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January 4, 2021

Municipal Boundary Review  
Wisconsin Dept. of Admin.

**Office of the City Attorney**

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SENT ELECTRONICALLY-NO HARD COPY TO FOLLOW

January 4, 2021

Mr. Erich Schmidtke  
Division of Intergovernmental Relations  
Wisconsin Department of Administration  
PO Box 1645  
Madison, WI 53701

Re: Submittal of the Amendment to the Town of Blooming Grove and City of Madison  
Cooperative Plan for Approval

Mr. Schmidtke,

Enclosed for expedited Department approval under Sec. 66.0307(8)(c), Wis. Stats., is a fully executed copy of the Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes. I am submitting this proposed amendment to the Department on behalf of Madison and Blooming Grove.

Madison and Blooming Grove assert that this Amendment can be considered under the expedited procedures set forth in Sec. 66.0307(8)(c) as this amendment does not propose to change a boundary or the planning period in the Cooperative Plan. Rather, Madison and Blooming Grove are proposing this amendment to allow for additional flexibility in the attachment and development of the "Cooperative Development Property" that is identified in the 2006 Cooperative Plan.

Attached you will find the following:

- An executed copy of the Amendment;
- Excerpts from the 2006 Cooperative Plan pertaining to the Cooperative Development Property;
- Affidavit of Publication by Capital Newspapers, dated November 23, 2020, indicating that Madison and Blooming Grove both had a Class 3 notice meeting the requirements of Sec. 66.0307(8)(c) published, with the last publication occurring on October 19, 2020;
- City of Madison Resolution RES-20-00780, adopted on November 17, 2020,

- authorizing the amendment to the Cooperative Plan;
- Town of Blooming Grove Resolution 2020-04, adopted on November 11, 2020, authorizing the amendment to the Cooperative Plan;
- City of Madison Resolution RES-20-00677, adopted on September 15, 2020, authorizing the City of Madison to participate in the preparation of an amendment to the Plan;
- Blooming Grove Resolution 2020-03, adopted on September 9, 2020, authorizing the Town of Blooming Grove to participate in the preparation of an amendment to the Plan.
- Affidavit of Mailing by Ruth Ethington dated November 23, 2020, which indicates that Madison provided the Notice of Amendment and Adopting Resolution to the entities listed under Sec. 66.0307(4), as required by Sec. 66.0307(8)(c);
- Affidavit of Mailing by Michael Wolf dated December 24, 2020, which indicates that Blooming Grove provided the Notice of Amendment and Adopting Resolution to the entities listed under Sec. 66.0307(4), as required by Sec. 66.0307(8)(c);
- Affidavit of Mailing by Ruth Ethington, dated September 21, 2020, indicating that Madison provided notice of the resolution authorizing participating in the preparation of the Cooperative Plan Amendment to the entities listed under Sec. 66.0307(4)(a), as required by that subdivision; and,
- Affidavit of Mailing by Michael Wolf, dated September 11, 2020, indicating that Blooming Grove provided notice of the resolution authorizing participating in the preparation of the Cooperative Plan Amendment to the entities listed under Sec. 66.0307(4)(a), as required by that subdivision.

Finally, as attorney for the City of Madison, and having been in contact with staff and representatives of both Madison and Blooming Grove throughout the process, I can assert that, based upon my knowledge and as of the date of this letter, neither Madison nor Blooming Grove have received any objection, in any form, or any comment, of any type, to the proposed Amendment. Moreover, neither Madison nor Blooming Grove received a petition within 30 days of their respective adoption of the amendment calling for an advisory referendum on the proposed amendment, nor did either governing body adopt a resolution calling for an advisory referendum on the proposed amendment.

I believe that this submittal contains sufficient information for the Department to review the proposed Amendment. If you feel that additional information is necessary, please let me know.

Sincerely,

*/s/ Doran Viste*

Doran Viste, Assistant City Attorney  
[dviste@cityofmadison.com](mailto:dviste@cityofmadison.com)

cc. Atty. Christopher Hughes (Attorney for Town of Blooming Grove)  
Mike Wolf, Town of Blooming Grove  
Heather Stouder, Planning Division Director, City of Madison

Encl.

**AMENDMENT TO THE TOWN OF BLOOMING GROVE AND CITY OF MADISON  
COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES**

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**WHEREAS**, pursuant to Wis. Stat. § 66.0307, the Town of Blooming Grove, a Wisconsin body corporate and politic (the “Town”), and the City of Madison, a Wisconsin municipal corporation (the “City”), entered into the “Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes” (the “Cooperative Plan”), which Plan was approved on October 3, 2006, by the State of Wisconsin Department of Administration; and,

**WHEREAS**, the Cooperative Plan provides for a series of attachments of Town territory to the City during the planning period, including immediate attachments, intermediate attachments, phased attachments and a final attachment of all the territory remaining in the Town to occur at 11:59 p.m. on October 31, 2027, at which point the Town will dissolve; and,

**WHEREAS**, the Cooperative Plan also set aside a 70-acre piece of property as the “Cooperative Development Property”, which property was intended to be a development under the joint zoning and development review oversight of the City and the Town, that would initially develop in the Town on City water and City sewer, and eventually transition to the City after a certain period of time passed and development occurred; and,

**WHEREAS**, the anticipated development of the Cooperative Development Property has not occurred as originally contemplated by the City and the Town in 2006 when the Cooperative Plan was entered into; and,

**WHEREAS**, the property owners of the Cooperative Development Property have informed the City and the Town that the provisions in the Cooperative Plan relating to the Cooperative Development Property are adversely impacting the marketability and developability of the Cooperative Development Property and the property owners would like the ability to attach to the City sooner and easier than is allowed for under the Cooperative Plan; and,

**WHEREAS**, the City and the Town are in agreement that the terms in the Cooperative Development Plan relating to the Cooperative Development Property are no longer in the best interests of the City, the Town and the property owners, and that it would be in their respective best interests if the City and Town were able to reach an alternative agreement that would allow for the earlier attachment of the Cooperative Development Property to the City than provided for by the Cooperative Plan; and,

**WHEREAS**, the City and the Town have agreed to this minor amendment to the Cooperative Plan, that this proposed amendment to the Cooperative Plan is in the public interest, and that they have complied with the requirements of Wis. Stat. § 66.0307 necessary to enter into this amendment and submit the same to the Department of Administration for approval.

**NOW, THEREFORE**, the City and the Town agree that all of the other terms of the Cooperative Plan shall remain as approved by the Department of Administration, except that the Cooperative Plan is amended as follows:

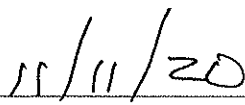
Subsection G. entitled "Attachment of Cooperative Development Property" of Section 9 entitled "Attachment of Town Territory to City" is amended to add in the following:

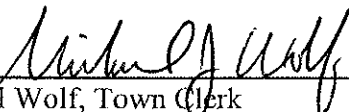
"During the Protected Period, the City may attach the Cooperative Development Property, only in accordance with the provisions of subsection 11.C. below, by adoption of an attachment ordinance adopted by a majority of the members of the City's Common Council, and without the consent of the owners or electors of the Cooperative Development Property. At that time, the City Clerk shall provide notice of this Attachment, as required under the Procedure for Intermediate Attachments in paragraph 10.A.(2) below. Notwithstanding the foregoing, Section 11.C. of this Plan, or any other provision to the contrary in this Plan, the City and the Town may, as an alternative to the provisions contained in this Plan regarding the Cooperative Development Property, separately enter into an intergovernmental agreement under Wis. Stat. § 66.0301 allowing for the intermediate attachment of all or a portion of the Cooperative Development Property to the City under Section 10.A. and an alternative revenue sharing arrangement than would otherwise be applicable to this attachment under Sections 11.C, 16.A, or any other provisions contained in this Plan."

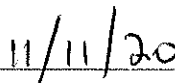
IN WITNESS WHEREOF, the Parties certify that this Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan has been duly approved by their respective governing bodies in accordance with State and local laws, rules and regulations, and each has caused its duly authorized officers to execute this said Amendment.

FOR THE TOWN OF BLOOMING GROVE


  
\_\_\_\_\_  
Ron Bristol, Town Chair

  
\_\_\_\_\_  
Date

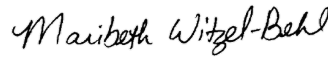
  
\_\_\_\_\_  
Michael Wolf, Town Clerk

  
\_\_\_\_\_  
Date

FOR THE CITY OF MADISON


  
\_\_\_\_\_  
Satya Rhodes-Conway, Mayor

12.11.2020  
Date

  
\_\_\_\_\_  
Maribeth Witzel-Behl, City Clerk

12/03/2020  
Date

Countersigned:

  
\_\_\_\_\_  
David P. Schmiedicke, Finance Director

12/07/2020  
Date

Approved as to form:

  
\_\_\_\_\_  
Michael Haas, City Attorney

12/11/2020  
Date

Execution of this Agreement by Madison is authorized by Resolution Enactment No. RES 20-00780, ID No. 62384, adopted by the Common Council of the City of Madison on November 17, 2020.

**TOWN OF BLOOMING GROVE  
AND CITY OF MADISON COOPERATIVE PLAN  
UNDER SECTION 66.0307, WISCONSIN  
STATUTES**

**APRIL 20, 2006**

of McFarland. Potential and future annexations to the City of Madison and Village of McFarland make uncertain the long term viability of the Town as a separate governmental entity. This Plan determines the Town's future with certainty through October 31, 2027, unless Early Termination of Protected Period is elected by Town, resolves potential disputes over Town territory, and establishes a basis for future governmental cooperation, providing for an orderly transition of Town territory to the City and the Village, and preserves the Town's viability while it remains a Town.

The term and implementation phases of boundary adjustments under this Cooperative Plan recognize and attempt to balance the competing desires of existing Town residential and commercial properties with the development needs of the City and other Town property owners. Owners of most existing residential and commercial parcels desire to remain in the Town as long as possible. Owners of larger developable parcels typically seek to annex to the City or Village and develop their lands to City or Village standards and with a full range of municipal services that the Town generally does not provide in most future urban growth areas.

Most significantly, the Plan provides for the eventual dissolution of the Town after a protected period of slightly more than twenty-one years. During the term of this Plan, unless otherwise provided, attachment to the City of Town parcels located north of Siggelkow Road and outside of designated Protected Areas will occur under a summary interim attachment procedure available only to willing owners. The Village of McFarland may annex Town lands south of Siggelkow Road in accordance with state law. Additionally, two Phased Attachments to the City of Town territory east of Interstate 39/90 and outside of Rustic Acres and the designated Protected Areas may occur without the consent of property owners in December, 2015 and December, 2020, respectively. On October 31, 2027, a final attachment to the City of all remaining Town lands, including any Town Protected Areas, islands and any other remaining Town territory, will occur and the Town will be permanently dissolved.

#### **B. Assure Orderly Development of City and Town Within the Plan Area.**

The City and Town agree that all defined "development" within all Town territory north of Siggelkow Road, except the defined Cooperative Development Property, shall be subject to approval by the City in accordance with the City Development Requirements.

The Cooperative Development Property shall be initially developed within the Town, but on City public water and sewer utility service, in accordance with applicable City Development Requirements and pursuant to a zoning and development plan jointly prepared and approved by both the Town and the City. As more specifically provided in this Plan, the Cooperative Development Property shall remain in the Town for a period of time approximately one-half of the remaining term of this Plan, or the time between the date of occupancy of substantial new construction on the Cooperative Development Property and October 31, 2027. Then, at the designated midpoint of the remaining term of the Plan, the Cooperative Development Property will be automatically attached to the City and the City shall thereafter make two specified annual revenue sharing payments (four installments) to the Town from taxes the City collects from the Cooperative Development Property.

Capital infrastructure improvements typically require a planning, design and construction timeline of several years in length. This Cooperative Plan will enable the City to confidently plan and design for the ultimate extension of public infrastructure improvements into all of the Town territory which will eventually become attached to and develop in the City. The timely extension of such public infrastructure and the orderly phasing of urban growth and development will be greatly enhanced by the Plan.

**C. Establish Mechanism for Joint Planning.**

Historically, Town and City officials have met only infrequently, usually on a reactive basis. Subsection 11.C. of this Plan requires the Town and the City to jointly plan for the zoning and development of the 70-acre Cooperative Development Property. This joint project represents an opportunity for new development and revenue for the Town during a significant portion of its remaining existence; and, it also represents an opportunity for the City to assist the Town in approving and developing an important urban infill project that will become a part of the City. Section 13 provides for joint planning and cooperation in the management and control of storm water. Subsection 11.E. provides for Town and City cooperation to find mutually acceptable solutions to issues concerning the operation of quarries and non-metallic mines located on Town parcels that are adjacent to the City. The Town and City also believe that this Plan itself provides a mutually beneficial framework for joint discussion and planning; and that it will lead to a reduction in intergovernmental tension and promote cooperation, joint planning and problem solving, for more efficient delivery of municipal services both within and beyond the Plan Area.

**D. Provide for Revenue Sharing to Town for the Loss of Tax Revenue.**

This Plan allows several early attachments to occur. Whenever a Town property is attached to the City under the Plan, the statutory revenue sharing procedure over the first five years the City collects taxes based upon the final Town share of property taxes will reduce the immediate impact of the loss of tax revenue to the Town's budget. The unique revenue sharing arrangement after attachment of the Cooperative Development Property represents a compromise balance of the Town's revenue needs and recognition of the initial joint approval and development of the project in the Town with the assistance of City public water and sewer utility services.

**E. Orderly Urban Growth.**

Without provision of urban services of municipal sewer and water, new development in the remaining Town territory with development potential could result in a patchwork of non-compact Town and "leap-frog" City growth. The parties agree to the restriction and regulation of development in accordance with the provisions of this Plan in the Town territory north of Siggelkow Road and outside of the Protected Areas and to permit this territory to be attached to the City and developed to City standards served by the full range of City municipal services and facilities as allowed by this Plan. Within and outside of the Protected Areas, the Town agrees to condition all development approvals upon review and approval by the City under the Development Requirements, except that the full range of urban services may not be required, in



## SECTION 6 DEFINITIONS

For the purposes of this Plan:

A. “Develop” or “development” refers to division of land, or construction of more than one principal structure on a parcel of land, or rezoning a parcel from a residential or agricultural classification to a non-residential classification. Use or division of land by the Town or City for governmental purposes does not constitute development.

