

**INTERGOVERNMENTAL COOPERATION AGREEMENT
BETWEEN THE CITY OF MADISON
AND THE CITY OF VERONA**

I. PARTIES

This is an intergovernmental cooperation agreement ("Agreement") between the City of Madison and the City of Verona, both located in Dane County, Wisconsin.

II. AUTHORITY

This Agreement is authorized by Section 66.30(2) of the Wisconsin Statutes; City of Madison Resolution No. 53,171 adopted by the Common Council on April 16, 1996; and City of Verona Resolution No. 4-96-482, adopted by the Common Council on April 8, 1996. Copies of the adopted resolutions ("Resolutions") are attached and hereby incorporated in this Agreement by reference.

III. AGREEMENT

The parties hereby agree to implement, enforce, and to act consistent with the Resolutions, provided no liability to the parties will result from such action, and provided such action is within the legal authority of the parties, under the law as applicable at the time such action is to be taken. Each party agrees to notify the other in advance of any proposed or requested governmental action it may take within the scope of matters covered by the resolutions, and to provide the other with a reasonable opportunity for comment before the proposed or requested action is finally taken. The execution of this Agreement does not constitute a commitment by either party to pay for, or contribute to payment of, the cost of acquiring any property, or of improving any property, pursuant to the terms of the Resolutions.

IV. TERM

This Agreement covers governmental actions of both parties taken during an initial twenty-year period, commencing on the date of the Agreement. The Agreement will automatically be renewed for an additional twenty-year term unless either party notifies the other in writing, at least one year prior to the expiration of the term, of its intention not to renew.

V. AMENDMENT

This Agreement may be amended only by written agreement approved by the Common Council of both parties.

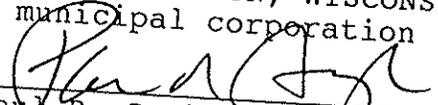
VI. EQUAL OPPORTUNITIES

In the performance of the services under this Agreement, the parties agree not to discriminate against any employee or applicant because of race, religion, marital status, age, sex, handicap, national origin or ancestry, income level or source of income, arrest record or conviction record, less than honorable discharge, physical appearance, sexual orientation, political beliefs, or student status.

The parties further agree not to discriminate against any subcontractor or person who offers to subcontract on this contract because of race, religion, color, age, disability,, sex, or national origin.

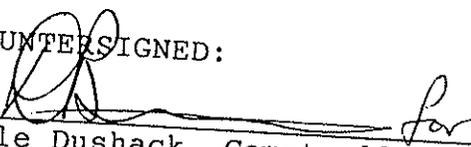
Dated this 22nd day of July, 1996.

CITY OF MADISON, WISCONSIN
a municipal corporation

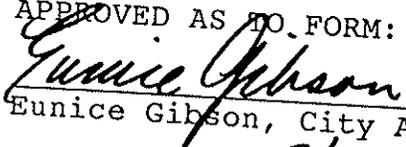
By: 
Paul R. Soglin, Mayor


Ray Fisher, City Clerk

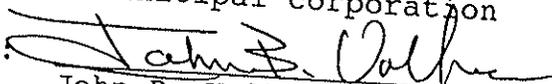
COUNTERSIGNED:


Gale Dushack, Comptroller

APPROVED AS TO FORM:

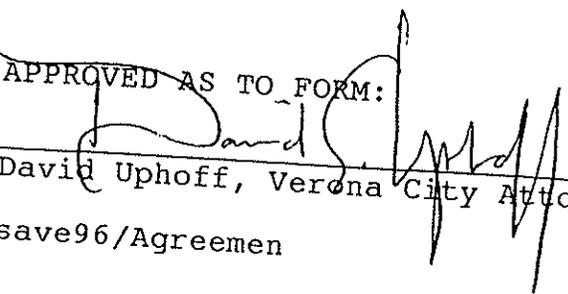

Eunice Gibson, City Attorney
8/15/96

CITY OF VERONA, Wisconsin
a municipal corporation

By: 
John B. Volker, Mayor


Beverly J. Beyer,
Clerk/Treasurer

APPROVED AS TO FORM:


David Uphoff, Verona City Attorney

RESOLUTION NO. 4-96-482

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL
AGREEMENT BY AND BETWEEN THE CITY OF MADISON
AND THE CITY OF VERONA REGARDING LAND USE,
COMMUNITY SEPARATION AND MUNICIPAL JURISDICTION.

