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## MEMO

**To:** City of Watertown Common Council

**From:** Brian Zirbes, Zoning Administrator

**Date:** September 19<sup>th</sup>, 2023

**RE:** City of Watertown - Town of Emmet Boundary Agreement - Annexation

The purpose of this memo is to provide some background information on the City of Watertown – Town of Emmet Cooperative Boundary Agreement and the future steps that will need to be taken to complete the final boundary adjustment (annexation) defined by the agreement.

### History

The first version of the cooperative boundary agreement between the City of Watertown and the Town of Emmet, known as the 'Intermunicipal Cooperative Agreement' was first adopted in January of 2000. The term of this original agreement was from 2000 to 2013. In 2010, the City and Town started a review process of the original agreement. In 2013, a second version of the cooperative agreement was adopted, known as the 'Restated Intermunicipal Cooperative Agreement', that included amendments that corrected deficiencies in the original agreement. The 'Restated Intermunicipal Cooperative Agreement' had a term of about one year from June of 2013 to September of 2014. The third and current version of the cooperative agreement, known as the 'City of Watertown - Town of Emmet Cooperative Boundary Agreement', was adopted on September 24, 2014 and expires on December 31<sup>st</sup>, 2032.

Key provisions of the City of Watertown - Town of Emmet Cooperative Boundary Agreement include City and Town growth areas and four boundary adjustment areas. In the Town growth area land use is subject exclusively to town land use regulations, while in the City growth area land use is subject to City oversight. The four boundary adjustment areas are mandatory adjustments (annexations) scheduled at specific dates per the boundary agreement. The 'STH 16 Residential Area' is the last of these four boundary adjustments to be completed.

### Schedule

The cooperative boundary agreement calls for the completion of the 'STH 16 Residential Area' annexation on or before September 29<sup>th</sup>, 2024. The required steps to complete this process are outlined on the

attached 'Town of Emmet Annexation Schedule' document. This document will continue to be updated as the process proceeds.

## **Costs**

### Surveying

In order to complete the annexation process, a plat map with the legal description will have to be prepared by a surveyor. Funds for this have been proposed in the FY2024 budget.

### Sewer/Water Connections

The boundary agreement requires that all properties in the territory being attached to the City be connected to City water and sewer within one year. The extensions of the water and sewer mains are the responsibility of the property owners. Cost estimates are provided in the attached informational summary.

## **Supporting Information**

The attached informational summary provides more detailed information and maps regarding the boundary adjustment (annexation).

As this boundary adjustment process proceeds, please don't hesitate to reach out to me with any questions that you may have.

Sincerely,  
Brian Zirbes  
Zoning and Floodplain Administrator  
Building, Safety and Zoning

## Town of Emmet Annexation Schedule

Timeline	Annexation
Aug 30 <sup>th</sup> , 2023	Meeting between City and Town to discuss annexation process.
Sept 11 <sup>th</sup> , 2023	Plan Commission Meeting: <ul style="list-style-type: none"> <li>Informational Update</li> </ul>
Sept 19 <sup>th</sup> , 2023	Common Council Meeting: <ul style="list-style-type: none"> <li>Informational Update</li> </ul>
Sept 27 <sup>th</sup> , 2023	Meeting between City and Town to discuss annexation process.
TBD ???	Public Works Meeting: <ul style="list-style-type: none"> <li>Special Assessment District/Service Area Options</li> </ul>
July 8 <sup>th</sup> , 2024	Plan Commission Meeting: <ul style="list-style-type: none"> <li>Initial Review and Scheduling of Common Council Public Hearing.</li> </ul>
July 10 <sup>th</sup> , 2024	<ul style="list-style-type: none"> <li>Submit the Notice of Public Hearing to the local paper indicating the date of the Public Hearing for the Annexation</li> </ul>
July 15 <sup>th</sup> , 2024	<ul style="list-style-type: none"> <li>Publication of Notice of Public Hearing for Annexation (<i>Class 1 at least 30 days prior to Public Hearing</i>)</li> </ul>
Aug 20 <sup>th</sup> , 2024	Common Council Meeting: <ul style="list-style-type: none"> <li>Public Hearing on Annexation</li> </ul>
Aug 26 <sup>th</sup> , 2024	Plan Commission Meeting: <ul style="list-style-type: none"> <li>Recommendation of Annexation Ordinance to Council</li> </ul>
Sept 3 <sup>rd</sup> , 2024	Common Council Meeting: <ul style="list-style-type: none"> <li>Common Council 1<sup>st</sup> reading of Annexation Ordinance</li> </ul>
Sept 17 <sup>th</sup> , 2024	Common Council Meeting: <ul style="list-style-type: none"> <li>Common Council 2<sup>nd</sup> reading and approval of Annexation Ordinance</li> </ul>

