



RESOLUTION # 92-2108

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY  
BOARD OF SUPERVISORS

ITEM # 15/2

BOARD ACTION

Adopted: 2-21-08

For: 23

Against: 3

Abs/Excd: 6

Vote Req: \_\_\_\_\_

Other Action: \_\_\_\_\_

PLANNING  
RESOURCES &  
DEVELOPMENT  
COMMITTEE  
ACTION

Adopted: 2-4-08

For: 6

Against: 1

Abs/Excd: 1

**RE: APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HAMILTON, VILLAGE OF WEST SALEM, CITY OF ONALASKA, AND LA CROSSE COUNTY REGARDING INTERGOVERNMENTAL COOPERATION/LAND USE PLANNING**

**WHEREAS**, an ad-hoc committee has been formed to draft a cooperative boundary agreement in that portion of the Town of Hamilton (Town), one section wide north/ south, immediately adjacent to and divided evenly by State Highway 16; bounded west and east by the City of Onalaska (City) and Village of West Salem (Village), as further described in Exhibit "A"; and,

**WHEREAS**, the planning area described above is under the authority of La Crosse County (County) for various Land Use regulations; and,

**WHEREAS**, the ad-hoc committee has prepared a Memorandum of Understanding (MOU) between the Town, Village, City, and County, attached as Exhibit B; and,

**WHEREAS**, the Town, Village, City, and County intend to continue to participate in the joint Boundary Agreement Committee, and work toward the preparation of a cooperative boundary agreement under the provisions of Wis. Stats. s.66.0307; and,

**WHEREAS**, Town, Village, City, and County will support joint planning efforts to prepare a detailed corridor plan for the area described in "Exhibit A"; and,

**WHEREAS**, Town, Village, City, and County will participate in public planning process facilitated by the Wisconsin DOT for redevelopment of State Highway 16; and.

**WHEREAS**, Town, Village, City, and County will work together to draft standards for development in this corridor, and will not make decisions without the written consent of the other parties to this MOU on proposed annexations, rezonings, conditional use permits, or subdivision requests in this area until these standards are complete and that the proposed requests are shown to meet the standards as drafted;

**NOW, THEREFORE BE IT RESOLVED** that the La Crosse County Board does hereby approve the MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HAMILTON, VILLAGE OF WEST SALEM, CITY OF ONALASKA, AND LA CROSSE COUNTY REGARDING INTERGOVERNMENTAL COOPERATION/LAND USE PLANNING dated December 11, 2007 and authorizes the County Board Chair and County Clerk to sign the Memorandum after approval of Corporation Counsel.

RE: APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HAMILTON, VILLAGE OF WEST SALEM, CITY OF ONALASKA, AND LA CROSSE COUNTY REGARDING INTERGOVERNMENTAL COOPERATION/LAND USE PLANNING

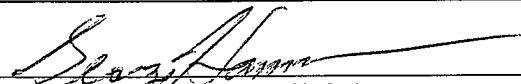
PAGE 2

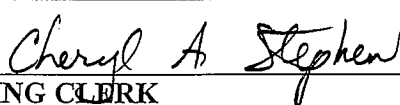
BE IT FURTHER RESOLVED, that the La Crosse County Board does hereby authorize the participation of La Crosse County in the preparation of the cooperative plan.

FISCAL NOTE: There is no fiscal effect and current staff will work with the ad-hoc committee.

Date: 2-4-08

Date: 2-4-08

  
PLANNING, RESOURCES &  
DEVELOPMENT COMMITTEE

  
RECORDING CLERK

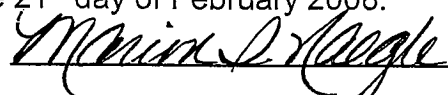
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_  
C/A: SA 2/4/08  
F/D: GT 2-1-08

Requested By: County Planner  
Date Requested: January 22, 2008  
Drafted By: Corporation Counsel

