Petition for Incorporation of a Portion of the Town of Washington Presentation by the City of Eau Claire

Attorney H. Stanley Riffle, Municipal Law & Litigation Group, S.C.

David Solberg, Deputy City Manager

Ned Noel, Planning Manager

Leah Ness, Director of Engineering

Matt Jaggar, Fire Chief

Kitzie Winters, Director of Finance



Standards for Incorporation

Wis. Stat. 66.0207

- ▶ (1)(a) Characteristics of the territory Fails
- ▶ (1)(b) Territory beyond the core Fails
- ▶ (2)(a) Tax revenue Fails
- (2)(b) Level of Services Fails
- ▶ (2)(c) Impact on the remainder of the town Fails
- ▶ (2)(d) Impact on the metropolitan community Fails

David Solberg, Deputy City Manager

LEADER-TELEGRA

Colored Comics Included



Sanitary District fights heavy debt

venues for the district at a time water and sewer utility would when it is struggling to control a

provide those services to properties together."

"Purchase means a dellar sgir. merger would just be putting them

Sanitary District examines options

District residents will be informed of probicms and pensible solutions when the cummission is closer to making a deris residents will be invel

LEADER-TELEGRAM

City Council upset about new sanitary district levy

In the part. Of tex on these throng in tag its services

the town of

But some property owners who re-calco distribit services, such as resi-dents of Cerydon Park, will not have to pay because they are not in the district.

challenge the levy. If we (the council) don't OK its collection, then the dispute would be between the city and sanitary

It would be unfair for the district to allow detachment of the Barland and Pine Park areas, which receive district water, when ere are other properties in the district paythe tax but getting no services. Southard

We got to resolve the whole thing all at he said, but added, "I can't do it over-

Barland and Pine Park situation des at illustration of the complex probthat the district and city must deal residents receive district water through nes that are attached to a distric main epresentative for Bartand Addition and ark residents requested at the Nov. 8 ouncil meeting that the city begin ag water to those I was or see the to force detachment.

e are two lawsoits sitting right Southard said of the litigation such could generate. But he added that district and city are interested in of the city taking over the district.

He questioned why the city would want to buy out the clatrict, which would meat assuming its heavy debt, without having a areader purpose to mind.

The city could use its control of water and sewer services "as a very forceful club" to annex part or all of the urban area of the town of Washington, Piper said.

Such setting would cause a "dramatie" loss of the town's revenues because inter-govcromental side are based on population and miles of roads, assets that the town's urban area has, he said. This would place a larger property-cas burden on the town's rural

The commission would have to guard against assexution in any agreement with the tity. Southard said. But Paper is akeptical about that being

possible. He said his experience as to-

LEADER-TELEGRAM

The Washington Heights Sanitary District Commission's recent decisies to bery a tax of \$100,000 on all property within the district will affect should the as within the city of Sea Claire.

el but still must pay the

Hearing set on Eau Claire, district merger

the same services they now receive.

Rates for the district's 600 sewer patrons would decrease by about a third under the merger, and \$1.25 per \$1,000 of equalized valuation, that will save takes for the district's 1,100 water patrons would an owner of a \$50,000 home \$62.30 in property taxes remain about the same, said Dale Southard, district

lindget for 1981, up 8 percent from last year. District

If the merger is reacted by the commission partial operating expenses of \$198.381 for 1984 will leave a Southard said a tax leave will be necessary in comit het income of \$60,796. This income, along with \$50.136. years

1983 cash balance of \$136,995 and a 1984 projected cash balance of \$19.459, will be used to pay back Under the merger, district patrons would receive principal and interest on \$229,681 in district debts.

As a result, the commission didn't district tax levy. Based on fast year's tax rate of

With no district tax levy, the commission has "an open option, without any financial pressure, to make distormerger, would soive several problems, an objective decision in the merger. Southard "It also be several problems and objective and early of the distormer and control time district as the city not going to gay into the system and then be taken

"In the long run, the economics will be better for and poil. Most of the patrons are reliable to an above atom of land from the town to the city, he said. everyone involved because the overhead cost will come down." he said

Washington district officials OK takeover by Eau Claire

The three commissioners of the Washington leights Sanitary District voted themselves out of jobs Tuesday by approving Hau Claire's takeover of the sewer and water utility.

The takeover means the district no longer will exist because Kan Claire will samme the district's operations, dobts and liabilities. It does not mean East Clairs is annexing any part of the tawn of Wash-ington, where most of the district's 1,360 customers

"It's what is best for the (southery district) patrons," district President Dule Seatherd said at Tursday's commission meeting.

Because the takeover already had been approved by the Eon Claire City Council and state Public Service Commission, the commission's approval was the last formality before implementing the plan.

Expected to be effective Jan. 1, the takeover will mark the first time Ess Claire provides sewer and water service on a large scale-outside its corporate boundaries. The city's policy has been to provide stillity service only after property has been annexed

* The city will not require annexation to provide water service in the district's present boundaries. which include the more densely developed areas on the nethern edge of the lown of Washington. Because parts of the town have been appeared since the district was creeted by the Washington Town Board is 1804, about 20 percent of clutrici customers are in East Claire and 5 percent are in Altonia.

