

## **NOTICE OF PUBLIC MEETING**

VILLAGE OF HARRISON, CALUMET (& OUTAGAMIE) COUNTY, WI

NOTICE IS HEREBY GIVEN that a Village of Harrison Board Meeting will be held at the Harrison Municipal Building, W5298 State Road 114, on Tuesday, July 10, 2018 at 6:45pm. The agenda is printed below.

1. Call to Order the Village Board Meeting for July 10, 2018
2. Pledge of Allegiance
3. Roll Call of Village Board
4. Motion to enter closed session: The Village Board will meet in closed session pursuant to Wis. State Stats. §19.85 (1)(b) to consider dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter in regards to a bartender application denial.
5. The Village Board will reconvene into open session pursuant to section 19.85(2) of the Wisconsin Statutes for action on the closed session.
6. Correspondence or Communications from Board and Staff
7. Public Comments  
Please be advised per State Statute section 19.84(2), information will be received from the public; be further advised that there may be limited discussion on the information received; however, no action will be taken under public comments. It is the policy of the Village that there is a three minute time limit per person. Time extensions may be granted by the President. Please register your name on the sign-in sheet prior to the start of the meeting.
8. Consent Agenda
  - a) Minutes from 06/26/18
  - b) Discharge of Firearms Application- Tony Mader on County Rd N
  - c) Discharge of Firearms Application- Ed Bogard on County Rd N
  - d) Annual Donation to Sherwood Lions Football Program (up to \$300.00 if needed)
  - e) Applications for Operator's Licenses ending June 30, 2019
9. Items Removed from Consent Agenda (if any)
10. Appointments
  - a) None
11. Unfinished Business from Previous Meetings for Consideration or Action
  - a) Harrison Fire Rescue 100-year Celebration- Request of the \$3000 budgeted for

Chickenfest Fireworks and use of village's buildings and equipment

12. New Business for Consideration or Action

a) Permission to Occupy Drainage Easement- W6849 Alder Way

13. Reports

14. Adjournment

Any person with hearing disabilities or requiring special accommodations to participate in the meeting should contact the Clerk's Office (920-989-1062) at least 24-hours prior to the meeting. This is a public meeting.

Jennifer Weyenberg, Village Clerk

Agenda Posted July 6, 2018 at [www.harrison-wi.org](http://www.harrison-wi.org) and Municipal Building lobby

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**VILLAGE BOARD MEETING**

**From:**

Jennifer Weyenberg, Village Clerk

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**VILLAGE OF HARRISON**

**Meeting Date:**

July 10, 2018

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**Title:**

Consent Agenda- Minutes, Discharge of Firearms applications, Sherwood Lions Football Program donation, Operator Licenses

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**Issue:**

None

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**Background and Additional Information:**

\*Discharge of Firearms applications- Both applications for Tony Mader and Ed Bogard meet the requirements for approval. They both own 40+ acres and have been issued permits in the past.

\* Sherwood Lions Football Program donation- this request is approved each year. In the event that the football program needs to water the fields due to extreme heat or dry weather conditions, the village agrees to pay up to \$300 on the water bill to offset the costs. The water usage is monitored by a member of Harrison Fire Rescue and reports are kept at Station 60.

\*Operator License- The background checks on the applications for Trisha Sweere, Savannah Ross, and Erin Kivisto were completed and the applicants have taken the Responsible Beverage Serving course. Staff recommends approval.

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**Budget/Financial Impact:**

N/A

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**Recommended Action:**

Approve all items on the consent agenda.

**VILLAGE OF HARRISON  
BOARD OF REVIEW MEETING MINUTES  
06/26/2018**

A regular meeting of the Village of Harrison Board was called to order on Tuesday, June 26, 2018 at 7:00pm in the Harrison Municipal Building, W5298 State Road 114. After the Pledge of Allegiance was recited, roll call was taken.

Board present: President Jim Salm, Trustees Joe Sprangers, Buddy Lisowe, Tyler Moore, Kevin Hietpas, Gary Nickel and Tamra Nelson  
Board excused: None  
Staff present: Village Manager Travis Parish, Clerk Jennifer Weyenberg, Public Works Director Bob Kesler, Planner Mark Mommaerts

Correspondence or Communications from Board and Staff

“Economic Development 101 for Local Leaders in Calumet County” will be held July 31, 2018 from 5:00pm-8:30pm. The 2018 Chief Executives Institute will be held August 15-17 at Chula Vista Resort in Wisconsin Dells. Board members should let the clerk know if they wish to attend either of these events.

Consent Agenda

Payment of Bills and Claims; Minutes from 05/29/18; Appoint Charles Storino Agent for Rock II, LLC; Applications for Operator’s Licenses July 1, 2018-June 30, 2019; Applications for Class A and Class B Combination Licenses July 1, 2018-June 30, 2019; Applications for Tobacco Licenses July 1, 2018-June 30, 2019

Discussion: None

Motion: Trustee Moore with second by Trustee Lisowe to approve all items on the consent agenda.

Vote: Motion carried 7-0.

Appointments

a) Resolution V2018-17 Appointment of Clerk/Treasurer and Interim Treasurer

Discussion: The current village treasurer announced her retirement effective the last day of June 2018. The board previously passed Charter Ordinance No. 2 which combines the Clerk and Treasurer positions but takes 60 days to go into effect. The resolution names Jennifer Weyenberg as interim Village Treasurer until Charter Ordinance No. 2 goes into effect, after which time she is appointed as Clerk-Treasurer.

Motion: Trustee Lisowe with second by Trustee Moore to approve Res. V2018-17.

Vote: Motion carried 7-0.

Unfinished Business from Previous Meetings for Consideration or Action

a) Amendment to Cell Phone Section of the Harrison Employee Handbook

Discussion: Village Manager T. Parish presented an amendment to the Cell Phone Section of the Employee Handbook. Except at the discretion of the village board, the village will no longer own cell phones for the use of individual employees. Instead, full-time regular

employees who are eligible will receive a stipend, with Department heads receiving \$40/mo and other eligible staff receiving \$30/mo.

Motion: Trustee Moore with second by Trustee Hietpas to approve the amendment to the cell phone policy.

Vote: Amendment approved 6-1 with Trustee Sprangers opposed.

