



Legislation Text

File #: 56252, **Version:** 1

No Appropriation Required. The improvements will be built by the developer. Any maintenance costs of the infrastructure will be funded accordingly via the Sewer Utility rates in future years via the annual budget process.

Creating the Pioneer Pointe Sanitary Sewer District and Authorizing the Mayor and City Clerk to enter into an Intergovernmental Agreement with the Town of Middleton for the City of Madison Sewer Utility to provide sanitary sewer service to the Pioneer Pointe Sewer District, consisting of lands located west of Pioneer Road, south of Mineral Point Road and east of Welcome Drive. (9th AD)

WHEREAS, under the terms of the Final City of Madison and Town of Middleton Cooperative Plan Under Section 66.0307, Wisconsin Statutes dated September 29, 2003, Pioneer Road is to generally serve as the municipal boundary between the City and the Town through at least 2042; and,

WHEREAS, Jeff Haen, on behalf of JEKY, LLC (the "Developer"), has proposed a 92 lot redevelopment of the Tumbledown Trails Golf Course (89 single family, 1 commercial lot, a clubhouse and a maintenance building lot) named Pioneer Pointe, which lands are located immediately west of Pioneer Road, south of Mineral Point Road, and east of Welcome Drive; and,

WHEREAS, the Developer has requested connection to the City of Madison sanitary sewer main in Pioneer Road adjacent to the proposed Pioneer Pointe development; and,

WHEREAS, the Madison Sewer Utility has determined that it has sufficient downstream capacity to extend sanitary sewer service to this area; and,

WHEREAS developing the providing sanitary sewer to properties is the environmentally sustainable solution; and

WHEREAS, under MGO Sec. 35.02(4)(b), property outside of the City may be served by the City's sewerage system if it is in a sewer district established by the City, service is in conformance with the City's rules, regulations and ordinances, all sewer related charges are accounted for, necessary permits are obtained, and the connection will be in the best interests of the City; and,

WHEREAS, the City and the Town of Middleton have come to terms on an agreement that would meet the provisions of Sec. 35.02(4)(b) and allow for the provision of sanitary sewer service to the Pioneer Pointe development; and,

WHEREAS, consistent with other developments in the City, the sewer improvements will be built by the Developer to the City of Madison Standards and owned and maintained by the City of Madison Sewer Utility after project completion and acceptance; and,

WHEREAS, it is understood by the parties involved that this sewer service agreement with the Town is contingent upon the execution by Hawk's Landing Golf Land LLC and Hawks Landing Golf Corp., both Jeff Haen entities, of a Maintenance agreement with the City of Madison (RES-19-00436, File #55834) for the maintenance of stormwater management facilities located in the Hawk's Landing Golf Club Plat Environmental Corridor.

NOW, THEREFORE BE IT RESOLVED that, subject to the approval of the Town's pending Central Urban

Service Area amendment to allow for sanitary sewer service to the area, the execution of the Maintenance Agreement for the Hawk's Landing Golf Club Plat Environmental Corridor between the City and Hawks Golf Land, LLC and Hawks Landing Golf Corp., and pursuant to MGO Sec. 35.02(4)(b), the Common Council hereby creates the Pioneer Pointe Sewer District and finds that provision of sanitary sewer service to this District, as shown in the attached Exhibit, is in the best interests of the City; and,

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized to enter into an Intergovernmental Agreement with the Town of Middleton for the City of Madison Sewer Utility to provide sanitary sewer service to the Pioneer Pointe Sewer District, on terms consistent with the agreement attached hereto, in a format approved by the City Attorney and the City Engineer.