

Fw: Boundary Agreement

Nikki Zimmerman <NZimmerman@watertownwi.gov>

Fri 3/15/2024 2:07 PM

To: Nikki Zimmerman <NZimmerman@watertownwi.gov>

From: Emmet Township <tclerk@emmettownship.com>

Sent: Friday, March 15, 2024 1:04 PM

To: Brian Zirbes <BZirbes@watertownwi.gov>; Emily McFarland <emcfarland@watertownwi.gov>; Steven Chesebro <SChesebro@watertownwi.gov>; Andrew Beyer <ABeyer@watertownwi.gov>

Cc: Steve Faltersack <sfaltersack@gmail.com>

Subject: Re: Boundary Agreement

Brian,

The Emmet Town Board met to consider the Watertown Plan Commissions final recommendations to the amendments to the Boundary Agreement. After careful consideration, the Emmet Town Board determined that it is not in the Town's best interest to accept the proposed modifications to the existing agreement.

The City and Town have worked within the bounds of the agreement without issue since its inception. The Town believes that continuing to the end of the current agreement term, and then allowing the future leaders in both jurisdictions to determine the best course of action at that time, is the best course of action.

Though our negotiations may not result in an amended agreement, the Town of Emmet will continue to work in good faith with the City to transition the residents scheduled to be annexed later this year. We will also give careful consideration to future annexation requests that the City may present for approval.

Please feel free to contact us if you have comments or questions.

Thank you,

Thank you,
Deb Carlson, On Behalf of the Emmet Town Board

Town of Emmet
W6777 Second St Rd
Watertown, WI 53098

Cell: 920-285-3459

Email: clerk@emmettownship.com

From: Brian Zirbes <BZirbes@watertownwi.gov>

Sent: Tuesday, March 12, 2024 8:38 AM

To: Emmet Township <tclerk@emmettownship.com>; Emily McFarland <emcfarland@watertownwi.gov>; Steven Chesebro <SChesebro@watertownwi.gov>; Andrew Beyer <ABeyer@watertownwi.gov>

Cc: Steve Faltersack <sfaltersack@gmail.com>

Subject: RE: Boundary Agreement

Hi Deb,

The City of Watertown Plan Commission met last night and discussed the Towns requested changes. Below (in red) are the Plan Commission's final recommendations and replies to posted questions. Please take this information to the Town Board for consideration and let us know their reply.

Thank you.

Brian Zirbes

Zoning & Floodplain Administrator
City of Watertown
106 Jones Street
Watertown, WI 53094-0477
(920) 262-4041



From: Emmet Township <deb@emmettownship.com>

Sent: Friday, March 1, 2024 1:59 AM

To: Emily McFarland <emcfarland@watertownwi.gov>; Brian Zirbes <BZirbes@watertownwi.gov>; Steven Chesebro <SChesebro@watertownwi.gov>; Andrew Beyer <ABeyer@watertownwi.gov>

Cc: Steve Faltersack <sfaltersack@gmail.com>

Subject: Re: Boundary Agreement

The Emmet Town Board met to discuss the proposed amendments to the Boundary Agreement. Following are the changes the Board is requesting be considered:

Section 3 - Amendment to Sect 6.02 (d) - The Emmet Town Board is requesting that the language in the current agreement remain, requiring the Town's written consent prior to the City annexing any land in the Town Growth Area.

- Text per current agreement:

The City shall not annex any land from the Town Growth Area without the Town's prior written consent. A written request for consent shall be submitted to the Town upon receipt of an annexation petition. The Town shall review and respond to the City within ninety (90) days of the City's written notice of the City's intent to annex land from the Town Growth Area. The Town's failure to respond in writing within ninety (90) days shall constitute the Town's denial of the annexation.

- The City proposed to allow City annexations within the 'Town Growth Area' subject to current annexation statutes.
- The Town requests that annexations be allowed within the 'Town Growth Area' as per the current agreement.

- **Plan Commission final recommendation:** City annexations within the 'Town Growth Area' should be allowed as proposed within the amended agreement because this is a tradeoff for significantly reducing the 'City Growth Area' size.

Section 5 - Amendment to Sect V - The Emmet Town Board requests that the end date per the current agreement, December 31, 2032, remain in effect.

- The City proposed for the agreement to expire December 31, 2029.
- The Town requests the end date, December 31, 2032 per the current agreement, to remain in effect.
- **Plan Commission final recommendation:** The agreement should expire December 31, 2029 in parallel to the adjusted revenue sharing agreement (see next item).