. The city will not require appreciation for sewer service in an area defined by a 1277 agreement be-tween Eas Clairs and the district. This area, on the eastern side of the district, contains about half of its strens. Since the agreement was signed, the district are been applie to extend power service outside this

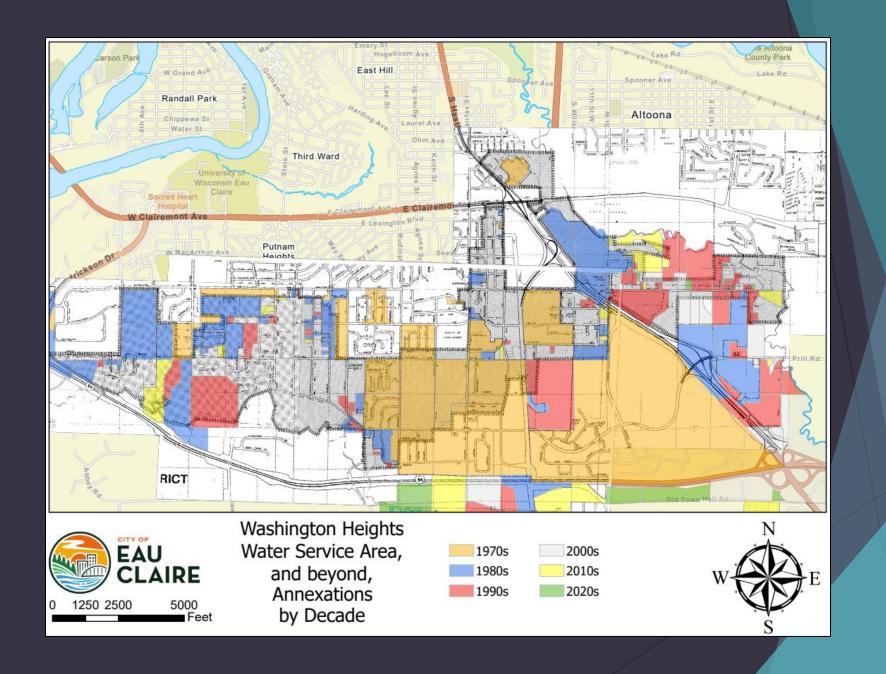
The takeover "doesn't change the situation is terms of potential anneastism." Southers said.

The satisfary district has assets of shoot \$1.25 illies and debts of about \$700,000. Pinancially, the strict could continue to operate, Southard said, but It rould not extend armer service to tawe of Washi ion residents who will need it in five to 16 years because of the limitations set by the 1977 agreeme

Southard recommended that East Clairs establi permanent advisory committee to give willity custhe city.

The Esu Claire Public Works Director Michael to put into a utility," he said.

"'It's what is best for the (sanitary district) patrons, district President Dale Southard said at Tuesday's commission meeting.'



INTERGOVERNMENTAL AGREEMENT

EXTRATERRITORIAL JURISDICTION POLICIES

- 1. Parties. This Intergovernmental Agreement ("Agreement") is made and entered into this 16th day of February, 2011, by and between the Towns of Wheaton, in Chippewa County, and Brunswick, Pleasant Valley, Seymour, Union and Washington, in Eau Claire County, all in the State of Wisconsin, hereinafter called the "Towns", and the City of Eau Claire, a Wisconsin municipal corporation with offices located at 203 South Farwell Street, Eau Claire, WI 54701 (collectively referred to herein as the "Parties").
- 5. Purpose. The purpose of this Agreement is to promote a long-term, environmentally sound, cost-effective pattern of land divisions for future growth in the metropolitan area. This Agreement will encourage compact and cost-effective development in the Towns and City's perimeter by allowing appropriate infill lots, allowing clustered development lots, and preserving working farms and sustainable development patterns. A specific objective of this Agreement is for the Parties to agree upon and adopt, as part of each jurisdiction's comprehensive plan, a similar set of policies for regulating land divisions within the ETJ.
- 10. Policies for Residential Land Divisions Within the SSA. The Parties recognize and acknowledge that the City has a legitimate role in ensuring that areas within the SSA are carefully planned and developed. It is anticipated that at some point in the future, these lands will be annexed and attached to the City's public utility systems.

It is reasonable that the City require that residential areas within the SSA be developed in general accordance with the City's comprehensive plan, municipal ordinances, and design standards. The Parties recognize that haphazard or premature development in these areas could prevent efficient use of the land resource and inhibit efficient and cost-effective delivery of urban services. TOWN OF WASHINGTON

Settlement Agreement

This settlement agreement (the "Agreement") is entered into between CDPG Developers, LLC ("Developer"), a Wisconsin limited liability company, the City of Eau Claire, a Wisconsin municipal corporation ("City"), and the Town of Washington, a Wisconsin municipal corporation ("Town"), to resolve a dispute arising between the parties concerning pending lawsuits filed by the Town opposing the Orchard Hills development ("Orchard Hills"). Developer, City, and Town are the "Parties" to this Agreement.

