of the Rib Mountain Metropolitan Sewerage District	X	X	Village of Weston, Town of Rib Mountain
Informal agreements to share unique equipment and to train public works employees	X	X	Village of Weston
Sharing and allocating ownership, construction, and maintenance costs for County Highway XX sewer interceptor	X	X	
Installation of new outdoor warning siren and cooperative public communication plan	X	X	
Crossing guard agreement—Evergreen Elementary School	X	X	
Sale of water from Kronenwetter to Rothschild	X	X	

⁹⁴ Public hearing testimony from Brian Kliesmet, CEO of Landscape Architects, Inc., 2/14/01.

⁹⁵ Letter to George Hall from Richard Weber Dated February 28, 2001. Rothschild stated that a formal agreement does not exist, but could be if Kronenwetter were to ask for and agree to pay for additional services.

Parks and Recreation

The Town of Kronenwetter’s park system is reviewed in detail in section 1(a) of this Determination. To summarize, eight Town-owned neighborhood parks are contained within the area proposed for incorporation. The parks comprise a total of 66 acres. **Table 5 Park Amenities** are listed on page 19, 2 of which are undeveloped. In addition to park facilities, the Town participates in a youth soccer program with D.C. Everest schools. The review of the Town’s parks and recreational facilities is on page 19 of this Determination.

The village of Rothschild currently has 7 developed and 4 undeveloped parks, comprising 82 acres of recreational facilities. The parks are spread throughout the Village, the principal parks being located in the older, more urbanized sections of the community. A descriptive table of the 11 parks follows.⁹⁶

Table 22 Village of Rothschild Park Facilities

Park Name	Location	Facilities
George Street Park	Central Rothschild	2 tennis courts, a little league baseball diamond, horseshoe pits, children’s play equipment, a restroom, and parking lot
Gaska Park	East-central Rothschild	Little league baseball diamond, volleyball court, play equipment, a year-round trail system, restrooms, a shelter, and parking lot. The majority of this park remains undeveloped with potential for future facilities.
Pavilion Park	Along the Wisconsin River in the northwestern part of the Village	Presently no public facilities in Pavilion Park, but the Village is investigating development possibilities
Zimpro Park	Western Rothschild	Play areas, tennis courts, and play equipment
Tower Park	Central Rothschild	Open play areas and play equipment
Rothschild-Schofield Aquatic Center	Northwestern Rothschild	A newly developed family aquatic center jointly owned and operated by the Village and the city of Schofield. Facilities include swimming facilities, play equipment, a volleyball court, and parking lot
Kort Street Boat Launch	East bank of the Wisconsin River northwest Rothschild	Single boat launch and limited parking.
River Street Park	West-central Rothschild along the Wisconsin River	No developed facilities
Cedar Creek Tower Park	Rothschild Industrial Park in the south-central part of the Village	No developed facilities
Jones Street Park and, Garske Park	Central Rothschild	Small natural areas with no developed facilities

The parks program is staffed by four summer employees and one ice rink attendant in the winter. In addition, two public schools – Rothschild Elementary and Evergreen Elementary – and one private elementary school – St. Mark’s Catholic School –serve as neighborhood parks in Rothschild. Evergreen Elementary, due to its location also serves the adjacent Kronenwetter neighborhood.

Rothschild recently completed work on its comprehensive outdoor recreation plan, which calls for the development of a number of existing parks and the addition of two new parks. The Village also plans to develop linkages with area bike trails, including the Mountain Bay Trail.⁹⁷

⁹⁶ Park information is taken from Intervenors’ Exhibit 4, *Existing Recreational Facilities*.

⁹⁷ *Village of Rothschild’s Submittal in Opposition to the Proposed Incorporation of the Village of Kronenwetter*, January 2000, pg. 14

Library Service

Both the Town of Kronenwetter and the village of Rothschild are members of the Marathon County Public Library System. Kronenwetter does not have library facilities, so patrons utilize branch libraries. In addition, the County library system's bookmobile stops at Bethlehem Lutheran Church in Kronenwetter for one hour, every other Wednesday.⁹⁸

The village of Rothschild has been home to a branch library since 1949. In 1999, the Village and the County each contributed \$152,337 toward the construction of a 3,425 square foot library. The new library is housed in the Village Hall and is open to the public 43 hours weekly. Their collection numbers approximately 3,700. Since the construction of the new branch, patronage has grown from 138 cardholders in 1998 to 590 in 1999. The number of books checked out increased from 35,905 to 85,552 over the same year.⁹⁹

Streets and Maintenance

Conflicts between the Town of Kronenwetter and Village of Rothschild over roadway maintenance and improvements have not been an issue.

The Village of Rothschild spends a larger percentage of its annual budget on road repair and maintenance than does the Town of Kronenwetter. Both Kronenwetter and Rothschild spend much less compared to the average costs of other Wisconsin Towns and Villages as shown in Table 23.

Table 23 1999 Road and Highway Expenditures

Category	Town of Kronenwetter 1999 Population 5,331			Village of Rothschild 1999 Population 5,252		
	\$ ¹	% of Total	\$ Per Capita	\$	% of Total	\$ Per Capita
Highway Maintenance & Admin.	357.5	4.55%	\$67.06	419.6	4.86%	\$79.89
Highway Construction	148.8	1.90%	\$27.91	290.2	3.36%	\$55.26
Road Related Facilities	6.6	0.08%	\$1.24	177.6	2.06%	\$33.82
Highway & Road Total	512.9	6.53%	\$96.21	887.4	10.28%	\$168.96
Total Expenditures	7850.7			8635.0		
Category	All Wisconsin Towns 1999 Population 1,615,916			All Wisconsin Villages 1999 Population 663,544		
	\$ ¹	% of Total	\$ Per Capita	\$	% of Total	\$ Per Capita
Highway Maintenance & Admin.	193837.1	32.19%	\$119.95	67807.9	10.29%	\$102.19
Highway Construction	76452.9	12.70%	\$47.31	54359.7	8.25%	\$81.92
Road Related Facilities	6608.1	1.10%	\$4.09	29768.6	4.52%	\$44.86
Highway & Road Total	276898.1	45.98%	\$171.36	151936.2	23.05%	\$228.98
Total Expenditures	602159.1			659162.3		
¹ In Thousand of dollars						
Source: Department prepared using data from the Wisconsin Department of Revenue, 1999 County and Municipal Revenues and Expenditures						

⁹⁸ <http://www.mcpl.lib.wi.us/Locations.html#BOOKMOBILES>

⁹⁹ *Village of Rothschild's Submittal in Opposition to the Proposed Incorporation of the Village of Kronenwetter*, January 2000, pg. 10

Mass Transit

The Wausau Area Transit System (WATS) is a fixed route bus service with routes throughout the city of Wausau and one route to the city of Schofield and the village of Rothschild. The Rothschild route runs six days a week, Monday through Friday from 6:00 a.m. to 6:30 p.m. and Saturday from 8:30 a.m. to 5:30 p.m., in 60-minute intervals. There presently is no service to Kronenwetter.

WATS provides transit service in areas deemed practical, when considering the demographics of the area, population density, and other factors, to determine whether people are likely to ride. State law prohibits a transit system from providing service to municipalities without a cost sharing agreement. WATS does not provide service to municipalities unless they request it and are willing to pay a portion of the cost.¹⁰⁰ The village of Rothschild's proposed expenditure for transit service for 2001 was \$36,000.¹⁰¹

WATS hired a transportation consultant in the spring of 1999 to prepare a Transportation Development Plan. The plan is intended to evaluate existing transit service and make recommendations for improvement. The consultant has recommended that WATS consider expansion of service to the Cedar Creek Mall in the village of Rothschild, which will likely occur within the next few years.

Summary and Conclusions

The Village of Rothschild adopted and submitted to the circuit court a resolution indicating a willingness to annex and serve the area proposed for incorporation. The Village of Rothschild has demonstrated that the Village would be able to extend urban services to some portions of the proposed Village, however it has not demonstrated that they could efficiently service, or have an interest in serving, the entire area proposed for incorporation.

The Town of Kronenwetter has demonstrated to the Department that the Town has provided, or has plans to extend adequate urban-level services (sewer, water, , parks, etc.), to the area proposed for incorporation. The following paragraphs describe these conclusions in more detail.

Fire Protection

The Town of Kronenwetter and Village of Rothschild both have volunteer fire departments that have adequately served their communities. While fire service ISO ratings in Kronenwetter are currently lower than in Rothschild (with a rating of 6), they are similar to other Wisconsin communities serving rural areas. The ISO rating for the proposed Village would be a 7. The Department notes that out of 1491 ISO rated communities in Wisconsin, 21.2 % were rated at 6, while 22.7% were rated at 7¹⁰². Were the Village of Rothschild to annex the proposed village, ratings would be unchanged unless Rothschild were to extend water to all of the areas not presently served by a central water supply, and improve road connectivity. The Intervenors have not identified, nor has the Department found that Town of Kronenwetter would not be able to provide adequate, similar fire protection services for the proposed village.

¹⁰⁰ Wausau Area Transit System information is taken from http://www.ci.wausau.wi.us/detailed_info.asp?dep=18

¹⁰¹ *Village of Rothschild 2001 Budget*

¹⁰² ISO Mitigation Online, Wisconsin Distribution of Communities by PPC Class

Police Service

Intervenors claim that according to state statute 61.65, the proposed Village of Kronenwetter will have to provide and pay for police protection when the village attains a population of 5,000 or more, and that the Petitioners have not accounted for this cost in their proposed budget.¹⁰³

The Wisconsin Department of Administration prepares estimates of population projections for Wisconsin cities, towns and villages. The Department prepared Table 24 Population Projections below, predicting population estimates for the proposed Village of Kronenwetter based upon the rate of change predicted for the Town of Kronenwetter. As can be seen, with a starting population of 4,172, even if the rate of change is doubled, it would be more than 10 years before the proposed Village would have a population greater than 5,000. Based upon these estimates, the proposed Village could legally provide law enforcement services by relying on the Marathon County Sheriff's Department, as they presently do.

Table 24 Population Projections

Population Projections	Town of Kronenwetter			
	2000	2005	2010	2015
DOA Projection ¹	5,413	5,650	5,849	6,048
% Change Over 5 year period	N/A	1.044	1.035	1.034
Proposed Village of Kronenwetter				
MBR Projection Based on DOA Projected Population Rate of Change	4,172 ²	4,355	4,508	4,661
Projection Based on DOA Projected Population Rate of Change Doubled	4,172 ²	4,537	4,857	5,187
¹ Source: DOA Wisconsin Population Projections: Town, Village & City Projections by Total Population				
² Reported present population for Proposed Village of Kronenwetter Petition for Incorporation p. 1				

Rothschild contends that to extend service to the area proposed for incorporation, the proposed village would need four additional officers the first year and an additional officer the following year, plus equipment, vehicles and a facility to house the department. Rothschild estimated this would cost the proposed Village at least \$300,000 per year.¹⁰⁴ Conversely, were the Village of Rothschild to annex the proposed Village, they would be obligated by law to provide police services at their own expense, which would result in a significant tax increase to the Kronenwetter residents.