### WATERTOWN

Regular Plan Commission Meeting: Second & Fourth Mondays

Regular Common Council Meetings: First and Third Tuesdays

Newspaper: Published daily; Legal notices due 3 days prior to publishing

# City of Watertown / Town of Emmet Boundary Adjustment Information Summary

9-8-2023

The City of Watertown and the Town of Emmet have entered into a Cooperative Boundary Agreement which calls for four mandatory boundary adjustments (see Exhibit A). The last of these four adjustments, known as the 'Highway 16 Residential Area', is scheduled for attachment to the City on or before September 29, 2024. Below, depicted in green, is the 'Highway 16 Residential Area'. An informational summary regarding the area to be attached to the City follows.

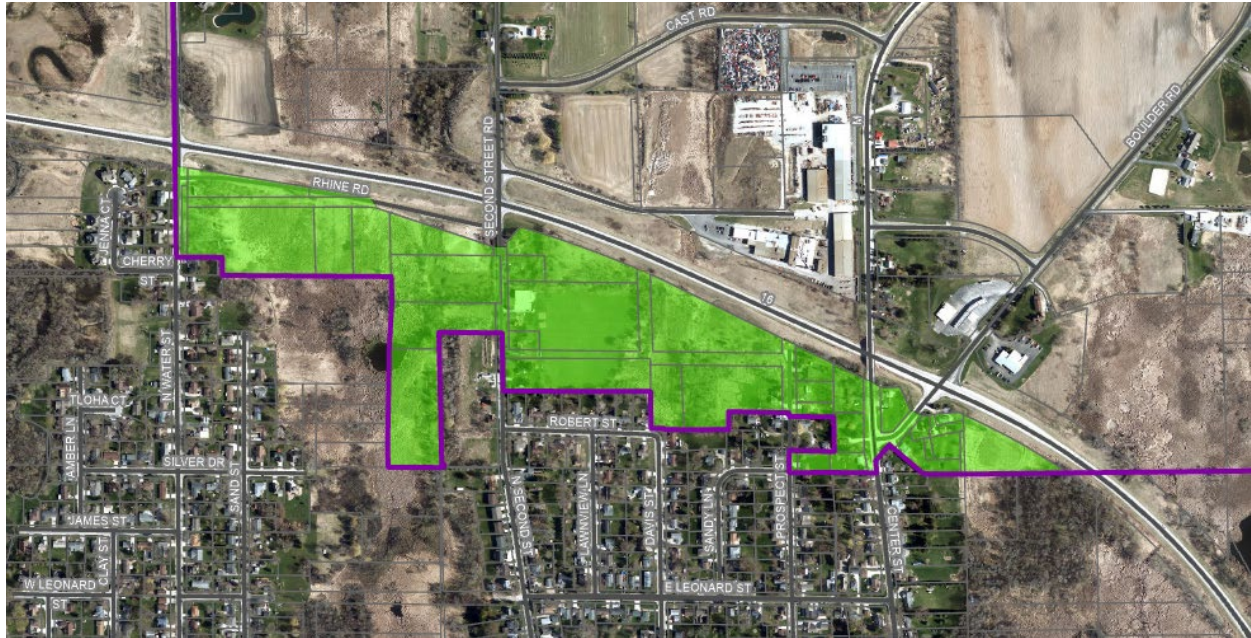


Figure 1 – Watertown / Emmet 'Highway 16 Residential Area' Boundary Adjustment Area

1. Property Values of land to be attached to the City. (Will need to be updated 2024.)  
See Exhibit B.
2. Property Descriptions  
To be completed by Legal and/or surveyor.
3. Population, Adults and children  
To be completed by Legal
4. Wards  
City Ward boundaries would need to be adjusted (see Exhibit C). Parts of the territory being attached to the City would go to Wards 2 & 4. Center St/CTH M would be the divide with all territory east of Center St/CTH M going to Ward 2 (from Emmet Ward 2) and all territory west of Center St/CTH M going to Ward 4 (from Emmet Ward 2). The City Clerk would be involved with this.

