



Legislation Text

File #: 22782, **Version:** 1

Title

Authorizing the Mayor and City Clerk to execute an “Intergovernmental Agreement Regarding the Mid Town Road Right-of-Way” and a “Boundary Adjustment Agreement Regarding the Mid Town Road Right-of-Way” with the Town of Verona. (1st & 7th ADs)

Body

WHEREAS, Wisconsin Statutes, Section 66.0301(6), authorizes municipalities whose boundaries are immediately adjacent at any point to enter into a written agreement determining all or a portion of common boundary line between the municipalities; and,

WHEREAS, Wisconsin Statutes, Section 66.0301, authorizes the Parties to contract for the joint exercise of their powers and duties, and sharing of expenses arising therefrom; and,

WHEREAS, Wisconsin Statutes, Section 66.0707, authorizes a city to levy special assessments for municipal work or improvements or impose special charges against property in an adjacent town, under certain conditions; and,

WHEREAS, Mid Town Road (the “Road”), aka Mid-Town Road & Midtown Road, runs from Timber Lane in the Town east approximately 4.3 miles to S. Gammon Rd. in the City and generally serves as the northern boundary line of the Town. From S. Pleasant View Rd. (formerly County Highway M) east to S. Gammon Rd. (the “Adjustment Area”), some portions of the Road are entirely in the City, and other portions are equally in both jurisdictions; and,

WHEREAS, the City wishes to improve and reconstruct the Road in the Adjustment Area from S. High Point Rd. to S. Gammon Rd. (the “Project”) as the Road in this area primarily serves City residents and the improvements thereto will benefit City residents; and,

WHEREAS, the Town does not wish to fully participate financially in the planned Project; and,

WHEREAS, in the near future, similar improvements and reconstruction may be necessary for the Road in the Adjustment Area outside of the Project area, and municipal boundary lines in this area may still lead to issues in funding said improvements and reconstruction; and,

WHEREAS, the Parties agree that it is in both Parties’ best interests to adjust the boundary between the Parties such that the entire right-of-way of the Road in the Adjustment Area is in the City.

WHEREAS, the Parties have agreed to enter into an “Intergovernmental Agreement Regarding the Mid Town Road Right-of-Way” (the “Intergovernmental Agreement”) and a “Boundary Adjustment Agreement Regarding the Mid Town Road Right-of-Way” (the “Boundary Adjustment Agreement”), which will cause the entire width of the Road in the Adjustment Area to be in the City of Madison, the entire cost of future maintenance and responsibility for the Road in the Adjustment Area to be borne by the City, the entire cost of the Project to be paid for by the City except for that portion funded by special assessments and a possible contribution of up to \$20,000 from the Town towards the costs of the project that it would otherwise bear, and to establish a procedure whereby the City may recover for special assessments against property in the Town located adjacent to the Adjustment Area.

BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute an Intergovernmental Agreement and a Boundary Adjustment Agreement regarding the Mid Town Road Right-of-Way” with the Town of Verona on terms consistent with the above.

Fiscal Note

The inclusion of right-of-way within the City's boundary will have some fiscal impact. The City will take over maintenance of the roadway. A portion of the improvements to Mid Town Road will be assessable to the adjacent Town of Verona properties as if they were located in the City. The Town may either contribute \$20,000 to offset the costs of the Project, or to offset the special assessments made against its residents.