#### New Business for Consideration or Action

##### a) Deny Application for License to Serve

Discussion: The background check on A. Schmit listed a conviction for a hit and run. Under the board-approved guidelines for approving licenses, a hit and run conviction is grounds for denial.

Motion: Trustee Lisowe with second by Trustee Moore to deny the application for A. Schmit.

Vote: Motion carried 7-0. The applicant will be notified of her right to appeal the decision.

##### b) Harrison Utilities Audit Review- Blaine Priebusch from Erickson and Associates

Discussion: Mr. Priebusch presented the Utilities' audited financial statements December 31, 2017.

Motion: Trustee Lisowe with second by Trustee Hietpas to approve the financial statements.

Vote: Motion carried 7-0.

##### c) Permission to Occupy Drainage Easement- W6143 Hemlock Lane

Discussion: The property owner is requesting to place a 6' high wood fence within a 10' drainage easement on Lot 26 of Woodland Trails subdivision. The purpose of the fence is to meet code requirements for a pool.

Motion: Trustee Nelson with second by Trustee Nickel to approve the request. The owner must obtain approval from WE Energies and sign the standard Permission to Occupy Drainage Easement Agreement and record it with the register of deeds.

Vote: Motion carried 7-0.

##### d) Permission to Occupy Drainage Easement- N9077 Lilac Road

Discussion: The property owner is requesting to place a 6' high solid fence within a 15' utility easement on Lot 38 of Papermaker Ridge II subdivision. The purpose of the fence is to provide privacy between neighboring properties and to provide a secure area for pets.

Motion: Trustee Moore with second by Trustee Nelson to approve the request. The owner must obtain approval from WE Energies and sign the standard Permission to Occupy Drainage Easement Agreement and record it with the register of deeds.

Vote: Motion carried 6-0 with Trustee Lisowe abstaining.

##### e) Approve Bid for Lift Station #6

Discussion: Mary Jo Miller of Martenson & Eisele presented the bids that were received on May 23. The low bidder, Dorner Inc. is included on the Harrison Utilities Approved Contractor's List.

Motion: Trustee Lisowe with second by Trustee Hietpas to award the bid to Dorner, Inc in the amount of \$508,291.60 with the village paying \$142,862.25 in additional costs. The total cost for Base Bid 1 with Alternate Bid 1, along with direct village costs are estimated at \$651,153.85

**Vote: Motion carried 7-0.**

**f) Request for a Refund of Harrison Utilities Chargeback**

**Discussion:** The customer's personal checks had the incorrect account number printed on them and her bank could not locate the account because of the error. 2 checks were returned by the bank and Harrison Utilities was charged \$50 in NSF fees (\$25/ea). These costs were passed on to the customer. She has not paid the fees and is asking the village to waive them.

**Motion:** Trustee Lisowe with second by Trustee Nickel to deny her request to waive the fees.

**Vote: Motion carried 6-1 with President Salm opposed.**

**g) Discuss CTH LP Project**

**Discussion:** Resident Tom Hooyman, N8974 County LP, spoke against the upcoming LP reconstruction and sidewalk installation.

**Motion:** None

**Vote:** None taken.

**h) Resolution V2018-13 Designating Public Depository**

**Discussion:** The former treasurer's name has been removed from the bank accounts. The resolution names Clerk-Treasurer Jennifer Weyenberg and Village Manager Travis Parish as authorized users.

**Motion:** Trustee Moore with second by Trustee Hietpas to approve the resolution.

**Vote: Motion carried 7-0.**

**i) Resolution V2018-14 Establishing Polling Places**

**Discussion:** Due to the increased number of voters and limited space available at the Harrison Municipal Building, a second polling location is needed. Wards 3-4, 11-13, 17 and 18 will vote at Christ the Rock. Wards 5-6;10, 7-9; 14, 15 and 16 will vote at the Harrison Municipal Building.

**Motion:** Trustee Moore with second by Trustee Lisowe to approve the resolution.

**Vote: Motion carried 7-0.**

**j) Resolution V2018-18 In Support of Nsight Teleservices' Application for a Grant to Build a Fiber Broadband Internet System**

**Discussion:** Nsight Teleservices is looking to construct 16.05 miles of fiber through eligible areas in Calumet and Sheboygan Counties from Sherwood to Elkhart Lake (along 114 to Harrison and along Hwy 32 south in grant eligible areas between Chilton, New Holstein, and Kiel terminating in Elkhart Lake).

**Motion:** Trustee Moore and second by Trustee Hietpas to approve the resolution.

**Vote: Motion carried 7-0.**

**k) Resolution V2018-16 2018 Compliance Maintenance Resolution for Harrison Utilities**

**Discussion:** It is a requirement under a WI Pollutant Discharge Elimination System permit to file a Compliance Maintenance Annual Report (CMAR) for the wastewater collection system.

**Motion:** Trustee Moore with second by Trustee Nickel to approve the resolution.

**Vote: Motion carried 7-0.**

### Reports

\*Harrison Fire Rescue responded to 37 calls in May bringing the total to 178 calls for the year.

\*Sheriff's Department reported 184.1 hours worked and 2146 daily miles logged in Harrison for May.

\*31 Zoning permits were issued in May. YTD total is 69. There are approximately 96 vacant lots remaining.

### Closed Session

Discussion: None

Motion: Trustee Lisowe with second by Trustee Moore to meet in closed session pursuant to Wis. State Stats. §19.85 (1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session in regards to a (a) possible purchase of land and (b) negotiate a developer's agreement with Crossroads Development.

Roll Call Vote: Sprangers- aye; Lisowe- aye; Moore- aye; Salm- aye; Hietpas- aye; Nickel- aye; Nelson- aye.

Vote: Motion carried 7-0.

The Village Board did not reconvene into open session and the meeting adjourned in closed session.

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Jennifer Weyenberg, Village Clerk  
Dated June 26, 2018  
Approved July 10, 2018

# HARRISON

## Discharge of Firearms Application

Owner mailing address: W5725 Manitowoc Rd Appleton WI 54915

I, Tony Mader own 115 contiguous acres of land  
(name) (# of acres)

within the Village of Harrison, located at:

N9093 Cty Rd N  
(address or description of property)

I acknowledge as the land owner, I

- am the only one who can give non-family members permission to fire or discharge firearms on the land.
- must request a waiver annually.
- that the waiver can be revoked for a violation of WI State Statute Chapter 167 or Chapter 941 relative to the use of firearms.

