



Legislation Details (With Text)

**File #:** 40180      **Version:** 1      **Name:** Termination of an Attachment Agreement for the Town of Burke - 4963 Bultman Road

**Type:** Resolution      **Status:** Passed

**File created:** 9/23/2015      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 11/3/2015      **Final action:** 11/3/2015

**Enactment date:** 11/5/2015      **Enactment #:** RES-15-00852

**Title:** Authorizing the termination of an attachment agreement for the Town of Burke property located at 4963 Bultman Road.

**Sponsors:** Paul R. Soglin

**Indexes:**

**Code sections:**

**Attachments:** 1. Termination of Attachment Agreement 5212986.pdf

Date	Ver.	Action By	Action	Result
11/3/2015	1	COMMON COUNCIL	Adopt	Pass
10/21/2015	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
10/19/2015	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
10/6/2015	1	BOARD OF PUBLIC WORKS	Referred	
10/6/2015	1	COMMON COUNCIL	Refer	Pass
9/23/2015	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

No appropriation is required to enter into this agreement. The property owner has reimbursed the City for staff time and costs in preparing the original delayed attachment agreement and ordinance, and processing the request to cancel the delayed attachment.

**Title**

Authorizing the termination of an attachment agreement for the Town of Burke property located at 4963 Bultman Road.

**Body**

WHEREAS, on January 24, 2011, based upon the authorization granted in RES-10-00975 (Legistar File ID No. 20595) and pursuant to Sections 8.C.1. and 12.C of the Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan, the City of Madison entered into an attachment agreement with Joseph A. Schutz, the owner of the Town of Burke property located at 4963 Bultman Road, under which Mr. Schutz was entitled to connect the property to City sanitary sewer services, with his property automatically attaching to the City on January 4, 2016; and,

WHEREAS, Mr. Schutz never connected his property to the City's sanitary sewer services and now wishes to remain in the Town of Burke and not connect to the City's sanitary sewer; and,

WHEREAS, City Engineering and Public Health staff have determined that the termination of the attachment agreement and repeal of the delayed attachment would not be contrary to the public's interests as Mr. Schutz has provided proof that the onsite well and septic systems are in good working condition and can be expected to last ten years or more, and further Mr. Schutz has agreed to reimburse City staff for its time and resources

in preparing the original delayed attachment agreement and ordinance, as well as the repeal of those actions.

NOW THEREFORE BE IT RESOLVED the Mayor and City Clerk are hereby authorized to sign an agreement terminating the Attachment Agreement entered into between the City and Joseph Schutz on Jan. 24, 2011, on a form that is approved by the City Attorney.

Note: This resolution is a companion to Ordinance Legistar ID# 40252, repealing Section 15.01(577) of the Madison General Ordinances to terminate the delayed attachment for the property located at 4963 Bultman Road, Town of Burke.