The Village also suggests that police service needs would increase with economic growth and generate significant vehicular traffic resulting in a large number of accidents.¹⁰⁵ However the type of growth contemplated for the proposed Village may be quite different from that experienced in Rothschild. The development for Kronenwetter is intended to provide light industrial, and local shopping and services rather than the hotel/motel and commercial retail that Rothschild has attracted. The department also notes that the number of traffic accidents in the Town of Kronenwetter and Village of Rothschild listed in Table 18 and Table 19 was not significantly different during recent years.

Kronenwetter's proposed budget for 2001 listed \$4,053 for a constable to serve the incorporated village of Kronenwetter; with no amount budgeted for Sheriff services. If the need for additional services is needed, the proposed Village has the option of contracting for more services with the County Sheriff, or an adjacent city or village, one of which could be the Village of Rothschild. While

¹⁰³ Ibid. Village of Rothschild, page 10.

¹⁰⁴ Ibid. Village of Rothschild pages 11,12.

¹⁰⁵ Ibid. Village of Rothschild page 11.

it is true that the Village of Rothschild currently provides more services, it has not been established that these services are needed or desired by residents of the proposed Village of Kronenwetter. The Department finds that the existing arrangement or some variation of it would be adequate to serve residents of the proposed village for several years, and even if police service needs were to increase, the proposed village would have sufficient time to plan for and address those needs.

Sanitary sewer service

The Town of Kronenwetter has significantly improved the management of sewer systems, and their plan to extend sewer to currently undeveloped parcels satisfies the requirements of this section of the determination.

Water service

The water service to the Town of Kronenwetter is much newer than the Village of Rothschild, water quality is very high, and has sufficient capacity to meet the needs of planned development.

Solid Waste

The Village of Rothschild and Town of Kronenwetter both contract with waste disposal companies for solid waste management.

Government

The Department finds that the organizational structure of the Town of Kronenwetter is appropriate, well considered, and could therefore continue with few modifications, and that Town officials are capable, and have adequately managed the Town's interests.

Planning

The planning capabilities and level of services provided by the Town of Kronenwetter and Village of Rothschild are similar. Both have 7 person planning commissions, and hire consultants to assist with major planning efforts. The Town of Kronenwetter has completed a Comprehensive Plan in accordance with Wisconsin's Smart Growth legislation, and the Village of Rothschild was working on theirs at the time this Determination was being prepared.

Intervenors stated that incorporation of two annexation study areas in the Town of Kronenwetter adjacent to Village of Rothschild commercial developments would lead to more orderly growth of the area¹⁰⁶, but did not present any argument or evidence that supported this statement. The Department finds that the planning services contracted by the Town of Kronenwetter to be suitable and comparable to the Village of Rothschild.

Parks and Recreation

The Department finds that the Village of Rothschild and Town of Kronenwetter have adequate and comparable park facilities.

Library Service

Town of Kronenwetter residents utilize library services available through adjacent communities. Even though the Village of Rothschild has a library, the Intervenors did not submit any material suggesting

¹⁰⁶ Ibid. Village of Rothschild, page 17.

that they would build another library closer to Kronenwetter residents. Annexation by the Village would not in itself provide greater library access or service to the residents of Kronenwetter.

Streets and Maintenance

The Intervenors identified certain deficiencies regarding connectivity between the east and west portions of the proposed village. The Department finds that the Town of Kronenwetter's plan to improve local roads will satisfactorily resolve the stated deficiencies.

Mass Transit

The extension of mass transit is similar to the conditions that must be met and rational applied when consideration is given to building a new post office. When urban densities rise sufficiently for mass transit to be economically practical, the Town of Kronenwetter will have the option of negotiating a contract for transit services with available mass transit providers.

Section 2(b) Determination

For the preceding reasons, the Department finds that Petitioners have met the Level of Services standard under §66.016(2)(b).

SECTION 2(c) IMPACT ON THE REMAINDER OF THE TOWN

Section 66.0207(2)(c), Wis. Stats., requires that the Department consider the impact upon the remainder of the Town from which the territory is to be incorporated, financial and otherwise.

Physical Effects of Proposed Village Boundary and Shape

Over 36 square miles of territory will remain in the Town of Kronenwetter. Forest comprises the bulk of the Town remnant. Large expanses of land—approximately eight square miles—in the western portion of the Town are part of Marathon County Forest Land (C.F.L.), which is actively managed for timber harvest. Forested land is found from the Town’s western border to the Bull Junior Creek in a large swathe that covers the central part of the Township stopping at Section 15 in Township 27 North, Range 7 East. Grassland and farmland occasionally fragment the forest in the central part of the Township. There is also a large wetland area in Section 17. The south central area of the Town remnant is primarily uncultivated grassland interspersed with forest, farms, wetlands, and residential development scattered along North Road, S.T.H. 153, and 16th Road. The Bull Junior Creek is the approximate boundary between the new village and remainder of the Town. The incorporation would not result in any Town islands or isolated areas.

Public Services

The proposed village boundary includes the entire sewer service area and the school district boundaries remain unchanged. Service needs within the remnant Town are unlikely to increase substantially in the near future as the wetlands, designated forest areas, and soil conditions will hinder substantial development.

The petitioners have presumed that the remnant town would contract with the new Village for fire protection services¹⁰⁷, and has developed a proposed budget that identifies fire protection expenditures. In 2001 Kronenwetter 1st responder calls included 74 in the Territory proposed for the new Village, and 13 in the remnant town. Fire calls by the Kronenwetter Fire Department included 23 in the Proposed Village and 9 in the remnant town. Vehicular accidents in 2001 included only 5 in the Proposed Village, and 1 in the remnant town. **Table 25 Kronenwetter Service Calls** on Page 63 summarizes these statistics. For police services, the remnant Town has the option of continuing with the present services from the Marathon County Sheriff’s department. As nothing was submitted to the Department suggesting that police and fire services have been inadequate in the past, the Department finds continuing this relationship to be appropriate and satisfactory, unless the rate of development were increased.

Table 25 Kronenwetter Service Calls

Service/Area	Number and Percentage of Calls			
	Proposed Village		Remnant Town	
1st Responder	74	85%	13	15%
Fire Calls	23	72%	9	28%
Vehicular Accidents	5	83%	1	17%

Department constructed table from data in memo from Rick Smith to Shane VanderWaal Dated April 22, 2002

The Department concludes that most development is most likely to occur in the proposed Village or surrounding incorporated areas. Service needs of the remnant Town will not pose significant

¹⁰⁷ Smith, Memo to Shane VanderWaal dated April 22, 2002.

problems since the Town has sufficient tax base to provide for contracted services similar to those that the Town residents presently have.

Land Use Effects

There is a natural southern boundary between the proposed village and the remainder of the Town of Kronenwetter, based on topography, soils, wetlands, Bull Junior Creek. Overall, the territory proposed for incorporation is quite regular, chiefly following natural land and water features, and contains most of the developed areas in the Town. The Department, in consideration of the testimony and information provided and collected, finds that incorporation would not lead to irregular boundaries nor lead to difficulties in delivery of services to the remainder of the Town.

Fiscal Effects

Revenue

Approximately 4,172 residents, or approximately 78% of the Town's population would become residents of the proposed Village of Kronenwetter. Therefore incorporation prospectively retains more than three fourths of the population in the Town along with 73% of the property tax base. Slightly more than 44% of General Operations in the Town are funded by the local property tax. State-shared revenue and aids, special assessments, and charges for services (licenses and permits, fines, forfeits and penalties, public charges for services and interest income primarily support the remaining general government operations.¹⁰⁸

The Town of Kronenwetter's per capita property value in 2000 was \$38,976 as shown in Figure 5 on page 40. This is the second lowest per capita property value of eleven area municipalities, which would permit the remnant Town to continue to receive "aidable" revenues. State highway aids would be based upon the percentage of roads in the proposed Village and remnant Town, estimated at \$117,916 for the Village and \$88,954 for the town. A complete projected budget for the proposed Village and remnant Town as submitted by the Petitioners is provided on page 42.

Expenditures

A review of the proposed budget reveals that the areas with projected levels of increase for the remnant Town would be for General Government, Law Enforcement, Fire Protection and miscellaneous expenditures. The projected mill rate for the Remnant Town of 2.68 would be lower than the rate for the Town in 2000, which was 2.96. Since the proposed Village will assume all major debt for sewer and road improvements as discussed in the Tax Revenue section of this Determination, on page 44, the level of revenues appears sufficient to fund a similar level of services as currently provided, and to not create a substantial burden on the remnant Town.

Section 2 (c) Determination

The foregoing analysis of territory, including location, shape, town services and operating budgets suggests that the remainder of the Town of Kronenwetter would not be unduly disadvantaged by incorporation of the proposed Village of Kronenwetter. The petitioners meet the criterion concerning impact on the remainder of the town specified under §66.016(2)(c).

¹⁰⁸ Town of Kronenwetter 2001 Budget.

SECTION 2(d), IMPACT UPON THE METROPOLITAN COMMUNITY

The standard to be applied is found in s. 66.0207(2)(d), Wis. Stats., and reads as follows:

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.

The “metropolitan community” is defined in s. 66.0201(2)(c), Stats., as:

[T]he territory consisting of any city having a population of 25,000 or more, or any two 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 or more persons per square mile, or which the department has determined on the basis of population trend and other pertinent facts will have a minimum density of 100 persons per square mile within 3 years.

The metropolitan community for this determination includes the Town of Kronenwetter and the Village of Rothschild, Village of Weston, City of Mosinee, City of Schofield, City of Wausau, Town of Rib Mountain, and Town of Weston. These communities share many of the same infrastructure systems, and natural features as the Town including regional sanitary sewer service systems, overlapping school districts, metro transit, and a natural drainage basin system that creates common stormwater runoff issues. Many of these communities rely on the Wisconsin River for recreational uses and for their natural resource and watershed protection values. The protection of these resources is a common issue. In addition, a network of highways, county and local roadways connect these communities.