Tony Mader  
Authorized Signature (Land Owner)

7-2-18  
Date

BOARD ACTION: \_\_\_\_\_ Approve \_\_\_\_\_ Deny \_\_\_\_\_ Date of Meeting \_\_\_\_\_  
Land Owner \_\_\_\_\_ Calumet County Sheriff's Department \_\_\_\_\_ Municipal Copy \_\_\_\_\_

Staff Use Only:

Verification of Acres Listed Above: 115-ac jjm



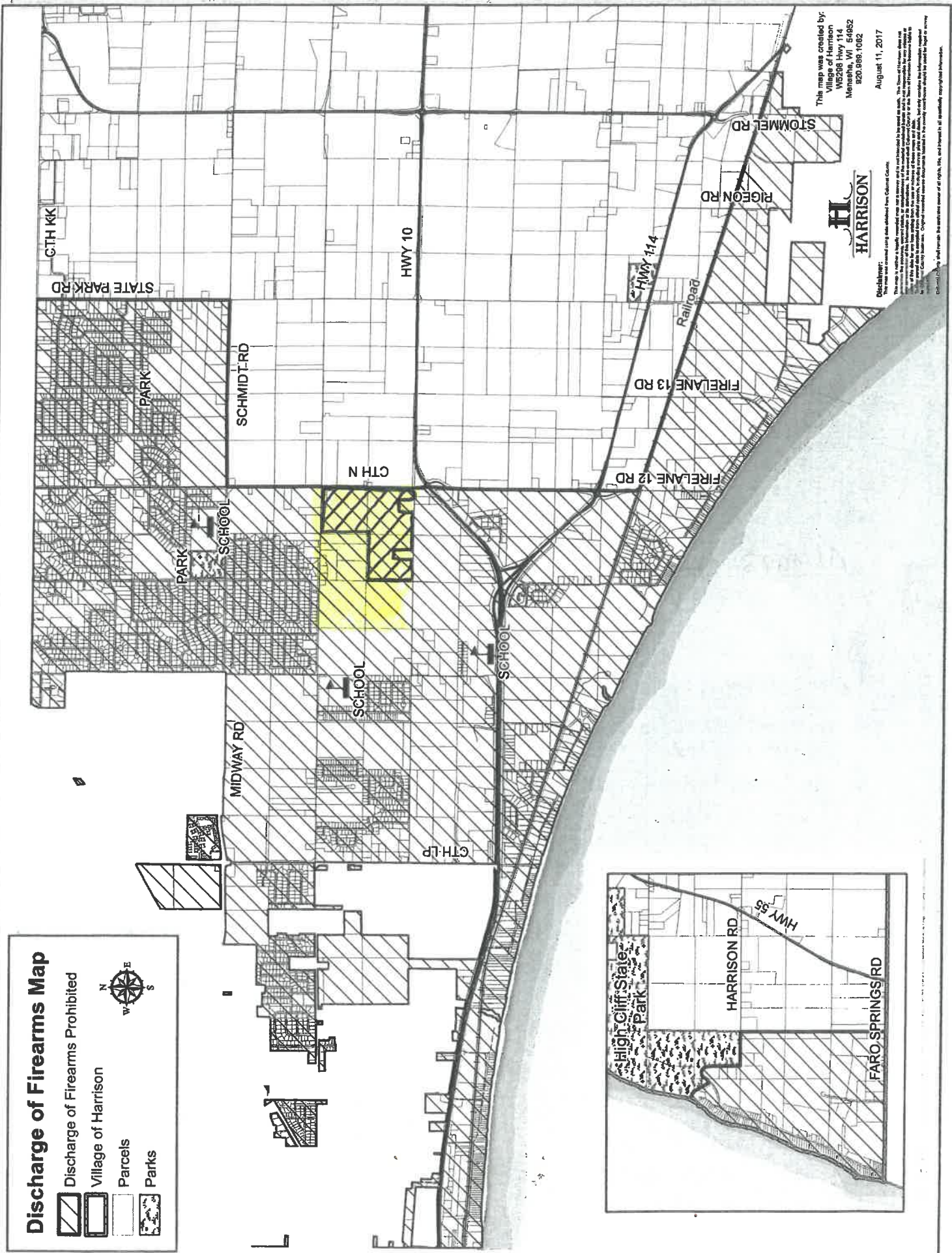
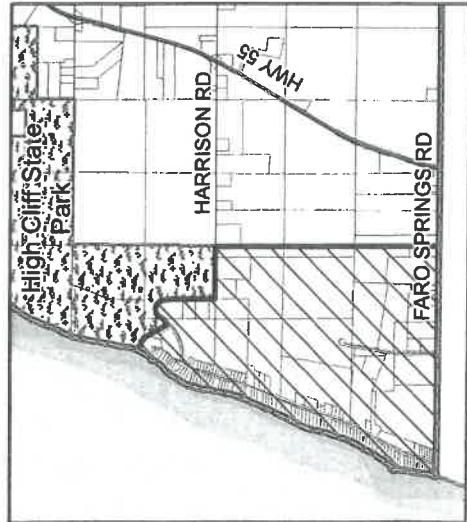
# Discharge of Firearms Map

Discharge of Firearms Prohibited

Village of Harrison

Parcels

Parks



This map was created by:  
 Village of Harrison  
 W5208 Hwy 114  
 Menasha, WI 54952  
 920.899.1082  
 August 11, 2017



**Disclaimer:**  
 This map was prepared using data obtained from Colson & Co., Inc. The Village of Harrison does not warrant the accuracy, completeness, or timeliness of the information contained herein. The information is provided for informational purposes only and should not be used as a basis for any legal or financial decision. Original recorded documents should be consulted for the most current information. Copyright © 2017 by Colson & Co., Inc. All rights reserved.



## Discharge of Firearms Application

Owner mailing address: N9237 Cty Rd N Appleton 54915

I, Ed Bogard own 60 contiguous acres of land  
(name) (# of acres)

within the Village of Harrison, located at:

West of County Rd N north of Manitowoc Rd  
(address or description of property)

I acknowledge as the land owner, I

- am the only one who can give non-family members permission to fire or discharge firearms on the land.
- must request a waiver annually.
- that the waiver can be revoked for a violation of WI State Statute Chapter 167 or Chapter 941 relative to the use of firearms.