4. Modification of Intergovernmental Agreement. The intergovernmental agreement entered into by the City and Town, with an effective date of February 16, 2011, as amended, and which has been renewed until 2031, will be bilaterally amended to create a section 10.C.4. applicable to the Town of Washington, which will read as follows:

> Notwithstanding the residential subdivision restrictions under section 10 of this Agreement, areas depicted on Exhibit 1 may be divided and developed as a conservation subdivision within the Town of Washington in accordance with Eau Claire County conservation subdivision ordinance requirements. (Eau Claire County Code Chapter 18.88).

Exhibit C of this Agreement, which is hereby incorporated, shall be Exhibit 1 of the amendment to the intergovernmental agreement referenced under this section.

5. Installation of Utilities. The City intends to install utilities within the right of way in the areas depicted in pink and blue on Exhibit D, which is hereby incorporated into this Agreement. The Town shall approve the installation of utilities in portions of the right of way within Town jurisdiction depicted in Exhibit D. The Town's review of any application filed by the City shall be subject only to state, federal, and local ordinances in effect at the time of this Agreement, none of which prohibit installation of utilities within the Town right of way or require the City to provide extraterritorial utility service. The Town shall

not otherwise oppose or object to the City utility extension project to and within the Orchard Hills development. The City acknowledges that the Town's preference is for the

City to place utilities in will install utilities in th obstructions make it imp can occur in the Town: preference is for the Cit beneath paved surfaces outside paved surfaces establish its need to do disrupts paved Town substantially similar pre