The Department is obligated by statute to consider the impact of the proposed incorporation on the ability of local governments to address issues affecting the resources of the metropolitan community, and the infrastructure and services available to the residents of the metropolitan community. In addition, an examination into the legislative history also underscores the importance of considering the metropolitan impact, as indicated by the court in Westring v. James, 71 Wis.2d 462 (1975).

The legislative note attached to Assembly Bill No. 226, A, of the 1959 legislative session reads in part: ‘the impact of an incorporation on a metropolitan community must also be considered. To prevent fragmentation of an urban area the director is required to make “an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community of which the territory is a part.”¹⁰⁹

A “metropolitan impact standard” review includes consideration of the existence of land use plans, adopted either by the county or by neighboring jurisdiction that may suggest how the territory petitioned for incorporation would be otherwise developed and served. Existing planning documents should be reviewed for potential conflicts in the community vision reflected by these plans and potential intergovernmental service impacts triggered either by the petitioners or by neighboring jurisdictions should be identified.

The Court in Pleasant Prairie v. Local Affairs Dept., held that;

“The statute is peculiarly worded, in that the incorporation can proceed only if there is a finding that it will not substantially hinder the solution of governmental problems. Obviously,

¹⁰⁹ From 396-397 of the legislative note attached to Assembly Bill No. 226, A, of the 1959 legislative session and cited in Westring v. James, 71 Wis.2d 462 (1975).

*this requirement for a finding places a very substantial burden on the proponent of incorporation.*¹¹⁰

The Department must determine whether the petitioners have established that the proposed incorporation will not have a negative impact on planning, service provision, infrastructure and environmental resource protection for the metropolitan community.

In Pleasant Prairie (II) v. Local Affairs Dept., the court stated;

*“It must be conceded that the very strictures placed upon incorporation in metropolitan areas makes such incorporation difficult. The characteristics that naturally evolve in areas bordering upon a major metropolitan community almost dictate facts and physical circumstances that tend to give some support to a logical conclusion that the outlying areas do not have an independent viability, but a viability that is dependent upon the adjacent metropolis.”*¹¹¹

Impact of Proposed Incorporation Upon Surrounding Municipalities

Extraterritorial issues and Municipal Plans

Where communities in a metropolitan area are engaging in urban development without established planning mechanisms and without any means to coordinate development with present and future growth in other communities in the metropolitan area, incorporation can lead to a perpetuation of inconsistent and competitive growth in the metropolitan area. The prevention of problems related to this type of growth was a significant purpose in the revisions of the state incorporation statutes in 1959. The courts considered the legislative intent of the incorporation statutes in Elmwood Park v Racine, and later in Westring v. James.

*The legislature in its 1959 session made substantial changes in the statutory law governing the overall problem of municipal incorporation and urban expansion. A dominant change was a legislative recognition that many localities of the state were experiencing a substantial urban growth and that the existing legislation permitted haphazard, unrealistic, and competitive expansion without regard for present and probable future development in the best overall public interest.*¹¹²

The Village of Rothschild intervened in opposition to the proposed incorporation and filed a petition of “willingness to annex” with the circuit court. The Village is claiming potential harm if this incorporation is approved. The Village asserts that the northern boundary includes vast rural areas that serve no purpose for inclusion other than to prevent future annexation by the Village of Rothschild. The Intervenor also claim that incorporation would have a negative impact on other communities in the metropolitan area, increasing competition and fostering sprawl¹¹³

The City of Wausau passed a resolution opposing the incorporation on the grounds that it would have a negative impact upon the metropolitan community by making it more laborious to plan for area wide services, more difficult to eventually consolidate entire governmental units, and would create another unit of government that would compete for limited Federal, State, and County services and financial resources¹¹⁴.

¹¹⁰ Pleasant Prairie v Local Affairs Dept., 108 Wis.2d 465 (1982), pg 481.

¹¹¹ Pleasant Prairie (II) v. Local Affairs Dept., 113 Wis.2d 327 (1983), pg. 333.

¹¹² Elmwood Park v. Racine, 29 Wis.2d 400 (1966), and Westring v. James, 71 Wis.2d 462 (1975).

¹¹³ Ibid. Village of Rothschild Submittal in Opposition, page 24.

¹¹⁴ City of Wausau, Resolution, Proposed Incorporation of a Portion of the Town of Kronenwetter, February 13, 2001.

The Department notes, however, that the City of Mosinee and Village of Weston are supportive of the proposed incorporation, and that the Town of Kronenwetter does have cooperative agreements with many of its neighbors. Some of these are identified in **Table 21 Intergovernmental Agreements** on Page 56. The Town of Kronenwetter is also a member of the Marathon County Metropolitan Planning Commission and MPO Technical Advisory Committee.

Services

The Intervenor asserts that,

“The Kronenwetter Town Board has a history of blocking efforts to coordinate services between the Village of Rothschild and the town and Kronenwetter Sanitary District # 2. The incorporation of the Village may lead to increased conflict versus cooperation.”¹¹⁵

To support this claim, Rothschild cites the decision of Kronenwetter, without comment or explanation to Rothschild during Town/Village negotiations for EMS services, to contract with the City of Schofield instead of its nearest neighbor, the Village of Rothschild. Intervenor also note that KSD2 independently constructed a water tower instead of going forward with a lower cost one that had been proposed cooperatively between the Village of Rothschild and the Town.¹¹⁶

However, the Petitioners explain, regarding EMS services, that

The Town has always solicited a proposal from the Village of Rothschild. Rothschild has not submitted a proposal in the past with the stated reasons being, the Village ambulance equipment could not leave the Village limits. In 2000, the Village did submit a proposal, but with the caveat that the main med unit could not leave the Village, but the secondary or stand-by ambulance would be provided. The cost nearly double that of the City of Schofield.¹¹⁷

Regarding construction of the water tower to serve the Evergreen and the Cedar Creek areas, Guy Fredel, the Town attorney, advised that KSD2 built their own because the Sanitary District Commissioners ended discussions with the Village of Rothschild about joint construction of a water tower due to terms in an agreement reached between the Town and the Sanitary District. The agreement provided for the Town to pay for the complete cost of road reconstruction in the Evergreen area, purchase the well site from the Sanitary District, reimburse the Sanitary District for all expenses it had incurred to test and develop the well site, provide a site for the water tower at no cost, pay for all costs involved in the design and construction of the water tower. It would also provide office space for the Sanitary District at no cost, if the Sanitary District decided to proceed with the installation of municipal sewer and water in the Evergreen area in 1996. These costs totaled about \$5,500,000. The Town had agreed that it would bear all costs involved in providing an adequate, safe water supply to the Sanitary District. When the Town's commitment as outlined above became firm, then the Sanitary District decided that it could not put its agreement with the Town in jeopardy because the financial assistance that the Town was providing was many times greater than the \$150,000 to \$175,000 that the Village may have contributed towards the cost of a water tower. When Rothschild was notified by the Sanitary District of its intention to end discussion on the construction of one water tower, the Village stated that it did not have any further time to discuss this issue with the Town because it simply had to construct a water tower to provide fire protection to the Cedar Creek area.¹¹⁸

The Town has provided sewer and water services for most of the proposed village territory, and has planned for any unserved areas. The Village of Rothschild has not argued or submitted evidence to

¹¹⁵ Ibid, Village of Rothschild, pages 23, 24.

¹¹⁶ Freeburg, Brief in Opposition to Incorporation, pages 18, 19.

¹¹⁷ Smith, Memo to Shane VanderWaal dated April 22, 2002.

¹¹⁸ Fredel, email to Phil Wells at DOA regarding a jointly constructed water tower dated August 8, 2002.

establish that it has an interest or the necessary infrastructure to more economically provide sewer and water services to the proposed Village's territory if it were annexed.

Section 2 (d) Determination

The Village of Rothschild has submitted a resolution of willingness to annex the proposed incorporated area. However, the Department finds that the information submitted by the Village of Rothschild has not established the ability of the city to effectively provide an appropriate level of municipal services to the Town area petitioned for incorporation. While interest in certain parcels has been made clear, Rothschild's annexation of only the parcels most suitable for commercial development would do little or nothing to make the remaining Town areas more cohesive with the metropolitan area. Denial of the petition for incorporation is likely to fuel many years of contentious boundary battles between Kronenwetter and Rothschild, which consequently would detract from intergovernmental cooperation.

The City of Wausau's resolution objecting to the incorporation was not supported by any materials provided to the Department. The Town of Kronenwetter already participates in region-wide planning efforts, and the remnant town's involvement in regional development is likely to be infrequent and of minor consequence. The need for cooperation is much more likely to be needed from the more intensely developing proposed village than from the rural remnant town. The Department finds it more likely that separating the urban and rural portions of the Town of Kronenwetter would facilitate, rather than make more difficult, any future consolidation of the urbanized metropolitan area.

The Town has recognized that urbanization in the proposed incorporated area has created a need to address issues regarding its relationship with neighboring municipalities. The Town has taken many of the necessary steps needed to provide services, infrastructure, and planning for development. The petitioners have adequately addressed adequacy of Town roads and the regional transportation system, provision of municipal water in certain areas of the town, and natural resource protection. The Town is developing planning and implementation programs for urban development, infrastructure for all land uses and providing services that are consistent with neighboring jurisdictions in the metropolitan community.

The Department finds that "the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community," and that this criterion is met.