Edward Bogard  
Authorized Signature (Land Owner)

7/2/18  
Date

BOARD ACTION: \_\_\_\_\_ Approve \_\_\_\_\_ Deny \_\_\_\_\_ Date of Meeting \_\_\_\_\_

Land Owner \_\_\_\_\_ Calumet County Sheriff's Department \_\_\_\_\_ Municipal Copy \_\_\_\_\_

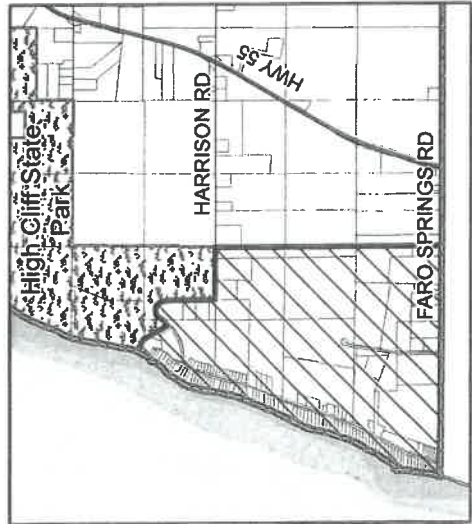
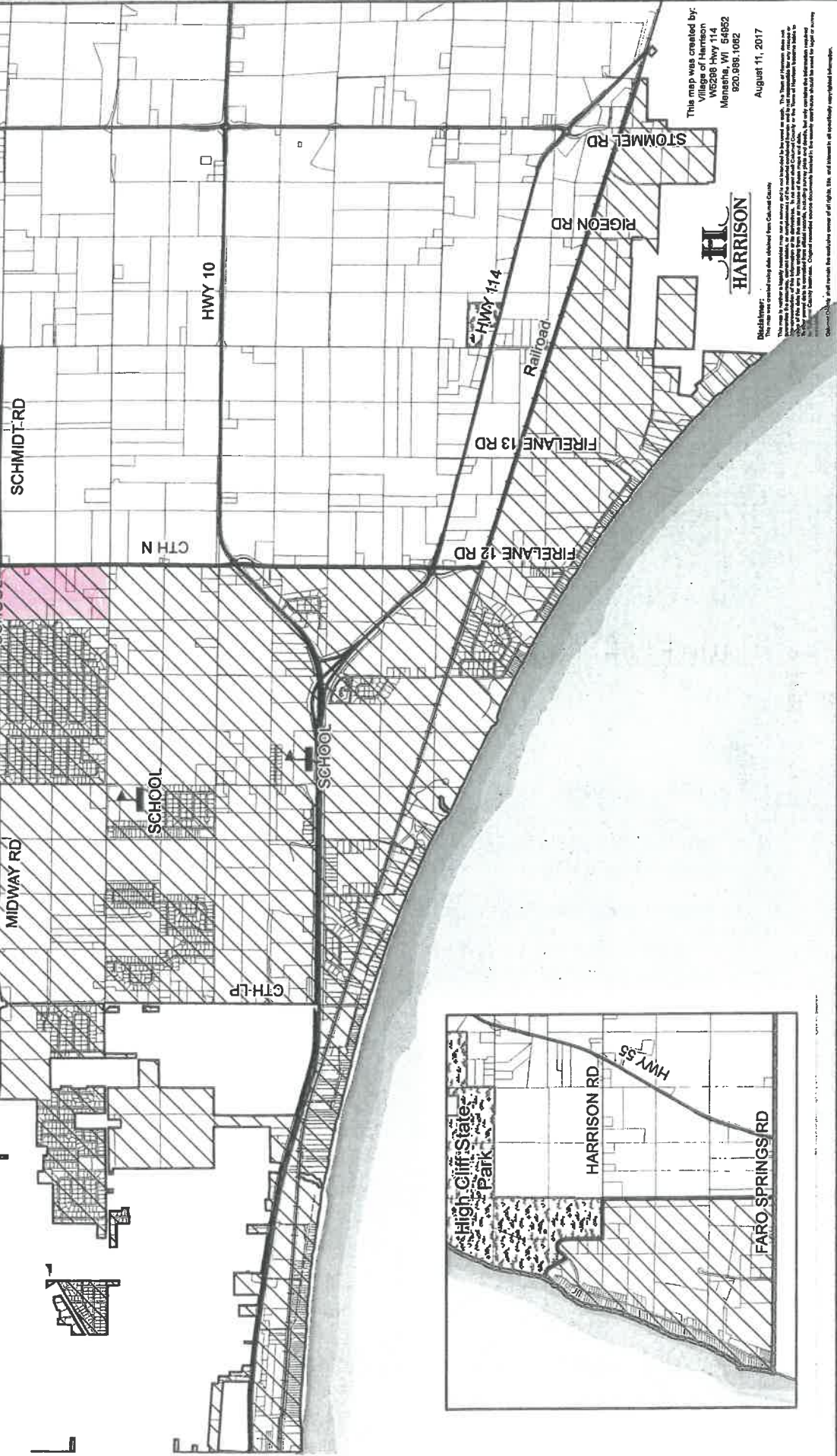
Staff Use Only:

Verification of Acres Listed Above: 67-ac rjn



# Discharge of Firearms Map

-  Discharge of Firearms Prohibited
-  Village of Harrison
-  Parcels
-  Parks



This map was created by:  
 Village of Harrison  
 W5208 Hwy 114  
 Menasha, WI 54952  
 920.998.1062

August 11, 2017



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6-27-18

Hi Village of Harrison,

I would like to request again this year only, if needed, that the Village of Harrison help financially up to \$300.00 to help the Sherwood Lions Football program if they need to water the football field this up coming football season in 2018. You have generously donated in past years and we truly appreciate it and thank you for your past donations to the program. I do not know if we need to be at a meeting ourselves for this, but if we do, please let me know. Here is my tele phone number - 920-841-2291.

Thanks again.

Sincerely,  
Dawn V. Van Elger



APPLICATION FOR LICENSE TO SERVE FERMENTED MALT BEVERAGES AND INTOXICATING LIQUORS

Village of Harrison, Wisconsin

To the Board of the Village of Harrison, WI:

I hereby apply for a license to serve, from date hereof to June 30, 2019, inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the limitation imposed by Section 125 of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of such beverages and liquors if a license be granted to me.