# City of Watertown / Town of Emmet Boundary Adjustment Information Summary

9-8-2023

5. Aldermanic Districts

City Aldermanic District boundaries would need to be adjusted (see Exhibit C). Parts of the territory being attached to the City would go to Aldermanic Districts 1 & 6. Center St/CTH M would be the divide with all territory east of Center St/CTH M going to Aldermanic District 1 and all territory west of Center St/CTH M going to Aldermanic District 6. The City Clerk would be involved with this.

6. Other Districts

Dodge County would need to adjust their County Supervisory District Boundaries (see Exhibit C). Center St/CTH M would be the divide with all territory east of Center St/CTH M going to Supervisory District 23 (from Supervisory District 19) and all territory west of Center St/CTH M going to Supervisory District 22 (from Supervisory District 19).

The Town of Emmet would need to adjust their Ward boundaries to the new municipal boundary (Emmet Ward 2 would shrink).

7. Surveying

A plat map meeting WI Department of Administration requirements must be prepared for the territory being attached to the City. This generally will require the assistance of a registered surveyor.

Plat Map Requirements: The scale map shall be an *accurate reflection* of the legal description of the parcels (territory) being transferred. As such, it must show:

- A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
- Bearings and distances along all parcel boundaries as described.
- All adjoining parcels/land as referenced in the description.
- The map must include a graphic scale.
- The map must show and identify the existing municipal boundary, in relation to the parcel being transferred.
- It is also beneficial to include a North Arrow and identify adjacent streets and parcels on the map.

8. Zoning

Zoning of the entire attached territory will be Single Family Residential – 4 (SR-4), consistent with 2019 Comprehensive Plan.

9. Developable Area

Floodplains and wetlands exist between N Water St and N Second St. A small wetland area also exists north of Davis St. and at the far eastern end of the annexation area. The remaining area has development potential.



# City of Watertown / Town of Emmet Boundary Adjustment Information Summary

9-8-2023



Figure 2 – Development Potential

## 10. Addresses

The following addresses shall be assigned:

- N590 North Water Street (PIN: 016-0915-2834-000) shall be 1237 North Water Street.
- N578 Second Street Road (PIN: 016-0915-2843-000) shall be 1627 North Second Street.
- N552 Second Street Road (PIN: 016-0915-2843-002) shall be 1617 North Second Street.
- N548 Second Street Road (PIN: 016-0915-2843-003) shall be 1611 North Second Street.
- N544 Second Street Road (PIN: 016-0915-2843-006) shall be 1605 North Second Street.
- 1528 Prospect Street (PIN: 016-0915-2844-006) shall be 1528 Prospect Street.
- 1533 Prospect Street (PIN: 016-0915-2844-009) shall be 1533 Prospect Street.
- 1529 Prospect Street (PIN: 016-0915-2844-010) shall be 1529 Prospect Street.
- 1527 Prospect Street (PIN: 016-0915-2844-011) shall be 1527 Prospect Street.
- 1519 Prospect Street (PIN: 016-0915-2844-014) shall be 1519 Prospect Street.
- 1524 Center Street (PIN: 016-0915-2844-008) shall be 1524 Center Street.
- 1522 Center Street (PIN: 016-0915-2844-013) shall be 1522 Center Street.
- 1518 Center Street (PIN: 016-0915-2844-015) shall be 1518 Center Street.
- 1530 Center Street (PIN: 016-0915-2844-003) shall be 1531 Center Street.
- 1545 Boulder Road (PIN: 016-0915-2844-019) shall be 1545 Boulder Road.
- 1549 Boulder Road (PIN: 016-0915-2844-020) shall be 1541 Boulder Road.
- 1537 Boulder Road (PIN: 016-0915-2844-018) shall be 1537 Boulder Road.
- 1527 Boulder Road (PIN: 016-0915-2844-017) shall be 1527 Boulder Road.