SUMMARY OF THE ANALYSIS OF THE INCORPORATION STANDARDS

Standard 1 (a), homogeneity and compactness – met

Standard 1 (b), territory beyond the core – met

Standard 2 (a), tax revenue – met

Standard 2 (b), level of services – met

Standard 2 (c), impact on the remainder of the town – met

Standard 2 (d), impact on the metropolitan community – met

Therefore the determination of the Department as prescribed by S. 66.014 (9) (e) 3, Wis. Stats., is:

THE PETITION AS SUBMITTED SHALL BE GRANTED
AND AN INCORPORATION REFERENDUM HELD

APPENDIX

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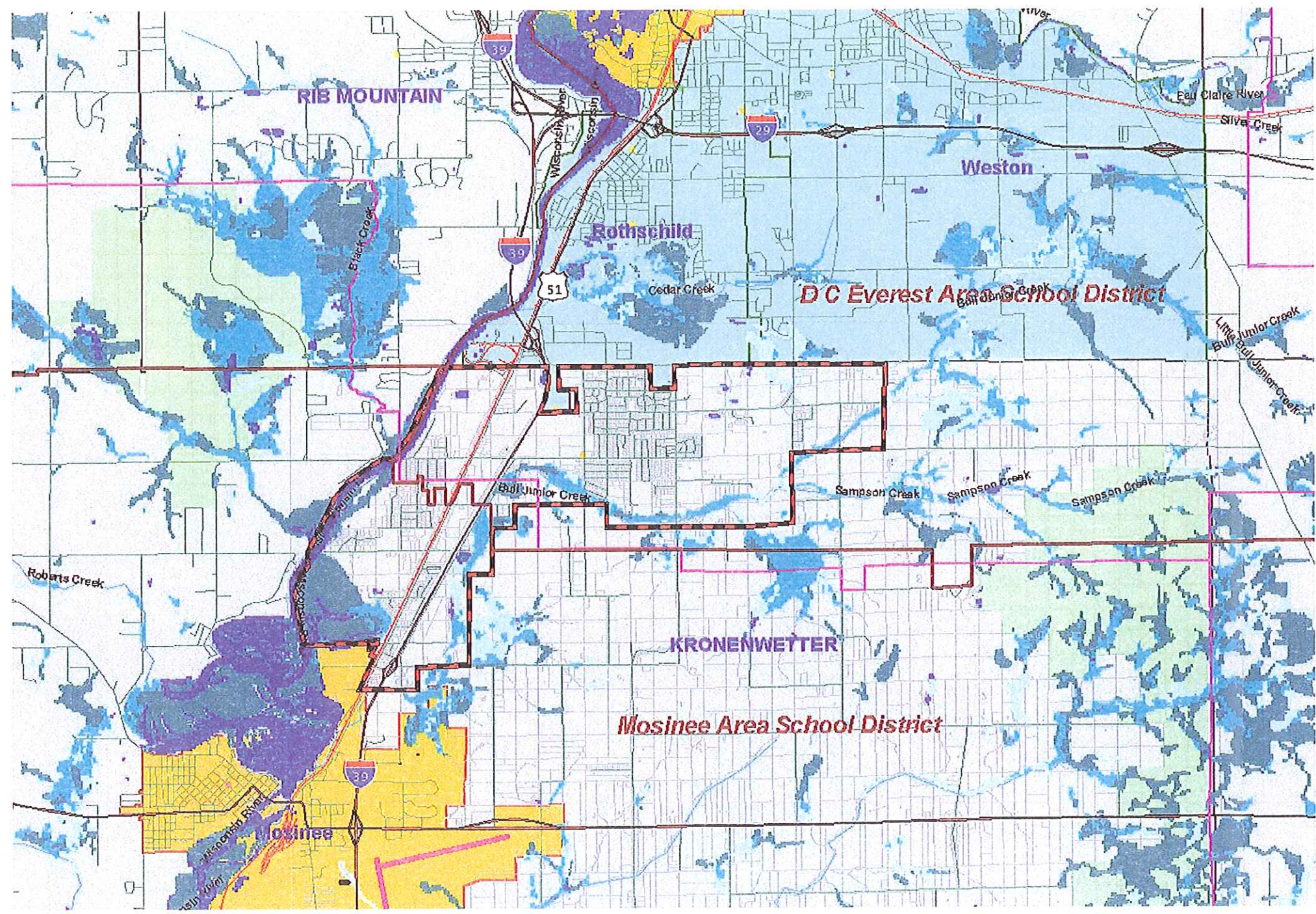
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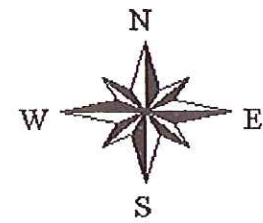
Map 12: Village of Rothschild Future Land Use 91

Map 1: Kronenwetter Area

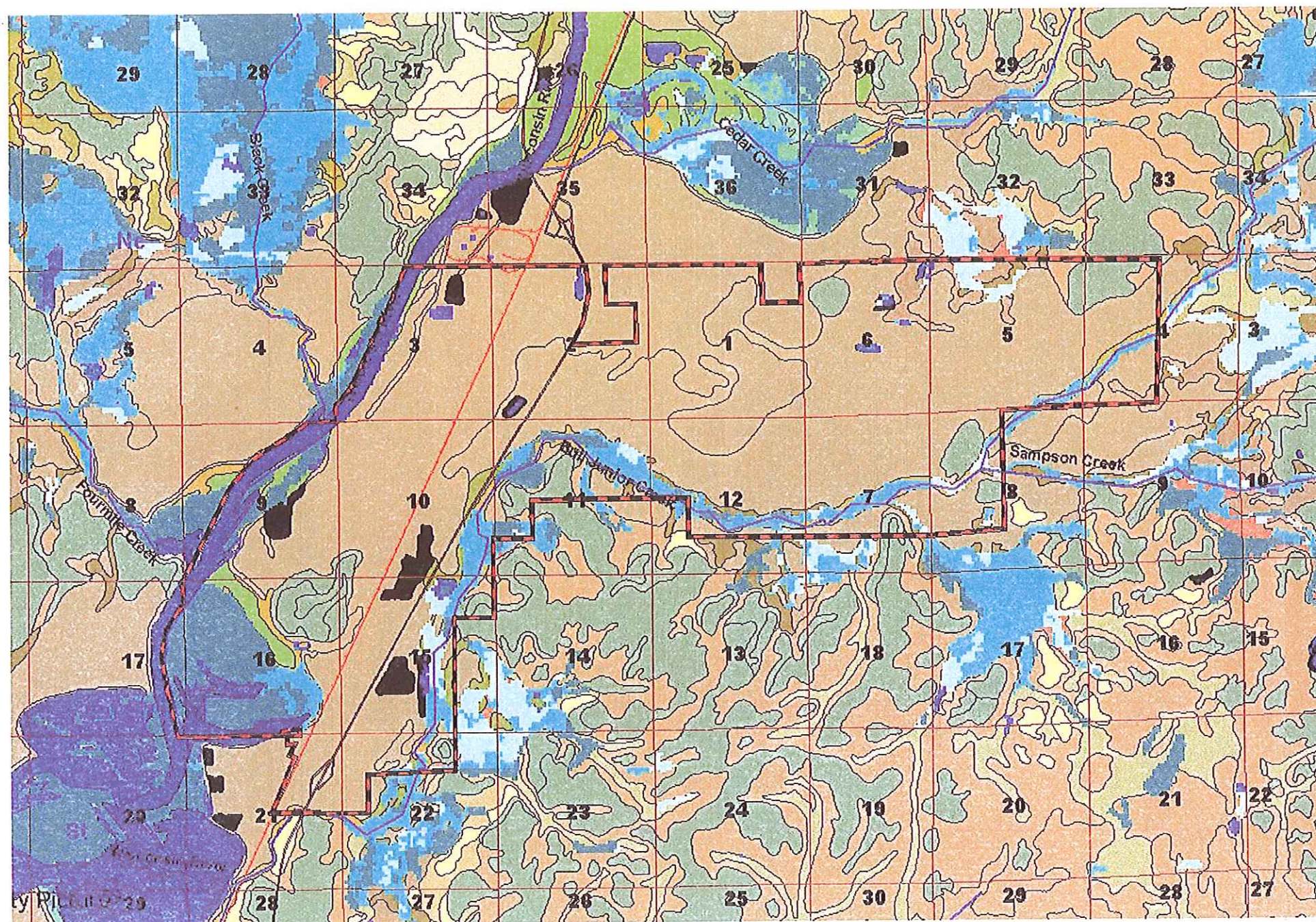


**Town of Kronenwetter
Petition for Incorporation
Context Map 1**

- School District Boundaries
- Telephone Exchange Boundaries
- Proposed Village Boundary
- WDOT Highways
- Wisconsin Roads
- Railroad
- Rivers
- Land Cover**
- FOREST**
- Coniferous
- Broad-leaved Deciduous
- Mixed Deciduous/Coniferous
- OPEN WATER
- WETLAND**
- Emergent / Wet Meadow
- Lowland Shrub
- Forested
- SHRUBLAND
- County Forests
- School Buildings**
- Administrative Office
- Elementary School
- High School
- Junior High School
- K-12 Combined School
- Middle School
- Kronenwetter Parcels
- Airport Runways
- Civil Divisions**
- City
- Village
- Town



Map 2: Soils



- PLSS Sections
- Proposed Village Boundary
- ⚡ Railroad
- ▬ Waterways
- ▬ WDOT Highways
- ▬ Rivers
- Land Cover
 - SHRUBLAND
 - Forested
 - Lowland Shrub
 - Emergent / Wet Meadow
 - WETLAND
 - OPEN WATER
- Soils
 - Cathro Muck
 - Chetek Sandy Loam
 - Dancy Sandy Loam
 - Dunville Sandy Loam
 - Fenwood silt loam
 - Silt Loam-Muck
 - Guenther Loamy Sand
 - Mahtomedi Loamy Sand
 - Meadland Loam
 - Meehan Loamy Sand
 - Moberg Gravely Silt Loam
 - Mosinee Sandy Loam
 - Newson Mucky Loam Sand
 - Oesterle Loam
 - Pits/Gravel
 - Minocqua, Plover Sandy Loam
 - Ribhill Cobbly Silt Loam
 - Riethock Silt Loam
 - Rockers Loamy Sand
 - Seelyville Muck
 - Sturgeon Muck
 - Udorthents Loamy
 - Water