I understand that any falsification, omissions, or misleading information on this application is grounds for denial of my license application or revocation of any license issued.

Last Name: Sweere First Name: Trisha Middle I: M
Street Address: W5872 Easter Lily Dr City: Appleton Zip: 54915
Day Phone: 920-299-4388 Evening Phone: 920-279-4388
Date of Birth: Where will you be working?: North Shore GOLF Club
Driver's License Number:

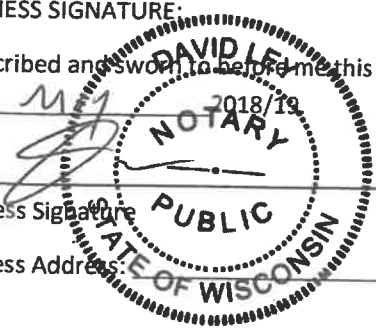
Do you currently hold or have held an operator's license within the last 2 years? YES NO

If yes, please list the municipality which issued your license:

List any offenses you have been convicted of in the last 5 years which were felony, misdemeanor, or local ordinance. Include juvenile convictions and alcohol related traffic violations (drunk driving, open intoxicant in vehicle, etc.) Failure of full disclosure may prohibit approval of license.

Table with 3 columns: Violation, County or Municipality, Approximate Date

WITNESS SIGNATURE: Subscribed and sworn to before me this 23 day of May 2018/19



x Trisha Sweere 5/23/18
Applicant Signature Date

Witness Signature:
Witness Address:

Office Use Only: \$25.00 Reported to the Board: 7/10/18
Background Check Course Completion



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

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Request Date: **6/20/2018**

Report Date: **6/20/2018**

This criminal background check was performed by searching the following data submitted to the Crime Information Bureau

Name: **SWEERE, TRISHA M**

Date of Birth: **9/4/1997**

Alias Names:

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NOTICE TO EMPLOYERS

It may be a violation of state law to discriminate against a job applicant because of an arrest or conviction record. Generally speaking, an employer may refuse to hire an applicant on the basis of a conviction record only if the circumstances of the offense for which the applicant was convicted substantially relate to the circumstances of the particular job. For more information, see [Statute 111.335](#) and the Department of Workforce Development's publication, Arrest and Conviction Records Under the Law.

Before you make a final decision adverse to an applicant based on the following arrest record, in addition to any other opportunity you offer the applicant to explain the following arrest record, please notify the applicant of:

1. His or her right to challenge the accuracy and completeness of any information contained in a arrest record, and
2. The process for submitting a challenge

The applicant should submit his or her challenge to CIB on Form DJ-LE-247. Form DJ-LE-247 is available free of charge on [The Department of Justice website](#) or by calling [\(608\) 266-7314](#). A challenge may include a request for comparison of the fingerprints of the person submitting the challenge to the fingerprints on file that are associated with the Wisconsin arrest record below.

NO RECORD FOUND

An arrest record search based only on a name, date of birth, and other identifying data that is not unique to a particular person (like "sex" or "race") may result in:

1. Identification of criminal history records for multiple persons as potential matches for the identifying data submitted, or
2. Identification of an arrest history record belonging to a person whose identifying information is similar in some way to the identifying data that was submitted to be searched, but is not the same person whose identifying data was submitted for searching. The Crime Information Bureau



# APPLICATION FOR LICENSE TO SERVE FERMENTED MALT BEVERAGES AND INTOXICATING LIQUORS

Village of Harrison, Wisconsin

To the Board of the Village of Harrison, WI:

I hereby apply for a license to serve, from date hereof to June 30, 2019, inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the limitation imposed by Section 125 of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of such beverages and liquors if a license be granted to me.

I understand that any falsification, omissions, or misleading information on this application is grounds for denial of my license application or revocation of any license issued.

Last Name: Ross First Name: Savannah Middle I: M  
 Street Address: N9126 Brenda Dr City: Appleton Zip: 54915  
 Day Phone: (920) 850-8702 Evening Phone: (920) 850-8702  
 Date of Birth: \_\_\_\_\_ Where will you be working?: North Shore Golf Course  
 Driver's License Number: \_\_\_\_\_

Do you currently hold or have held an operator's license within the last 2 years?  YES  NO

If yes, please list the municipality which issued your license: Appleton

List any offenses you have been convicted of in the last 5 years which were felony, misdemeanor, or local ordinance. Include juvenile convictions and alcohol related traffic violations (drunk driving, open intoxicant in vehicle, etc.) Failure of full disclosure may prohibit approval of license.

Violation	County or Municipality	Approximate Date

WITNESS SIGNATURE:

Subscribed and sworn to before me this 20 day  
 of May 2018/19.

X Savannah Ross 5/20/18  
 Applicant Signature Date

Deborah Henschel  
 Witness Signature

Witness Address: N9126 Brenda Dr  
Appleton, WI  
54915

Office Use Only: \$25.00  Background Check   
 Reported to the Board: 7/10/18 Course Completion



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

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Request Date: **6/25/2018**

Report Date: **6/25/2018**

This criminal background check was performed by searching the following data submitted to the Crime Information Bureau

Name: **ROSS, SAVANNAH M**

Date of Birth: **7/13/1999**

Alias Names:

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Before you make a final decision adverse to an applicant based on the following arrest record, in addition to any other opportunity you offer the applicant to explain the following arrest record, please notify the applicant of:

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I understand that any falsification, omissions, or misleading information on this application is grounds for denial of my license application or revocation of any license issued.

Last Name: Kivisto First Name: Erin Middle I: L  
 Street Address: 808 E Harding Dr City: Appleton Zip: 54915  
 Day Phone: (920) 428-4185 Evening Phone: \_\_\_\_\_  
 Date of Birth: 09/27/1991 Where will you be working?: Waverly Beach  
 Driver's License Number: K123-2129-1847-05

Do you currently hold or have held an operator's license within the last 2 years? YES /  NO

If yes, please list the municipality which issued your license: \_\_\_\_\_

List any offenses you have been convicted of in the last 5 years which were felony, misdemeanor, or local ordinance. Include juvenile convictions and alcohol related traffic violations (drunk driving, open intoxicant in vehicle, etc.) Failure of full disclosure may prohibit approval of license.