# City of Watertown / Town of Emmet Boundary Adjustment Information Summary

9-8-2023

## 11. Right of Ways

The following Right-of-Ways shall be transferred to the City:

- North Water Street shall be North Water Street.
- Rhine St (Unimproved, Row Only) shall be Rhine St (Unimproved, Row Only)
- Second Street Road shall be North Second Street.
- Ranis St (Unimproved, Row Only) shall be Ranis St (Unimproved, Row Only).
- Germania St (Unimproved, Row Only) shall be Germania St (Unimproved, Row Only).
- Prospect St shall be Prospect St.
- Center St / CTH M shall be Center St / CTH M.
- Boulder Road shall be Boulder Road.

## 12. Water and Sewer Connection

The City of Watertown – Town of Emmet Cooperative Boundary Agreement requires that all properties in the territory being attached to the City be connected to City water and sewer within one year. The extensions of the water and sewer mains are the responsibility of the property owners. Below are estimated costs for each extension.

### N Water Street

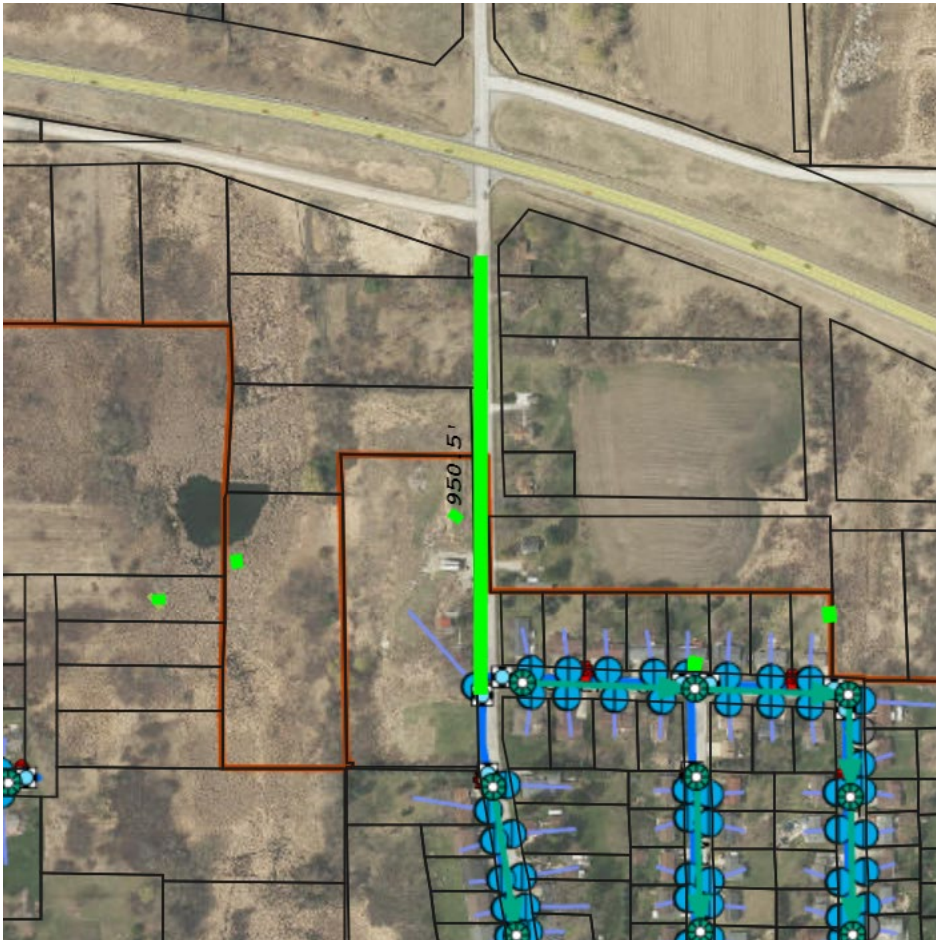
- Sewer and water mains in place, no extensions required. All currently served by utilities.
- Two undeveloped parcels with some developable area would be annexed on the east side of the street and served by the existing mains.
- Private sewer and water laterals would be needed for each structure connected at an approximate cost of \$7,500.

### N Second Street – (Figure 3)

- Approximately 950 ft extension of sewer and water mains required.
- Serves 4 existing homes and 4 undeveloped parcels with some developable area. Additional developable area to the east behind existing homes.
- Approximate Water Cost (\$205/LF) \$194,750
- Approximate Sewer Cost (\$143/LF) \$135,850
- Approximate Total Cost \$330,600
- Private sewer and water laterals would be needed for each structure connected at an approximate cost of \$7,500.