B. “City Development Requirements” means the City’s adopted ordinances, plans, policies, standards and procedures and include, but are not limited to, all adopted neighborhood development plans, land use, master or comprehensive plans, the Land Subdivision Regulations Ordinance (Sec. 16.23, Madison General Ordinances (“MGO”), Impact Fee Ordinance (Chapter 20, MGO), and the Public Stormwater System Including Erosion Control Ordinance (Chapter 37, MGO). All new or replacement signs, billboards or street graphics in the Town shall comply with the restrictions of the Madison Street Graphics Control Ordinance (Chapter 31, MGO) and with the applicable Dane County sign regulations. In the event of a conflict between the City and Dane County sign regulations, the more restrictive regulations shall apply.

C. “Cooperative Development Property” means the territory north of Milwaukee Street and along North Fair Oaks Avenue in the Town that is described in the legal description and shown on the diagram attached hereto and incorporated herein as **Exhibit 3**.

D. “Town island” means territory in the Town completely surrounded by City territory.

E. “Exhibits” referred to in this Cooperative Plan are attached to the Plan and incorporated as part of the Plan.

F. “Plan Area” or “Cooperative Plan Area” is the territory subject to and covered by this Cooperative Plan and includes the entire Town of Blooming Grove. The Plan Area is shown and described in **Exhibit 2**.

G. “Protected Areas” is the territory of the Town specified in § 9.C. of this Plan.

H. “State approval” means State approval of this Cooperative Plan, under Wis. Stat. § 66.0307, at the conclusion of any judicial appeal.

data on the socio-economic characteristics of both the Town of Blooming Grove and the City of Madison and a land use inventory for both communities.

While there are large undeveloped parcels remaining in the area east of Interstate 39/90, the vast majority of the remaining area of the Town has been subdivided, primarily for single-family detached housing. Land use changes and development proposals within the Town will be guided by the Town's adopted plans and the City's adopted plans and by the specific requirements included within the Cooperative Plan.

## **SECTION 8 PROVISION OF SANITARY SEWER AND WATER SERVICE AND DEVELOPMENT IN COOPERATIVE PLAN AREA OUTSIDE OF PROTECTED AREAS**

The City will plan for and construct public sanitary and water service infrastructure throughout the Cooperative Plan Area, outside of Protected Areas, from time to time, as Town lands become attached to and developed in the City. With two conditional exceptions noted below, the City will continue its ordinance policy of not extending public sewer and water to serve unincorporated territory outside of Protected Areas.

First, as briefly mentioned above in subsection 4.B. and as discussed in more detail in Section 11.C. below, the jointly approved development of the Cooperative Development Property shall be initially developed within the Town, but on City public water and sewer utility service. The Cooperative Development Property shall remain in the Town for a period of time approximately one-half of the remaining Protected Period, or the time between the date of occupancy of substantial new development and October 31, 2027. Then, at the designated midpoint of the remaining Protected Period, the Cooperative Development Property will be automatically attached to the City. Consequently, the City will be upholding its ordinance policy by extending public sewer and water service to the Cooperative Development Property only upon an irrevocable commitment of the Cooperative Development Property's automatic attachment to the City under a boundary adjustment provision of this Plan.

Second, property in the Town may receive City sewer and water service as more specifically described in Section 12.C. of this Plan. The conditions of receiving such utility services are that the said services must be reasonably available, the property must be in the Urban Service Area, and the owner must agree to pay any costs of extension and connection to those services, plus interest thereon, over a five-year period and must further agree to attachment of the property to the City at the end of the five-year period, unless the subject property is already scheduled for attachment in less than five years under either a Phased or Final Attachment. The procedure to be followed for implementation of the property owner's agreement to attach may be through the contemporaneous adoption of an Intermediate Attachment ordinance with the effective date of attachment delayed for the five-year period. The City will be upholding its ordinance policy by extending public sewer and water service only upon an irrevocable commitment of attachment. Instead of paying to fix private wells and/or failing septic systems, the property owner will pay the initial costs of extension and connection to the City public utility services over five years, without also having to pay a higher local share of property taxes to the City during the same five-year period.

shown on the map attached hereto as **Exhibit 8** (the “North and South Phased Attachment Areas”), except territory in the Protected Areas, Rustic Acres (as described in subsections 9.C. and D. above), and the territory north of Weather Oaks described and shown in the legal description and diagram attached hereto as **Exhibit 9**, is subject to early attachment to the City, without the consent of property owners or electors, as described in subsection 10.B. below. Intermediate Attachments with the consent of the property owner are also permissible within the North and South Phased Attachment areas. The territory north of Weather Oaks shown on Exhibit 9 may be attached by the City in accordance with subsection 9.F. below.

**F. General Attachment Provisions.**

(1) The Town shall not oppose any attachments permitted by this Cooperative Plan or provide support, financial or otherwise, to those who do.

(2) The City shall be responsible for all municipal services in the attached territory beginning on the effective date of the respective attachment.

(3) Notwithstanding any amendment of the statutes subsequent to the effective date of this Plan, and except as otherwise provided in this Plan, the Town shall be entitled to all taxes (as between the City and the Town) for the year in which the attachment is effective, and revenue sharing from the City to the Town for all Immediate, Intermediate and Phased Attachments of Town territory shall be for five (5) years, as provided for annexations under 2003 Wisconsin Act 317.

(4) Except as expressly allowed in this Plan, the City shall not attach any territory contrary to the wishes of any owners of the parcels proposed for attachment. Approval of resident electors shall not be required for any attachments to the City.

**G. Attachment of Cooperative Development Property.** During the Protected Period, the City may attach the Cooperative Development Property, only in accordance with the provisions of subsection 11.C. below, by adoption of an attachment ordinance adopted by a majority of the members of the City’s Common Council, and without the consent of the owners or electors of the Cooperative Development Property. At that time, the City Clerk shall provide notice of this Attachment, as required under the Procedure for Intermediate Attachments in paragraph 10.A.(2) below.

**H. Final Attachment.** Final attachment of all territory remaining in the Town at the end of the Protected Period, including any territory south of Siggelkow Road, shall be effective at the end of the Protected Period, 11:59 p.m. on October 31, 2027, pursuant to a Final Attachment Ordinance, which shall be adopted by a majority of the elected members of the City Common Council, attaching all remaining Town lands to the City. The Parties acknowledge and agree that the City’s adoption of the Final Attachment Ordinance is a fundamental condition and that absent the adoption of the Final Attachment Ordinance, the Parties would not have entered into this Plan. In the event the City does not adopt the Final Adoption Ordinance as required by this Plan, the Town may seek specific performance of this provision from a court of competent jurisdiction. The Final Attachment Ordinance may designate temporary or permanent zoning classifications for each parcel of land as prescribed in Sec. 62.23(7)(d), Wis. Stats. No revenue

(a) At any time between January 1, 2020 and August 31, 2020, the City, upon a 2/3 vote of the elected members of the City's Common Council, may adopt an ordinance attaching such territory. The attachment shall be effective as of 12:01 a.m. on the last Monday in December 2020. Unless otherwise agreed to by the Parties in writing, if the Town gives written notice to the City Clerk between January 1, 2020 and April 30, 2020 reminding the City of the City's right to attach under this subsection, then the City shall lose the right if it is not exercised by August 31, 2020. If the Town fails to give such notice and the City fails to exercise its right, then the City may, by June 30 of any year after 2020, adopt an ordinance attaching such territory effective at 12:01 a.m. on the last Monday in December of the same year.

(b) As a complete alternative to the City adopting an ordinance attaching such territory as provided in this paragraph (2), the City and the Town may agree in writing to a different schedule for attaching all or part of such territory to the City after January 1, 2020.

## **SECTION 11 LOCAL ORDINANCES AFFECTING PLAN AREA**

The Plan Area, during the term of this Cooperative Plan, shall be governed by City, County and Town General Ordinances, and by applicable zoning ordinances as hereinafter provided:

**A. Attached Territory.** Town territory attached to the City from time to time under this Cooperative Plan shall become City territory subject to all City Zoning and General Ordinances on the effective date of attachment.

**B. Development of Town Territory.** All Town territory, other than the Cooperative Development Property as provided in subsection C. below, not yet attached shall be subject to applicable zoning ordinances and the following rules:

(1) Any development in the Town shall be subject to approval by the City in accordance with City Development Requirements. In the Protected Areas, the full range of urban services may not be required, in the sole discretion of the City. In areas outside of the Protected Areas, the full range of urban services, including City water and sewer service, and attachment to the City may not be required, in the sole discretion of the City. The Town shall not grant any development approvals inconsistent with this paragraph.

(2) All new or replacement signs, billboards or street graphics ("signs") not part of any development shall comply with the restrictions of the Madison Street Graphics Control Ordinance, Chapter 31, Madison General Ordinances and with the applicable Dane County sign regulations. In the event of a conflict between the Madison and Dane County sign regulations, the more restrictive regulatory provision shall apply. The Town agrees to condition any electrical or other permits that it issues for new signs upon City approval that the proposed sign complies with the Madison Street Graphics Control Ordinance.

(3) The division of a five (5) acre or larger parcel (including parcels that are less than 5 acres because of a property acquisition by the City) existing as of February 18, 2005, into only two parcels for residential purposes shall not be considered “development” under this Plan, and the owners may divide and rezone the parcel to a single-family residential district and construct a single-family residence on each new parcel without the cooperation or approval of the City. A “parcel” is defined as the contiguous lands within the control of a single owner.

(4) The City shall use its best efforts to give notice of zoning and other land use hearings, decisions and actions to the owners of record of properties in the Town, within the same distance from an affected property, in the same manner and on the same basis as it gives notice to the owners of record of properties in the City. The Town shall cooperate with the City to enable such notice. A failure to give notice shall not itself constitute a breach of this Cooperative Plan, but intentional, persistent or habitual failure to give notice shall be considered a breach of this Cooperative Plan.

**C. Development and Attachment of the Cooperative Development Property.**

The City and the Town specifically agree to work cooperatively on the joint planning and development of properties north of Milwaukee Street and along North Fair Oaks Avenue (the “Cooperative Development Property”). The Cooperative Development Property is described in the legal description and shown on the map attached hereto and incorporated herein as **Exhibit 3**.

(1) The City and the Town shall cooperate to establish zoning over the Cooperative Development Property, pursuant to the procedure attached hereto and incorporated herein as **Exhibit 10**, to allow the development of the Cooperative Development Property while the Cooperative Development Property is in the Town, consistent with the Town’s Comprehensive Plan and the City’s Comprehensive Plan in effect at the time zoning is established. At the present time, those plans would allow development for residential single family and multi-family use, including senior elderly housing, and some limited amount of mixed uses including neighborhood commercial uses, and associated improvements including roads, utilities, parkland, multipurpose trails, wetlands, other open spaces, ponds, and other governmental uses. The zoning established by the Parties will be effective in the City when the Cooperative Development Property is annexed to the City pursuant to this Plan. Any new construction of principal structures or development of the Cooperative Development Property shall require the review and approval of both the Town and the City and, unless the Parties agree otherwise, shall be conditioned upon compliance with City Development Requirements, including payments of all applicable special assessments, extension and connection charges and impact fees associated with the development of the Cooperative Development Property. As long as the anticipated value of the improvements to the Cooperative Development Property is at least \$10,000,000, upon full build-out of the development, including all phases of the development, the City shall extend public water and sewer services to the Cooperative Development Property in advance of attachment in order to support development approved by the City and the Town.

(2) In the event new principal structures are constructed on the Cooperative Development Property or the Cooperative Development Property is developed after February 18, 2005, the Cooperative Development Property shall remain in the Town and shall not be annexed

to the City for a period of time that is equal to approximately one-half of the period of time between: (a) the "Occupancy/Assessment Date," which is the date upon which an occupancy certificate/permit has been issued for new principal structures on the Cooperative Development Property and the assessed or appraised value of the new principal structures (excluding the value of public improvements such as streets or water and sewer facilities) is \$2,000,000.00 (Two million dollars) as jointly determined by the City's property tax assessor and the Town's property tax assessor; and (b) the Transition Date. In the event that the City's property tax assessor and the Town's property tax assessor cannot agree on the assessed or appraised value of the new principal structures on the Cooperative Development Property, the Parties shall jointly choose a third party with the appropriate experience to determine the assessed or appraised value of the new principal structures on the Cooperative Development Property. The Cooperative Development Property shall be automatically attached to the City effective as of 12:01 a.m. on the last Monday in December in the year which is closest to the mid-point between the Occupancy/Assessment Date and the Transition Date (the "Cooperative Development Property Base Year"). In the event that no new principal structures are constructed on the Cooperative Development Property or the Cooperative Development Property is not developed after February 18, 2005, the Cooperative Development Property shall remain in the Town until the Transition Date.

(3) In lieu of the revenue sharing for attachments provided in subsection 16.A. of this Plan, the Town shall keep 100% of the local government share of tax revenues collected by the Town for the Cooperative Development Property while the Cooperative Development Property is in the Town and for the Cooperative Development Property Base Year ("base year revenue sharing amount"). Payments received by the Town in lieu of taxes, if any, shall not be included in the base year revenue sharing amount, and the City shall receive any and all such payments in lieu of taxes following attachment of the Cooperative Development Property as long as the City is responsible for providing the municipal services covered by such payments. Additionally, the City shall pay the Town 70% of the base year revenue sharing amount from taxes it collects from the Cooperative Development Property for the tax year after the Cooperative Development Property Base Year; and 50% of the base year revenue sharing amount from taxes it collects for the second year after the Cooperative Development Property Base Year. Payments are due in two equal installments: the first due on February 15 and the second due on August 15 of the second and third years after the year of attachment, respectively.

