

Cooperative Plan

City of Fond du Lac, Towns of Byron, Empire, Fond du Lac,
Taycheedah, and Friendship (2017)

Department of Administration Approval 2

Cooperative Plan 14

Cooperative Plan Exhibits 45



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR

SCOTT NEITZEL
SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview/>

July 27, 2017

John St. Peter, Attorney
Edgerton, St. Peter, Petak & Rosenfeldt
10 Forest Avenue, Suite 200
PO Box 1276
Fond du Lac, WI 54936-1276

Dyann Benson, Community Development Director
City of Fond du Lac
160 South Macy Street
Fond du Lac, WI 54935

Re: Cooperative Plan between the City of Fond du Lac and Towns of Byron, Empire, Fond du Lac, Taycheedah, and Friendship

Dear Dyann and John,

On behalf of the Department of Administration, I am pleased to provide your communities with our approval of your Cooperative Plan.

Congratulations on your success in reaching agreement. Your collaboration establishes a solid foundation for decades of future cooperation between your communities and in your region.

Should you have any questions concerning our approval, or subsequent cooperative plan implementation issues, please do not hesitate to contact Erich Schmidtke at (608) 264-6102.

Sincerely,

Dawn Vick, Administrator
Division of Intergovernmental Relations

cc: Bob Simon, Town of Byron Chair
Mary Laudolff, Town of Byron Clerk
James Pierquet, Town of Empire Chair
Michael Morgan, Town of Empire Clerk
Robert Giese, Town of Fond du Lac Chair
Patti Supple, Town of Fond du Lac Clerk
Joseph Thome, Town of Taycheedah Chair
Kris Marcoe, Town of Taycheedah Clerk
Jeff Meisenburg, Town of Friendship Chair
Lori Hofmann, Town of Friendship Clerk
Joseph Moore, City of Fond du Lac Manager
Margaret Hefter, City of Fond du Lac Clerk
Eric Fowle, ECWPRC Director

(the following communities and jurisdictions may access the Department's review determination and the communities' Cooperative Boundary Plan document at www.doa.state.wi.us/municipalboundaryreview)

Sam Tobias, Fond du Lac County Planning & Development Dept.
Lisa Freiberg, Fond du Lac County Clerk
Moraine Park Technical College
School District of North Fond du Lac
Campbellsport School District
School District of Oakfield
New Holstein School District
Town of Calumet Clerk
Town of Lamartine Clerk
Town of Eden Clerk
Town of Oakfield Clerk
Town of Forest Clerk
Town of LeRoy Clerk
Village of Eden Clerk
Town of Edlorado Clerk
Town of Marshfield Clerk
Town of Osceola Clerk
Town of Lomira Clerk
Village of Oakfield Clerk
Village of St Cloud Clerk
Village of North Fond du Lack Clerk
Village of Mt. Calvary Clerk
Calumet Sanitary District #1
Empire Sanitary District #1
Empire Sanitary District #2
Empire Sanitary District #3
Town of Fond du Lac Sanitary District #2
Patti Supple, Town of Fond du Lac Sanitary District #3
John Ransom, Town of Fond du Lac Sanitary District #4
LeRoy Schmitz, Town of Fond du Lac Sanitary District #6
LeRoy Sanitary District No. 1
Robert Giese, Town of Fond du Lac Water Utility District No. 1
Brenda Schneider, Johnsburg Sanitary District
Friendship Consolidated Sanitary District #1
Eric Flood, Friendship Sanitary District #2
Priscilla Yohann, Taycheedah Sanitary District #1
Taycheedah Sanitary District #3
Jeff Stone, PSC Administrator
Ed Eberle, DNR Deputy Secretary
Ben Brancel, DATCP Secretary
Mark Gottlieb, DOT Secretary



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

WISCONSIN DEPARTMENT OF ADMINISTRATION

**APPROVAL of the COOPERATIVE PLAN
under Section 66.0307, Wis. Stats.**

between the

**CITY OF FOND DU LAC and TOWNS OF BYRON, EMPIRE,
FOND DU LAC, TAYCHEEDAH, and FRIENDSHIP,
FOND DU LAC COUNTY**

July 27, 2017

Blank Page



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER

GOVERNOR

SCOTT A. NEITZEL

SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview/>

This determination constitutes the Department's review of the proposed cooperative plan between the City of Fond du Lac and the Towns of Byron, Empire, Fond du Lac, Friendship, and Taycheedah under s. 66.0307 Wis. Stats. The Department is charged with reviewing cooperative plans for compliance with public interest standards set forth in s. 66.0307(5)(c) Wis. Stats.