# City of Watertown / Town of Emmet Boundary Adjustment Information Summary

9-8-2023



*Figure 3 - N Second St Extension*

## Prospect Street (Figure 4)

- Approximately 315 ft extension of sewer and water mains required.
- Serves 4 existing homes and 1 undeveloped parcel with some developable area.
- Approximate Water Cost (\$205/LF) \$64,575
- Approximate Sewer Cost (\$143/LF) \$45,045
- Approximate Total Cost \$109,620
- Private sewer and water laterals would be needed for each structure connected at an approximate cost of \$7,500.

## Center Street (Figure 4)

- Approximately 380 ft extension of sewer and water required.
- Serves 3 existing homes.
- Approximate Water Cost (\$205/LF) \$77,900
- Approximate Sewer Cost (\$143/LF) \$54,340
- Approximate Total Cost \$132,240



## City of Watertown / Town of Emmet Boundary Adjustment Information Summary

9-8-2023

- Private sewer and water laterals would be needed for each structure connected at an approximate cost of \$7,500.

### Boulder Rd (Figure 4)

- Approximately 310 ft extension of sewer and water required or private lift stations.
- Serves 4 existing homes.
- Approximate Water Cost (\$205/LF) \$63,550
- Approximate Sewer Cost (\$143/LF) \$44,330
- Approximate Total Cost \$107,880
- Private lift station \$15,000 each, plus collection system \$20,600 – cost split 3 ways.
  - Three homes would require private lift stations.
  - Total linear feet of sewer main may be reduced by use of private lift stations.
- Private sewer and water laterals would be needed for each structure connected at an approximate cost of \$7,500, if needed.