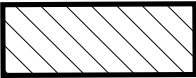
**D. Development of Attached Rustic Acres Territory.** In the event the City attaches territory in Rustic Acres after February 18, 2005, development shall be allowed as follows:

(1) Lots in Rustic Acres in existence on February 18, 2005 that are immediately adjacent to Milwaukee Street or Sprecher Road may be developed in compliance with the City's neighborhood development plan or Comprehensive Plan in effect at the time such lots are developed, and in compliance with the City Development Requirements.

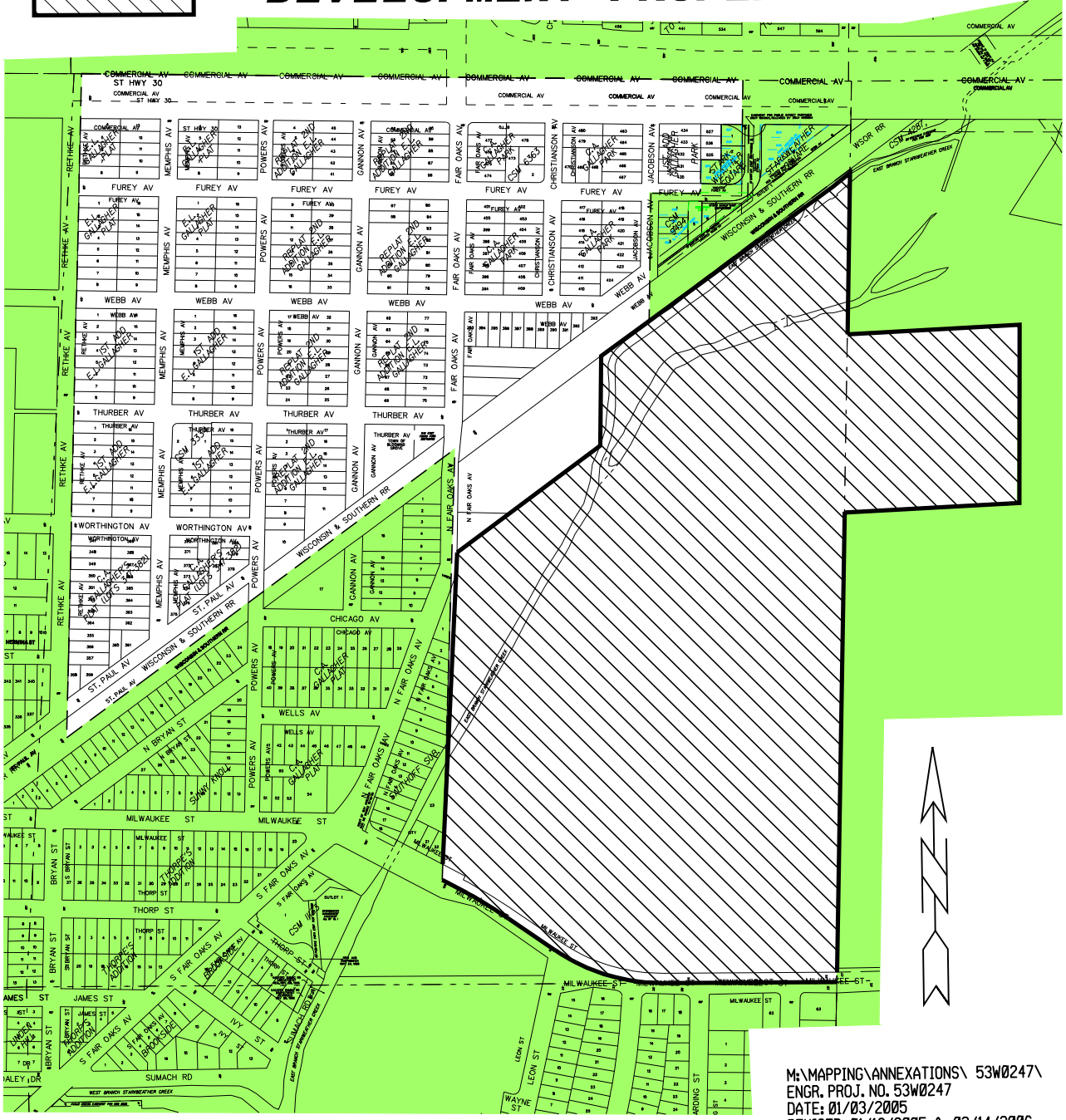
(2) For all other lots in Rustic Acres in existence on February 18, 2005, development shall be limited to residential land uses and necessary associated improvements including roads, utilities, parkland, and other governmental uses. Residential densities shall be limited to an



# COOPERATIVE PLAN CITY OF MADISON & TOWN OF BLOOMING GROVE



## COOPERATIVE DEVELOPMENT PROPERTY



M:\MAPPING\ANNEXATIONS\ 53W0247\  
 ENGR. PROJ. NO. 53W0247  
 DATE: 01/03/2005  
 REVISED: 01/12/2005 & 02/14/2006

## **EXHIBIT 10**

### **JOINT ZONING PROCEDURE FOR THE COOPERATIVE DEVELOPMENT PROPERTY**

1. At the request of the Town, the City, or the owner(s) of the Cooperative Development Property, the City and the Town shall establish a joint committee comprised of three Town members and three City members to establish zoning and related regulations (collectively referred to as “zoning”) over the Cooperative Development Property for development of the Cooperative Development Property while it is in the Town (the “Joint Committee”). The City members shall be residents of the City and shall be appointed by the Mayor. The Town members shall be residents of the Town and shall be appointed by the Town Chair.
2. The Joint Committee shall formulate the zoning for the Cooperative Development Property and shall hold a public hearing thereon. The Joint Committee shall consult with owner(s) of the Cooperative Development Property about the zoning. Notice of the public hearing shall be given by publication in a newspaper having general circulation in the area to be zoned as a class 2 notice under Wis. Stat. Ch. 985. At the public hearing, an opportunity to be heard shall be afforded to the public, representatives of the Town Board, representatives of the City Council, and the owner(s) of the Cooperative Development Property. After the hearing, the Joint Committee shall vote on the zoning.
3. The governing bodies of the City and the Town shall not jointly adopt the zoning of the Joint Committee unless the zoning receives a favorable vote of the majority of the members of the Joint Committee.
4. If the zoning is acceptable to the City and the Town, it shall be implemented by the adoption of an ordinance by the governing bodies of the City and the Town. The governing bodies of the City and the Town may jointly hold a public hearing, with notice as provided in No. 2 of this Exhibit 10, prior to acting on the zoning.
5. In case of a protest against the zoning duly signed and acknowledged by the owners of 20% or more of either of the Cooperative Development Property, or the owners of 20% or more of the area of land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, the zoning shall not become effective except by the favorable vote of 3/4 of the members of the City Council and 3/4 of the members of the Town Board voting on the zoning.
6. The zoning shall be consistent with the public interest and the Town’s Comprehensive Plan and the City’s Comprehensive Plan in effect at the time the zoning is established. At the present time, those plans would allow development of the Cooperative Development Property for residential single-family and multifamily use, including senior elderly housing, and some limited amount of mixed uses including neighborhood



commercial uses, and associated improvements, including roads, utilities, parkland, multipurpose trails, wetlands, or other open spaces, ponds, and other governmental uses.

7. If the Parties will be rezoning areas of the Cooperative Development Property zoned for exclusive agriculture use, such rezoning shall be upon findings that are based upon consideration of the following:
  - (a) Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.
  - (b) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.
  - (c) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas.
8. Any zoning of areas of the Cooperative Development Property that are subject to existing shoreland, wetland or floodplain zoning shall comply with and be at least as restrictive as the standards contained in the existing shoreland, wetland, and flood plain zoning.
9. The City shall administer and enforce the zoning.
10. The City shall have the authority to issue building permits for the Cooperative Development Property, unless the City agrees to delegate such authority to the Town.

**\*\*\* Proof of Publication \*\*\***

Capital Newspapers Proof of Publication Affidavit

Retain this portion for your records.  
Please do not remit payment until you receive your advertising invoice.

Mail to:

City of Madison City Clerks Office

210 MARTIN LUTHER KING JR. BLVD #103  
MADISON WI 53703

ORDER NUMBER 19509

STATE OF WISCONSIN

} ss.

Dane County

Antene Staff

being duly sworn, doth depose and say that he (she) is an authorized representative of Capital Newspapers, publishers of

PWSJ Wisconsin State Journal

a newspaper, at Madison, the seat of government of said State, and that an advertisement of which the annexed is a true copy, taken from said paper, was published therein on the dates listed below.

Sworn to and subscribed before me this 23 day of NOV, 2020

(Signed) Antene Staff  
(Title) Principal Clerk

[Signature]  
Notary Public, Wisconsin

My Commission expires Jan 8, 2023

**NOTICE OF AMENDMENT TO THE CITY OF MADISON AND TOWN OF BLOOMING GROVE COOPERATIVE PLAN**  
Notice is hereby given that the City of Madison and the Town of Blooming Grove are considering a minor amendment to the Town of Blooming Grove and City of Madison Cooperative Plan (the "Amendment"). The purpose of the Amendment is to allow for alternative means of attaching the Cooperative Development Property to the City of Madison before final attachment of the Town of Blooming Grove in 2027. The substance of the proposed amendment can be found in Legistar File No. 62384 (<https://madison.legistar.com/Legislation.aspx>).  
**PLEASE TAKE NOTICE** that, pursuant to Wis. Stat. s. 66.0307(8)(c), the Amendment will be submitted directly to the Wisconsin Department of Administration, unless written objection to the Amendment is received by one of the following municipal clerks on or before October 26, 2020.  
City of Madison  
Maribeth Witzel-Behl, City Clerk  
210 Martin Luther King, Jr. Blvd., Room 103  
Madison, WI 53703  
Town of Blooming Grove  
Mike Wolf, Town Administrator-Clerk  
1880 South Stoughton Road  
Madison, WI 53714  
ated this 30th day of September, 2020  
Satya Rhodes-Corway, Mayor, City of Madison  
Ron Bristol, Town Chair, Town of Blooming Grove  
WSJ: October 5, 12 and 19, 2020-19509  
WNAXLP

Section: Legals  
Category: 0100 LEGAL NOTICE  
PUBLISHED ON: 10/04/2020, 10/11/2020, 10/12/2020, 10/19/2020

TOTAL AD COST: 174.20  
FILED ON: 11/23/2020

**LISA ANN CHRISTENSEN**  
Notary Public  
State of Wisconsin



Legislation Details (With Text)

**File #:** 62384      **Version:** 1      **Name:** Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan

**Type:** Resolution      **Status:** Passed

**File created:** 9/28/2020      **In control:** Attorney's Office

**On agenda:** 11/17/2020      **Final action:** 11/17/2020

**Enactment date:** 11/24/2020      **Enactment #:** RES-20-00780

**Title:** Authorizing the City to Enter into an Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan.

**Sponsors:** Satya V. Rhodes-Conway, Grant Foster, Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Cooperative Development Property-Plan Excerpts, 2. Amendment to Cooperative Plan (BG-MSN) (Final), 3. Ald\_Grant\_Comment.pdf

Date	Ver.	Action By	Action	Result
11/17/2020	1	COMMON COUNCIL	Adopt	Pass
10/19/2020	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/6/2020	1	COMMON COUNCIL	Refer	Pass
9/28/2020	1	Attorney's Office	Referred for Introduction	

The proposed resolution would amend the Cooperative Plan between the City of Madison and Town of Blooming Grove to allow for the intermediate attachment of property to the City. The proposed resolution does not require a city appropriation. The resolution allows the City to enter into an Intermediate Attachment and Revenue Sharing Agreement which is presented in resolution # 62386.

Authorizing the City to Enter into an Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan.

WHEREAS, on June 21, 2006, the City and the Town of Blooming Grove (the "Town") entered into the "Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and,

WHEREAS, the Cooperative Plan provides for a series of attachments of Town territory to the City during the planning period, including immediate attachments, intermediate attachments, phased attachments and a final attachment of all the territory remaining in the Town to occur at 11:59 p.m. on October 31, 2027, at which point the Town will dissolve; and,

WHEREAS, the Cooperative Plan also set aside a 70-acre piece of property north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the "Cooperative Development Property", which property was intended to be developed under the joint zoning and development review oversight of the City and the Town, that would initially develop in the Town on City water and City sewer, and eventually transition to the City after a certain period of time passed and development occurred; and,

WHEREAS, the anticipated development of the Cooperative Development Property has not occurred

as originally contemplated by the City and the Town in 2006 when the Cooperative Plan was entered into; and,

WHEREAS, the property owners of the Cooperative Development Property have informed the City and the Town that the provisions in the Cooperative Plan relating to the Cooperative Development Property are impacting the marketability and developability of the property and that they would like the ability to attach to the City sooner and easier than is allowed for under the Cooperative Plan; and,

WHEREAS, the City and the Town are in agreement that the terms in the Cooperative Development Plan relating to the Cooperative Development Property are no longer in the best interests of the City, the Town and the property owners, and that it would be in all parties' best interests if the City and Town were able to reach an alternative agreement that would allow for the earlier attachment of the Cooperative Development Property to the City than provided for by the Cooperative Plan; and,

WHEREAS, by RES-20-00677 (Legistar File No. 61903), adopted on September 15, 2020, the Common Council authorized the City to participate in the preparation of an amendment to the Cooperative Plan to allow for an alternate means of development of the Cooperative Development Property; and,

WHEREAS, the City and the Town have come to terms on an amendment to the Cooperative Plan, which amendment is attached hereto and the terms incorporated herein, that would allow the City and the Town to enter into an intergovernmental agreement to allow for the earlier attachment of the Cooperative Development Property to the City and an alternate revenue sharing agreement with the Town, which amendment is in the City's best interests.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Mayor and City Clerk are authorized to execute the Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes, and City staff are further authorized to submit the same to the State of Wisconsin Department of Administration for approval.