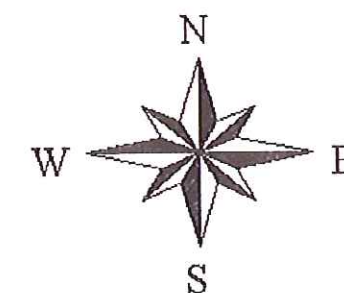
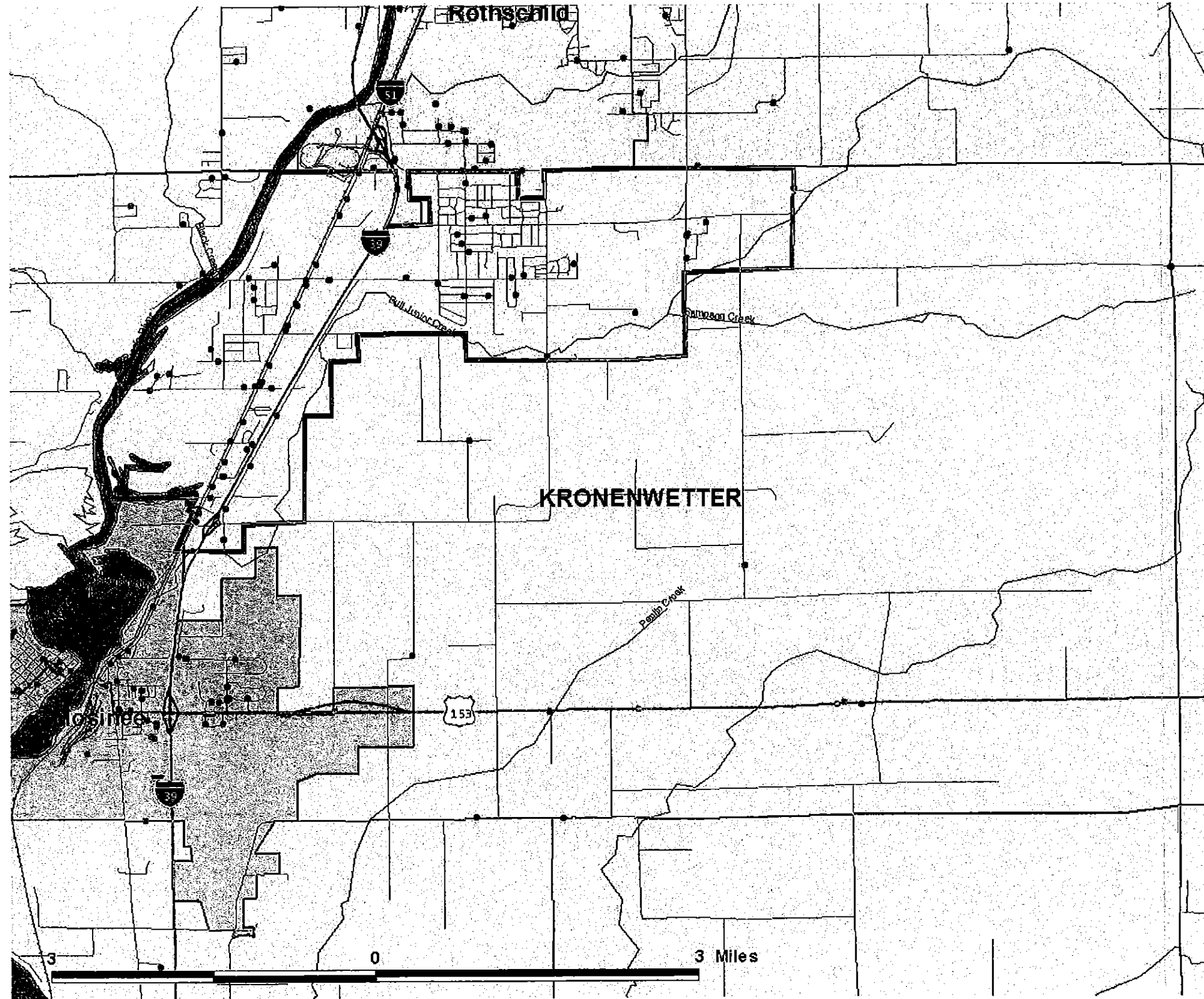


Table 26 Kronenwetter Area Soils**Table 26 Kronenwetter Area Soils**

Map Symbol	Soil Name	Surface Texture	Slope Range %	Water Table Depth (ft)	Soil Compatibility for Site Development		
					Dwelling with Basements	Small Commercial Buildings	Local Roads and Streets
Ch	Cathro	Muck	0 - 1%	+1.0 - 1.0	Severe Ponding Subsidies	Severe Ponding Subsidies	Severe Ponding Frost Action
Da	Dancy	Sandy Loam	0 - 2%	+1.0 - 1.0	Severe Ponding	Severe Ponding	Severe Ponding Frost Action
DuB	Dunnville	Sandy Loam	1 - 4%	3.0 - 6.0	Severe Flooding	Severe Flooding	Moderate Flooding
Fh	Fordum	Silt Loam/Muck	0 - 1%	+1.0 - 1.0	Severe Flooding Ponding	Severe Flooding Ponding	Severe Flooding Ponding Frost Action
GuB	Guenther	Loamy Sand	2 - 6%	2.5 - 6.0	Moderate Wetness Shrink-swell	Moderate Slope	Slight
MbB	Mahtomedi	Loamy Sand	0 - 6%	> 6.0	Slight	Slight	Slight
MbC	Mahtomedi	Loamy Sand	6 - 15%	> 6.0	Moderate Slope	Severe Slope	Moderate Slope
MbE	Mahtomedi	Loamy Sand	15 - 45%	> 6.0	Severe Slope	Severe Slope	Severe Slope
McA	Mahtomedi	Loamy Sand	0 - 3%	2.5 - 6.0	Moderate Wetness	Slight	Slight
MgA	Meadland	Loam	0 - 3%	1.0 - 2.5	Severe Wetness	Severe Wetness	Severe Frost Action
MhA	Meadland	Loam	0 - 3%	1.0 - 2.5	Severe Wetness	Severe Wetness	Severe Frost Action
Mm	Meehan	Loamy Sand	0 - 2%	1.0 - 3.0	Severe Wetness	Severe Wetness	Moderate Wetness Frost Action
MsB	Mosinee	Sandy Loam	2 - 6%	> 6.0	Moderate Depth to Rock, Slope Large Stones	Severe Slope	Moderate Slope Frost Action Large Stones
MsC	Mosinee	Sandy Loam	6 - 12%	> 6.0	Moderate Depth to Rock, Slope Large Stones	Severe Slope	Moderate Slope Frost Action Large Stones
MsD	Mosinee	Sandy Loam	12 - 20%	> 6.0	Severe Slope	Severe Slope	Severe Slope
MtC	Mosinee	Sandy Loam	2 - 15%	> 6.0	Moderate Depth to Rock, Slope Large Stones	Severe Slope	Moderate Slope Frost Action Large Stones
Ne	Newson	Muck	0 - 1%	+1.0 - 1.0	Severe Ponding	Severe Ponding	Severe Ponding
Oe	Oesterle	Loam	0 - 2%	1.0 - 3.0	Severe Wetness	Severe Wetness	Severe Frost Action
Pg	Pits/Gravel						
RhA	Rockers	Loamy Sand	0 - 3%	1.0 - 3.0	Severe Wetness	Severe Wetness	Severe Frost Action
Se	Seelyville	Muck	0 - 1%	+2.0 - 2.0	Severe Ponding Subsidies	Severe Ponding Subsidies	Severe Ponding Subsidies
St	Sturgeon	Silt Loam	0 - 2%	0.5 - 1.5	Severe Flooding Wetness	Severe Flooding Wetness	Severe Flooding Wetness Frost Action
UoB	Udorthents	Loamy	0 - 6%	1.0 - 5.0	Investigation	Investigation	Investigation