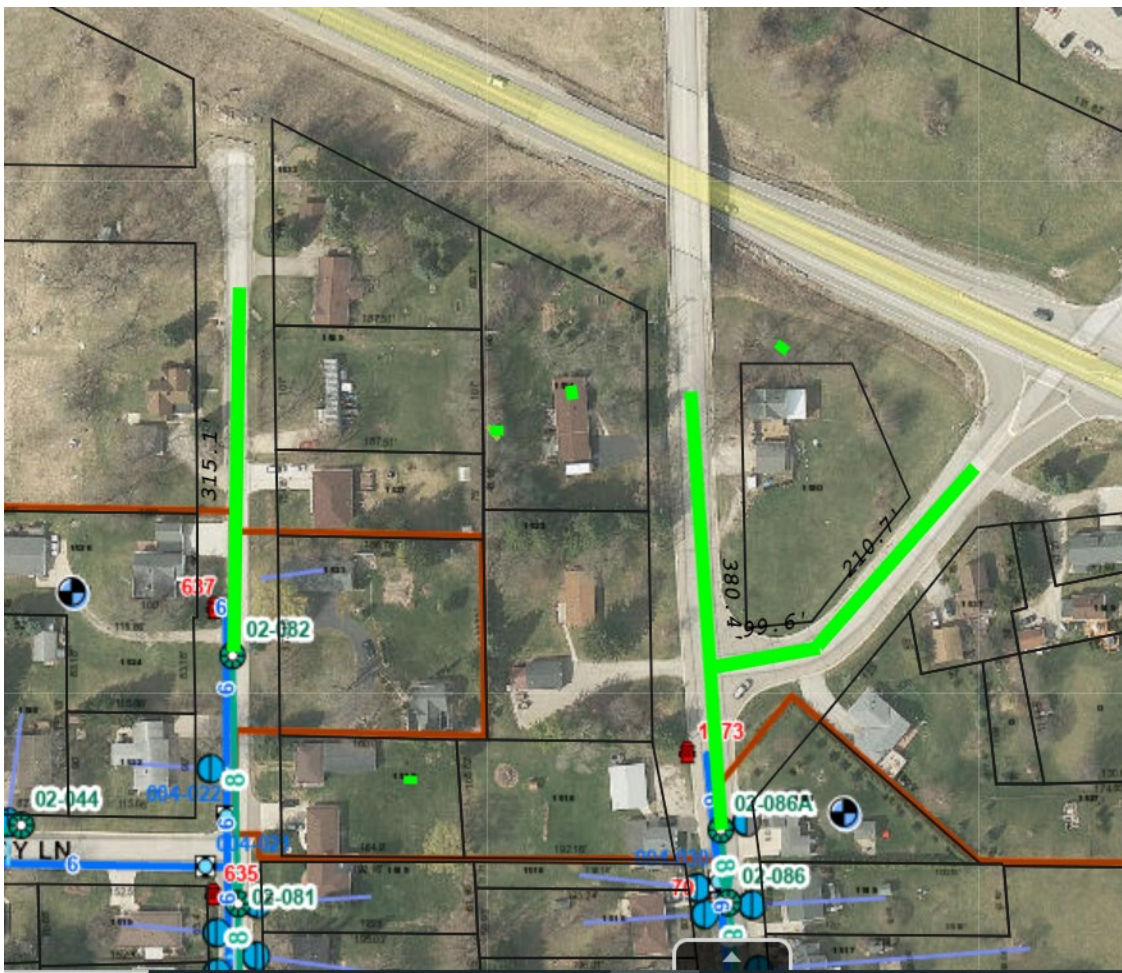


Figure 4- Prospect St, Center St, & Boulder Rd Extensions

# City of Watertown / Town of Emmet Boundary Adjustment Information Summary

9-8-2023

## Other

- Two existing homes that are already connected to utilities would also be annexed.
- Five undevelopable parcels would also be annexed.
  - Comprised of wetlands and/or floodplains with limited or no street access.

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Possible options to fund Water and Sewer:

### Special Service Area (SSA):

A Special Service Area (SSA), also known as “Business Improvement District (BID)” is a taxing mechanism that can be used to fund a wide range of special or additional services and/or physical improvements in a defined geographic area within a municipality or jurisdiction. This type of district allows local governments to establish such areas without incurring debt or levying a tax on the entire municipality.

### Special Assessment District (SAD):

A special assessment is a charge that public authorities can assess against real estate parcels for certain public projects. This charge is levied in a specific geographic area known as a special assessment district (SAD). A special assessment may only be levied against parcels of real estate which have been identified as having received a direct and unique "benefit" from the public project. There may be state grant opportunities for compensating “low to moderate” income residents to help offset some of their costs.

### Payback Agreements:

Payback Agreement is an agreement between the City and a developer for the sole purpose of providing a mechanism for reimbursing a developer for a portion of the Developer’s original costs of installing a facility extension or transportation system improvement as part of a Final Acceptance Certificate (FAC). Generally, Payback Agreements only include those facilities or streets that extend beyond the limits of or up to the Developer’s property, allowing direct connection to or use of the facilities or streets by the benefiting properties adjacent to the facilities or streets. The agreement requires owners of benefiting properties to pay for their pro-rata share of the costs of improvements when they are permitted a connection to the extended facility. The agreement allows the City to collect payments from benefiting properties and pass them on to the Developer. The City collects the money during the normal utility permitting process. The term can allow a maximum term of 20 years for a Utility Payback Agreement, and a maximum term of 15 years for a Transportation Payback Agreement; however, the City, at its discretion, may define a shorter term for the agreement.