In summary, it is the DETERMINATION OF THE DEPARTMENT OF ADMINISTRATION that when considering the proposed cooperative plan under Section 66.0307(5), Wis. Stats.:

Standard 1, Content of Cooperative Plan Sufficiently Detailed – Met

Standard 2, Cooperative Plan Consistent with Comprehensive Plans and State and Local Laws and Regulations – Met

Standard 3, Adequate Provision for Municipal Services – Met

Standard 4, Provision for Affordable Housing – [Repealed & Inapplicable]

Standard 5, Compactness of Plan Territory – Met

Standard 6, Planning Period is Consistent with Cooperative Plan - Met

The facts and analysis supporting these findings are discussed in the body of this determination. The Department of Administration hereby determines pursuant to s. 66.0307(5)(d) Wis. Stats. that the proposed cooperative plan is APPROVED.

Amendments or revisions to the plan can only occur with the approval of the communities, and with the concurrence of the Wisconsin Department of Administration or any successor agency granted the authority to administer the provisions of s. 66.0307(8), Wis. Stats.

Dated this 27TH day of July 2017,

Dawn Vick

Administrator, Division of Intergovernmental Relations

NOTICE OF RIGHT TO APPEAL

This Notice sets forth the requirements and procedures for obtaining review for those persons who wish to obtain review of the attached decision of the Department. Per s. 66.0307(9), Wis. Stats., decisions of the Department are subject to judicial review under s. 227.52. Per s. 227.53 any person aggrieved by a decision of the Department is entitled to review. Per s. 227.53 (1) (a) 1., proceedings for review are instituted by serving a petition therefore upon the agency, either personally or by certified mail, and by filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. Per s. 227.53 (1) (a) 2m., an appeal must be filed within 30 days after mailing of the decision by the agency. Per s. 227.53 (1) (b), the petition shall state the nature of the petitioner's interest, the facts showing that petitioner is a person aggrieved by the decision, and the grounds specified in s. 227.57 upon which petitioner contends that the decision should be reversed or modified. Any petition for judicial review shall name the Department of Administration as the Respondent. Petitions for review should be served on the Department's Secretary, Scott A. Neitzel. The address for service is:

c/o DOA, Municipal Boundary Review
101 East Wilson Street, 9th Floor
PO Box 1645
Madison, WI 53701

Persons desiring to file for judicial review are advised to closely examine all provisions of Wis. Stat. s. 227.52, 227.53 and 227.57 to ensure strict compliance with all requirements. The summary of appeal rights in this notice shall not be relied upon as a substitute for the careful review of all applicable statutes, nor shall it be relied upon as a substitute for obtaining the assistance of legal counsel.

4/15/15
2 4/15/15

Introduction

In accordance with s. 66.0307(5) of the Wisconsin Statutes, the Wisconsin Department of Administration (Department) approves the *City of Fond Du Lac and the Towns of Byron, Empire, Fond Du Lac, Friendship, and Taycheedah Cooperative Plan* (Cooperative Plan).

The City of Fond du Lac and Towns of Byron, Empire, Fond du Lac, Friendship, and Taycheedah (Communities) developed this Cooperative Plan to promote planned and orderly development, preservation of the Niagara Escarpment, and improved municipal services and intergovernmental cooperation, among other reasons.

Public Hearing, Resolutions, Referenda and other Procedural Matters

Before a cooperative plan is submitted to the Department, a number of procedural steps must occur. These are:

- Joint initiating resolutions passed by each participating municipality authorizing its governing body to work to negotiate and develop the plan;
- A joint public hearing to receive comments from the public and other governmental bodies; and
- Resolutions adopted by each municipality to approve a final version of the cooperative plan and forward it to the Department for review.