Violation	County or Municipality	Approximate Date
Service to minor ordinance	Winnebago	2017 - Dismissed

WITNESS SIGNATURE:

Subscribed and sworn to before me this 22<sup>nd</sup> day  
of June 2018.

[Signature]  
Witness Signature

Witness Address: Village Hall

X [Signature] 6/10/18  
Applicant Signature Date  
[Signature] 6/22/18

Office Use Only: \$25.00  Background Check   
Reported to the Board: 7/10/18 Course Completion



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

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Request Date: **6/22/2018**

Report Date: **6/22/2018**

This criminal background check was performed by searching the following data submitted to the Crime Information Bureau

Name: **KIVISTO, ERIN L**

Date of Birth: **9/27/1991**

Alias Names:

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Before you make a final decision adverse to an applicant based on the following arrest record, in addition to any other opportunity you offer the applicant to explain the following arrest record, please notify the applicant of:

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An arrest record search based only on a name, date of birth, and other identifying data that is not unique to a particular person (like "sex" or "race") may result in:

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# Harrison Fire Rescue

Fire Station 60 & Fire Station 70 & EMS

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## Harrison Fire Rescue 100 Year Celebration

- **Location: Harrison Fire Rescue Station 60**
- **Date: September 8 2018**
  - Times 10:30am – 11pm
- **Host: Harrison Fire Rescue Auxillary**
- **Activities**
  - Fire Truck Parade
    - Starting at Clifton Rd. down Hwy 114 to end back at Station 60
    - Official route To be determined
  - Jaws of Life Demonstration
    - Harrison Fire Rescue Station 60
      - Members of Harrison Fire Rescue
  - Mini Tractor Pull
    - Station 60 Parking lot
      - Bob Kessler
  - Burn House
    - Station 60 Parking Lot
      - New Holstein Fire
  - K9
    - Station 60 Parking Lot
      - Calumet County Sherriff Department
  - Truck Tours
    - Station 60 Parking lot
      - Members of Harrison Fire Rescue
  - Food and Beverages
    - Station 60
      - Volunteers to serve
  - DJ
    - Station 60
      - Ryan Vogels Member Harrison Fire Rescue
  - Band
    - Station 60
      - Band to be determined
  - Flight for Life
    - Sacred Heart Field



# Harrison Fire Rescue

*Fire Station 60 & Fire Station 70 & EMS*

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- Theda Star

- Request

- Funds

- We are requesting Harrison Village Board to release the funds already budgeted for from Chickenfest fireworks as seed money for event.

- Permission

- We are requesting permission from Village Board to allow us to use the villages buildings and equipment

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**VILLAGE BOARD MEETING**

**VILLAGE OF HARRISON**

**From:**

Mark J. Mommaerts, AICP, Planner

**Meeting Date:**

July 10, 2018

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**Title:**

Agreement to Place Fence in Drainage Easement – W6849 Alder Way

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**Issue:**

Should the Village Board approve the placement of a fence in a drainage easement?

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**Background and Additional Information:**

The property owner at W6849 Alder Way is requesting permission to place 6-foot high, solid fence within a storm sewer easement along the side (east side) of the property. The property is Lot 46 of the Cottonwood Creek III subdivision. There is a 10-foot storm sewer easement along the east side of the property, an 8-foot utility easement along the west side of the property, a 50-foot drainage easement along the south (rear) side, and an 8-foot utility easement along the south (rear) side of the property.

The property owner is proposing “to install a fence from the front of the home east to the property line, then turning south down the property line, then turning west going across the back yard at the 50ft setback easement line, then turning north following up the opposite property line and returning east to the rear of the home.” The purpose of the fence is to provide privacy between the neighboring properties and to enclose the rear yard.

There is a storm pipe/culvert within the storm sewer easement centered along the property line. The ground cover over the pipe is a couple of feet. Staff has concerns about allowing a fence over the storm pipe. The purpose of the storm pipe is to collect water in the Alder Way ditch and convey it to the detention pond on the south side of the property. During large rain events, if the pipe were to back up, stormwater would flow overland between the houses.

The zoning ordinance requires approval from the easement holder prior to issuance of a zoning permit for the fence. In this case, WE Energies will have to grant approval for the utility easement and the Village Board must decide if a fence is allowed in the storm sewer easement and drainage easement. The applicant will request permission from WE Energies to place a fence in the easement. Typically WE Energies grants these requests.

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**Budget Impacts:**

None

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**Recommended Action:**

Staff has concerns about allowing a fence within this storm sewer easement. Staff suggests that the fence be located outside of the 10-foot easement along the east side.

If a fence is approved within the easement, staff recommends that the standard Permission to Occupy Drainage Easement Agreement be signed and recorded with the Calumet County Register of Deeds prior to a fence permit being issued.

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**Attachments:**

- Request Letter with Site Plan
- Subdivision Plan
- Aerial Image
- Draft Agreement



5825 N Richmond Street, Appleton, WI 54913  
Phone: 920-954-9650 Fax: 920-954-9640

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7-5-18

Mark Mommaertz  
Village Of Harrison  
W5298 Hwy 114 , Menasha , WI , 54952

Dear Mark Mommaertz,

**We are Looking at installing a fence at W5849 Adler Way**

**We would like to install this fence from the front of the home east to the property line turning south down the property line , then turning west going across the back yard at the 50ft setback easement line , then turning north following up the opposite property line and returning east to the rear of the home.**

**The style of fence we are installing is a 6' high white vinyl privacy fence , with a walk gate, footings to be drilled approximately 36" deep 12" diameter, concrete set. The fence across the rear will be 4' high Full color Black Coated chain link with a 6' wide gate. Post to be driven.**