Source: Soil Survey of Marathon County, Wisconsin 1989

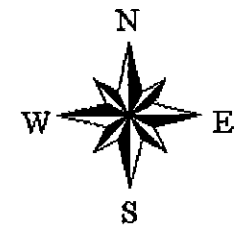
Map 3 Business Locations



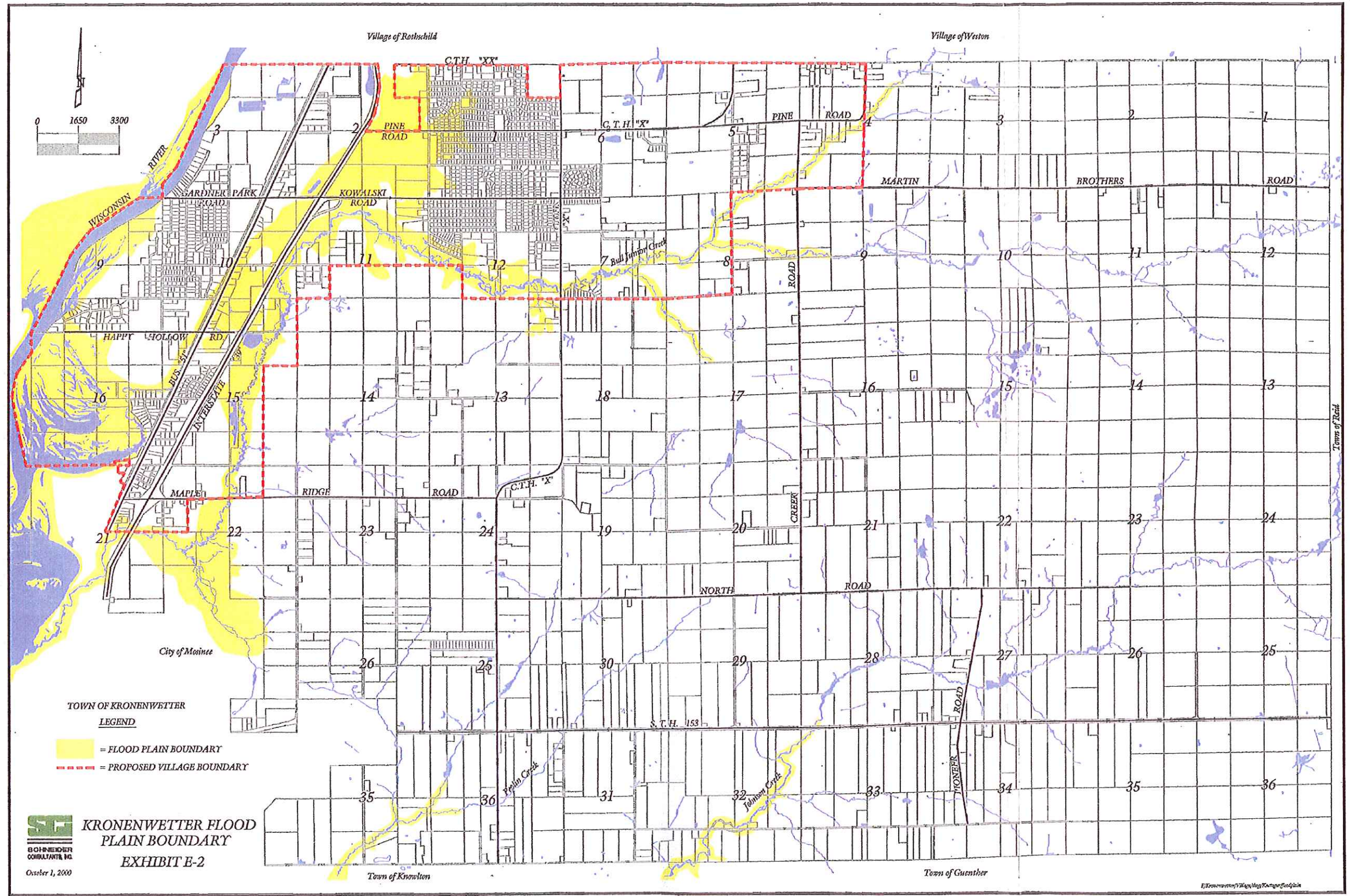
Business Locations

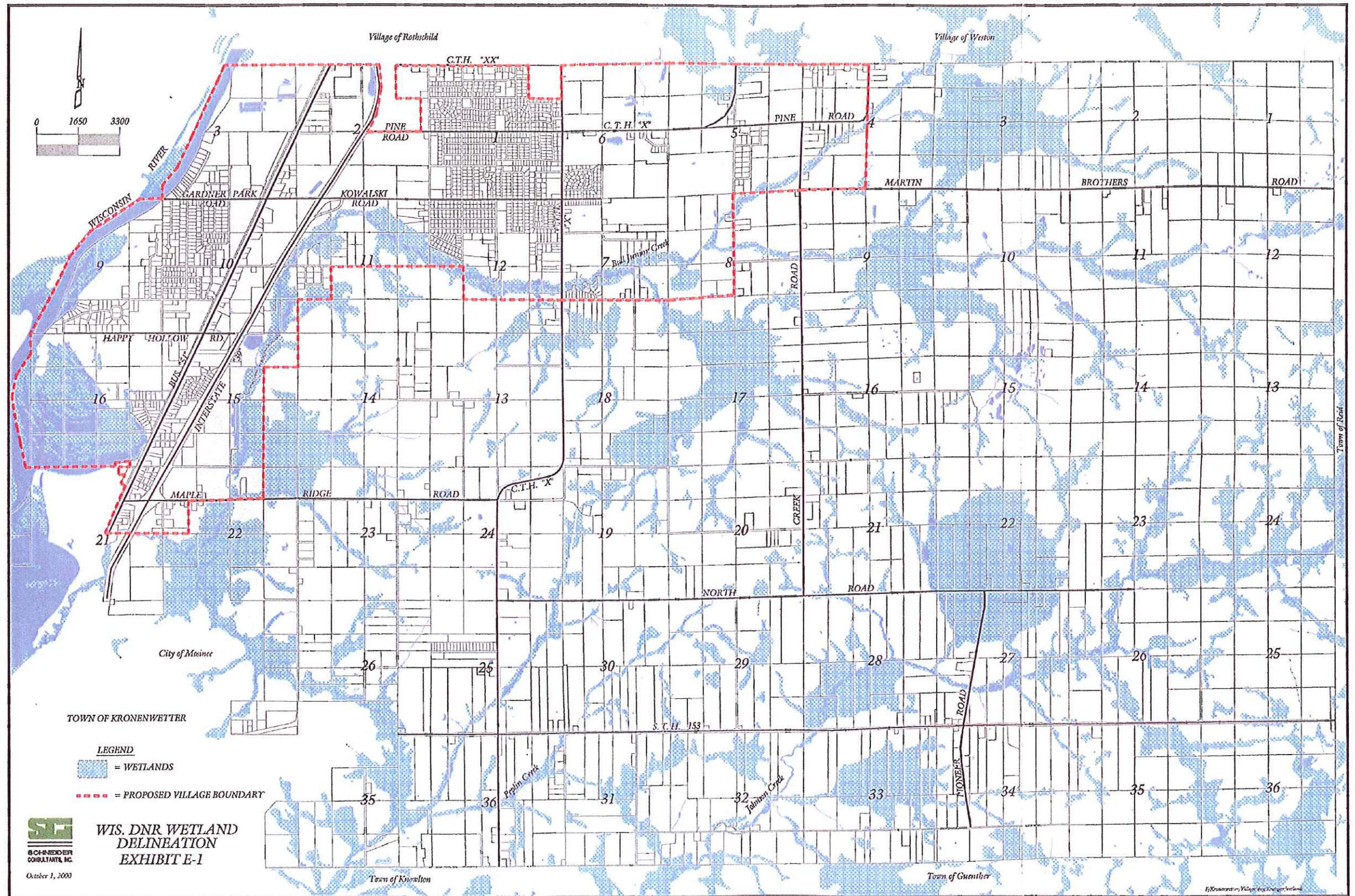
- WDOT Highways
- Wisconsin Roads
- Town Business List
- SNAP Business Locations
- Proposed Village Boundary