The following procedural steps may occur:

- An advisory referendum; and
- A public hearing held by the Department.

No area residents requested that an advisory referendum on the Cooperative Plan be held, and no area residents requested that the Department hold a public hearing.

Authorizing resolutions were passed by the Communities between July 11-14, 2016. As required by s. 66.0307(4)(a) Wis. Stats., these resolutions were distributed to neighboring municipalities and other area jurisdictions.

The required joint public hearing was held on September 22, 2016. Feedback from residents was positive. Several residents had questions regarding specific provisions, which were answered by legal staff, and one resident suggested adding preservation of the Niagara Escarpment to the introduction of the Cooperative Plan as a "Whereas" clause, which was included.

The City of Fond du Lac adopted a resolution approving the Cooperative Plan on January 23, 2017, with the Towns of Byron, Empire, Fond du Lac, Friendship, and Taycheedah approving the Cooperative Plan between February 8-16. The Communities forwarded the Cooperative Plan to the Department for its statutory review on April 25, 2017.

Approval Criteria Applicable to the Department

A cooperative plan shall be approved by the Department if the Department determines that each of the criteria in s. 66.0307(5)(c), Wis. Stats., is met. The following paragraphs describe how the Communities' Cooperative Plan relates to these criteria. It is important to understand that this approval document is not a complete restatement of the plan. Those wanting to learn specific details, provisions, and conditions should look to the text of the Cooperative Plan itself, which is available from the Communities, and also at the Department of Administration's website at: <http://doa.wi.gov/municipalboundaryreview>.

(1) The content of the plan under sub. S. 66.0307(3)(c) to (e) is sufficient to enable the Department to make the determinations under subds. 2 to 5m. s. 66.0307(5)(c)1, Wis. Stats.

Information required by statute, and provided in a clear manner by the parties, includes the following fundamental details about the Cooperative Plan:

- **Territory subject to the Plan**— the Cooperative Plan applies to the City of Fond du Lac, and Towns of Byron, Empire, Fond du Lac, Friendship, and Taycheeda.
- **Territory to Transfer** – the Cooperative Plan creates *City Growth Areas*, *Town Growth Areas*, *City Boundary Adjustment Areas*, and *Undesignated Territory*, as shown by Exhibits A and B:
 - **Annexations from City Growth Areas** – Section 7 of the Cooperative Plan places limitations on Town development within City Growth Areas. The communities anticipate that when development is desired and does occur, that these lands will be annexed by the City, and the Towns will not contest these annexations.
 - **Annexations from Town Growth Areas** – the City is prohibited from accepting annexations of Town Growth Area lands without the Town's consent.
 - **Annexations from Town Undesignated Territory** – territory not identified as *City Growth Areas*, *Town Growth Areas*, or *City Boundary Adjustment Areas* constitutes *Undesignated Territory*. City annexation of lands within Undesignated Territory is allowed, subject to the following conditions:
 - ✓ Area to be annexed is a functional Town island substantially surrounded by the City;
 - ✓ Annexation involves a proposed development which would produce significant jobs and economic benefit to the greater Fond du Lac metropolitan area;
 - ✓ Annexation involves a proposed development which requires municipal services that cannot be provided by affected Town;
 - ✓ Annexation petition is unanimous and encompasses the minimum amount of acreage economically necessary for the proposed development;
 - ✓ City will reimburse the affected Town for infrastructure investments made prior to the annexation, and

- ✓ City will reimburse the affected Town for lost property taxes had the annexation territory remained in the Town.

- **Attachments of Lands to City** – two categories of territory may attach to the City under the Cooperative Plan.

First, *City Boundary Adjustments*, shown by Exhibit B, which constitute town islands, peninsulas, fragments, and other isolated areas, may attach by City ordinance pursuant to s. 66.0307(10) Wis. Stats.

Second, Town islands resulting from annexations within City Growth Areas may be attached by City ordinance pursuant to s. 66.0307(10) Wis. Stats., following notice to the Town and review by the *Intergovernmental Cooperative Plan Advisory Committee*, a committee established by this Cooperative Plan and described below. The timeline for Town island attachments is 24 years or whenever the island fronts city utilities, whichever occurs later.