## Town of Blooming Grove Resolution 2020-04

Authorizing the Town to enter into an Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan

**WHEREAS**, on June 21, 2006, the City of Madison (the "City") and the Town of Blooming Grove (the "Town") entered into the "Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and,

**WHEREAS**, the Cooperative Plan provides for a series of attachments of Town territory to the City during the planning period, including immediate attachments, intermediate attachment, phased attachments, and a final attachment of all territory remaining in the Town to occur at 11:59pm on October 31, 2027, at which point the Town will dissolve; and,

**WHEREAS**, the Cooperative Plan also set aside a 70-acre piece of property north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the "Cooperative Development Property", which property was intended to be developed under the joint zoning and development review oversight of the City and the Town, would initially develop in the Town on City water and City sewer, and eventually transition to the City after a certain period of time passed and development occurred; and,

**WHEREAS**, the anticipated development of the Cooperative Development Property has not occurred as originally contemplated by the City and the Town in 2006 when the Cooperative Plan was entered into; and

**WHEREAS**, the property owners of the Cooperative Development Property have informed the City and the Town that the provisions in the Cooperative Plan relating to the Cooperative Development Property are adversely impacting the marketability and developability of the Cooperative Development Property and the property owners would like the ability to have an alternative means to develop the Cooperative Development Property under the Cooperative Plan; and,

**WHEREAS**, the City and the Town agree the terms in the Cooperative Plan relating to the Cooperative Development Property are no longer in the best interests of the City, the Town, and the property owners, and that it would be in the best interests of the property owners, the City, and Town to reach an alternative arrangement that would allow for the development of the Cooperative Development Property; and,

**WHEREAS**, Town Resolution 2020-03 was adopted on September 9, 2020, in which the Town Board authorized the Town to participate in the preparation of an amendment to the Cooperative Plan to allow for an alternate means of development of the Cooperative Development Property; and,

**WHEREAS**, the City and the Town have come to terms on an amendment to the Cooperative Plan (the "Amendment"), which amendment is attached hereto and the terms incorporated herein as Attachment A, that would allow the City and the Town to enter into an intergovernmental agreement to allow for the intermediate attachment of the Cooperative Development Property to the City and an alternate revenue sharing agreement with the Town, which amendment is in the City's and Town's best interests.

**NOW THEREFORE, BE IT HEREBY RESOLVED**, that the Town Chair and Town Clerk/Treasurer are authorized to execute the Amendment, and Town officials and staff are further authorized to submit the same to the State of Wisconsin Department of Administration for approval and take additional actions to obtain such approval.

This Resolution was adopted by a vote of 4 in favor, 0 opposed, and 0 not voting, on this 11<sup>th</sup> day of November, 2020.

  
\_\_\_\_\_  
Ron Bristol, Town Chair

11/11/20  
Date

**ATTESTED BY:**

  
\_\_\_\_\_  
Michael Wolf, Town Clerk/Treasurer

11/11/20  
Date

Attachments: Attachment A – the Amendment

**AMENDMENT TO THE TOWN OF BLOOMING GROVE AND CITY OF MADISON  
COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES**

---

**WHEREAS**, pursuant to Wis. Stat. § 66.0307, the Town of Blooming Grove, a Wisconsin body corporate and politic (the “Town”), and the City of Madison, a Wisconsin municipal corporation (the “City”), entered into the “Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes” (the “Cooperative Plan”), which Plan was approved on October 3, 2006, by the State of Wisconsin Department of Administration; and,

**WHEREAS**, the Cooperative Plan provides for a series of attachments of Town territory to the City during the planning period, including immediate attachments, intermediate attachments, phased attachments and a final attachment of all the territory remaining in the Town to occur at 11:59 p.m. on October 31, 2027, at which point the Town will dissolve; and,

**WHEREAS**, the Cooperative Plan also set aside a 70-acre piece of property as the “Cooperative Development Property”, which property was intended to be a development under the joint zoning and development review oversight of the City and the Town, that would initially develop in the Town on City water and City sewer, and eventually transition to the City after a certain period of time passed and development occurred; and,

**WHEREAS**, the anticipated development of the Cooperative Development Property has not occurred as originally contemplated by the City and the Town in 2006 when the Cooperative Plan was entered into; and,

**WHEREAS**, the property owners of the Cooperative Development Property have informed the City and the Town that the provisions in the Cooperative Plan relating to the Cooperative Development Property are adversely impacting the marketability and developability of the Cooperative Development Property and the property owners would like the ability to attach to the City sooner and easier than is allowed for under the Cooperative Plan; and,

**WHEREAS**, the City and the Town are in agreement that the terms in the Cooperative Development Plan relating to the Cooperative Development Property are no longer in the best interests of the City, the Town and the property owners, and that it would be in their respective best interests if the City and Town were able to reach an alternative agreement that would allow for the earlier attachment of the Cooperative Development Property to the City than provided for by the Cooperative Plan; and,

**WHEREAS**, the City and the Town have agreed to this minor amendment to the Cooperative Plan, that this proposed amendment to the Cooperative Plan is in the public interest, and that they have complied with the requirements of Wis. Stat. § 66.0307 necessary to enter into this amendment and submit the same to the Department of Administration for approval.

NOW, THEREFORE, the City and the Town agree that all of the other terms of the Cooperative Plan shall remain as approved by the Department of Administration, except that the Cooperative Plan is amended as follows:

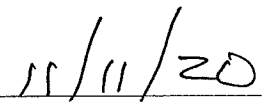
Subsection G. entitled "Attachment of Cooperative Development Property" of Section 9 entitled "Attachment of Town Territory to City" is amended to add in the following:

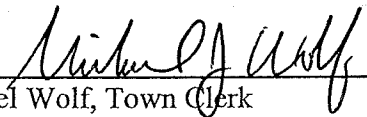
"During the Protected Period, the City may attach the Cooperative Development Property, only in accordance with the provisions of subsection 11.C. below, by adoption of an attachment ordinance adopted by a majority of the members of the City's Common Council, and without the consent of the owners or electors of the Cooperative Development Property. At that time, the City Clerk shall provide notice of this Attachment, as required under the Procedure for Intermediate Attachments in paragraph 10.A.(2) below. Notwithstanding the foregoing, Section 11.C. of this Plan, or any other provision to the contrary in this Plan, the City and the Town may, as an alternative to the provisions contained in this Plan regarding the Cooperative Development Property, separately enter into an intergovernmental agreement under Wis. Stat. § 66.0301 allowing for the intermediate attachment of all or a portion of the Cooperative Development Property to the City under Section 10.A. and an alternative revenue sharing arrangement than would otherwise be applicable to this attachment under Sections 11.C, 16.A, or any other provisions contained in this Plan."

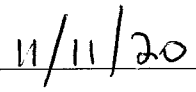
IN WITNESS WHEREOF, the Parties certify that this Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan has been duly approved by their respective governing bodies in accordance with State and local laws, rules and regulations, and each has caused its duly authorized officers to execute this said Amendment.

FOR THE TOWN OF BLOOMING GROVE

  
\_\_\_\_\_  
Ron Bristol, Town Chair

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Michael Wolf, Town Clerk

  
\_\_\_\_\_  
Date



FOR THE CITY OF MADISON

\_\_\_\_\_  
Satya Rhodes-Conway, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Maribeth Witzel-Behl, City Clerk

\_\_\_\_\_  
Date

Countersigned:

\_\_\_\_\_  
David P. Schmiedicke, Finance Director

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Michael Haas, City Attorney

\_\_\_\_\_  
Date

Execution of this Agreement by Madison is authorized by Resolution Enactment No. RES 20-\_\_\_\_\_, ID No. 62384, adopted by the Common Council of the City of Madison on \_\_\_\_\_, 2020.



Legislation Details (With Text)

**File #:** 61903      **Version:** 1      **Name:** preparation of an amendment to the Town of Blooming Grove and City of Madison Cooperative Plan

**Type:** Resolution      **Status:** Passed

**File created:** 8/25/2020      **In control:** Department of Planning and Community and Economic Development

**On agenda:** 9/1/2020      **Final action:** 9/15/2020

**Enactment date:** 9/21/2020      **Enactment #:** RES-20-00677

**Title:** Authorizing the City to participate in the preparation of an amendment to the Town of Blooming Grove and City of Madison Cooperative Plan to allow for an alternate means of development of the "Cooperative Development Property"

**Sponsors:** Grant Foster, Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Cooperative Development Property (BG Plan).pdf

Date	Ver.	Action By	Action	Result
9/15/2020	1	COMMON COUNCIL	Adopt	Pass
9/14/2020	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/1/2020	1	COMMON COUNCIL	Refer	Pass
8/25/2020	1	Department of Planning and Community and Economic Development	Referred for Introduction	

No City appropriation required.

Authorizing the City to participate in the preparation of an amendment to the Town of Blooming Grove and City of Madison Cooperative Plan to allow for an alternate means of development of the "Cooperative Development Property"

WHEREAS, on June 21, 2006, the City and the Town of Blooming Grove (the "Town") entered into the "Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and

WHEREAS, under the terms of the Cooperative Plan, the Town will dissolve at 11:59 p.m. on October 31, 2027 and all territory remaining in the Town at that time will attach to the City while the City takes over all jurisdiction and responsibility over the dissolved Town's territory (the "Final Attachment"); and

WHEREAS, during the period between October 3, 2006 and October 31, 2027, the development of Town territory, including connections to City services and the attachment of Town territory to the City, is subject to the terms set forth in the Cooperative Plan; and

WHEREAS, the Cooperative Plan identified a specific 70-acre area north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the "Cooperative Development Property", with the intent being that this property, as depicted in the attached exhibit, would be developed in a joint manner by the Town and the City, with the City-approved development initially occurring in the Town, with City services, and

eventually transitioning into the City; and

WHEREAS, due to various reasons and contrary to the original expectations of the City, the Town and the property owners, the Cooperative Development Property has not yet redeveloped and the provisions in the Plan pertaining to the property significantly restrict the development potential of the location by impacting the site's marketability, eliminating the potential of TIF funding of public improvements, and adding complexity to any development review; and

WHEREAS, the owners of the Cooperative Development Property would like the City and the Town to allow for an alternate procedure to redevelop the property and are supportive of amending the Cooperative Plan to allow this; and

WHEREAS, it is in the City and the Town's interests to amend the Cooperative Plan to allow for an alternate procedure for the redevelopment of the Cooperative Development Property so that this parcel may potentially be redeveloped prior to Final Attachment in 2027.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the City is authorized to participate in the preparation of an amendment to the Cooperative Plan with the Town of Blooming Grove that would allow for an alternate procedure for the redevelopment of the Cooperative Development Property as provided for by Wis. Stat. § 66.0307(8).

BE IT FURTHER RESOLVED, that staff are directed to follow all necessary procedures for amending the Cooperative Plan as set forth in Wis. Stat. § 66.0307.

## **Town of Blooming Grove Resolution 2020-03**

**Acknowledgement the Town will participate in negotiations to amend the Town of Blooming Grove and City of Madison Cooperative Plan, for the purpose of allowing for an alternate means of development of the “Cooperative Development Property” as defined in the Cooperative Plan.**

**WHEREAS**, on June 21, 2006, the City of Madison (the “City”) and the Town of Blooming Grove (the “Town”) entered into the “Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes” (the “Cooperative Plan”), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and,

**WHEREAS**, under the terms of the Cooperative Plan, the Town will dissolve at 11:59 p.m. on October 31, 2027 and all territory remaining in the Town at that time will attach to the City while the City takes over all jurisdiction and responsibility over the dissolved Town’s territory (the “Final Attachment”); and,

**WHEREAS**, during the period between October 3, 2006 and October 31, 2027, the development of Town territory, including connections to City services and the attachment of Town territory to the City, is subject to the terms set forth in the Cooperative Plan; and,

**WHEREAS**, the Cooperative Plan identified a specific 70-acre area north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the “Cooperative Development Property”, with the intent being that this property, as depicted in the attached Exhibit A, would be developed in a joint manner by the Town and the City, with the City-approved development initially occurring in the Town, with City services, and eventually transitioning into the City; and,

**WHEREAS**, due to various reasons and contrary to the original expectations of the City, the Town and the property owners, the Cooperative Development Property has not yet redeveloped and the provisions in the Cooperative Plan pertaining to the Cooperative Development Property significantly restrict the development potential of the Cooperative Development Property by impacting its marketability, eliminating the potential of TIF funding of public improvements, and adding complexity to any development review; and,

**WHEREAS**, the owners of the Cooperative Development Property would like the City and the Town to allow for an alternate procedure to redevelop the property and are supportive of amending the Cooperative Plan to allow this; and,

**WHEREAS**, it is in the City and the Town’s interests to amend the Cooperative Plan to allow for an alternate procedure for the redevelopment of the Cooperative Development Property so that this parcel may potentially be redeveloped prior to Final Attachment in 2027.

**NOW THEREFORE, BE IT HEREBY RESOLVED**, that the Town Board of the Town of Blooming Grove authorizes the Town's participation in the preparation of an amendment to the Cooperative Plan that would allow for an alternate procedure for the redevelopment of the Cooperative Development Property as provided for by Wis. Stat. § 66.0307(8).


**BE IT FURTHER RESOLVED**, that Town staff are directed to follow all necessary procedures for amending the Cooperative Plan as set forth in Wis. Stat. § 66.0307.

This Resolution was adopted by a vote of 4 in favor, 0 opposed, and 0 not voting, on this 9<sup>th</sup> day of September, 2020.