# EXHIBIT A

Town Growth Area

City Growth Area

Watertown Emmett  
Agreement Area

Boundary  
Adjustment Areas

- 1 - 5.2 acres
- 2 - 6.9 acres
- 3 - 4.0 acres
- 4 - 56.6 acres

Total - 72.7 acres

- City Growth Area
- ▭ Municipal Boundary
- ▭ Parcels
- ▭ Areas 1-4

0 625 1,250 2,500 Feet

Date: October 8, 2012  
Source: Watertown, USD.A

Draft



# EXHIBIT B

## Assessed Values of Attached Real Estate

Property Owner Name	Property Address	Pin	Total Assessed Value
William T Liebhart & James L Liebhart	*Information Not Available*	016-0915-2831-007	1,000.00
William T Liebhart & James L Liebhart	N590 Water St	016-0915-2834-000	39,500.00
Marion Rumier	*Information Not Available*	016-0915-2834-001	4,500.00
William T Liebhart & James L Liebhart	*Information Not Available*	016-0915-2834-002	4,500.00
Benjamin Judd	*Information Not Available*	016-0915-2834-004	1,500.00
Hady Electric Inc	Second Street Rd	016-0915-2843-008	62,000.00
William Liebhart	*Information Not Available*	016-0915-2843-004	25,000.00
William T Liebhart & James L Liebhart	*Information Not Available*	016-0915-2834-003	4,500.00
William T Liebhart & James L Liebhart	N578 Second Street Rd	016-0915-2843-000	202,100.00
William T Liebhart & James L Liebhart	N578 Second Street Rd	016-0915-2843-001	24,000.00
Damian Denault & Mary Denault	N552 Second Street Rd	016-0915-2843-002	191,200.00
Alexa C Eiting & Kaleb J Eiting	N548 Second Street Rd	016-0915-2843-003	127,100.00
Michael Edwin Stadler Jr & Holly Marie Stadler	N544 Second Street Rd	016-0915-2843-006	152,800.00
Todd J Maier	*Information Not Available*	016-0915-2843-007	6,500.00
Todd J Maier	1528 Prospect St	016-0915-2844-006	181,200.00
Gerald R Ebert & Mary R Ebert	1533 Prospect St	016-0915-2844-009	173,100.00
Brian Kelchner & Kattie Kelchner	1529 Prospect St	016-0915-2844-010	47,500.00
Brian Kelchner & Kattie Kelchner	1527 Prospect St	016-0915-2844-011	132,800.00
Edwin & Mary J Nilsen Irrevocable Trust	1519 Prospect St	016-0915-2844-014	80,000.00
Terrence J Mckee & Christine M Mckee	1524 Center St	016-0915-2844-008	146,400.00
LKDaniels Enterprises LLC	1522 Center St	016-0915-2844-013	119,700.00
William F Tessmann & Raymond H Tessmann	1518 Center St	016-0915-2844-015	119,800.00
Jared M Donner & Stephanie L Donner	1530 Center St	016-0915-2844-003	158,200.00
Debra J Ebert	1527 Boulder Rd	016-0915-2844-017	139,100.00
Warren J Halbrader & Sheila D Halbrader	1537 Boulder Rd	016-0915-2844-018	129,000.00
Warren J Halbrader & Sheila D Halbrader	*Information Not Available*	016-0915-2844-022	1,000.00
Darcie A Schafer	1545 Boulder Rd	016-0915-2844-019	113,900.00
Jessica J Wortman & Craig M Wortman	1549 Boulder Rd	016-0915-2844-020	107,400.00
Jessica J Wortman & Craig M Wortman	*Information Not Available*	016-0915-2844-021	15,000.00
Darcie A Schafer & Delfino Valenzuela Vergara	Boulder Rd	016-0915-2733-004	1,200.00
			<b>TOTAL: 2,511,500.00</b>



## **Estimated Tax Revenue from Emmet Annexation (STH 16 Residential Area)**

Example:

\$2,511,500 assessed value at the Watertown (Dodge Co) mill rate of \$18.4999300 is \$46,463. Minus other taxing entities, the city's portion of the mill rate is \$7.959721, a tax revenue of \$19,991.

## **10-Year Revenue Sharing Agreement**

Example:

The boundary agreement states that the annual amount the city pays is based on the Emmet mill rate. Currently, the Emmet mill rate is \$16.29 compared to the city at \$18.50. Minus other taxing entities, the town's portion of the mill rate is \$5.75, a tax revenue of \$14,441. Under the agreement, the city is required to pay the \$14,441 of the \$19,991 to the town in Year 1 and then decrease the payment 10% each year. Therefore, the City's net increase in Year 1 would be about \$5,550, and then grow an additional \$1,444 more each year until the revenue sharing ends in 10 years.

### **12.02. Revenue Sharing.**

The City agrees to reimburse the Town for lost Town tax revenue from the annexation or attachment of land in the "City Growth Area." The reimbursement shall be calculated on the assessed value of all land and improvements in the attached or attached territory as of January 1 of the year the annexation or attachment occurs. The assessed value of such lands shall be multiplied by the mill rate established by the Town for the year of annexation or attachment to calculate the amount due to the Town under this formula. The reimbursement shall be made within 30 days of the first of January of each year beginning with the first year after the annexation or attachment of land from the "City Growth Area" in accordance with the following rate schedule:

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

The unpaid balance of revenue sharing shall be paid in accordance with the above payment schedule even if the term of this Agreement expires before full payment has been made to the Town. Notwithstanding anything to the contrary, the revenue sharing required by this Section XII shall only apply to the annexation or attachment of property with a total assessed value in excess of \$1 million at the time of the annexation or attachment

## EXHIBIT C

