



Legislation Text

File #: 78136, **Version:** 1

Fiscal Note

The proposed resolution authorizes the City to participate in negotiations and, if necessary, arbitration with Dane County regarding the County's development of a proposed landfill, Landfill Site No. 3, at the Yahara Hills Golf Course. Additionally, the resolution authorizes the Mayor to appoint four members to the Landfill Site No. 3 Local Committee, who would also serve on the Negotiating Team Committee. There is no appropriation required for the formation of the committees.

Title

Authorizing the City to participate in negotiations and, if necessary, arbitration with Dane County regarding the County's development of a proposed landfill, Landfill Site No. 3 at the Yahara Hills Golf Course, creating the Landfill Site No. 3 Negotiating Team Committee, and authorizing the Mayor to appoint members to the Landfill Site No. 3 Local Committee and the Landfill Site No. 3 Negotiating Team Committee.

Body

Title

Authorizing the City to participate in negotiations and, if necessary, arbitration with Dane County regarding the County's development of a proposed landfill, Landfill Site No. 3 at the Yahara Hills Golf Course, creating the Landfill Site No. 3 Negotiating Team Committee, and authorizing the Mayor to appoint members to the Landfill Site No. 3 Local Committee and the Landfill Site No. 3 Negotiating Team Committee.

Body

WHEREAS, State law gives municipalities affected by the development of new landfills certain rights in the approval process; and,

WHEREAS, on May 10, 2022, the Council adopted RES-22-00319 (File No. 70597), which resolution authorized the City to sell portions of the Yahara Hills Golf Course to the County for the County's development of the lands as a future landfill, compost site and sustainable business park. The eastern 231.8 acres of the Golf Course were sold to the County for this purpose on February 27, 2023; and,

WHEREAS, on May 3, 2023, as required under Wis. Stat. Sec. 289.22, the City of Madison received Dane County's written request for the specification by the City of all applicable City approvals needed regarding the County's plans to develop a proposed landfill, Dane County Landfill No. 3, on a portion of the former Yahara Hills Golf Course located at 7101 U.S. Highways 12&18 in the City of Madison; and,

WHEREAS, under Wis. Stat. Sec. 289.33, prior to authorizing the development of a landfill, the State requires landfill operators and the affected municipalities to participate in negotiations, and possibly arbitration, regarding the proposal; and,

WHEREAS, pursuant to Wis. Stat. Sec. 289.33(6), in order to participate in the statutory negotiation and arbitration processes regarding the County's landfill development plans, the City must, within sixty (60) days from receiving the written request for local approvals, adopt a siting resolution and, within seven (7) days of adoption of the siting resolution, must appoint members to a local committee formed to negotiate regarding the expansion plans (the "Local Committee"); and,

WHEREAS, it is necessary to create a City committee, separate from the Local Committee, to meet and discuss the City's interests, negotiating and bargaining strategy to be pursued by City appointees to the Local

Committee; and,

WHEREAS, if the City does not enact a siting resolution within sixty (60) days of receiving the written request (July 2, 2023), the City may not participate in any negotiations with Dane County regarding the development of the landfill.

NOW THEREFORE BE IT RESOVLED, that, pursuant to Wis. Stat. Sec. 289.33(6), the Common Council hereby adopts this siting resolution authorizing the City to participate in negotiations and, if necessary, arbitration with Dane County regarding the County's plans to develop Landfill Site No. 3, on the former Yahara Golf Course, in the City of Madison; and,

BE IT FURTHER RESOLVED, that the Common Council hereby creates the Landfill Site No. 3 Negotiating Team Committee as an ad-hoc committee consisting of four (4) members whose purpose is to formulate, with City staff, the City's negotiating and bargaining strategy to be pursued by City appointees to the Local Committee in discussions, negotiations, mediation, or arbitration with Dane County regarding the development of the proposed Landfill Site No. 3; and,

BE IT FURTHER RESOLVED, that the Landfill Site No. 3 Negotiating Team Committee shall be dissolved upon the execution by the City of a negotiated agreement with Dane County regarding the development of Landfill Site No. 3; and,

BE IT FURTHER RESOLVED, that the Mayor shall appoint four (4) members to the Landfill Site No. 3 Local Committee formed as a result of the City's enactment of this siting resolution, no more than two (2) of whom shall be elected officials or City employees. The initial appointments shall be made within seven (7) days of adoption of this resolution; and,

BE IT FURTHER RESOLVED, that the Mayor's four (4) appointees to the Local Committee shall be simultaneously appointed as the four (4) members of the Landfill Site No. 3 Negotiating Team Committee; and,

BE IT FINALLY RESOLVED, that if the Mayor determines that the best interests of the City will be served by the appointment of a non-City resident who is particularly well qualified by reasons of education, background, and experience to represent the City on the Committees, an appointee may be a non-resident of the City.