  
\_\_\_\_\_  
Ron Bristol, Town Chair

9/9/20  
Date

**ATTESTED BY:**

  
\_\_\_\_\_  
Michael Wolf, Town Clerk/Treasurer

9/9/2020  
Date

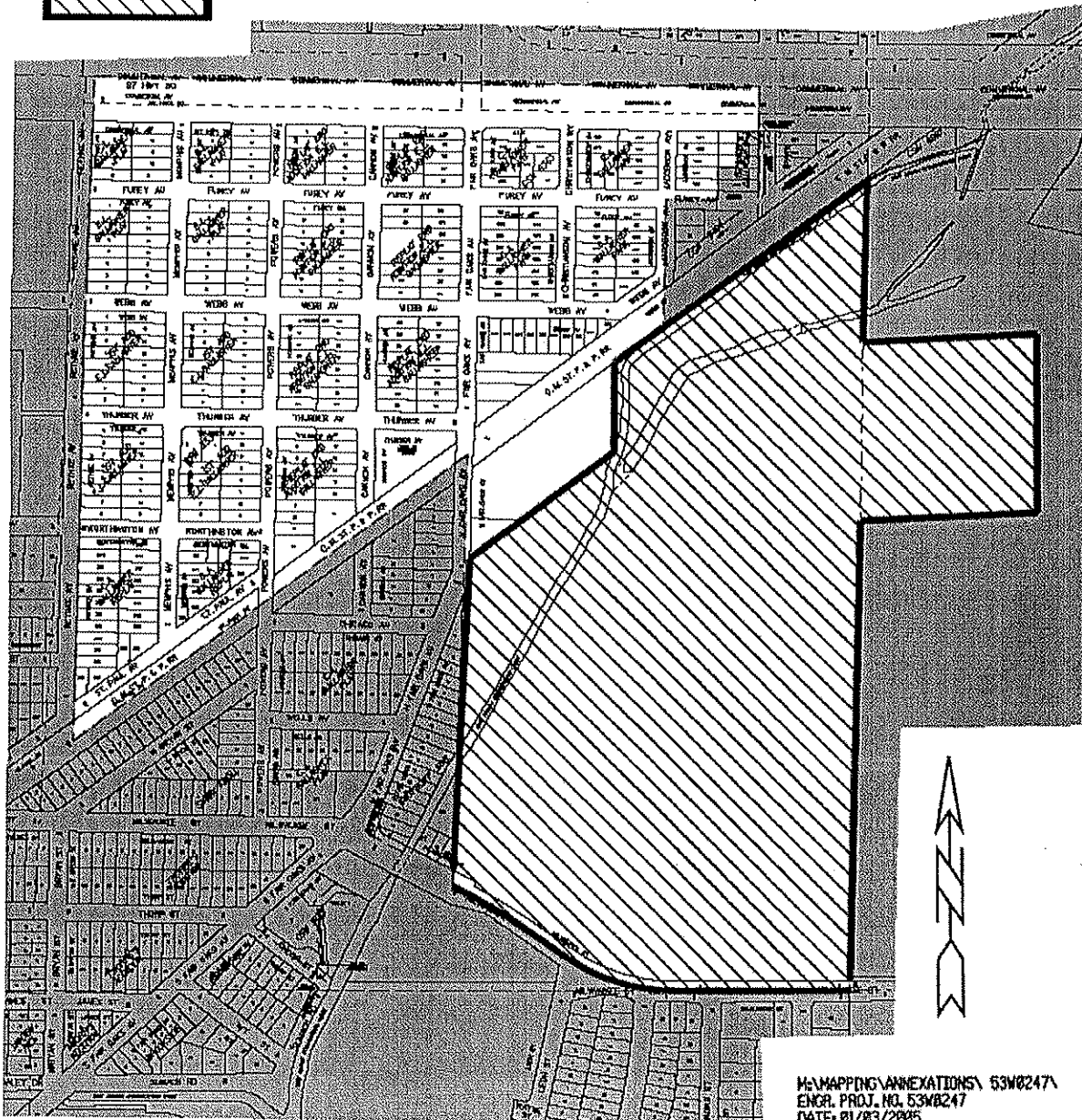
Attachments: Exhibit A – Map of Cooperative Development Property

EXHIBIT "A"

# BOUNDARY AGREEMENT CITY OF MADISON & TOWN OF BLOOMING GROVE



**DEVELOPMENT PROPERTY**



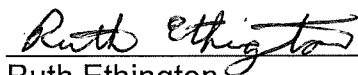
McMAPPING\ANNEXATIONS\ 53W8247\  
ENGR. PROJ. NO. 53W8247  
DATE: 01/03/2005  
REVISED: 01/12/2005

# AFFIDAVIT OF MAILING

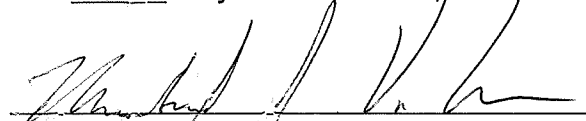
STATE OF WISCONSIN     )  
   ) ss.  
 COUNTY OF DANE         )

Ruth Ethington, being first duly sworn on oath, deposes and says that:

1. She is an Program Assistant with the Planning Division of the Planning and Community and Economic Development Department of the City of Madison, Dane County, Wisconsin, and did on the 19<sup>th</sup> of November, 2020 at approximately 10:30 a.m. place copies of the attached Notice and Resolution in envelopes (the "Envelopes") addressed to All Addresses listed on Attachment 1
  
2. She did seal the Envelopes addressed as aforesaid.
  
3. On or about said time she personally delivered the Envelopes to the United States Post Office located at 2 E. Mifflin St., Ste. 103 in Madison, WI, and ensured that there was affixed thereto sufficient and adequate postage.

  
 \_\_\_\_\_  
 Ruth Ethington

Subscribed and sworn to before me  
 this 23 day of November, 2020

  
 \_\_\_\_\_  
 Notary Public, State of Wisconsin  
 My Commission expires FEB 19, 2021

Attachments:         Notice of Adoption of  
                                   Resolution  
                                   Attachment 1: Address List  
                                   Resolution

November 19, 2020

NOTICE OF AMENDMENT TO THE COOPERATIVE PLAN BETWEEN THE CITY OF MADISON AND THE TOWN OF BLOOMING GROVE, AND ADOPTING RESOLUTION OF THE CITY OF MADISON

TO ALL ADDRESSEES ON ATTACHMENT 1:

PLEASE TAKE NOTICE that, pursuant to Wis. Stat. 66.0307(8)(c), the Common Council of the City of Madison adopted the attached resolution at its meeting on November 17, 2020. The attached resolution authorized an amendment to the Cooperative Plan with the Town of Blooming Grove under Wis. Stat. 66.0307(8)(c) that would allow for an alternative procedure for the redevelopment of the Cooperative Development Property as that term is defined in the Cooperative Plan.

Sincerely,



Heather Stouder

City of Madison Planning Division Director

Attachments:

Attachment 1 – List of Addressees

Attachment 2 - Resolution



City of Filchburg  
Attn: Tracy Oldenburg  
5520 Lacy Rd  
Fitchburg WI 53711

Town of Bristol  
Attn: Brandon Bledsoe  
7747 County Hwy N  
Sun Prairie WI 53590

Town of Medina  
Attn: Tammy Jordan  
634 State Hwy 19  
Marshall WI 53559

City of Madison  
Attn: Maribeth Witzel-Behl  
210 Martin Luther King Jr Blvd Rm 103  
Madison WI 53703

Town of Burke  
Attn: Teri Saxon  
5365 Reiner Rd  
Madison WI 53718

Town of Middleton  
Attn: Barbara Roesslein  
7555 W. Old Sauk Rd  
Verona WI 53593

City of Middleton  
Attn: Lorie Burns  
7426 Hubbard Ave  
Middleton WI 53562

Town of Christiana  
Attn: Kathy Wilson  
773 Koshkonong Rd  
Cambridge WI 53523

Town of Montrose  
Attn: Ann Sayles  
1341 Diane Ave  
Belleville WI 53508

City of Monona  
Attn: Joan Andrusz  
5211 Schluter Rd  
Monona WI 53716

Town of Cottage Grove  
Attn: Kim Banigan  
4058 County Hwy N  
Cottage Grove WI 53527

Town of Oregon  
Attn: Jennifer Hanson  
1138 Union Rd  
Oregon WI 53575

City of Stoughton  
Attn: Holly Licht  
207 S. Forrest St  
Stoughton WI 53589

Town of Cross Plains  
Attn: Nancy Meinholz  
3734 County Hwy P  
Cross Plains WI 53528

Town of Pleasant Springs  
Attn: Maria Hougan  
2354 County Hwy N  
Stoughton WI 53589

City of Sun Prairie  
Attn: Elena Hilby  
300 E. Main St  
Sun Prairie WI 53590

Town of Dane  
Attn: Angie Volkman  
213 W. Main St  
Dane WI 53529

Town of Primrose  
Attn: Ruth Hansen  
8468 County Hwy A  
Verona WI 53593

City of Verona  
Attn: Ellen Clark  
111 Lincoln St  
Verona WI 53593

Town of Deerfield  
Attn: Bob Riege  
838 London Rd  
Deerfield WI 53531

Town of Rutland  
Attn: Dawn George  
4177 Old Slage Rd  
Brooklyn WI 53521

Town of Albion  
Attn: Julie Hanewall  
620 Albion Rd  
Edgerton WI 53534

Town of Dunkirk  
Attn: Melanie Huchthausen  
654 County Hwy N  
Stoughton WI 53589

Town of Springdale  
Attn: Mike Fagan  
2379 Town Hall Rd  
Mt Horeb WI 53572

Town of Berry  
Attn: Brenda Kahl  
9046 State Hwy 19  
Mazomanie WI 53560

Town of Dunn  
Attn: Cathy Hasslinger  
4156 County Hwy B  
McFarland WI 53558

Town of Springfield  
Attn: Dianah Fayas  
6157 County Hwy P  
Dane WI 53529

Town of Blooming Grove  
Attn: Mike Wolf  
1880 S. Stoughton Rd  
Madison WI 53716

Town of Madison  
Attn: Renee Schwass  
2120 Fish Hatchery Rd  
Madison WI 53713

Town of Sun Prairie  
Attn: Rhonda Wiedenbeck  
5556 Twin Lane Rd  
Marshall WI 53559

Town of Verona  
Attn: John Wright  
7669 County Hwy PD  
Verona WI 53593

Village of Marshall  
Attn: Lindsey Johnson  
130 S. Pardee St  
Marshall WI 53559

Town of Dunn Sanitary Dist. #3  
Attn: Alan Monroe  
2488 Waubesa Hill Rd  
McFarland WI 53558

Town of Vienna  
Attn: Kathleen Clark  
7161 County Hwy I  
DeForest WI 53532

Village of McFarland  
Attn: Cassandra Suettinger  
5915 Milwaukee St  
McFarland WI 53558

Town of Dunn Sanitary Dist. #4  
Attn: Ed Minihan  
4156 County Hwy B  
McFarland WI 53558

Town of Westport  
Attn: Terry Enge  
5387 Mary Lake Rd  
Waunakee WI 53597

Village of Mount Horeb  
Attn: Alyssa Gross  
138 E. Main St  
Mount Horeb WI 53572

Town of Dunn-Kegonsa San. Dist.  
Attn: Dan Hillery  
3187 Gehler Dr  
Stoughton WI 53589

Town of York  
Attn: Nicole Bronkhorst  
796 York Center Rd  
Marshall WI 53559

Village of Oregon  
Attn: Peggy Haag  
117 Spring St  
Oregon WI 53575

Oak Ridge Sanitary District  
Attn: Renee Schwass  
2120 Fish Hatchery Rd  
Madison WI 53713

Village of Cottage Grove  
Attn: Lisa Kalata  
221 E. Cottage Grove Rd  
Cottage Grove WI 53527

Village of Shorewood Hills  
Attn: Karla Endres  
810 Shorewood Blvd  
Madison WI 53705

Madison Metro Sewer District  
Attn: Mary Swanson  
1610 Moorland Rd  
Madison WI 53713

Village of Cross Plains  
Attn: Bill Chang  
2417 Brewery Rd  
Cross Plains WI 53528

Village of Waunakee  
Attn: Caitlin Stene  
500 W. Main St  
Waunakee WI 53597

Pleasant Spring Sanitary District  
Attn: Richard Everson  
2083 Williams Dr  
Stoughton WI 53589

Village of Dane  
Attn: Teresa Hughey Groves  
102 W. Main St  
Dane WI 53529

Village of Windsor  
Attn: Christine Capstran  
4084 Muller Rd  
DeForest WI 53532

Town of Vienna Sanitary District #1  
Attn: Kathleen Clark  
7961 County Hwy I  
DeForest WI 53532

Village of Deerfield  
Attn: Elizabeth McCredie  
4 N. Main St  
Deerfield WI 53531

Dane County  
Attn: Scott McDonell  
210 Martin Luther King Jr Blvd Rm 106A  
Madison WI 53703

Village of Windsor Sewer District  
Attn: Tina Butteris  
4084 Muller Rd  
DeForest WI 53532

Village of DeForest  
Attn: LuAnn Leggett  
120 S. Stevenson St  
DeForest WI 53532

DeForest Water Utility  
Attn: LuAnn Leggett  
120 S. Stevenson St  
DeForest WI 53532

Dane County Dept of Planning & Dev  
Attn: Todd Violante  
210 Martin Luther King Jr Blvd Rm 116  
Madison WI 53703

Village of Maple Bluff  
Attn: Sarah Danz  
18 Oxford Pl  
Madison WI 53704

Town of Dunn Sanitary Dist. #1  
Attn: Dan Paltz  
3022 Waubesa Ave  
Madison WI 53711

Dept of Transportation SW Region  
Attn: John Vesperman  
2101 Wright St  
Madison WI 53704

Wisconsin DNR - Watershed Mgmt  
Attn: Andrew Craig  
PO Box 7921  
Madison WI 53707

McFarland School District  
Attn: Andrew Briddell  
5101 Farwell St  
McFarland WI 53558

Dept of Ag, Trade & Consumer Prot.  
Attn: Randy Romanski  
PO Box 8911  
Madison WI 53708

Middleton-Cross Plains School Dist  
Attn: Dr. Dana Monogue  
7106 South Ave  
Middleton WI 53562

Dept of Administration - Municipal Rev  
Attn: George Hall  
PO Box 1645  
Madison WI 53701

Monona Grove School District  
Attn: Daniel Olson  
5301 Monona Dr  
Monona WI 53716

Capital Area Reg Plan Commission  
Attn: Steve Steinhoff  
100 State St Ste 400  
Madison WI 53703

Mount Horeb Area School District  
Attn: Steve Salerno  
1304 E. Lincoln St  
Mt Horeb WI 53572

Dane County ZLR Committee  
Attn: Kris Schutte  
210 Martin Luther King Jr Blvd Rm 116  
Madison WI 53703