- Waterways
- Railroad
- Rivers
- Civil Divisions**
- City
- Village
- Town

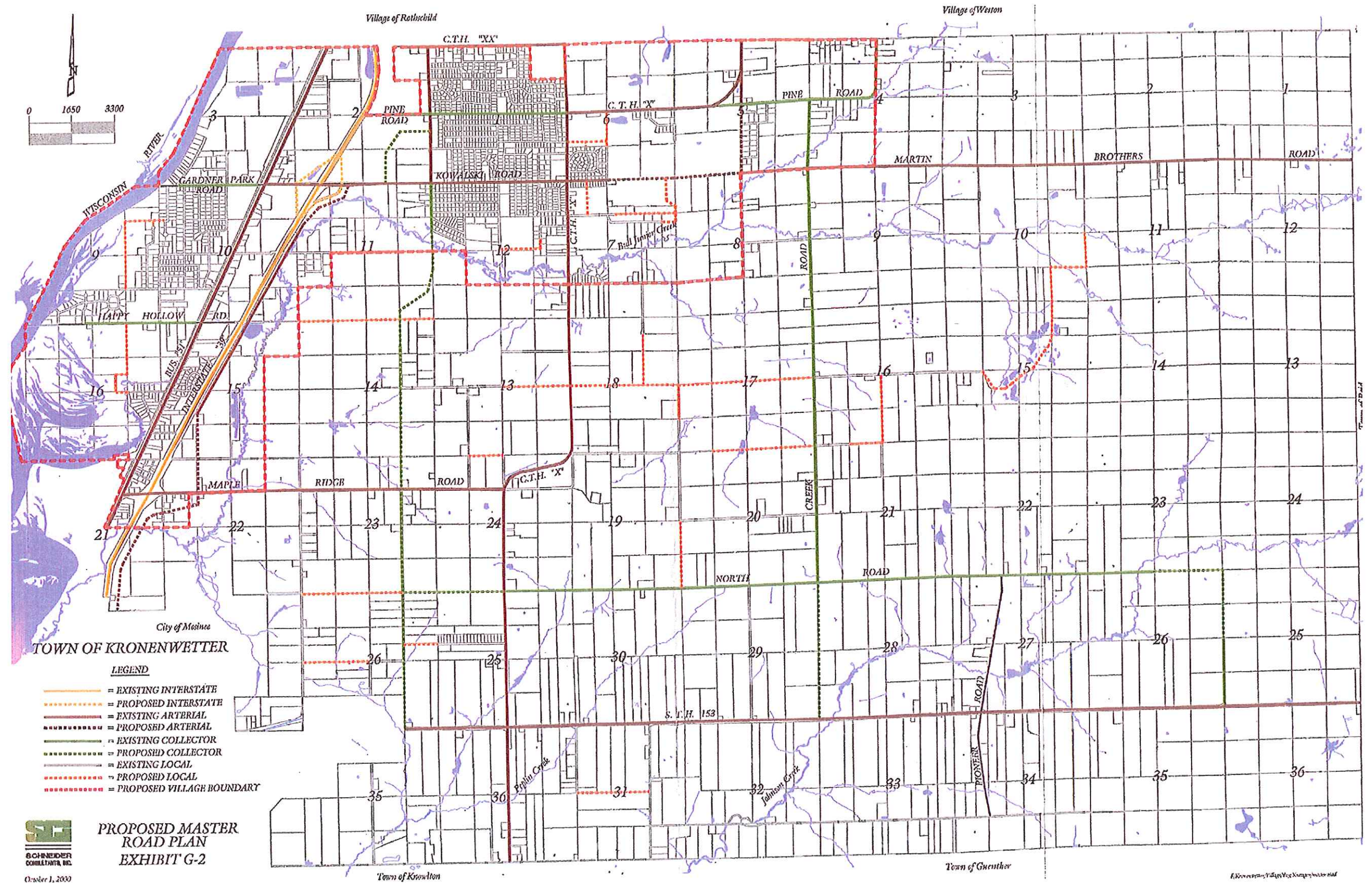


Map 4: Floodplain Boundary

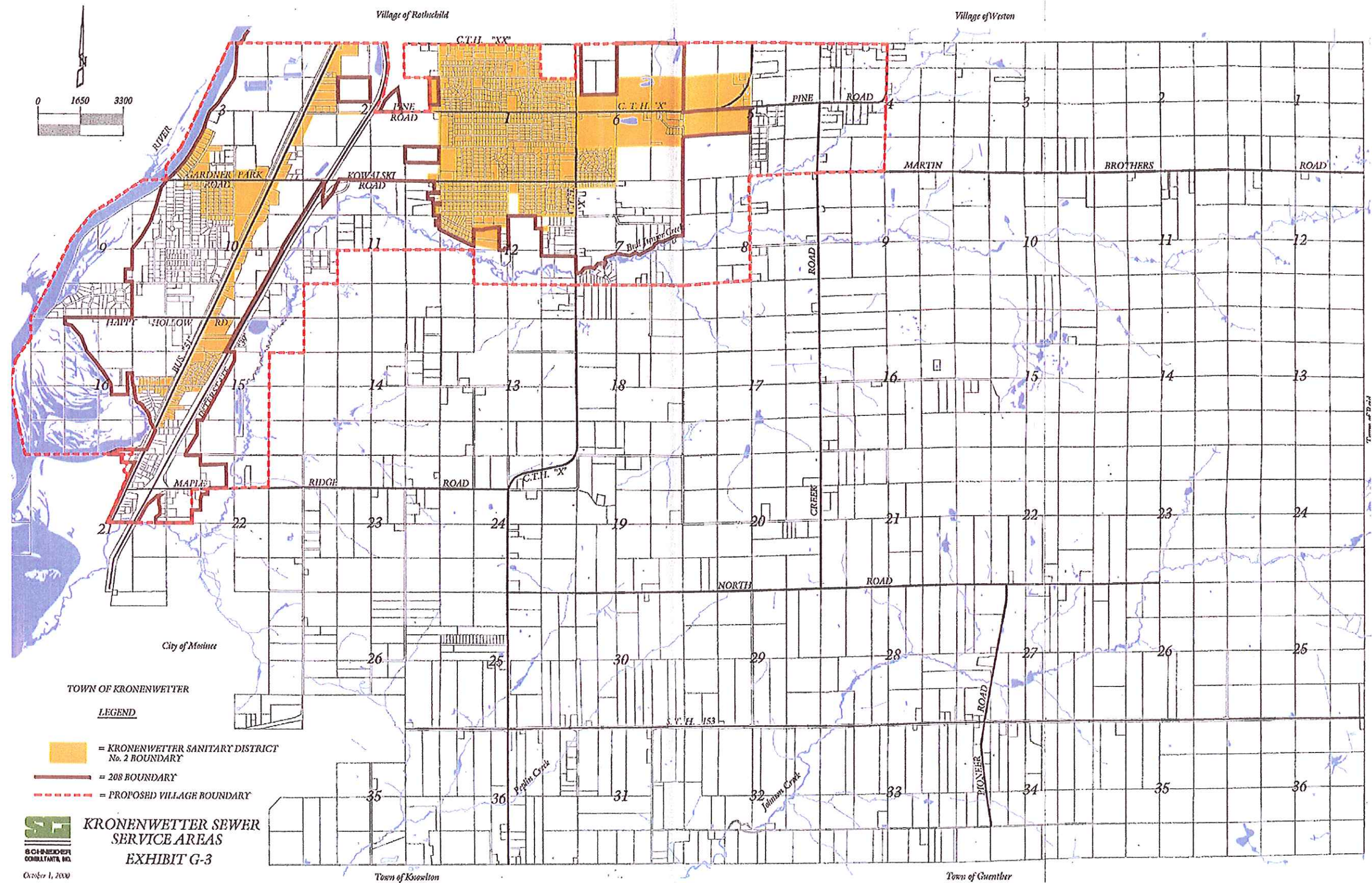




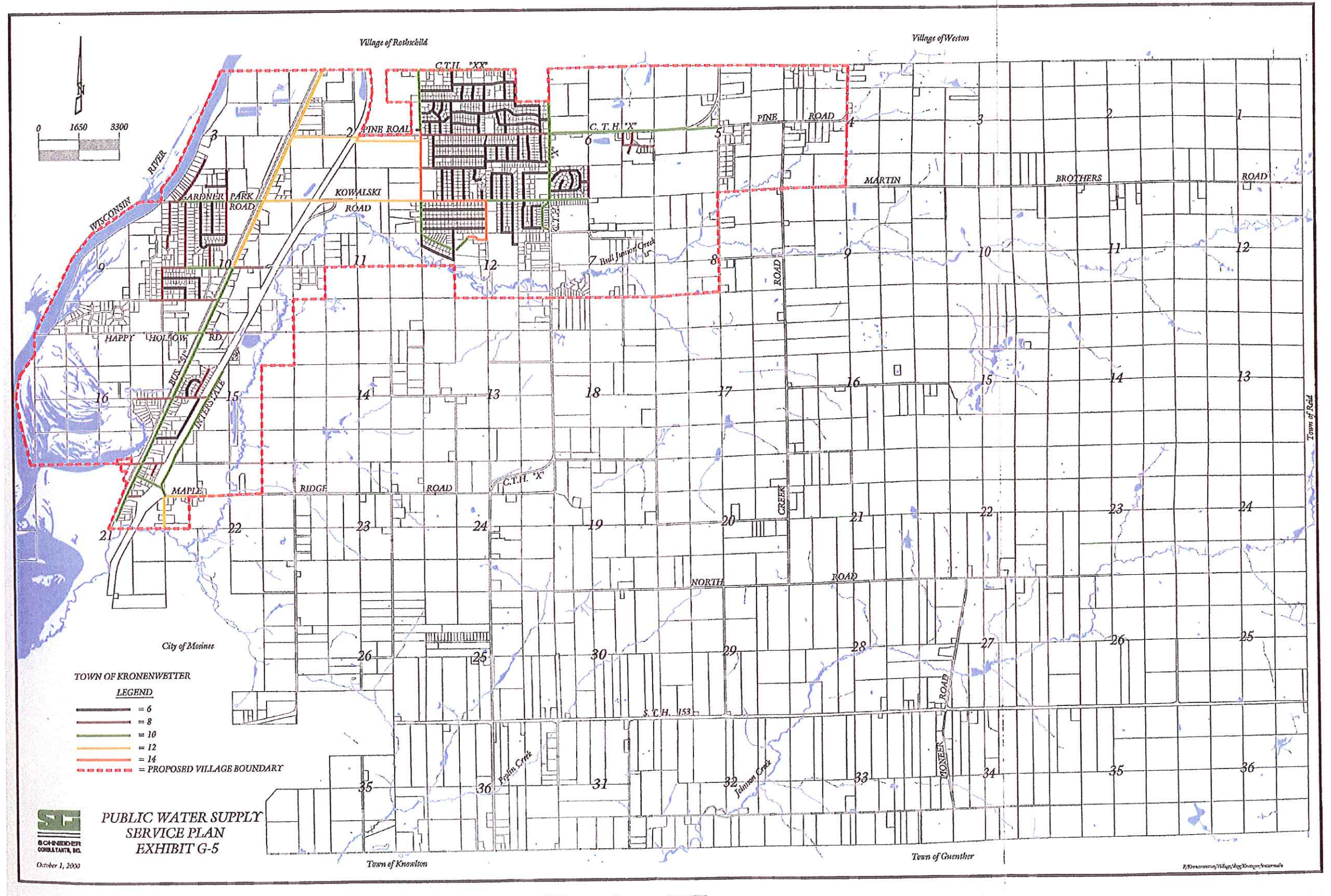
Map 6: Existing & Proposed Kronenwetter Road Network



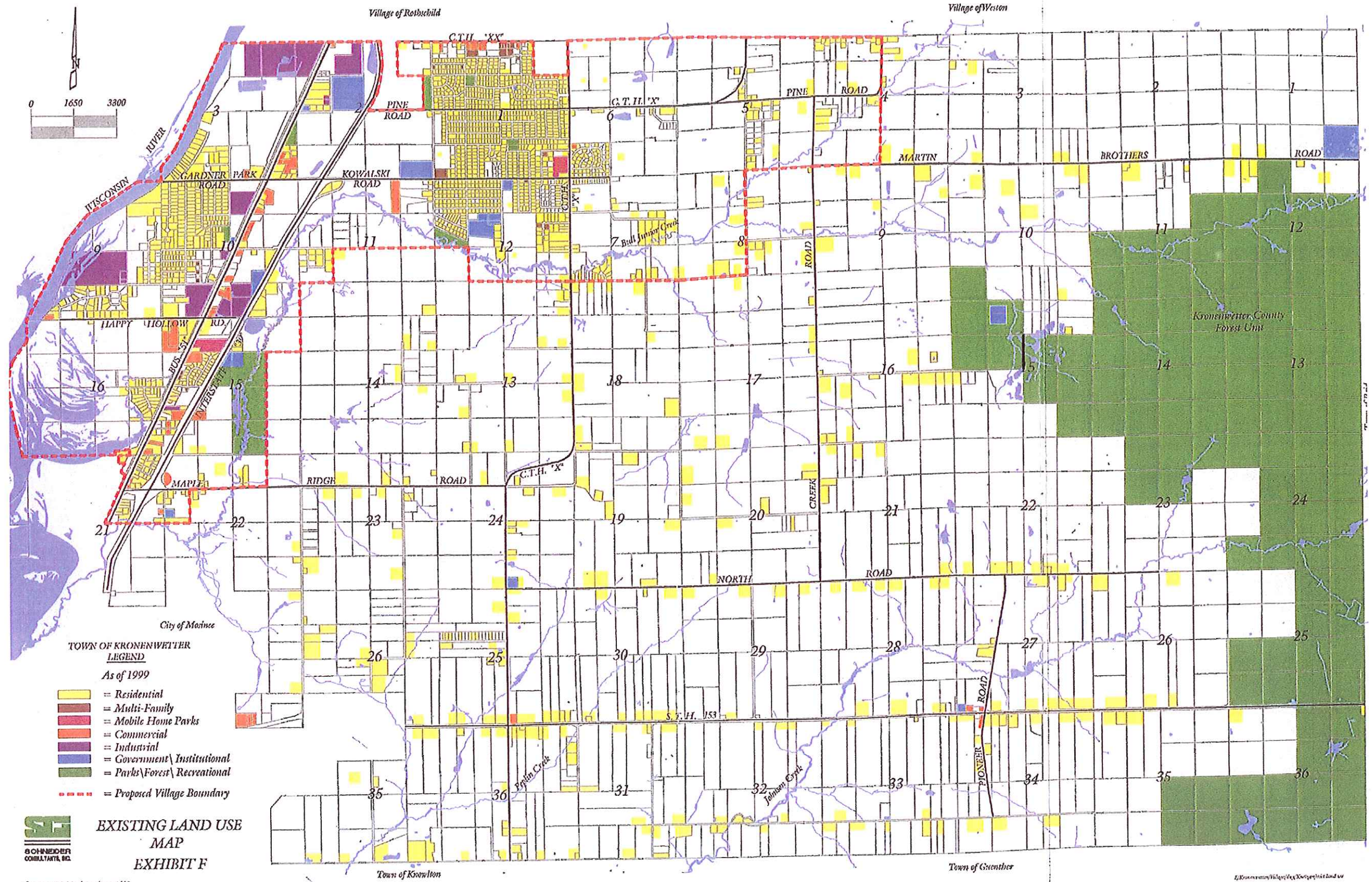
Map 7: Kronenwetter Sanitary District 2 and 208 Planning Boundary