WHEREAS, the City of Madison and the City of Verona each have identified long-term urban growth areas and also have recognized the objective of maintaining a permanent open space separation between the two urban communities in their adopted planning documents, including the 1989 City of Verona Master Plan and the 1990 City of Madison Peripheral Area Development Plan, in order to implement a variety of local planning goals and objectives; and

WHEREAS, the City of Madison and the City of Verona mutually support the explicit development pattern objective of the Dane County Regional Development Guide "to promote compact urban communities that are visually distinct from each other and both visually and functionally distinct from surrounding agricultural areas"; and

WHEREAS, certain undeveloped lands, located generally between County Trunk Highway M, Raymond Road and Cross Country Road within Sections 2, 3, 10 and 11 of Town 6 North, Range 8 East and containing high hills and ridges, wooded areas, drainage corridors and other natural features, have been identified by both the City of Madison and the City of Verona as the most important for inclusion in a permanent open space separation area between the two communities; and

WHEREAS, these lands are also situated in close proximity to important scenic viewsheds and to major community and regional recreational and open space areas, including Badger Prairie County Park, Elver Park, and the University Ridge Golf Course; and

WHEREAS, within these lands trail connections linking these major recreational areas have been proposed, as well as segments of, or connecting linkages to, the Ice Age National Scenic Trail (planned to traverse the area) and the Military Ridge State Bicycle Trail (which terminates in Badger Prairie Park); and

WHEREAS, the City of Madison's adopted Master Plan and neighborhood development plan studies identify portions of Section 2, 3, 11 and 12 (T6N, R8E) as future growth areas for the City of Madison that can be efficiently provided with the full range of services by the City of Madison; and

WHEREAS, the City of Verona's adopted Master Plan identifies portions of Section 9 and 10 (T6N, R8E) as future growth areas for the City of Verona that can be efficiently provided with the full range of services by the City of Verona; and

WHEREAS, the Cities of Madison and Verona recognize the necessity and benefits of mutual cooperation in order to facilitate orderly urban development and to achieve a permanent open space separation between the two communities incorporating the significant open space features described above and consistent with the cities' respective long-term development plans;

NOW, THEREFORE, BE IT RESOLVED, that the City of Madison and the City of Verona hereby mutually agree to the following planning objectives regarding land use and the establishment of an area of permanent open space between the two cities, and further mutually agree to take no action which violates the following:

1. The Open Space Corridor

- a. That a permanent open space area, continuous and running generally from Badger Prairie County Park south of Cross Country Road to and including the University of Wisconsin Foundation lands at the northwest corner of the intersection of County Trunk Highway PD and County Trunk Highway M, should be preserved; and
- b. That the width of this open space corridor should be between 1,000 and 3,000 feet, and should encompass at a minimum the high elevations and the wooded areas located south of Raymond Road and on both sides of County Trunk Highway PD in the westernmost portions of Section 2 and 11, and the easternmost portions of Section 3 and 10 of T6N, R8E; and
- c. That the City of Madison and the City of Verona will work cooperatively and in concert with Dane County and other appropriate governments, agencies, and organizations within the framework of the Ice Age Trail Junction Area Project Plan adopted by Dane County to identify the exact boundaries of a mutually acceptable permanent open space corridor at this location; and will work cooperatively and in concert with these governments, agencies and organizations to implement this recommended permanent open space corridor; and
- d. That, to the extent that they have review or approval jurisdiction, the City of Madison and the City of Verona will not encourage or permit additional development within this mutually acceptable recommended permanent open space area, other than agricultural or other open space uses consistent with those described in Chapter 5 of the City of Madison Peripheral Area Development Plan.

2. Cross Country Road Frontage Landscaped Buffer

- a. That a permanent open space buffer area, continuous from

the intersection with Nesbitt Road to a point 1,000 feet east of the intersection with County Trunk Highway M, be preserved along Cross Country Road where no development is now present; and

- b. That the width of this landscaped buffer be approximately 300 feet along both the north and south frontages of Cross Country Road; and
- c. That this buffer area be retained as open space and that, if urban development is eventually planned north or south of this portion of the roadway, the buffer area be planted with a mixture of plant materials intended to enhance the quality of the open space along the Cross Country Road corridor and screen the view of any future development area from the roadway.