**We have Hydro-Vac capabilities when needed.**

Sincerely,

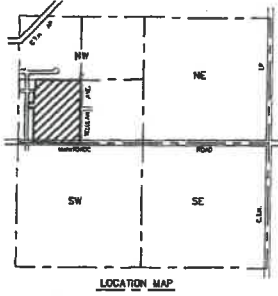
Jeffery J. Borree

CC Abbi Fassbender



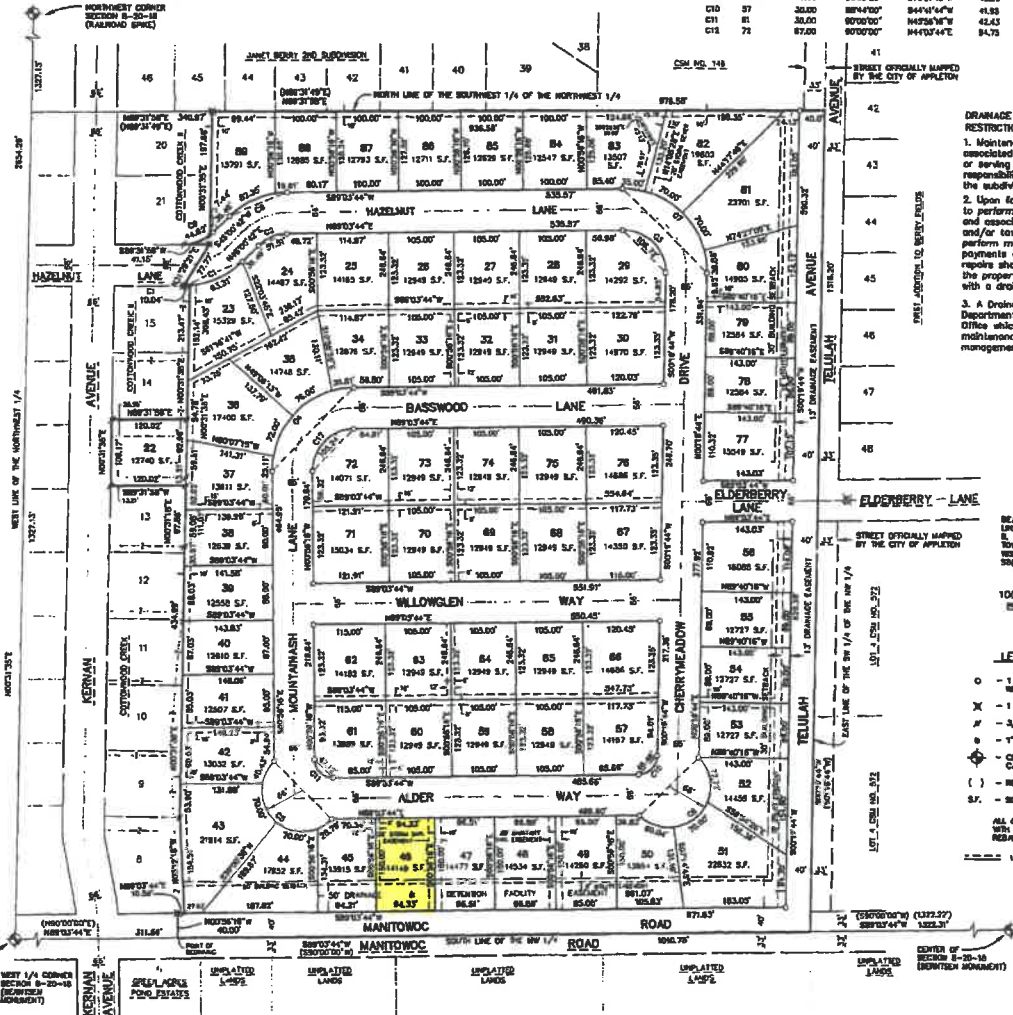
# COTTONWOOD CREEK III

A PART OF LOT 13 OF COTTONWOOD CREEK AND A PART OF LOTS 14 AND 21 OF COTTONWOOD CREEK II (RECORDED SUBDIVISIONS) AND A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 18 EAST, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN

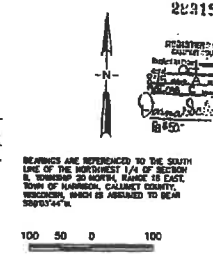


**UTILITY EASEMENT PROVISIONS**  
 An easement for electrical and communication services is hereby granted by Pila Development, L.L.C. to AMERITECH, WISCONSIN ELECTRIC POWER COMPANY and THE WARNER CABLE, Groutees, to their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy for such purposes as the same is now or may hereafter be used and for sound and signals, all to, over, under, across, along and upon the property shown within these areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements thereon, or an adjacent lot, and the right to trim or cut down trees, brush and roots or any other necessary required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantee covenants to restore to ground restored, the property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or their successors. Said covenants shall not apply to the full or partial relocation of said underground and/or above ground electric facilities or communication facilities or to cut trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Said covenants shall not apply to the full or partial relocation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without the written consent of Grantee.  
 The Grant of easement shall be binding upon and heirs to the benefit of the heirs, successors and assigns of all parties hereto.  
 NO UTILITY TRANSFORMERS OR PRECASTERS ARE TO BE SET WITHIN 2 FEET OF A PROPERTY CORNER BOUNDARY.  
 NO CONDUITS ARE TO BE BURIED WITHIN A FOOT OF A LOT CORNER BOUNDARY.

CURVE	LOT	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	TANGENT BEARING
C1	TOTAL	133.00	44°31'14"	N87°16'22"E	100.77	103.38	N88°21'04"E N43°04'42"E
	34	133.00	44°31'14"	N87°16'22"E	100.84	103.41	
	35	133.00	44°31'14"	N87°16'22"E	81.41	83.51	
C2	TOTAL	87.00	44°31'14"	N87°16'22"E	50.25	51.81	N45°02'42"E N88°04'42"E
	36	87.00	44°31'14"	N87°16'22"E	50.25	51.81	
	37	87.00	44°31'14"	N87°16'22"E	31.70	32.50	
C3	TOTAL	133.00	10°49'00"	S84°54'44"E	18.89	209.32	S44°28'42"E S43°14'48"E
	38	133.00	10°49'00"	S84°54'44"E	18.89	209.32	
	39	133.00	10°49'00"	S84°54'44"E	26.78	270.00	
	40	133.00	10°49'00"	S84°54'44"E	26.78	270.00	
	41	133.00	10°49'00"	S84°54'44"E	26.78	270.00	
	42	133.00	10°49'00"	S84°54'44"E	26.78	270.00	
	43	133.00	10°49'00"	S84°54'44"E	26.78	270.00	
	44	133.00	10°49'00"	S84°54'44"E	26.78	270.00	
	45	133.00	10°49'00"	S84°54'44"E	26.78	270.00	
C4	TOTAL	86.00	88°27'52"	S44°14'44"E	120.00	207.77	S47°07'22"E N43°28'12"E
	46	86.00	88°27'52"	S44°14'44"E	120.00	207.77	
	47	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	48	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	49	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	50	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	51	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	52	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	53	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	54	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	55	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	56	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	57	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	58	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	59	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	60	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	61	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	62	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	63	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	64	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	65	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	66	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	67	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	68	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	69	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	70	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	71	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	72	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	73	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	74	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	75	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	76	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	77	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	78	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	79	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	80	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	81	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	82	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	83	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	84	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	85	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	86	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	87	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	88	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	89	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	90	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	91	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	92	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	93	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	94	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	95	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	96	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	97	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	98	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	99	86.00	88°27'52"	S44°14'44"E	73.31	77.72	
	100	86.00	88°27'52"	S44°14'44"E	73.31	77.72	