Oregon School District  
Attn: Leslie Bergstrom  
123 E Grove St  
Oregon WI 53575

Belleville School District  
Attn: Nate Perry  
625 West Church St  
Belleville WI 53508

Stoughton Area School District  
Attn: Tim Onsager  
320 North St  
Stoughton WI 53589

Deerfield Comm School District  
Attn: Michelle Jensen  
300 Simonson Blvd  
Deerfield WI 53531

Sun Prairie Area School District  
Attn: Brad Saron  
501 South Bird St  
Sun Prairie WI 53590

DeForest Area School District  
Attn: Eric Runez  
520 East Holum St  
DeForest WI 53532

Verona Area School District  
Attn: Dean Gorell  
700 N Main St  
Verona WI 53593

Madison Metro School District  
Attn: Carlton Jenkins  
545 W Dayton St  
Madison WI 53703

Waunakee Comm School District  
Attn: Randy Guttenberg  
905 Bethel Cir  
Waunakee WI 53597

Marshall School District  
Attn: Daniel Grady  
PO Box 76  
Marshall WI 53559

Madison College  
Attn: Dr. Jack E. Daniels III  
1701 Wright St  
Madison WI 53704



Legislation Details (With Text)

**File #:** 62384      **Version:** 1      **Name:** Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan

**Type:** Resolution      **Status:** Passed

**File created:** 9/28/2020      **In control:** Attorney's Office

**On agenda:** 11/17/2020      **Final action:** 11/17/2020

**Enactment date:**      **Enactment #:** RES-20-00780

**Title:** Authorizing the City to Enter into an Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan.

**Sponsors:** Satya V. Rhodes-Conway, Grant Foster, Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Cooperative Development Property-Plan Excerpts, 2. Amendment to Cooperative Plan (BG-MSN) (Final), 3. Ald\_Grant\_Comment.pdf

Date	Ver.	Action By	Action	Result
11/17/2020	1	COMMON COUNCIL		
10/19/2020	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/6/2020	1	COMMON COUNCIL	Refer	Pass
9/28/2020	1	Attorney's Office	Referred for Introduction	

The proposed resolution would amend the Cooperative Plan between the City of Madison and Town of Blooming Grove to allow for the intermediate attachment of property to the City. The proposed resolution does not require a city appropriation. The resolution allows the City to enter into an Intermediate Attachment and Revenue Sharing Agreement which is presented in resolution # 62386.

Authorizing the City to Enter into an Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan.

WHEREAS, on June 21, 2006, the City and the Town of Blooming Grove (the "Town") entered into the "Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and,

WHEREAS, the Cooperative Plan provides for a series of attachments of Town territory to the City during the planning period, including immediate attachments, intermediate attachments, phased attachments and a final attachment of all the territory remaining in the Town to occur at 11:59 p.m. on October 31, 2027, at which point the Town will dissolve; and,

WHEREAS, the Cooperative Plan also set aside a 70-acre piece of property north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the "Cooperative Development Property", which property was intended to be developed under the joint zoning and development review oversight of the City and the Town, that would initially develop in the Town on City water and City sewer, and eventually transition to the City after a certain period of time passed and development occurred; and,

WHEREAS, the anticipated development of the Cooperative Development Property has not occurred

as originally contemplated by the City and the Town in 2006 when the Cooperative Plan was entered into; and,

WHEREAS, the property owners of the Cooperative Development Property have informed the City and the Town that the provisions in the Cooperative Plan relating to the Cooperative Development Property are impacting the marketability and developability of the property and that they would like the ability to attach to the City sooner and easier than is allowed for under the Cooperative Plan; and,

WHEREAS, the City and the Town are in agreement that the terms in the Cooperative Development Plan relating to the Cooperative Development Property are no longer in the best interests of the City, the Town and the property owners, and that it would be in all parties' best interests if the City and Town were able to reach an alternative agreement that would allow for the earlier attachment of the Cooperative Development Property to the City than provided for by the Cooperative Plan; and,

WHEREAS, by RES-20-00677 (Legistar File No. 61903), adopted on September 15, 2020, the Common Council authorized the City to participate in the preparation of an amendment to the Cooperative Plan to allow for an alternate means of development of the Cooperative Development Property; and,

WHEREAS, the City and the Town have come to terms on an amendment to the Cooperative Plan, which amendment is attached hereto and the terms incorporated herein, that would allow the City and the Town to enter into an intergovernmental agreement to allow for the earlier attachment of the Cooperative Development Property to the City and an alternate revenue sharing agreement with the Town, which amendment is in the City's best interests.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Mayor and City Clerk are authorized to execute the Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes, and City staff are further authorized to submit the same to the State of Wisconsin Department of Administration for approval.

AFFIDAVIT OF MAILING

STATE OF WISCONSIN

COUNTY OF DANE

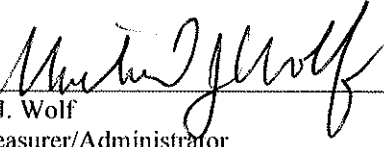
Michael J. Wolf, being first duly sworn on oath, deposes and says that:

1. He is the Town Clerk/Treasurer/Administrator of the Town of Blooming Grove, Dane County, Wisconsin, and did on November 13, 2020 at approximately 2:00pm, place copies of the attached Notice of Amendment in envelopes (the "Envelopes") addressed to:

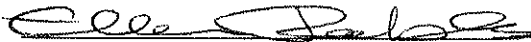
All Addresses listed on Attachment 1

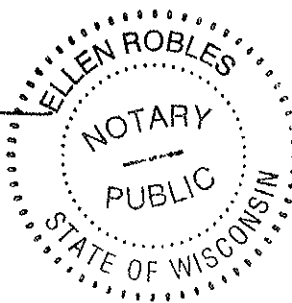
2. He did seal the Envelopes addressed as aforesaid and caused the Envelopes to have affixed thereto sufficient and adequate postage.

3. On or about said time he personally deposited the Envelopes in a United States Post Office mail receptacle at 112 Owen Road in the City of Monona, Dane County, Wisconsin.

  
\_\_\_\_\_  
Michael J. Wolf  
Clerk/Treasurer/Administrator  
Town of Blooming Grove

Subscribed and sworn to before me  
this 24<sup>th</sup> day of December 2020.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission: 3/23/2024



Attachments: Notice of Amendment  
Resolution  
Attachment 1 – List of Addresses



1880 S. Stoughton Road Madison WI 53716  
Phone 608-223-1104 \* Fax 608-223-1106  
www.blmgrove.com

November 13, 2020

**NOTICE OF AMENDMENT TO THE COOPERATIVE PLAN BETWEEN THE CITY OF  
MADISON AND THE TOWN OF BLOOMING GROVE, AND ADOPTING  
RESOLUTION OF THE TOWN OF BLOOMING GROVE**

TO ALL ADDRESSEES ON ATTACHMENT 1:

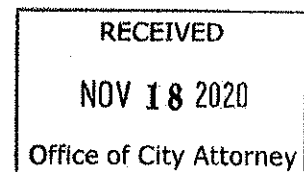
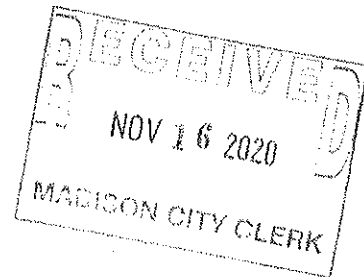
PLEASE TAKE NOTICE that, pursuant to Wis. Stat. 66.0307(8)(c), the Town Board of the Town of Blooming Grove adopted the attached resolution at its meeting on November 11, 2020. The attached resolution authorized an amendment to the Cooperative Plan with the City of Madison under Wis. Stat. 66.0307(8)(c) that would allow for an alternative procedure for the redevelopment of the Cooperative Development Property as that term is defined in the Cooperative Plan.

Sincerely,

Michael J. Wolf  
Town Clerk/Treasurer/Administrator  
Town of Blooming Grove, Dane County

Attachments:

- Attachment 1 – List of Addressees
- Attachment 2 – Resolution



## **Town of Blooming Grove Resolution 2020-04**

Authorizing the Town to enter into an Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan

**WHEREAS**, on June 21, 2006, the City of Madison (the "City") and the Town of Blooming Grove (the "Town") entered into the "Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and,

**WHEREAS**, the Cooperative Plan provides for a series of attachments of Town territory to the City during the planning period, including immediate attachments, intermediate attachment, phased attachments, and a final attachment of all territory remaining in the Town to occur at 11:59pm on October 31, 2027, at which point the Town will dissolve; and,

**WHEREAS**, the Cooperative Plan also set aside a 70-acre piece of property north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the "Cooperative Development Property", which property was intended to be developed under the joint zoning and development review oversight of the City and the Town, would initially develop in the Town on City water and City sewer, and eventually transition to the City after a certain period of time passed and development occurred; and,

**WHEREAS**, the anticipated development of the Cooperative Development Property has not occurred as originally contemplated by the City and the Town in 2006 when the Cooperative Plan was entered into; and

**WHEREAS**, the property owners of the Cooperative Development Property have informed the City and the Town that the provisions in the Cooperative Plan relating to the Cooperative Development Property are adversely impacting the marketability and developability of the Cooperative Development Property and the property owners would like the ability to have an alternative means to develop the Cooperative Development Property under the Cooperative Plan; and,

**WHEREAS**, the City and the Town agree the terms in the Cooperative Plan relating to the Cooperative Development Property are no longer in the best interests of the City, the Town, and the property owners, and that it would be in the best interests of the property owners, the City, and Town to reach an alternative arrangement that would allow for the development of the Cooperative Development Property; and,

**WHEREAS**, Town Resolution 2020-03 was adopted on September 9, 2020, in which the Town Board authorized the Town to participate in the preparation of an amendment to the Cooperative Plan to allow for an alternate means of development of the Cooperative Development Property; and,



**WHEREAS**, the City and the Town have come to terms on an amendment to the Cooperative Plan (the "Amendment"), which amendment is attached hereto and the terms incorporated herein as Attachment A, that would allow the City and the Town to enter into an intergovernmental agreement to allow for the intermediate attachment of the Cooperative Development Property to the City and an alternate revenue sharing agreement with the Town, which amendment is in the City's and Town's best interests.

**NOW THEREFORE, BE IT HEREBY RESOLVED**, that the Town Chair and Town Clerk/Treasurer are authorized to execute the Amendment, and Town officials and staff are further authorized to submit the same to the State of Wisconsin Department of Administration for approval and take additional actions to obtain such approval.

This Resolution was adopted by a vote of 4 in favor, 0 opposed, and 0 not voting, on this 11<sup>th</sup> day of November, 2020.

  
\_\_\_\_\_  
Ron Bristol, Town Chair

11/11/20  
Date

**ATTESTED BY:**

  
\_\_\_\_\_  
Michael Wolf, Town Clerk/Treasurer

11/11/20  
Date

Attachments: Attachment A – the Amendment

**AMENDMENT TO THE TOWN OF BLOOMING GROVE AND CITY OF MADISON  
COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES**

---

**WHEREAS**, pursuant to Wis. Stat. § 66.0307, the Town of Blooming Grove, a Wisconsin body corporate and politic (the "Town"), and the City of Madison, a Wisconsin municipal corporation (the "City"), entered into the "Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Plan was approved on October 3, 2006, by the State of Wisconsin Department of Administration; and,

**WHEREAS**, the Cooperative Plan provides for a series of attachments of Town territory to the City during the planning period, including immediate attachments, intermediate attachments, phased attachments and a final attachment of all the territory remaining in the Town to occur at 11:59 p.m. on October 31, 2027, at which point the Town will dissolve; and,

**WHEREAS**, the Cooperative Plan also set aside a 70-acre piece of property as the "Cooperative Development Property", which property was intended to be a development under the joint zoning and development review oversight of the City and the Town, that would initially develop in the Town on City water and City sewer, and eventually transition to the City after a certain period of time passed and development occurred; and,

**WHEREAS**, the anticipated development of the Cooperative Development Property has not occurred as originally contemplated by the City and the Town in 2006 when the Cooperative Plan was entered into; and,

**WHEREAS**, the property owners of the Cooperative Development Property have informed the City and the Town that the provisions in the Cooperative Plan relating to the Cooperative Development Property are adversely impacting the marketability and developability of the Cooperative Development Property and the property owners would like the ability to attach to the City sooner and easier than is allowed for under the Cooperative Plan; and,

**WHEREAS**, the City and the Town are in agreement that the terms in the Cooperative Development Plan relating to the Cooperative Development Property are no longer in the best interests of the City, the Town and the property owners, and that it would be in their respective best interests if the City and Town were able to reach an alternative agreement that would allow for the earlier attachment of the Cooperative Development Property to the City than provided for by the Cooperative Plan; and,

**WHEREAS**, the City and the Town have agreed to this minor amendment to the Cooperative Plan, that this proposed amendment to the Cooperative Plan is in the public interest, and that they have complied with the requirements of Wis. Stat. § 66.0307 necessary to enter into this amendment and submit the same to the Department of Administration for approval.

NOW, THEREFORE, the City and the Town agree that all of the other terms of the Cooperative Plan shall remain as approved by the Department of Administration, except that the Cooperative Plan is amended as follows:


Subsection G. entitled "Attachment of Cooperative Development Property" of Section 9 entitled "Attachment of Town Territory to City" is amended to add in the following:

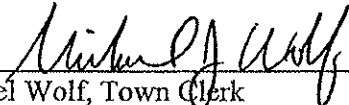
"During the Protected Period, the City may attach the Cooperative Development Property, only in accordance with the provisions of subsection 11.C. below, by adoption of an attachment ordinance adopted by a majority of the members of the City's Common Council, and without the consent of the owners or electors of the Cooperative Development Property. At that time, the City Clerk shall provide notice of this Attachment, as required under the Procedure for Intermediate Attachments in paragraph 10.A.(2) below. Notwithstanding the foregoing, Section 11.C. of this Plan, or any other provision to the contrary in this Plan, the City and the Town may, as an alternative to the provisions contained in this Plan regarding the Cooperative Development Property, separately enter into an intergovernmental agreement under Wis. Stat. § 66.0301 allowing for the intermediate attachment of all or a portion of the Cooperative Development Property to the City under Section 10.A. and an alternative revenue sharing arrangement than would otherwise be applicable to this attachment under Sections 11.C, 16.A, or any other provisions contained in this Plan."