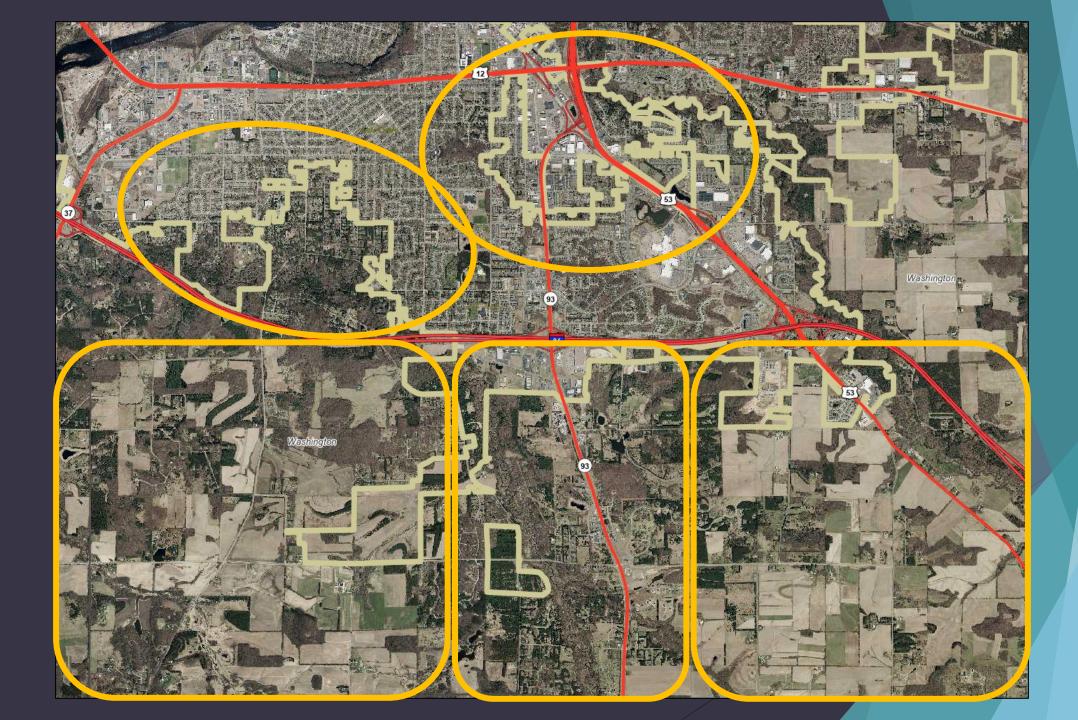
TOWN OF WASHINGTON

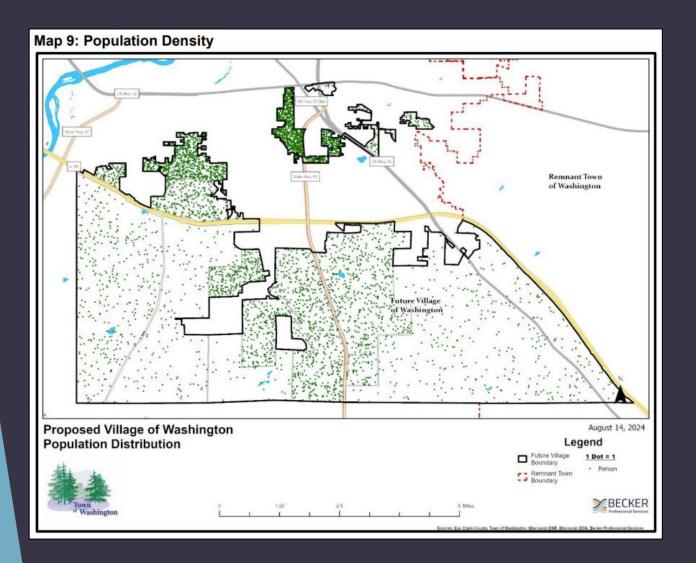
By: Robert Solberg

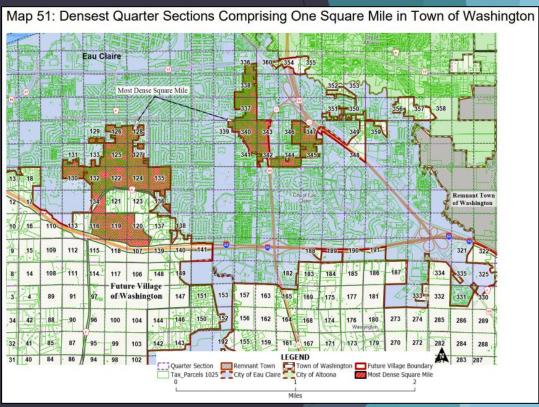
Its: Town Chair

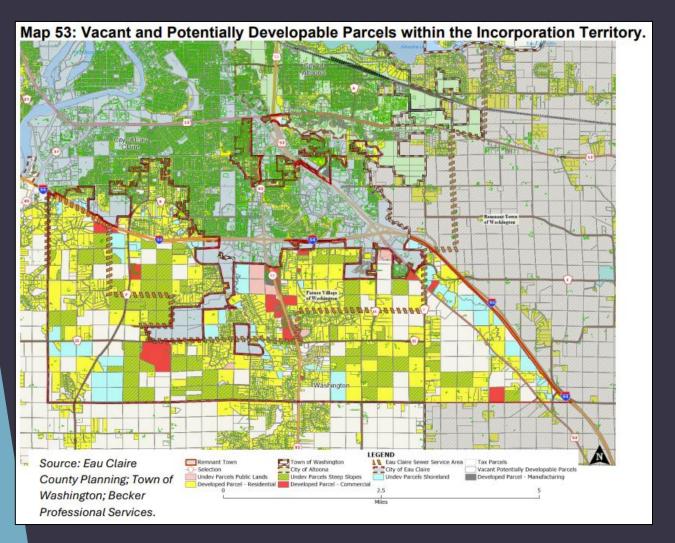
Date: 12/6/20

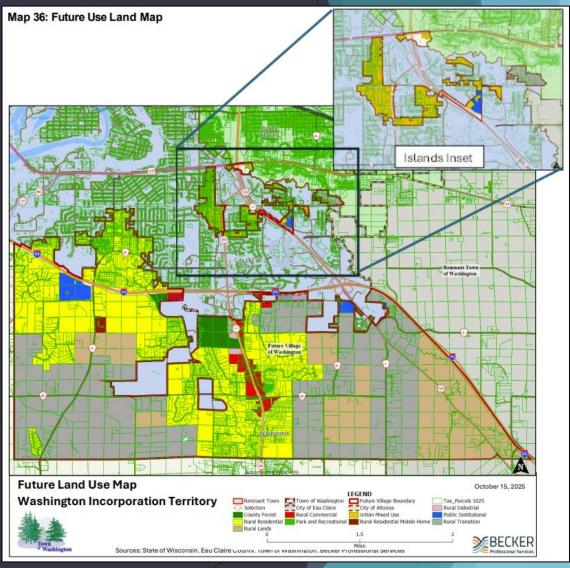
Ned Noel, Planning Manager











Map 10: Consumer Lifestyle Subsegments panana LEGEND ☐ Village Boundary

Consumer Lifestyle Subsegment A1 Settled and Content A2 Spacious Suburbs A3 High-Earning Families B1 Country Living B2 Provincial Lifestyles B3 Agrarian Outbacks D1 Communities on the Move D2 Striving Individuals D3 Breadwinners D4 Industrious Acreages E4 Bloomers

Figure 5: Spacious Suburbs & High Earning Families

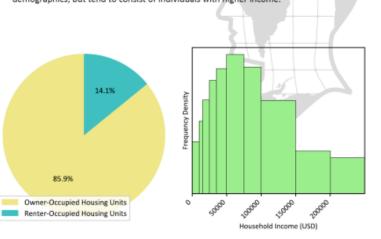




Consisting primarily of white families with income above the national average these suburbs are considerably less populated than the rest of Comfortable Living. These areas are usually found between 30 minutes and an hour outside of cities in the Eastern United States.

Likely due to their sparse nature and relatively high income, car ownership is very high, with just over 91% of households owning vehicles and 81.1% of individuals driving to work. Despite their proximity to cities, most of the population maintains a shorter commute, with only 6.7% reporting commutes of over an hour.

Home ownership is high, with a vacancy rate of only 5.8%. Over 84.4% of these homes are single detached housing units. Diversity in Spacious Suburbs is quite low, with 90.9% of the population speaking English only and 83.9% identifying as white. These neighborhoods are similar to Agrarian Outbacks with regard to their population density, location, and demographics, but tend to consist of individuals with higher income.