3. County Trunk Highway PD Frontage Landscaped Buffer

- a. That a permanent open space buffer area, continuous from the west boundary of the recommended open space corridor described in paragraph 1 above, to a point 1,000 feet west of the intersection with County Trunk Highway M, be preserved along County Trunk Highway PD where no development is now present; and
- b. That the width of this landscaped buffer be approximately 300 feet along both the north and south frontages of County Trunk Highway PD; and
- c. That this buffer area be retained as open space and that, if urban development is eventually planned north or south of this portion of the roadway, the buffer area be planted with a mixture of plant materials intended to enhance the quality of the open space along the County Trunk Highway PD corridor and screen the view of any future development area from the roadway.

4. County Trunk Highway M Frontage Landscaped Buffer

- a. That a permanent open space buffer area be preserved on lands located along County Trunk Highway M within 1,000 feet of the intersection with County Trunk Highway PD where no development is now present; and
- b. That the width of this landscaped buffer be approximately 300 feet along both the east and west frontages of County Trunk Highway M; and
- c. That this buffer area be retained as open space and that, if future urban development is eventually planned along this portion of the roadway, the buffer area be planted

with a mixture of plant materials intended to enhance the quality of the open space along the County Trunk Highway M corridor and screen the view of any future development areas located outside the buffer.

5. Five Points Planning Area

- a. That within the Five Points Planning Area, comprising the south 1/2 of Section 3 (T6N, R8E) and the north 1/2 of Section 10 (T6N, R8E), the City of Madison and the City of Verona will cooperate in the preparation of detailed plans to designate and protect important open space areas and designate and guide the eventual urban development of future development areas on these lands; and
- b. That these development plans will, at a minimum, incorporate and recommend the permanent open space corridor and the landscaped buffer areas described in paragraphs 1 through 4, above; and
- c. That within those remaining portions of the Five Points Planning Area recommended for eventual urban development, the development plans will recommend specific locations, uses, intensities, and siting and design guidelines which will seek to ensure that future development is compatible with and, to the extent feasible, protects and enhances the quality and enjoyment of the designated open space areas; and
- d. That the development plans for lands within the Five Points Planning Area be prepared as needed at the initiative of the municipality anticipated to have eventual jurisdiction over urban development as provided in paragraph 7, below; and
- e. That the development plans be mutually approved by the City of Madison and by the City of Verona, and that amendments to these plans be similarly mutually approved; and
- f. That, to the extent that they have review or approval jurisdiction, the City of Madison and the City of Verona will not encourage, facilitate, or permit additional developments or land uses within the Five Points Planning Area unless they are consistent with the recommendations of a detailed development plan duly approved by both cities as provided by this agreement; and if no development plan has been approved, no additional developments or land uses other than agricultural uses will be encouraged or permitted; and

- g. That the City of Madison and the City of Verona hereby agree to approve the City of Madison Highpoint-Raymond Neighborhood Development Plan, as adopted by the Madison Common Council, as the development plan prescribed by this agreement for that portion of the Five Points Planning Area located north of Country Trunk Highway PD and east of County Trunk Highway M.

6. Land Use Plan and Development Standards

That any and all development occurring within the open space corridor area, frontage landscaped buffer areas, and Five Points Planning Area, described above in paragraphs 1 through 5 be in complete and continuous conformance with the provisions of this resolution, or as modified by the mutual consent of the City of Madison, and the City of Verona.

7. Ultimate Jurisdictional Boundaries

- a. That the corporate limits of the City of Madison not include property located south of County Trunk Highway PD within Section 9, within Section 10, or within Section 14, of Town 6 North, Range 8 East, except as noted in 7.c., below; and
- b. That the corporate limits of the City of Verona not include property located within Sections 2, 3, 4, 11, 12, or north of County Trunk Highway PD within Section 9, of Town 6 North, Range 8 East, except as noted in 7.c., below; and
- c. Provided, however, that the provisions of 7.a. and 7.b., above, may be modified by the mutual consent of the City of Madison and the City of Verona; and

BE IT FURTHER RESOLVED, that the provisions of this Resolution are hereby incorporated as an addendum to the Master Plan of the City of Verona, and as an element of the Master Plan of the City of Madison; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk of the City of Madison and the City of Verona are hereby authorized to enter into an intergovernmental agreement incorporating the terms of this Resolution; and

BE IT FURTHER RESOLVED, that the City of Madison and the City of Verona work cooperatively with Dane County, the Regional Planning Commission and neighboring municipalities to encourage consistency and mutual supportiveness among regional and local plans affecting land use and development.