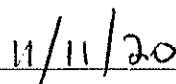
IN WITNESS WHEREOF, the Parties certify that this Amendment to the Town of Blooming Grove and City of Madison Cooperative Plan has been duly approved by their respective governing bodies in accordance with State and local laws, rules and regulations, and each has caused its duly authorized officers to execute this said Amendment.

FOR THE TOWN OF BLOOMING GROVE

  
\_\_\_\_\_  
Ron Bristol, Town Chair

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Michael Wolf, Town Clerk

  
\_\_\_\_\_  
Date

FOR THE CITY OF MADISON

\_\_\_\_\_  
Satya Rhodes-Conway, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Maribeth Witzel-Behl, City Clerk

\_\_\_\_\_  
Date

Countersigned:

\_\_\_\_\_  
David P. Schmiedicke, Finance Director

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Michael Haas, City Attorney

\_\_\_\_\_  
Date

Execution of this Agreement by Madison is authorized by Resolution Enactment No. RES 20-\_\_\_\_\_, ID No. 62384, adopted by the Common Council of the City of Madison on \_\_\_\_\_, 2020.

City of Fitchburg  
Attn: Tracy Oldenburg  
5520 Lacy Rd  
Fitchburg WI 53711

Town of Bristol  
Attn: Brandon Bledsoe  
7747 County Hwy N  
Sun Prairie WI 53590

Town of Medina  
Attn: Tammy Jordan  
634 State Hwy 19  
Marshall WI 53559

City of Madison  
Attn: Maribeth Witzel-Behl  
210 Martin Luther King Jr Blvd Rm 103  
Madison WI 53703

Town of Burke  
Attn: Teri Saxon  
5365 Reiner Rd  
Madison WI 53718

Town of Middleton  
Attn: Barbara Roeslein  
7555 W. Old Sauk Rd  
Verona WI 53593

City of Middleton  
Attn: Lorie Burns  
7426 Hubbard Ave  
Middleton WI 53562

Town of Christiana  
Attn: Kathy Wilson  
773 Koshkonong Rd  
Cambridge WI 53527

Town of Montrose  
Attn: Ann Sayles  
1341 Diane Ave  
Belleville WI 53508

City of Monona  
Attn: Joan Andrusz  
5211 Schluter Rd  
Monona WI 53716

Town of Cottage Grove  
Attn: Kim Banigan  
4058 County Hwy N  
Cottage Grove WI 53527

Town of Oregon  
Attn: Jennifer Hanson  
1138 Union Rd  
Oregon WI 53575

City of Stoughton  
Attn: Holly Licht  
207 S. Forrest St  
Stoughton WI 53589

Town of Cross Plains  
Attn: Nancy Meinholz  
3734 County Hwy P  
Cross Plains WI 53528

Town of Pleasant Springs  
Attn: Maria Hougan  
2354 County Hwy N  
Stoughton WI 53589

City of Sun Prairie  
Attn: Elena Hilby  
300 E. Main St  
Sun Prairie WI 53590

Town of Dane  
Attn: Angie Volkman  
213 W. Main St  
Dane WI 53529

Town of Primrose  
Attn: Ruth Hansen  
8468 County Hwy A  
Verona WI 53593

City of Verona  
Attn: Ellen Clark  
111 Lincoln St  
Verona WI 53593

Town of Deerfield  
Attn: Bob Riege  
838 London Rd  
Deerfield WI 53531

Town of Rutland  
Attn: Dawn George  
4177 Old Stage Rd  
Brooklyn WI 53521

Town of Albion  
Attn: Julie Hanewall  
620 Albion Rd  
Edgerton WI 53534

Town of Dunkirk  
Attn: Melanie Huchthausen  
654 County Hwy N  
Stoughton WI 53589

Town of Springdale  
Attn: Mike Fagan  
2379 Town Hall Rd  
Mt Horeb WI 53572

Town of Berry  
Attn: Brenda Kahl  
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2101 Wright St  
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Attn: Andrew Craig  
PO Box 7921  
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5301 Monona Dr  
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Capital Area Reg Plan Commission  
Attn: Steve Steinhoff  
100 State Street, Suite 400  
Madison WI 53703

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Attn: Daniel Grady  
PO Box 76  
Marshall WI 53559

Madison College  
Attn: Dr. Jack E. Daniels III  
1701 Wright St  
Madison WI 53704

**AFFIDAVIT OF MAILING**

STATE OF WISCONSIN )  
  ) ss.  
COUNTY OF DANE      )


Ruth Ethington, being first duly sworn on oath, deposes and says that:

1. She is an Program Assistant with the Planning Division of the Planning and Community and Economic Development Department of the City of Madison, Dane County, Wisconsin, and did on the 18<sup>th</sup> of September, 2020 at approximately 11:50 a.m. place copies of the attached Notice and Resolution in envelopes (the "Envelopes") addressed to:


All Addresses listed on Attachment 1, except that the address for the Capital Area Regional Plan Commission was updated after Attachment 1 was prepared and a copy was instead addressed to:

Capital Area Reg Plan Commission  
Attn: Steve Steinhoff  
100 State Street Ste 400  
Madison WI 53703

2. She did seal the Envelopes addressed as aforesaid.
3. On or about said time she personally delivered the Envelopes to the United States Post Office located at 2 E. Mifflin St., Ste. 103 in Madison, WI, and ensured that there was affixed thereto sufficient and adequate postage.

  
\_\_\_\_\_  
Ruth Ethington

Subscribed and sworn to before me  
this 21 day of September, 2020

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission expires FEB 19, 2020

Attachments:           Notice of Adoption of Resolution  
                              Resolution  
                              Attachment 1: Address List





Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

215 Martin Luther King Jr. Blvd. Ste 017

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 266-6377

[www.cityofmadison.com](http://www.cityofmadison.com)

September 18, 2020

NOTICE OF ADOPTION OF RESOLUTION BY THE CITY OF MADISON COMMON COUNCIL, DANE COUNTY, WISCONSIN, AUTHORIZING PARTICIPATION IN THE PREPARATION OF AN AMENDMENT TO THE COOPERATIVE PLAN WITH THE TOWN OF BLOOMING GROVE THAT WOULD ALLOW FOR AN ALTERNATE PROCEDURE FOR THE REDEVELOPMENT OF THE COOPERATIVE DEVELOPMENT PROPERTY

TO ALL ADDRESSEES ON ATTACHMENT 1:

PLEASE TAKE NOTICE that, pursuant to Wis. Stat. § 66.0307(4)(a), the Common Council of the City of Madison adopted the attached resolution at its meeting on September 15, 2020. The attached resolution authorized the City to participate in the preparation of an amendment to the Cooperative Plan with the Town of Blooming Grove under Wis. Stat. § 66.0307(8)(c) that would allow for an alternative procedure for the redevelopment of the Cooperative Development Property as that term is defined in the Cooperative Plan.

Sincerely,

Heather Stouder  
City of Madison Planning Division Director

Attachments:

Attachment 1 – List of Addressees

Attachment 2 - Resolution



Legislation Details (With Text)

**File #:** 61903      **Version:** 1      **Name:** preparation of an amendment to the Town of Blooming Grove and City of Madison Cooperative Plan

**Type:** Resolution      **Status:** Passed

**File created:** 8/25/2020      **In control:** Department of Planning and Community and Economic Development

**On agenda:** 9/1/2020      **Final action:** 9/15/2020

**Enactment date:**      **Enactment #:** RES-20-00677

**Title:** Authorizing the City to participate in the preparation of an amendment to the Town of Blooming Grove and City of Madison Cooperative Plan to allow for an alternate means of development of the "Cooperative Development Property"

**Sponsors:** Grant Foster, Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Cooperative Development Property (BG Plan).pdf

Date	Ver.	Action By	Action	Result
9/15/2020	1	COMMON COUNCIL		
9/14/2020	1	PLAN COMMISSION		
9/1/2020	1	COMMON COUNCIL	Refer	Pass
8/25/2020	1	Department of Planning and Community and Economic Development	Referred for Introduction	

No City appropriation required.

Authorizing the City to participate in the preparation of an amendment to the Town of Blooming Grove and City of Madison Cooperative Plan to allow for an alternate means of development of the "Cooperative Development Property"

WHEREAS, on June 21, 2006, the City and the Town of Blooming Grove (the "Town") entered into the "Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and

WHEREAS, under the terms of the Cooperative Plan, the Town will dissolve at 11:59 p.m. on October 31, 2027 and all territory remaining in the Town at that time will attach to the City while the City takes over all jurisdiction and responsibility over the dissolved Town's territory (the "Final Attachment"); and

WHEREAS, during the period between October 3, 2006 and October 31, 2027, the development of Town territory, including connections to City services and the attachment of Town territory to the City, is subject to the terms set forth in the Cooperative Plan; and

WHEREAS, the Cooperative Plan identified a specific 70-acre area north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the "Cooperative Development Property", with the intent being that this property, as depicted in the attached exhibit, would be developed in a joint manner by the Town and the City, with the City-approved development initially occurring in the Town, with City services, and eventually transitioning into the City; and

WHEREAS, due to various reasons and contrary to the original expectations of the City, the Town and the property owners, the Cooperative Development Property has not yet redeveloped and the provisions in the Plan pertaining to the property significantly restrict the development potential of the location by impacting the site's marketability, eliminating the potential of TIF funding of public improvements, and adding complexity to any development review; and

WHEREAS, the owners of the Cooperative Development Property would like the City and the Town to allow for an alternate procedure to redevelop the property and are supportive of amending the Cooperative Plan to allow this; and

WHEREAS, it is in the City and the Town's interests to amend the Cooperative Plan to allow for an alternate procedure for the redevelopment of the Cooperative Development Property so that this parcel may potentially be redeveloped prior to Final Attachment in 2027.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the City is authorized to participate in the preparation of an amendment to the Cooperative Plan with the Town of Blooming Grove that would allow for an alternate procedure for the redevelopment of the Cooperative Development Property as provided for by Wis. Stat. § 66.0307(8).

BE IT FURTHER RESOLVED, that staff are directed to follow all necessary procedures for amending the Cooperative Plan as set forth in Wis. Stat. § 66.0307.

Town of Verona  
Attn: John Wright  
7669 County Hwy PD  
Verona WI 53593

Village of Marshall  
Attn: Lindsey Johnson  
130 S. Pardee St  
Marshall WI 53559

Town of Dunn Sanitary Dist. #3  
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Attn: Brandon Bledsoe  
7747 County Hwy N  
Sun Prairie WI 53590

Town of Medina  
Attn: Tammy Jordan  
634 State Hwy 19  
Marshall WI 53559

City of Madison  
Attn: Maribeth Witzel-Behl  
210 Martin Luther King Jr Blvd Rm 103  
Madison WI 53703

Town of Burke  
Attn: Teri Saxon  
5365 Reiner Rd  
Madison WI 53718

Town of Middleton  
Attn: Barbara Roesslein  
7555 W. Old Sauk Rd  
Verona WI 53593

City of Middleton  
Attn: Lorie Burns  
7426 Hubbard Ave  
Middleton WI 53562

Town of Christiana  
Attn: Kathy Wilson  
773 Koshkonong Rd  
Cambridge WI 53523

Town of Montrose  
Attn: Ann Sayles  
1341 Diane Ave  
Belleville WI 53508

City of Monona  
Attn: Joan Andrusz  
5211 Schluter Rd  
Monona WI 53716

Town of Cottage Grove  
Attn: Kim Banigan  
4058 County Hwy N  
Cottage Grove WI 53527

Town of Oregon  
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1138 Union Rd  
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Madison WI 53704

AFFIDAVIT OF MAILING

STATE OF WISCONSIN

COUNTY OF DANE

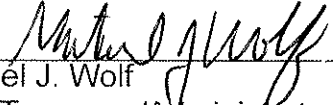
Michael J. Wolf, being first duly sworn on oath, deposes and says that:

1. He is the Town Clerk/Treasurer/Administrator for the Town of Blooming Grove, Dane County, Wisconsin, and did on the September 11, 2020 at approximately 12:30pm, placed copies of the attached Notice and Resolution in envelopes (the "Envelopes") addressed to:

All Addressees listed on Attachment 1

2. He did seal the Envelopes addressed as aforesaid and caused the Envelopes to have affixed thereto sufficient and adequate postage.

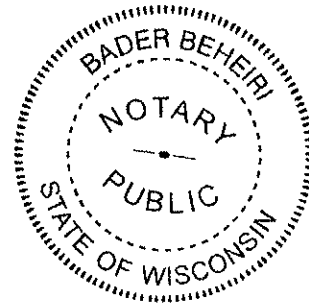
3. On or about said time he personally deposited the Envelopes in a United States Post Office mail receptacle at 112 Owen Road in the City of Monona, Dane County, Wisconsin.

  
\_\_\_\_\_  
Michael J. Wolf  
Clerk/Treasurer/Administrator  
Town of Blooming Grove

Subscribed and sworn to before me  
this 11 day of September, 2020.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin

My Commission expires 10/05/2021



Attachments: Notice  
Resolution  
Attachment 1 – List of Addressees



1880 S. Stoughton Road Madison WI 53716  
Phone 608-223-1104 \* Fax 608-223-1106  
www.blmgrove.com

September 11, 2020

NOTICE OF ADOPTION OF RESOLUTION BY THE TOWN BOARD OF THE  
TOWN OF BLOOMING GROVE, DANE COUNTY, WISCONSIN, AUTHORIZING  
PARTICIPATION IN THE PREPARATION OF AN AMENDMENT TO THE  
COOPERATIVE PLAN WITH THE CITY OF MADISON THAT WOULD ALLOW FOR  
AN ALTERNATE PROCEDURE FOR THE REDEVELOPMENT OF THE  
COOPERATIVE DEVELOPMENT PROPERTY

TO ALL ADDRESSEES ON ATTACHMENT 1:

PLEASE TAKE NOTICE that, pursuant to Wis. Stat. § 66.0307(4)(a), the Town Board of the Town of Blooming Grove adopted the attached resolution at its meeting on September 9, 2020. The attached resolution authorized the Town to participate in the preparation of an amendment to the Cooperative Plan with the City of Madison under Wis. Stat. § 66.0307(8)(c) that would allow for an alternative procedure for the redevelopment of the Cooperative Development Property as that term is defined in the Cooperative Plan.