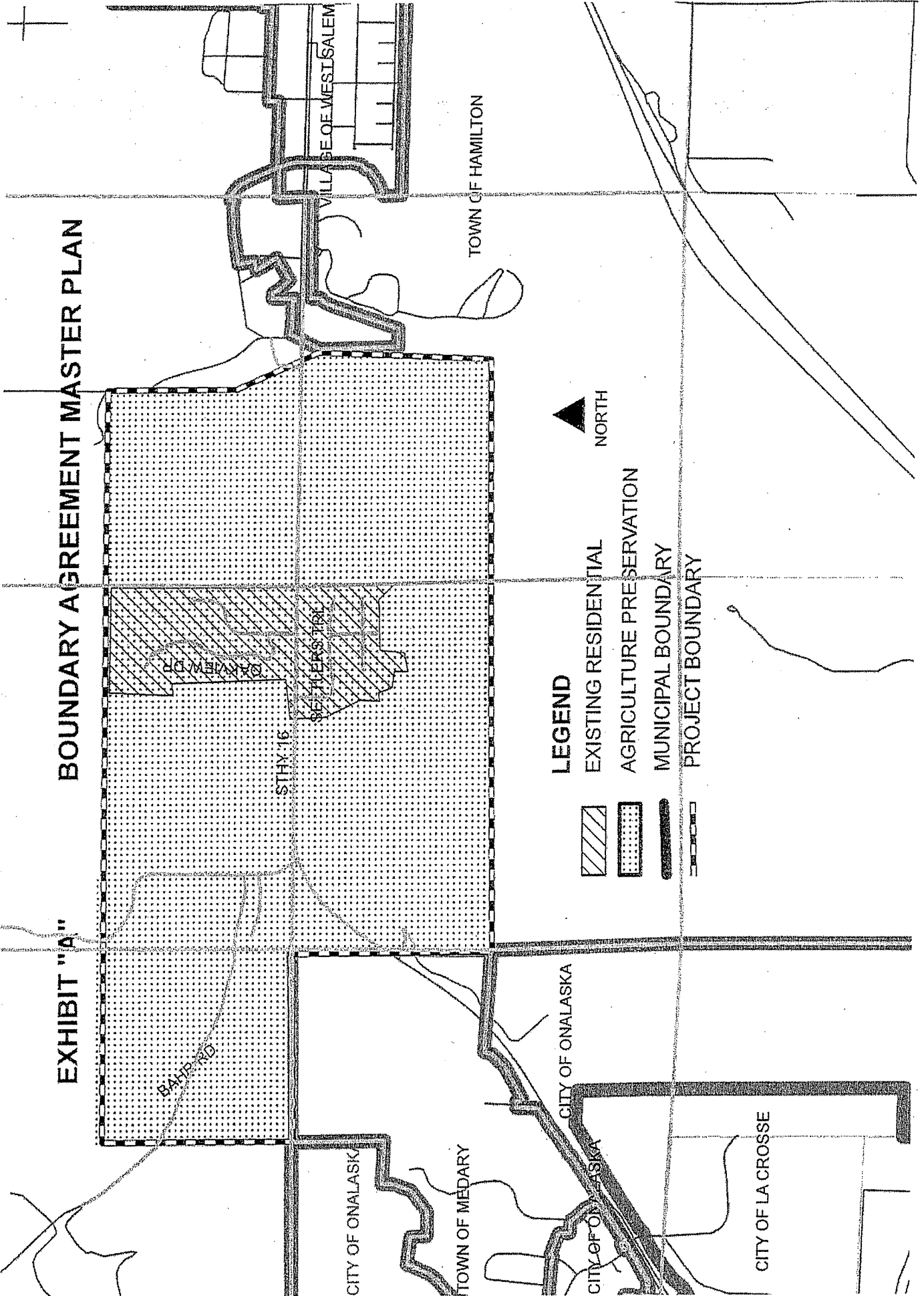
Adopted by the La Crosse County Board This 21 Day of February, 2008.

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

I, Marion I. Naegle, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 21<sup>st</sup> day of February 2008.

  
Marion I. Naegle, La Crosse County Clerk

# EXHIBIT "A" BOUNDARY AGREEMENT MASTER PLAN



## LEGEND

- EXISTING RESIDENTIAL
- AGRICULTURE PRESERVATION
- MUNICIPAL BOUNDARY
- PROJECT BOUNDARY



NORTH

## EXHIBIT B

### MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HAMILTON, VILLAGE OF WEST SALEM, CITY OF ONALASKA, AND LA CROSSE COUNTY REGARDING INTERGOVERNMENTAL COOPERATION/LAND USE PLANNING

#### I. PARTIES.

This Memorandum of Understanding ("MOU") is made and entered into by and between the parties of the Town of Hamilton ("TOWN"), whose address is N5105 N. Leonard Street, West Salem, WI 54669, the Village of West Salem ("VILLAGE"), whose address is 175 S. Leonard Street, West Salem, WI 54669, the City of Onalaska ("CITY"), whose address is 415 Main Street, Onalaska, WI 54650, and La Crosse County ("COUNTY") whose address is 400 north 4<sup>th</sup> St., La Crosse, WI 54601 .