The above and foregoing resolution was duly adopted by the Common Council of the City of Verona at a regular meeting held on this 8th day of April, 1996.

CITY OF VERONA

By:

Arthur R. Cresson
Arthur R. Cresson, Mayor

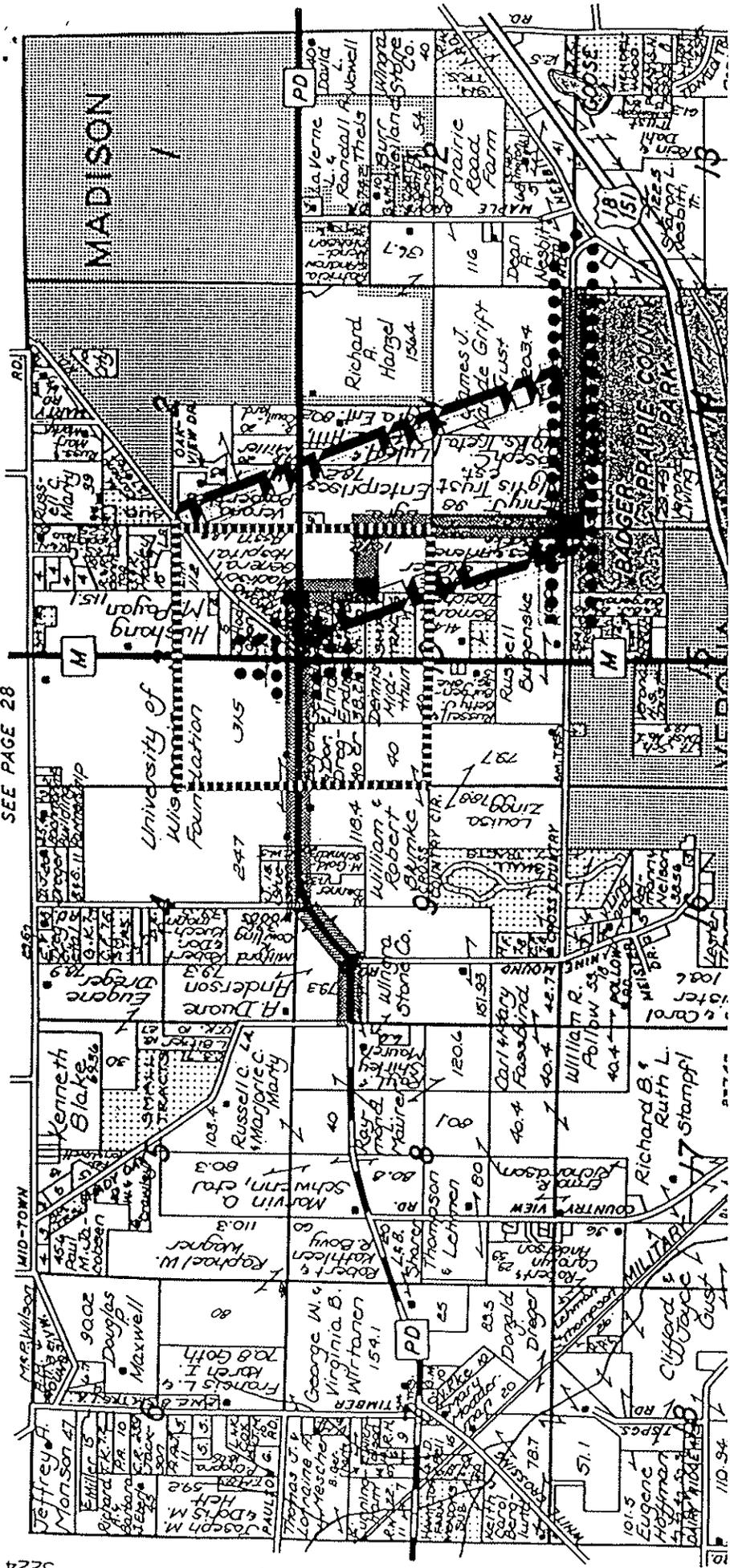
Attest:

Beverly J. Beyer
Beverly J. Beyer,
Clerk/Treasurer

ADOPTED:

April 8, 1996

SEE PAGE 28



VERONA - MADISON AGREEMENT:

Open Space Corridor (General Area)
 (Open space acquisition area per County Plan)

Frontage Landscaped Buffer
 (300 foot wide open space area with landscaped visual screen)

Five Points Planning Area
 (Area for adoption of mutually-acceptable land use plan and development standards)

Ultimate Jurisdictional Boundary
 (Verona would not annex north of line, Madison would not annex south of line)

AGENDA ITEM # _____

Copy Mailed
To Alderperson _____

City of Madison, Wisconsin

A RESOLUTION _____

Presented March 5, 1996

Referred Plan Commission

Rereferred _____

Reported Back _____

Authorizing the Mayor and City Clerk to execute an Intergovernmental Agreement by and between the City of Madison and the City of Verona regarding land use, community separation and municipal jurisdiction.

Drafted By: Bradley J. Murphy, Planning Unit Director

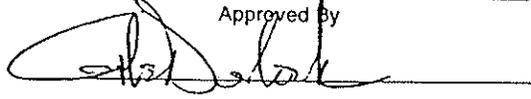
Adopted POF _____

Rules Suspended _____

Public Hearing _____

Date: March 29, 1996

Fiscal Note: No fiscal impact.

APPROVAL OF FISCAL NOTE IS NEEDED
BY THE COMPTROLLER'S OFFICE
Approved By


Sponsors: Alds. Kiesow, MacCubbin and Sieling at the request of the Plan Commission

ID NUMBER 19212

RESOLUTION NUMBER 53,171

WHEREAS, the City of Madison and the City of Verona each have identified long-term urban growth areas and also have recognized the objective of maintaining a permanent open space separation between the two urban communities in their adopted planning documents, including the 1989 City of Verona Master Plan and the 1990 City of Madison Peripheral Area Development Plan, in order to implement a variety of local planning goals and objectives; and

WHEREAS, the City of Madison and the City of Verona mutually support the explicit development pattern objective of the Dane County Regional Development Guide "to promote compact urban communities that are visually distinct from each other and both visually and functionally distinct from surrounding agricultural areas"; and

WHEREAS, certain undeveloped lands, located generally between County Trunk Highway M, Raymond Road and Cross Country Road within Sections 2, 3, 10 and 11 of Town 6 North, Range 8 East and containing high hills and ridges, wooded areas, drainage corridors and other natural features, have been identified by both the City of Madison and the City of Verona as the most important for inclusion in a permanent open space separation area between the two communities; and

WHEREAS, these lands are also situated in close proximity to important scenic viewsheds and to major community and regional recreational and open space areas, including Badger Prairie County Park, Elver Park, and the University Ridge Golf Course; and

WHEREAS, within these lands trail connections linking these major recreational areas have been proposed, as well as segments of, or connecting linkages to, the Ice Age National Scenic Trail (planned to traverse the area) and the Military Ridge State Bicycle Trail (which terminates in Badger Prairie Park); and

WHEREAS, the City of Madison's adopted Master Plan and neighborhood development plan studies identify portions of Sections 2, 3, 11 and 12 (T6N, R8E) as future growth areas for the City of Madison that can be efficiently provided with the full range of services by the City of Madison; and

WHEREAS, the City of Verona's adopted Master Plan identifies portions of Sections 9 and 10 (T6N, R8E) as future growth areas for the City of Verona that can be efficiently provided with the full range of services by the City of Verona; and

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- b. That the width of this open space corridor should be between 1,000 and 3,000 feet, and should encompass at a minimum the high elevations and the wooded areas located south of Raymond Road and on both sides of County Trunk Highway PD in the westernmost portions of Sections 2 and 11, and the easternmost portions of Sections 3 and 10 of T6N, R8E; and
- c. That the City of Madison and the City of Verona will work cooperatively and in concert with Dane County and other appropriate governments, agencies, and organizations within the framework of the Ice Age Trail Junction Area Project Plan adopted by Dane County to identify the exact boundaries of a mutually acceptable permanent open space corridor at this location; and will work cooperatively and in concert with these governments, agencies and organizations to implement this recommended permanent open space corridor; and
- d. That, to the extent that they have review or approval jurisdiction, the City of Madison and the City of Verona will not encourage or permit additional development within this mutually acceptable recommended permanent open space area, other than agricultural or other open space uses consistent with those described in Chapter 5 of the City of Madison Peripheral Area Development Plan.