Sincerely,

Michael J. Wolf

Town Clerk/Treasurer/Administrator

Attachments: Attachment 1 – List of Addressees  
Resolution



City of Fitchburg  
Attn: Tracy Oldenburg  
5520 Lacy Rd  
Fitchburg WI 53711

Town of Bristol  
Attn: Brandon Bledsoe  
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Marshall WI 53559

Town of Verona  
Attn: John Wright  
7669 County Hwy PD  
Verona WI 53593

Village of Marshall  
Attn: Lindsey Johnson  
130 S. Pardee St  
Marshall WI 53559

Town of Dunn Sanitary Dist. #3  
Attn: Alan Monroe  
2488 Waubesa Hill Rd  
McFarland WI 53558

Town of Vienna  
Attn: Kathleen Clark  
7161 County Hwy I  
DeForest WI 53532

Village of McFarland  
Attn: Cassandra Suettinger  
5915 Milwaukee St  
McFarland WI 53558

Town of Dunn Sanitary Dist. #4  
Attn: Ed Minihan  
4156 County Hwy B  
McFarland WI 53558

Town of Westport  
Attn: Terry Enge  
5387 Mary Lake Rd  
Waunakee WI 53597

Village of Mount Horeb  
Attn: Alyssa Gross  
138 E. Main St  
Mount Horeb WI 53572

Town of Dunn-Kegonsa San. Dist.  
Attn: Dan Hillery  
3187 Geihler Dr  
Stoughton WI 53589

Town of York  
Attn: Nicole Bronkhorst  
796 York Center Rd  
Marshall WI 53559

Village of Oregon  
Attn: Peggy Haag  
117 Spring St  
Oregon WI 53575

Oak Ridge Sanitary District  
Attn: Renee Schwass  
2120 Fish Hatchery Rd  
Madison WI 53713

Village of Cottage Grove  
Attn: Lisa Kalata  
221 E. Cottage Grove Rd  
Cottage Grove WI 53527

Village of Shorewood Hills  
Attn: Karla Endres  
810 Shorewood Blvd  
Madison WI 53705

Madison Metro Sewer District  
Attn: Mary Swanson  
1610 Moorland Rd  
Madison WI 53713

Village of Cross Plains  
Attn: Bill Chang  
2417 Brewery Rd  
Cross Plains WI 53528

Village of Waunakee  
Attn: Caitlin Stene  
500 W. Main St  
Waunakee WI 53597

Pleasant Spring Sanitary District  
Attn: Richard Everson  
2083 Williams Dr  
Stoughton WI 53589

Village of Dane  
Attn: Teresa Hughey Groves  
102 W. Main St  
Dane WI 53529

Village of Windsor  
Attn: Christine Capstran  
4084 Muller Rd  
DeForest WI 53532

Town of Vienna Sanitary District #1  
Attn: Kathleen Clark  
7961 County Hwy I  
DeForest WI 53532

Village of Deerfield  
Attn: Elizabeth McCredie  
4 N. Main St  
Deerfield WI 53531

Dane County  
Attn: Scott McDonell  
210 Martin Luther King Jr Blvd Rm 106A  
Madison WI 53703

Village of Windsor Sewer District  
Attn: Tina Butteris  
4084 Muller Rd  
DeForest WI 53532

Village of DeForest  
Attn: LuAnn Leggett  
120 S. Stevenson St  
DeForest WI 53532

DeForest Water Utility  
Attn: LuAnn Leggett  
120 S. Stevenson St  
DeForest WI 53532

Dane County Dept of Planning & Dev  
Attn: Todd Violante  
210 Martin Luther King Jr Blvd Rm 116  
Madison WI 53703

Village of Maple Bluff  
Attn: Sarah Danz  
18 Oxford Pl  
Madison WI 53704

Town of Dunn Sanitary Dist. #1  
Attn: Dan Paltz  
3022 Waubesa Ave  
Madison WI 53711

Dept of Transportation SW Region  
Attn: John Vesperman  
2101 Wright St  
Madison WI 53704

Wisconsin DNR - Watershed Mgmt  
Attn: Andrew Craig  
PO Box 7921  
Madison WI 53707

McFarland School District  
Attn: Andrew Briddell  
5101 Farwell St  
McFarland WI 53558

Dept of Ag, Trade & Consumer Prot.  
Attn: Randy Romanski  
PO Box 8911  
Madison WI 53708

Middleton-Cross Plains School Dist  
Attn: Dr. Dana Monogue  
7106 South Ave  
Middleton WI 53562

Dept of Administration - Municipal Rev  
Attn: George Hall  
PO Box 1645  
Madison WI 53701

Monona Grove School District  
Attn: Daniel Olson  
5301 Monona Dr  
Monona WI 53716

Capital Area Reg Plan Commission  
Attn: Michael King  
210 Martin Luther King Jr Blvd Rm 362  
Madison WI 53703

Mount Horeb Area School District  
Attn: Steve Salerno  
1304 E. Lincoln St  
Mt Horeb WI 53572

Dane County ZLR Committee  
Attn: Kris Schutte  
210 Martin Luther King Jr Blvd Rm 116  
Madison WI 53703

Oregon School District  
Attn: Leslie Bergstrom  
123 E Grove St  
Oregon WI 53575

Belleville School District  
Attn: Nate Perry  
625 West Church St  
Belleville WI 53508

Stoughton Area School District  
Attn: Tim Onsager  
320 North St  
Stoughton WI 53589

Deerfield Comm School District  
Attn: Michelle Jensen  
300 Simonson Blvd  
Deerfield WI 53531

Sun Prairie Area School District  
Attn: Brad Saron  
501 South Bird St  
Sun Prairie WI 53590

DeForest Area School District  
Attn: Eric Runez  
520 East Holum St  
DeForest WI 53532

Verona Area School District  
Attn: Dean Gorell  
700 N Main St  
Verona WI 53593

Madison Metro School District  
Attn: Carlton Jenkins  
545 W Dayton St  
Madison WI 53703

Waunakee Comm School District  
Attn: Randy Guttenberg  
905 Bethel Cir  
Waunakee WI 53597

Marshall School District  
Attn: Daniel Grady  
PO Box 76  
Marshall WI 53559

Madison College  
Attn: Dr. Jack E. Daniels III  
1701 Wright St  
Madison WI 53704

## **Town of Blooming Grove Resolution 2020-03**

**Acknowledgement the Town will participate in negotiations to amend the Town of Blooming Grove and City of Madison Cooperative Plan, for the purpose of allowing for an alternate means of development of the "Cooperative Development Property" as defined in the Cooperative Plan.**

**WHEREAS**, on June 21, 2006, the City of Madison (the "City") and the Town of Blooming Grove (the "Town") entered into the "Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes" (the "Cooperative Plan"), which Cooperative Plan was approved by the Department of Administration, as required by Wis. Stat. Sec. 66.0307(5), on October 3, 2006; and,

**WHEREAS**, under the terms of the Cooperative Plan, the Town will dissolve at 11:59 p.m. on October 31, 2027 and all territory remaining in the Town at that time will attach to the City while the City takes over all jurisdiction and responsibility over the dissolved Town's territory (the "Final Attachment"); and,

**WHEREAS**, during the period between October 3, 2006 and October 31, 2027, the development of Town territory, including connections to City services and the attachment of Town territory to the City, is subject to the terms set forth in the Cooperative Plan; and,

**WHEREAS**, the Cooperative Plan identified a specific 70-acre area north of Milwaukee Street and along and including the East Branch of Starkweather Creek as the "Cooperative Development Property", with the intent being that this property, as depicted in the attached Exhibit A, would be developed in a joint manner by the Town and the City, with the City-approved development initially occurring in the Town, with City services, and eventually transitioning into the City; and,

**WHEREAS**, due to various reasons and contrary to the original expectations of the City, the Town and the property owners, the Cooperative Development Property has not yet redeveloped and the provisions in the Cooperative Plan pertaining to the Cooperative Development Property significantly restrict the development potential of the Cooperative Development Property by impacting its marketability, eliminating the potential of TIF funding of public improvements, and adding complexity to any development review; and,

**WHEREAS**, the owners of the Cooperative Development Property would like the City and the Town to allow for an alternate procedure to redevelop the property and are supportive of amending the Cooperative Plan to allow this; and,

**WHEREAS**, it is in the City and the Town's interests to amend the Cooperative Plan to allow for an alternate procedure for the redevelopment of the Cooperative Development Property so that this parcel may potentially be redeveloped prior to Final Attachment in 2027.

**NOW THEREFORE, BE IT HEREBY RESOLVED**, that the Town Board of the Town of Blooming Grove authorizes the Town's participation in the preparation of an amendment to the Cooperative Plan that would allow for an alternate procedure for the redevelopment of the Cooperative Development Property as provided for by Wis. Stat. § 66.0307(8).


**BE IT FURTHER RESOLVED**, that Town staff are directed to follow all necessary procedures for amending the Cooperative Plan as set forth in Wis. Stat. § 66.0307.

This Resolution was adopted by a vote of 4 in favor, 0 opposed, and 0 not voting, on this 9<sup>th</sup> day of September, 2020.

  
\_\_\_\_\_  
Ron Bristol, Town Chair

9/9/20  
Date

**ATTESTED BY:**

  
\_\_\_\_\_  
Michael Wolf, Town Clerk/Treasurer

9/9/2020  
Date

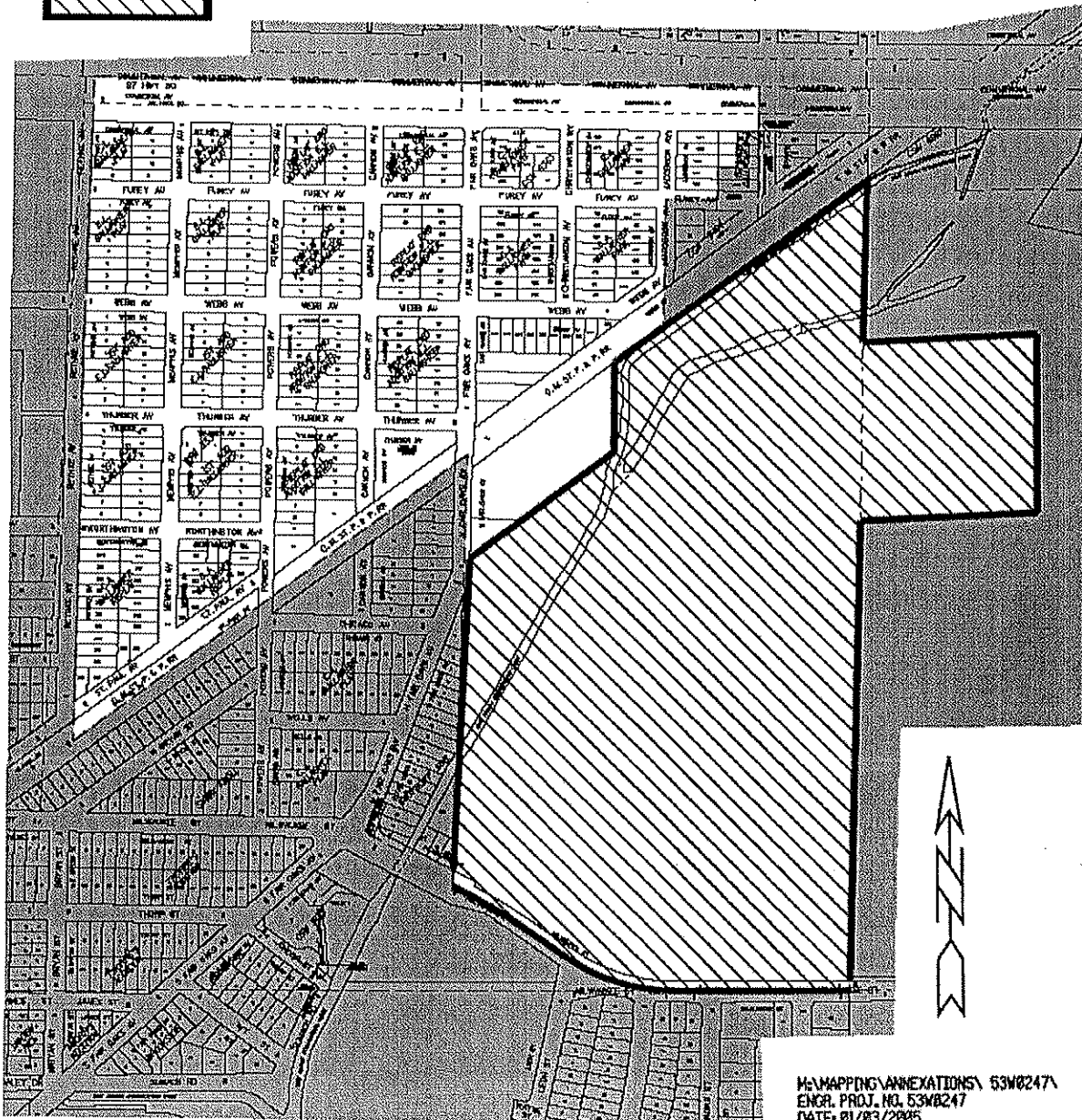
Attachments: Exhibit A – Map of Cooperative Development Property

EXHIBIT "A"

# BOUNDARY AGREEMENT CITY OF MADISON & TOWN OF BLOOMING GROVE



**DEVELOPMENT PROPERTY**



McMAPPING\ANNEXATIONS\ 53W8247\  
ENGR. PROJ. NO. 53W8247  
DATE: 01/03/2005  
REVISED: 01/12/2005