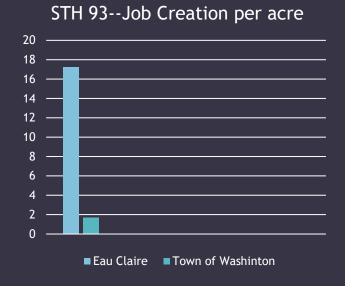
Demographic	Value
Estimated Median Age	41
Estimated Median Home Value	\$242,912
Estimated Median Monthly Rent	\$944
Estimated Median HH Income	\$87,932
Mean HH Income	\$106,379
Total Population	25,006,654
Population Density (Per Sq mi)	1,718
Total Households	9,173,293
Household Density (Per Sq mi)	629
No High School	
No High School	
Some High School	
High School Diploma Some College No Degree	
Associate Degree	
Bachelor's Degree	

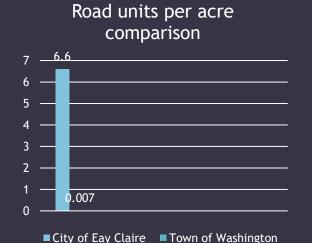
Graduate or Professional Degree

Comparison of Economic Impacts

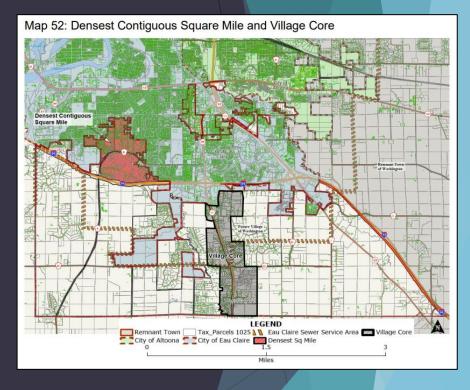






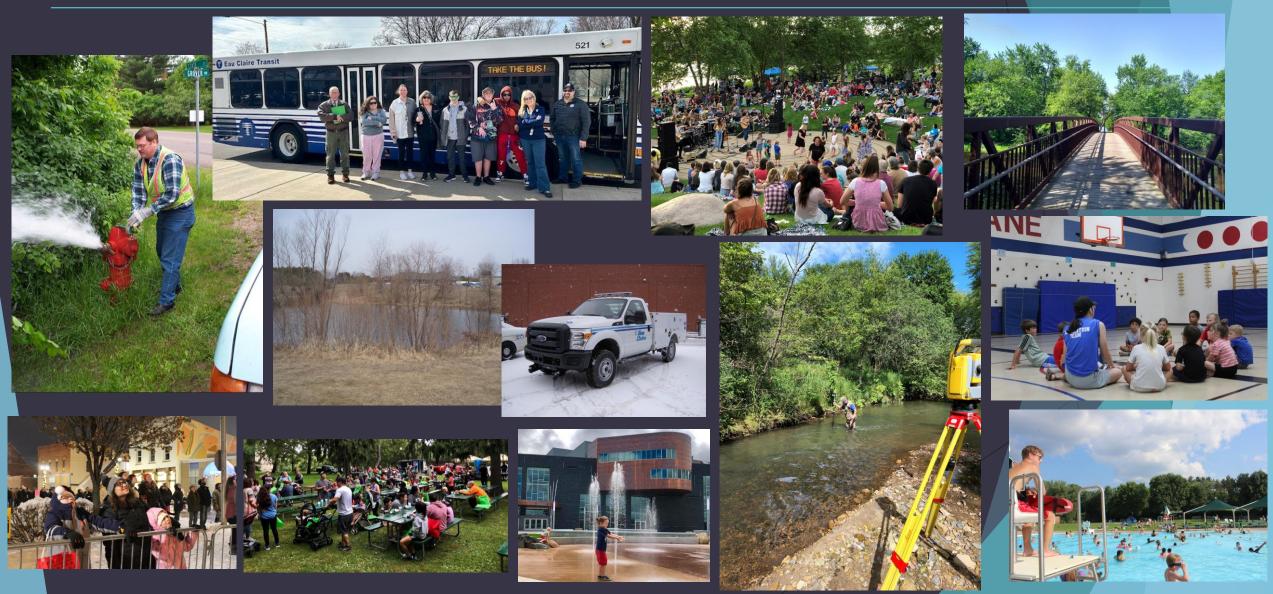


Hwy 53/Old Town Hall



Leah Ness, Director of Engineering

City of Eau Claire Community Services & Engineering



Water, Sanitary & Street Safety

MINUTES OF THE TOWN OF WASHINGTON MONTHLY TOWN BOARD MEETING May 20, 2021

Public Hearing & Board Consideration for Rezone Request to Rezone 215 +/- Acres from A1 Exclusive Agricultural District to RH Rural Homes District. Owner(s) - LaVern Stewart and Applicant – Craig Wurzer:

Michael O'Meara, 5115 Mischler Drive - spoke in opposition; concerned about the wastewater system.