#### II. RECITALS

- A. Pursuant to Wisconsin Statutes, the CITY adopted a Comprehensive Plan on May 10, 2005 to guide CITY decisions regarding long-term growth and physical development of the CITY through 2025. The adopted plan identifies a portion of the area addressed in this MOU as "Cooperative Planning Area, Urban Reserve."
- B. The VILLAGE adopted a land use plan in December 1999, and is working towards the development of a Comprehensive Plan consistent with Wisconsin Statutes.
- C. The TOWN adopted a land use plan on February 17, 1998, and is working towards the development of a Comprehensive Plan consistent with Wisconsin Statutes.
- D. La Crosse County adopted its Development Plan in January of 2001, and is working towards the development of a Comprehensive Plan consistent with Wisconsin Statutes.

#### III. PURPOSE. The purpose of this MOU is to clarify the expectations of the TOWN, VILLAGE, CITY, and COUNTY regarding the area described in "Exhibit A" with regard to the following:

- A. Working together, to make land use decisions consistent with the Boundary Master Plan Map, attached in Exhibit "A";
- B. Working together, along with the Wisconsin Department of Transportation (DOT), to promote safe access to Highway 16 throughout the project area;
- C. Maintaining fixed school district boundaries in this project area and address/agree to school district access requirements;
- D. Promote consistency in development regulation amongst the municipalities within this project area;
- E. Maintain a cooperative and mutually beneficial intergovernmental relationship that treats officials and staff of the Town, Village, City, School District of West Salem, and La Crosse County with courtesy and respect;
- F. Working together to clearly outline boundary goals for each municipality;
- G. Working together to address issues related to public utilities service within this project area.

H. Whereas all parties agree that working together to preserve productive agriculture lands within the boundary area is a legitimate public interest and is conforming to the respective comprehensive plans and therefore hereby agree to base all development decisions over the next ten years on the preservation of the entire boundary area in exclusive agriculture land use.

IV. **AREA OF PLANNING INTEREST.** The project area considered in this MOU is that portion of the TOWN, one section wide north/ south, immediately adjacent to and divided evenly by State Highway 16; bounded west and east by the CITY and VILLAGE, as further described in Exhibit "A".

V. **RESPONSIBILITIES OF THE PARTIES.**

A. TOWN, VILLAGE, CITY, and COUNTY will continue to participate in the joint Boundary Agreement Committee, and work toward the preparation of a cooperative boundary agreement under the provisions of Wisconsin Statutes S.66.03.07.

B. TOWN, VILLAGE, CITY, and COUNTY will support joint planning efforts to prepare a detailed corridor plan for the area described in "Exhibit A."

C. TOWN, VILLAGE, CITY, and COUNTY will participate in public planning process facilitated by the Wisconsin DOT for redevelopment of State Highway 16.

D. TOWN, VILLAGE, CITY, and COUNTY will together draft standards for development in this corridor, and will not make decisions on proposed annexation, rezoning, conditional use permit, or subdivision requests in this area until these standards are complete and the proposed action is shown to meet the standards as drafted, without the written consent of the other parties to this MOU.

E. TOWN, VILLAGE, and COUNTY will provide timely communications to CITY with regard to progress on their comprehensive planning process under the provisions of Wisconsin Statutes.

VI. **TERM OF THE MOU.** The term of this MOU shall be effective upon signature of the parties and remain in effect until July 15, 2018, unless terminated. This MOU may be terminated, without cause, by any party upon ninety (90) days written notice, which notice shall be delivered by hand or certified mail to the clerk or administrator of both other parties. This MOU may be amended or extended at any time by mutual agreement by all the parties.

VII. **SEVERABILITY.** Any provision of this MOU determined to be invalid as a matter of law is severable from other provisions of this agreement.

**TOWN OF HAMILTON**

By: \_\_\_\_\_  
Richard Schomberg, Town Chairman

\_\_\_\_\_  
Jeanette Hoyer, Town Clerk

**VILLAGE OF WEST SALEM**

By: \_\_\_\_\_  
Dennis Manthei, Village President

\_\_\_\_\_  
Teresa Schnitzler, Village Administrator

**LA CROSSE COUNTY**

By: \_\_\_\_\_  
Steve Doyle, County Board Chair

\_\_\_\_\_  
Marion I. Naegle, County Clerk

**CITY OF ONALASKA**

By: \_\_\_\_\_  
James Bialecki, Mayor

\_\_\_\_\_  
Cari Burmaster, City Clerk