Map 8: Kronenwetter Public Water Supply Service Plan



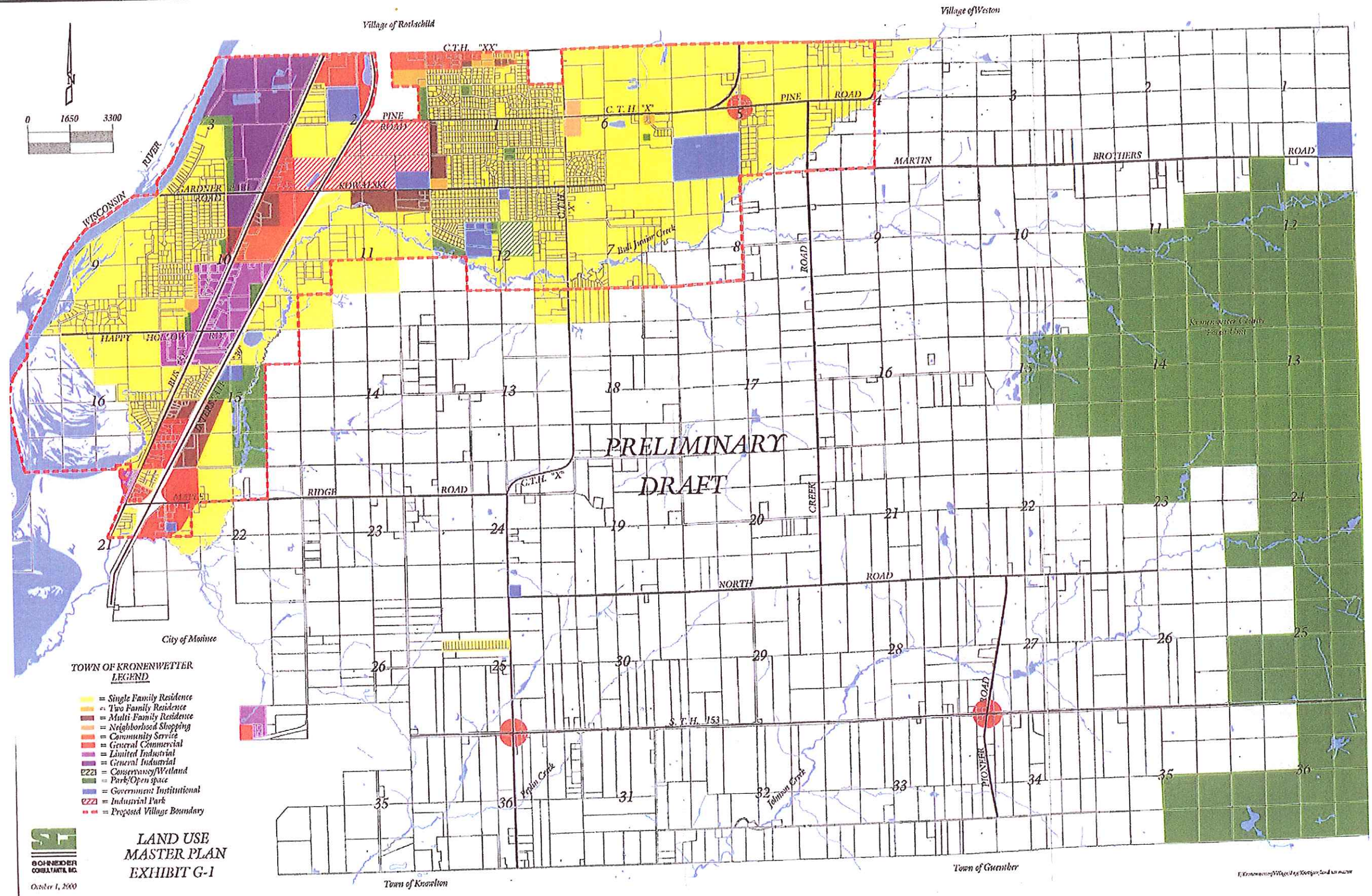
Map 9: Existing Kronenwetter Land Use



EXISTING LAND USE MAP EXHIBIT F

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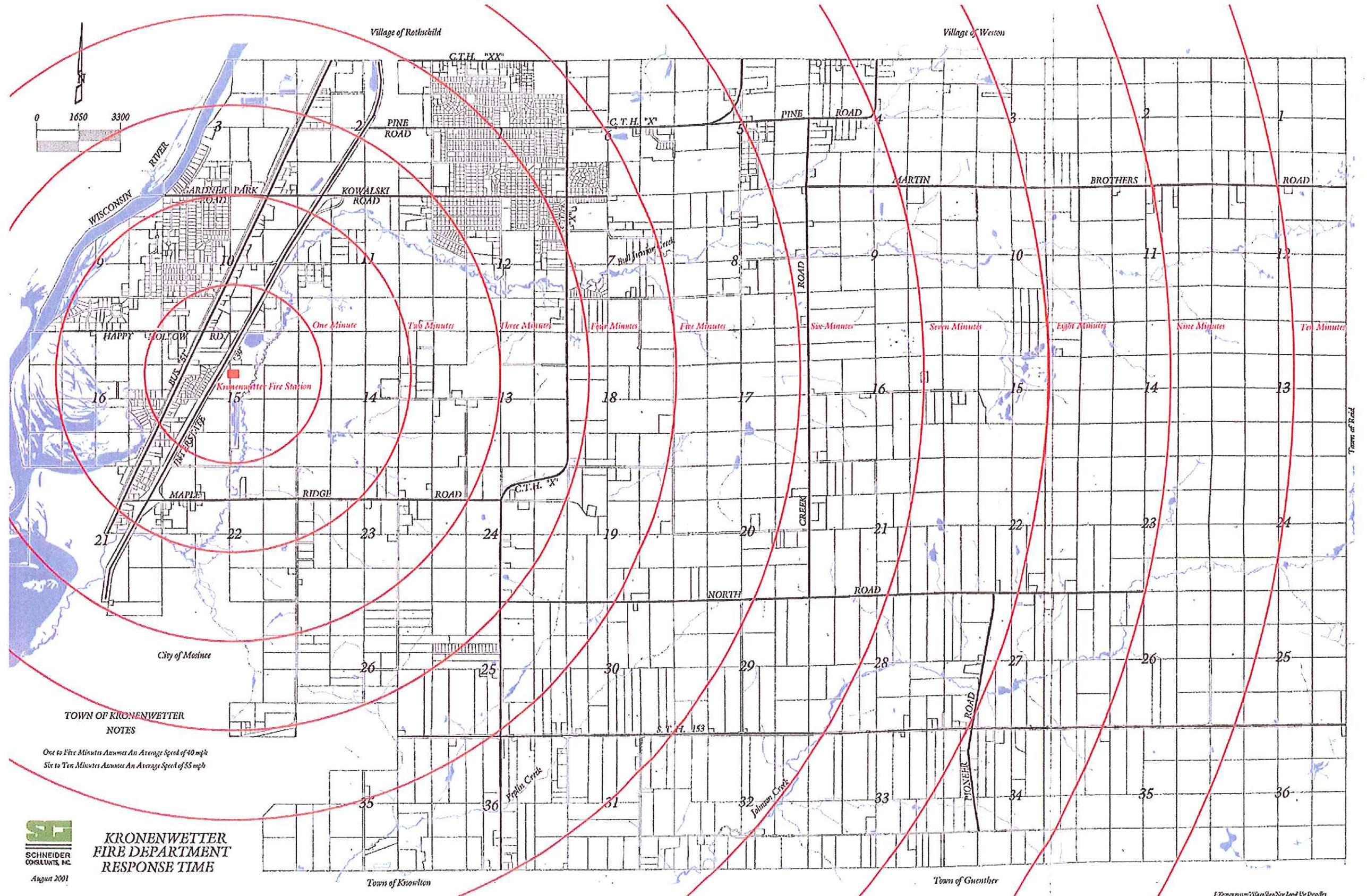
Map 10: Kronenwetter Land Use Master Plan



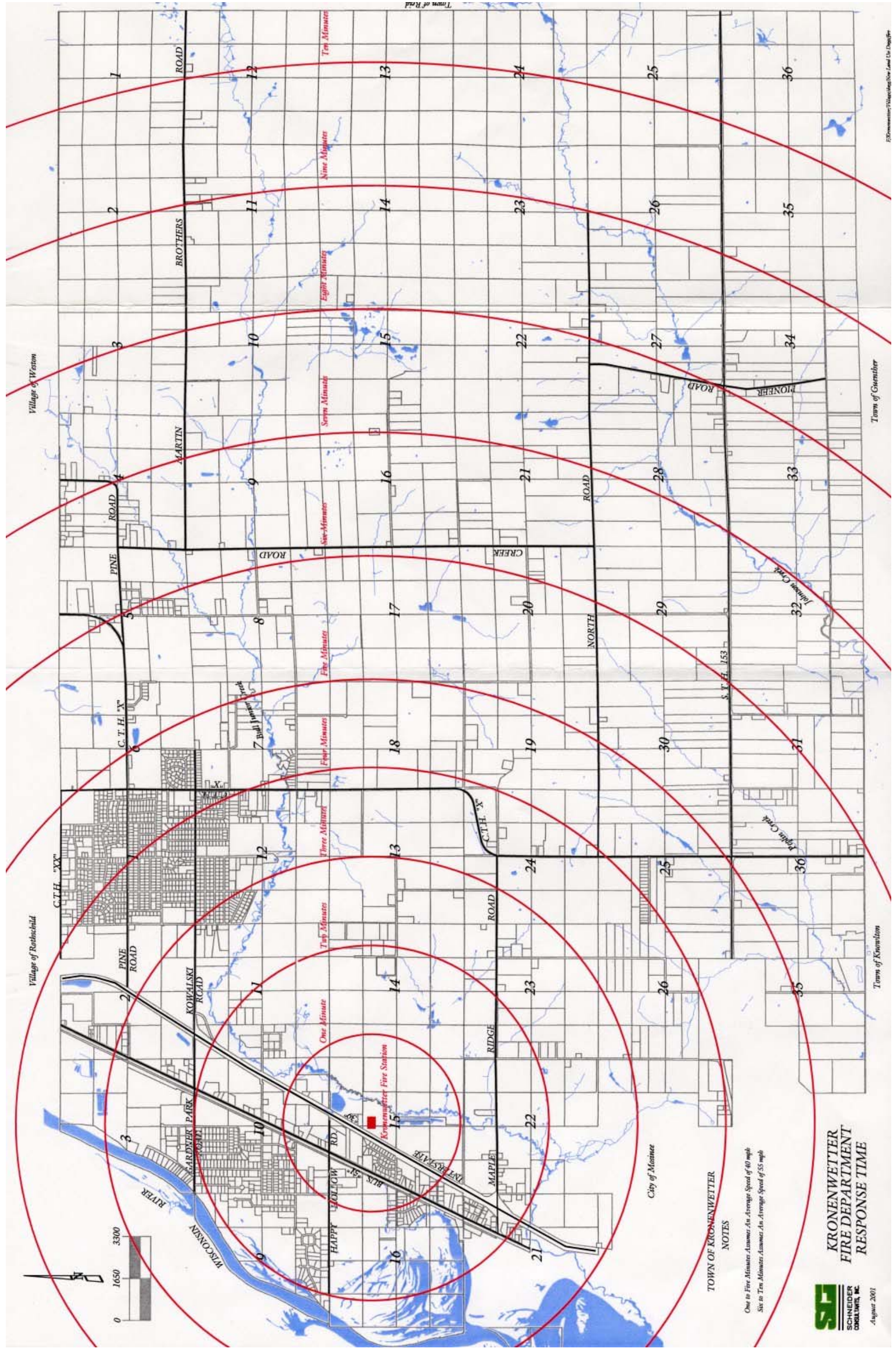
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 SCHNEIDER
 CONSULTANTS, INC.
 October 1, 2000

**LAND USE
 MASTER PLAN
 EXHIBIT G-1**

Map 11: Kronenwetter Fire Department Response Time



Map 11: Kronenwetter Fire Department Response Time



Map 12: Village of Rothschild Future Land Use