Brian Binczak, 1815 Susan Drive - spokesman for the neighborhood shared a 15 minute presentation. Indicated over 300 people have signed a petition opposing the development. Main concerns: <u>safety</u>, incomplete proposal, high density development, and <u>environmental impacts</u>.

Marc Hagel, 1129 Rainetta Drive - spoke in opposition stating <u>water</u> <u>concerns.</u>

Douglas Radke, 1118 Kathryn Drive - spoke in opposition; ground water concerns.

Leslie Duffy, 5440 Woodcrest Highlands - spoke in opposition; concerns regarding community septic system.

Matthew O'Meara, 1121 Kathryn Drive - spoke in opposition; <u>safety</u>, <u>water</u>, <u>and septic concerns</u>.

Thomas Hunt, 2125 Andrew Drive - spoke in opposition; wants a fiscal impact analysis done and concerned with policing and fire

MINUTES OF THE TOWN OF WASHINGTON MONTHLY TOWN BOARD MEETING February 17, 2022

Public Hearing & Board Consideration for a Rezone Request from Laverne Stewart, Owner and Craig Wurzer, Applicant to Rezone 215.2 acres +/- from A1 Exclusive Agricultural District to RH Rural Homes District at the Northwest Corner of Mischler Road and Deerfield Road, Town of Washington:

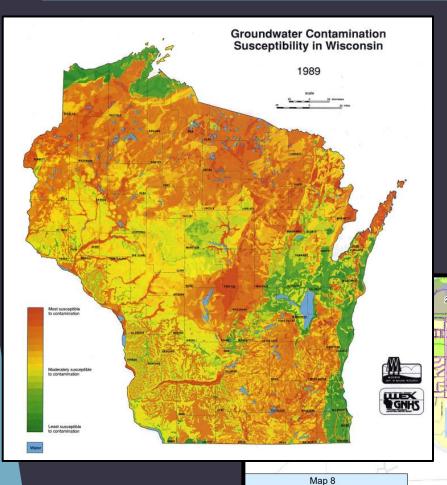
Brian Binczak 1815 Susan Drive - presented for the neighbors. The opposition is mainly to the concept of the rezoning request. Over 300 people signed a petition in opposition to the development. He summarized their opposition with safety due to increased traffic, only one major collector road coming out of the development, environmental concerns with individual wells and septic systems and its impact on the aquifer, poor site distances, blind intersections, narrow roads, density of the proposal and the topography of the land. Glenn Reynolds, 5335 Mischler Road spoke in opposition. The proposal has very non-rural lots with 100 ft. width. Drainage is an issue

Cynthia Hunt, 2125 Andrew Drive spoke in opposition. Lived in the Town for 20 years. Spoke of only one incident in the past three years where the Town Board tabled a request and the need for firefighters. Indicated the impact on water, septic systems, safety, and our rural infrastructure. Stated that Chrm.

Peterson indicated at the last Board meeting that he would not support a large

development with individual septic systems.

Water, Sanitary & Street Safety



Current and Future Service Area Population

The WWTF was designed for a 2030 population of 92,675. The current sewer service area (SSA) includes the cities of Eau Claire and Altoona. Figure 16 shows the historical and projected populations for the SSA. Wisconsin Department of Administration (WDOA) population data was used to develop the historical population data. The population projections were based on a combination of WDOA projections and the 2022 City of Altoona Comprehensive Plan. The design year is 2045. The present-day SSA population is 77,714. The design 2045 SSA population is projected to be 86,700.

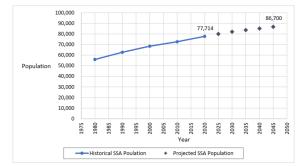
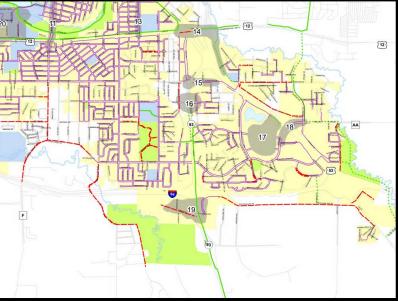


Figure 16 - Historical and Project SSA Populations



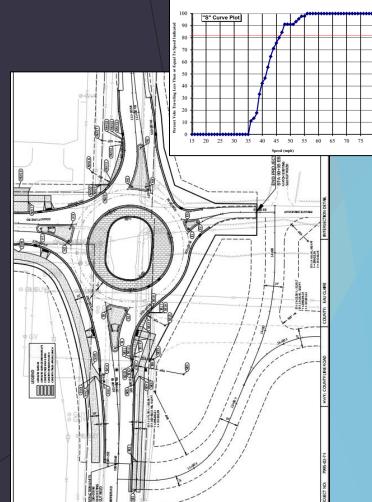
WISCONSIN DEPARTMENT OF TRANSPORTATION SPOT-SPEED FIELD STUDY

	Direction:	Northbound	SUMMARY OF VEHICLES		
180	Posted Speed:	35 mph	BY TYP	PE:	
	Weather:	sunny/hazy	Passenger =	86.7%	
	Pav't Condition:	dry	Trucks =	13.3%	
			Buses =	0.0%	