**DRAINAGE & DETENTION EASEMENT RESTRICTIONS:**  
 1. Maintenance of all drainage ways and associated structures within the subdivision or serving the subdivision is the sole responsibility of the property owners of the subdivision.  
 2. Upon failure of the property owners to perform maintenance of the drainage ways and associated structures, the county and/or township retains the right to perform maintenance and/or repairs. The payments of said maintenance and/or repairs shall be equally assessed among the property owners of the subdivision with a drainage covenant.  
 3. A Drainage Plan has been filed with the Department of Planning, Zoning & Sanitation Office which states the required levels of maintenance for all of the identified stormwater management systems.



**LEGEND**  
 O - 1 1/4" x 3/8" ROUND STEEL REBAR W/ 4000 4.30 lbs./lineal ft. SET  
 X - 1 1/4" ROUND STEEL REBAR FOUND  
 # - 3/4" ROUND STEEL REBAR FOUND  
 b - 1" PPK FOUND  
 [Symbol] - CEMENTED LAND COVER CALUMET COUNTY  
 [Symbol] - RECORDED BEARING AND/OR DISTANCE  
 S.F. - SQUARE FEET  
 ALL CORNER LOT CORNERS SET WITH 3/4" x 3/8" ROUND STEEL REBAR. SPACING 1.50 LINEAL FT.  
 --- UTILITY EASEMENT (IF UNLESS NOTED)

**SUBDIVIDER:**  
 Pila Development, L.L.C.  
 c/o Michael Reppert (contractor)  
 1218 Woodstock Drive  
 Appleton, Wisconsin 54915  
 Phone (920) 720-6033

**APPROVAL AGENCIES:**  
 CALUMET COUNTY PLANNING AND ZONING COMMITTEE  
 TOWN OF HARRISON  
 CITY OF APPLETON

**ACCESS RESTRICTIONS:**  
 AS SHOWN THE HIGHWAY RESTRICT LOTS 43-46 AND LOTS 77-81 IN THAT NO DRIVE, PASSAGE, OR USE BE ALLOWED ON OTHER PERSON SHALL HAVE ANY RIGHT OF ENTRY OR EGRESS ON LOTS 43-46 WITH HAZELBUNT ROAD AND TELULAH AVENUE AS SHOWN ON THIS PLAN, IT BEING EXPRESSLY RESTRICTED THAT THIS RESTRICTION SHALL CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC ACCORDING TO SECTION 231.20(3), WISCONSIN STATUTES AND SHALL BE ENFORCED BY THE TOWN OF HARRISON.

**NOTE:**  
 All Town of Harrison building setbacks are 30' from R/W unless otherwise noted.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.31 (1) and (2), Wis. Stat.

Certified September 15, 2008  
 Jeannette A. Johnson  
 Department of Administration

1445 Melancon Drive Neenah, WI 54956  
 P.O. Box 1025 Neenah, WI 54957-1025  
 TEL: 920-751-4200 FAX: 920-751-4264

**McMAHON ASSOCIATES, INC.**  
 ENGINEERS  
 ARCHITECTS  
 SCIENTISTS  
 SURVEYORS



06-26-08



# Calumet County, WI

## Legend

- Address Point
  - County Boundary
  - Wisconsin Water
  - Unincorporated Community
  - Town Boundary
  - Point of Interest
  - Parcel Boundary
  - Property Hook
  - PLSS Section
  - State Parks
  - County Parks
  - Lake
  - River and Stream
  - Major Roads
  - Local Roads
  - Local Roads
  - Municipal Streets
  - Trail
  - Railroad
- Color 2014
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:	
Date Printed:	07/26/18 1:40 PM
Source:	





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VILLAGE OF HARRISON  
CALUMET & OUTAGAMIE COUNTIES, WISCONSIN

**Permission to Occupy Drainage Easement Agreement**

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This agreement is entered into by and between the Village of Harrison, Calumet & Outagamie Counties, hereinafter referred to as "Village" and Kevin & Abbi Fassbender, hereinafter referred to as "Owner", owners of property described as Lot 46 of Cottonwood Creek III being a part of Lot 13 of Cottonwood Creek and a part of lots 14 and 21 of Cottonwood Creek II (Recorded Subdivisions) and a part of the Southwest ¼ of the Northwest ¼ of Section 8, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin, located at W6849 Alder Way.

This agreement authorizes the Owner to place a fence, hereinafter referred to as "Improvement", within the recorded drainage easement on their property subject to the following provisions and/or conditions:

1. The Owner agrees that if the Village determines that stormwater runoff is impeded or obstructed at any time because of the Improvement, then the Village may order the Owner to remove such Improvement and return the property grades/elevations to that of the approved grading/drainage plan. If the Owner fails to comply, the Village may cause removal of the Improvement and shall place the cost on the property tax bill as a special assessment.
2. The Owner agrees to remove the Improvement upon reasonable notice from the Village that work needs to be completed within the easement area or that access needs to be obtained through the easement area.
3. In case of emergency, the Village may remove the Improvement without giving notice to the Owner.
4. The Village is not responsible for any damage done during removal.
5. The Village will not replace the Improvement for any reason or reimburse Owner for removal of Improvement.
6. The Owner agrees to maintain the drainage easement, including but not limited to mowing and removal of debris, on both sides of the Improvement.

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Return to:  
Village of Harrison  
W5298 Hwy 114  
Menasha, WI 54952

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Parcel No.(s): 131-0463-000460A-000-0-201808-00-2300

This Agreement shall be binding upon the owner, its successors, assigns, and heirs, until such time as the Improvement is removed and the easement is restored to its original state.

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