



Legislation Details (With Text)

File #: 35474 **Version:** 1 **Name:** Agreement with City of Middleton for Development of Blackhawk Road and North Pleasant View Road Right of Way

Type: Resolution **Status:** Passed

File created: 9/8/2014 **In control:** BOARD OF PUBLIC WORKS

On agenda: 10/21/2014 **Final action:** 10/21/2014

Enactment date: 10/22/2014 **Enactment #:** RES-14-00763

Title: Authorizing the Mayor and City Clerk to Execute an Intergovernmental Agreement and Boundary Adjustment Agreement with the City of Middleton Regarding the Development of Blackhawk Road and the North Pleasant View Road Right-of-Way (9th AD).

Sponsors: Paul R. Soglin, Paul E. Skidmore

Indexes:

Code sections:

Attachments: 1. North Pleasant View Road ROW Boundary Adjustment Agreement, 2. Blackhawk Road Intergovernmental Agreement

Date	Ver.	Action By	Action	Result
10/21/2014	1	COMMON COUNCIL	Adopt	Pass
10/8/2014	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/6/2014	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
9/23/2014	1	WATER UTILITY BOARD	Return to Lead with the Recommendation for Approval	Pass
9/16/2014	1	BOARD OF PUBLIC WORKS	Referred	
9/16/2014	1	BOARD OF PUBLIC WORKS	Refer For Public Hearing	
9/16/2014	1	COMMON COUNCIL	Referred	
9/8/2014	1	Attorney's Office	Referred for Introduction	

Fiscal Note

There is minimal fiscal impact; the Sewer and Water Utilities will potentially receive some incremental revenue.

Title

Authorizing the Mayor and City Clerk to Execute an Intergovernmental Agreement and Boundary Adjustment Agreement with the City of Middleton Regarding the Development of Blackhawk Road and the North Pleasant View Road Right-of-Way (9th AD).

Body

WHEREAS, on March 2, 1994, Madison and the City of Middleton ("Middleton") entered into the Agreement Between the City of Madison, the City of Middleton and Old Sauk Trails Park Limited Partnership Regarding Detachment of Lands and Between the City of Madison and the City of Middleton Authorizing Connection to the City of Madison's Blackhawk Road Sewer, which agreement allows Middleton properties north of Blackhawk Road to connect to Madison's sanitary sewer at the Blackhawk Road and North Pleasant View Road intersection; and,

WHEREAS, in 1997-1998 Madison installed a 12" water main along the southern portion of the Blackhawk Road right-of-way from North Pleasant View Road approximately 2800 feet west, and Madison also has sewer

and water service within the Blackhawk Subdivision to the south of Blackhawk Road; and,

WHEREAS, the property located at 8850 Blackhawk Road (the "Development Parcel") is an approximately 3.627 acre parcel that was annexed into Middleton on April 15, 2014. The Development Parcel has an existing single-family residence served by private well and septic. The parcel lies immediately adjacent to the southeastern boundary of the Pleasant View Golf Course at the northwestern intersection of Blackhawk Road and North Pleasant View Road, and along Middleton's jurisdictional boundary with Madison on the south and east, and the Town of Middleton on the west; and,

WHEREAS, as part of the Madison's 2003 Cooperative Plan with the Town of Middleton, the western 33 feet of the North Pleasant View Road right-of-way adjoining the Development Parcel was attached to Madison; and,

WHEREAS, because it would be cost prohibitive to extend the nearest Middleton water service to serve the property, the current owner/developer of the Development Parcel (the "Developer") has submitted a request to the Madison Water Utility that the property be allowed to connect to Madison's water service in Blackhawk Road in order to facilitate the redevelopment of the property with the construction of a planned 110 unit apartment complex; and,

WHEREAS, pursuant to Madison General Ordinances Sec. 13.16(2)(b), the Madison Water Utility is allowed to serve properties outside the corporate limits of Madison if the area is identified by an intergovernmental agreement, provided the property is subject to the same rules and ordinances governing water customers inside the City, service to the properties will not adversely affect service to properties within Madison, and service has been approved by the Water Utility General Manager; and,

WHEREAS, Madison is agreeable to allowing the Development Parcel and additional Middleton properties to the west along Blackhawk Road, to connect to Madison's water supply and sanitary sewer, subject to the terms and conditions agreed upon by Madison and Middleton as set forth in the Intergovernmental Agreement Regarding Sanitary Sewer and Water Service on Blackhawk Road between the City of Madison and the City of Middleton, which agreement is attached hereto, the terms thereof being incorporated by reference; and,

WHEREAS, the Water Utility General Manager has approved of future water service connections by Middleton properties to Madison water service along Blackhawk Road on the terms and conditions set forth in the Intergovernmental Agreement, these future connections being found to not adversely affect service to properties within Madison; and,

WHEREAS, now that the Development Parcel is in Middleton, and in anticipation of the North Pleasant View Road improvement project, Madison and Middleton agree that it is in both municipalities' best interests to adjust the boundary between the Parties by shifting the jurisdictional line approximately 33 feet east from the eastern property line of the Property to the centerline of the North Pleasant View Road; and,

WHEREAS, following the North Pleasant View Road improvement project, the Parties may find that it is necessary to reestablish the jurisdictional line based upon the centerline of the as-built roadway from Blackhawk Road North to Greenway Boulevard.

NOW THEREFORE BE IT RESOLVED, that the Common Council approves the Intergovernmental Agreement Regarding Sanitary Sewer and Water Service on Blackhawk Road and the Boundary Adjustment Agreement Regarding the North Pleasant View Road Right-of-Way Between the City of Madison and the City of Middleton, which agreements are attached hereto and incorporated by reference, and authorizes the Mayor and the City Clerk to execute these agreements, and any other documents necessary to effectuate these agreements, on behalf of the City.