Section 6 - Amendment to Sect 12.02 - The Town Board requests the revenue sharing be paid over a 5-year term at 100% per year.

- Revenue sharing timeline per current agreement:

<i>Year 1</i>	<i>100%</i>
<i>Year 2</i>	<i>90%</i>
<i>Year 3</i>	<i>80%</i>
<i>Year 4</i>	<i>70%</i>
<i>Year 5</i>	<i>60%</i>
<i>Year 6</i>	<i>50%</i>
<i>Year 7</i>	<i>40%</i>
<i>Year 8</i>	<i>30%</i>
<i>Year 9</i>	<i>20%</i>
<i>Year 10</i>	<i>10%</i>

- The City proposed the following amended revenue sharing timeline:

Year 1	50%
Year 2	40%
Year 3	30%
Year 4	20%
Year 5	10%

- The Town requests the revenue sharing be paid over a 5-year term at 100% per year.
- **Plan Commission final recommendation:** The following compromise revenue sharing timeline should be used.

Year 1	100%
Year 2	80%
Year 3	60%
Year 4	40%
Year 5	20%

The Town accepts the change to the City Growth area as proposed in the amendment document.

OK

The Town Board is requesting clarification of Section 1 - Amendment of Sect 3.02(d) and Section 4- Amendment of Section 8.05(g). Both amendments define timelines for connection to City Water and Sewer. If a property owner scheduled to be attached, or after attachment, cures a violation to their well or septic within 60 days, are they allowed to defer connection indefinitely?

- **Plan Commission Reply:** No, an annexed property is not allowed to defer connection indefinitely.

Or are they required to connect to City water and sewer within 12 months of installation of services adjacent to their property?

- **Plan Commission Reply:** Connect is required within 12 months of utility lines being available.

The concern is that a property owner may incur a significant cost to correct a violation and then find that they are still required to connect to city services within 12 months or some other time frame that does now allow the property owner to recover the cost of reinvesting in their well or septic.

- **Plan Commission Reply:** This concern exists presently and is part of the reason for these discussions.

In earlier discussions regarding the extension of sewer and water to the properties being attached later in 2024, there was a concern regarding the cost of the infrastructure related to extending City services. Is the Board correct to assume that property owners will still bear the cost of engineering, installation, impact and other fees? And if not required to connect because they have maintained their well and septic to code, will a property owner still be responsible for these costs at the time that service is extended adjacent to the property?

- **Plan Commission Reply:** Yes, the property owner will bear the costs. Second question in not applicable because connection is required within 12 months of utility lines being available.

We anticipate that property owners in the area being attached later in 2024 will have similar questions and request clarification of the language in these two sections.

The Town Board did discuss the timeline for the amendment process and is aware that a public hearing would have to be scheduled soon. At this time, the Board is open to moving forward, but would like response to the requested changes and concerns before confirming their decision.

Please let me know if you have questions or need additional information. Thanks,
Deb

Deb Carlson, Clerk
Town of Emmet
W6777 Second St Rd

Watertown, WI 53098

Cell: 920-285-3459

Email: clerk@emmettownship.com

From: Emily McFarland <emcfarland@watertownwi.gov>

Sent: Thursday, February 22, 2024 1:00 PM

To: Emmet Township <deb@emmettownship.com>; Brian Zirbes <BZirbes@watertownwi.gov>; Steven Chesebro <SChesebro@watertownwi.gov>; Andrew Beyer <ABeyer@watertownwi.gov>

Subject: RE: Boundary Agreement

Sounds good, if need anything from us, please let us know!

From: Emmet Township <deb@emmettownship.com>

Sent: Thursday, February 22, 2024 11:12 AM

To: Brian Zirbes <BZirbes@watertownwi.gov>; Steven Chesebro <SChesebro@watertownwi.gov>; Emily McFarland <emcfarland@watertownwi.gov>; Andrew Beyer <ABeyer@watertownwi.gov>

Subject: Boundary Agreement

The Emmet Town Board will be meeting on February 29th to consider the points of concern discussed during the amendment overview meeting held on February 20th. Following the meeting on the 29th, I will provide an update of the Town Boards decision and we can determine next steps.

Please let me know if you have questions or comments. Thanks,
Deb

Deb Carlson, Clerk

Town of Emmet

W6777 Second St Rd

Watertown, WI 53098

Cell: 920-285-3459

Email: clerk@emmettownship.com