STUDY RESULTS

AVERAGE SPEED	50th PERCENTILE	85th PERCENTILE	PACE SPEED RANGE
42.6	41.4	47.1	36.0 to 45.0

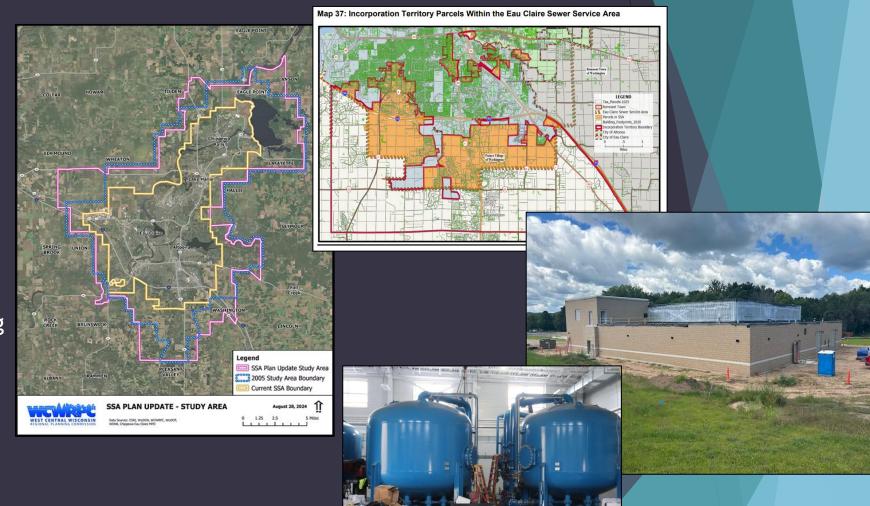
% In Pace = 75.6% % Over Pace = 24.4%



CEC Future Planning and Active Investment

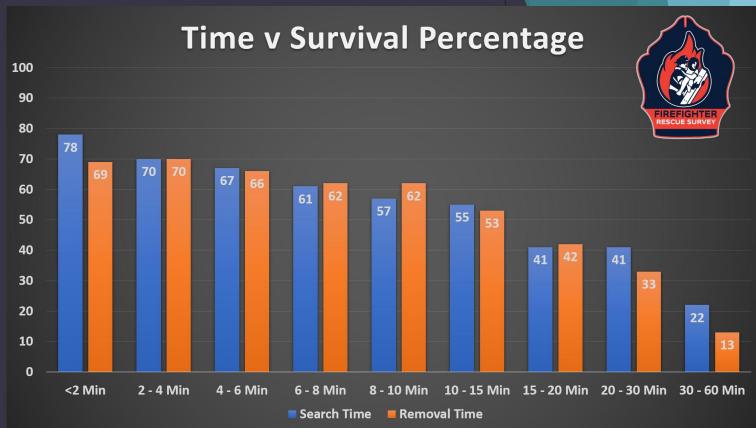
Planning Documents for Reference:

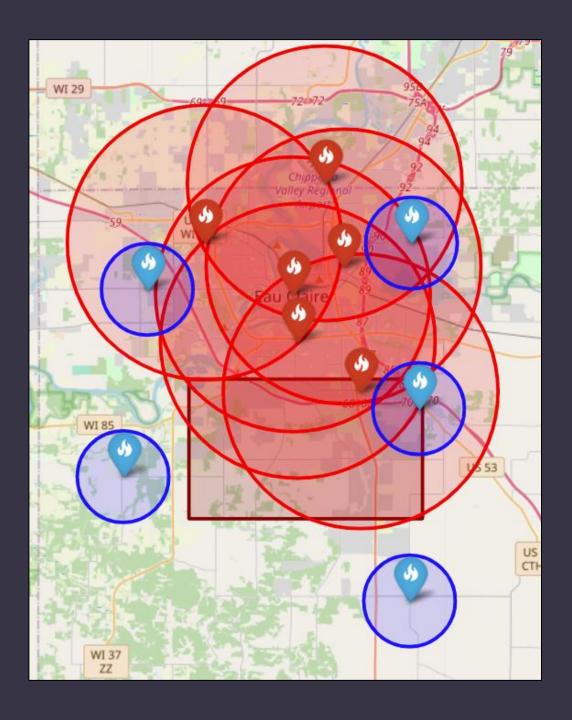
- 2025 WWTP Facility Plan
 - Previous
- 2014 WTP Facility Plan
 - currently updating
- Land Development Ordinances (LDO)
- Comprehensive Plan
- Capital Improvement Plan
- Urban Sewer Service Area Plan for 2025
 - WCWRPC currently updating
- Safe Routes to School Plan
- Safe Routes to Parks Plan
- Bicycle and Pedestrian Plan
- Park, Open Space & Recreations Facilities Plan (2018-2022)
- Transit Development Plan