2. Cross Country Road Frontage Landscaped Buffer

- a. That a permanent open space buffer area, continuous from the intersection with Nesbitt Road to a point 1,000 feet east of the intersection with County Trunk Highway M, be preserved along Cross Country Road where no development is now present; and

- b. That the width of this landscaped buffer be approximately 300 feet along both the north and south frontages of Cross Country Road; and
- c. That this buffer area be retained as open space and that, if urban development is eventually planned north or south of this portion of the roadway, the buffer area be planted with a mixture of plant materials intended to enhance the quality of the open space along the Cross Country Road corridor and screen the view of any future development area from the roadway.

3. County Trunk Highway PD Frontage Landscaped Buffer

- a. That a permanent open space buffer area, continuous from the west boundary of the recommended open space corridor described in paragraph 1 above, to a point 1,000 feet west of the intersection with County Trunk Highway M, be preserved along County Trunk Highway PD where no development is now present; and
- b. That the width of this landscaped buffer be approximately 300 feet along both the north and south frontages of County Trunk Highway PD; and
- c. That this buffer area be retained as open space and that, if urban development is eventually planned north or south of this portion of the roadway, the buffer area be planted with a mixture of plant materials intended to enhance the quality of the open space along the County Trunk Highway PD corridor and screen the view of any future development area from the roadway.

4. County Trunk Highway M Frontage Landscaped Buffer

- a. That a permanent open space buffer area be preserved on lands located along County Trunk Highway M within 1,000 feet of the intersection with County Trunk Highway PD where no development is now present; and
- b. That the width of this landscaped buffer be approximately 300 feet along both the east and west frontages of County Trunk Highway M; and
- c. That this buffer area be retained as open space and that, if future urban development is eventually planned along this portion of the roadway, the buffer area be planted with a mixture of plant materials intended to enhance the quality of the open space along the County Trunk Highway M corridor and screen the view of any future development areas located outside the buffer.

5. Five Points Planning Area

- a. That within the Five Points Planning Area, comprising the south ½ of Section 3 (T6N, R8E) and the north ½ of Section 10 (T6N, R8E), the City of Madison and the City of Verona will cooperate in the preparation of detailed plans to designate and protect important open space areas and designate and guide the eventual urban development of future development areas on these lands; and
- b. That these development plans will, at a minimum, incorporate and recommend the permanent open space corridor and the landscaped buffer areas described in paragraphs 1 through 4, above; and
- c. That within those remaining portions of the Five Points Planning Area recommended for eventual urban development, the development plans will recommend specific locations, uses, intensities, and siting and design guidelines which will seek to ensure that future development is compatible with and, to the extent feasible, protects and enhances the quality and enjoyment of the designated open space areas; and

- d. That the development plans for lands within the Five Points Planning Area be prepared as needed at the initiative of the municipality anticipated to have eventual jurisdiction over urban development as provided in paragraph 7, below; and
- e. That the development plans be mutually approved by the City of Madison and by the City of Verona, and that amendments to these plans be similarly mutually approved; and
- f. That, to the extent that they have review or approval jurisdiction, the City of Madison and the City of Verona will not encourage, facilitate, or permit additional developments or land uses within the Five Points Planning Area unless they are consistent with the recommendations of a detailed development plan duly approved by both cities as provided by this agreement; and if no development plan has been approved, no additional developments or land uses other than agricultural uses will be encouraged or permitted; and
- g. That the City of Madison and the City of Verona hereby agree to approve the City of Madison Highpoint-Raymond Neighborhood Development Plan, as adopted by the Madison Common Council, as the development plan prescribed by this agreement for that portion of the Five Points Planning Area located north of County Trunk Highway PD and east of County Trunk Highway M.

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- b. That the corporate limits of the City of Verona not include property located within Sections 2, 3, 4, 11, 12, or north of County Trunk Highway PD within Section 9, of Town 6 North, Range 8 East, except as noted in 7.c., below; and
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