Matt Jaggar, Fire Chief



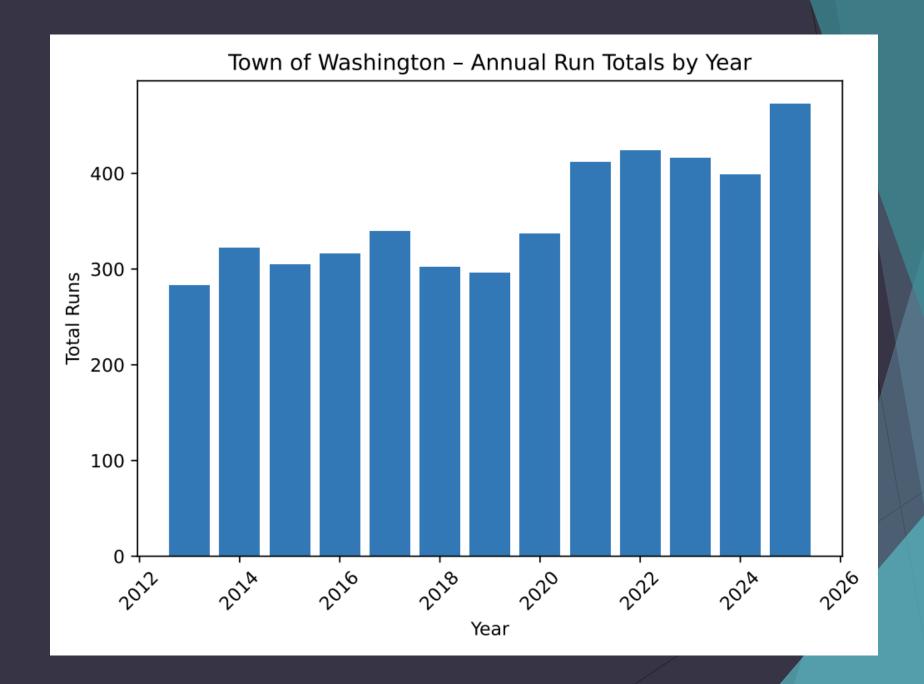




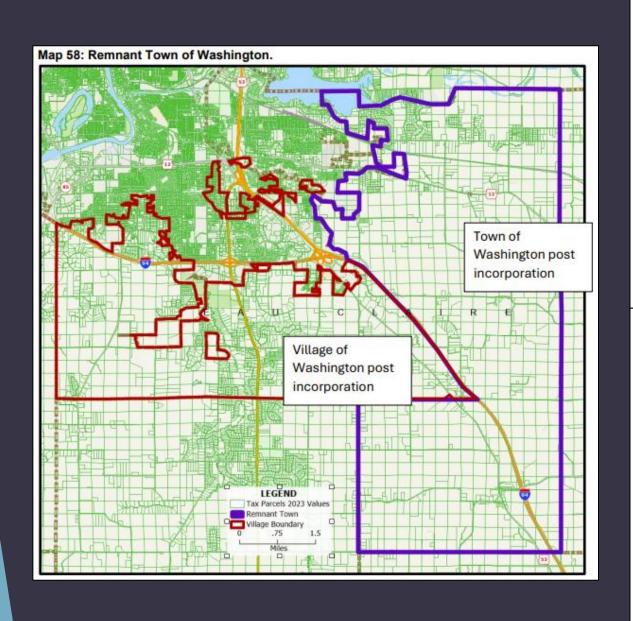
Response Difference – Proposed Town of Washington Incorporation

- Incorporation Area
- . ECFD Career Stations
- © ECFD ≈8-min arrival (2 min turnout + 6 min drive)
- TFD Volunteer Stations
- TFD ≈8-min arrival (6 min turnout + 2 min drive)

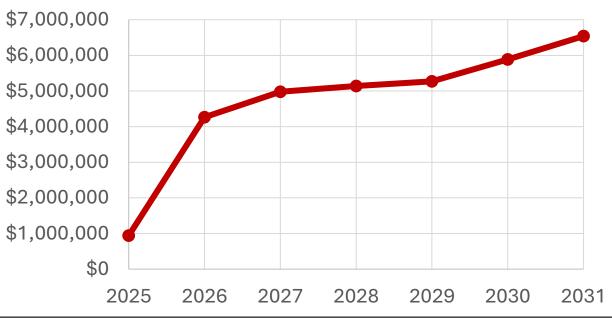
This map uses your provided coordinates and a conceptual arrival model to show how ECFD's larger arrival zones cover more of the incorporation area than TFD's, due to faster full-time turnout.



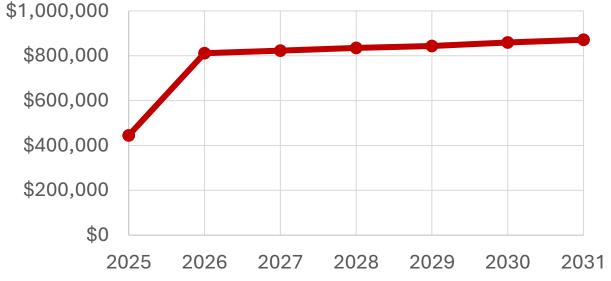
Kitzie Winters, Director of Finance



Annual Tax Levy Collection - Proposed Village



Annual Tax Levy Collection - Proposed Town Remnant



TOW 2025 levy prorated by proposed values within report

IN CONCLUSION

THANK YOU