- **Intergovernmental Cooperative Plan Advisory Committee** – the Communities agree to establish an Intergovernmental Cooperative Plan Advisory Committee with two representatives from each community which will meet regularly to discuss land use and development within the Cooperative Plan area, as well as intergovernmental cooperation, planning, service sharing, regional issues, and Cooperative Plan implementation and amendment, and preventing creation of new Town islands.
- **Sewer Services** – provision of sewer services in the City and Towns is managed through a separate agreement specific to that topic entitled *2000 Wastewater Agreement Between City of Fond du Lac, Wisconsin and Outlying Sewer Group* (Master Sewer Agreement). Under the Master Sewer Agreement and this Cooperative Plan, the City agrees to extend sewer service to Town Growth Areas without requiring annexation or attachment.
- **Roads** – the communities agree that within the City Growth Areas, Towns will utilize City planning and construction standards for new or reconstructed roads. The communities agree to cooperate on roads that constitute municipal boundaries to avoid confusion over jurisdictional responsibility, maintenance, costs, and design standards.
- **Development** – within City Growth Areas, the Towns agree to maintain existing undeveloped lands in an undeveloped state by utilizing tools such as zoning, certified survey maps, subdivision regulations, and assessing land as rural uses. Also, the Town of Fond du Lac agrees to defer commercial or industrial development along Town Line Road/Highway 151 to the City.

Within Town Growth Areas, the City agrees not to unreasonably withhold necessary approvals, and the Towns agree to implement development consistent with this Cooperative Plan and each Town's comprehensive plan.

- **Preservation of Niagara Escarpment** – the City and Town of Empire agree to cooperate in preserving the Niagara Escarpment, utilizing tools such as conservation easements, conservation subdivisions, overlay districts, and buffer areas.

- **Land Regulations** – within City Growth Areas, the City may continue exercising its extraterritorial plat review and zoning jurisdiction. In Town areas beyond the City Growth Area, within the Town Growth Areas and Undesignated Territory, the City waives its extraterritorial jurisdiction authority.
- **Dispute Resolution Process** – the Cooperative Plan establishes a dispute resolution process that includes mediation and arbitration.
- **Term** – the Cooperative Plan takes effect upon both approval of the Communities' governing bodies, which occurred for the City on January 23, 2017 and for the Towns on various days in February, 2017 and approval of the State of Wisconsin, which occurs this day, July 27, 2017.

The term of the Cooperative Plan is the earlier of either a) 30 years, or b) renewal of the Master Sewer Agreement.

The above information, along with other information included in the Cooperative Plan, provides sufficient detail to enable the Department to find that the standards in s. 66.0307(3)(c)1. Wis. Stats. have been met.

(2) Is the cooperative plan consistent with each participating municipality's comprehensive plan and with current state laws, municipal ordinances and rules that apply to the territory affected by the plan? s. 66.0307(5)(c)2 Wis. Stats.

The Towns and City participating in this Cooperative plan each have adopted comprehensive plans. The following paragraphs describe how this Cooperative Plan is consistent with each community's comprehensive plan.

- *City of Fond du Lac Comprehensive Plan 2010-2030* (2009, updated in 2011) – the future land use map within the City's comprehensive plan shows new residential, commercial, and industrial development within the City Growth Areas proposed by this Cooperative Plan, in particular areas proximate to Interstate Highway 41, County Highway D and State Highway 151.
- *Town of Byron Comprehensive Plan* (2006) – Byron's comprehensive plan focuses on preserving rural character, natural resources, and recreational opportunities, while accommodating residential and industrial growth in a select area of existing development. The Cooperative plan reflects this goal by designating a Town of Byron Growth Area in that selected area.
- *Town of Empire Comprehensive Plan* (2007) – Empire's comprehensive plan focuses on preserving the rural character and natural resources such as the Niagara Escarpment. This is consistent with the Cooperative Plan because Town of Empire Growth Areas are immediately adjacent to existing areas of development and sanitary districts, and the Cooperative Plan calls for Niagara Escarpment preservation.
- *Town of Fond du Lac Comprehensive Plan* (2005) – the Town's comprehensive plan reflects this proximity to the City, calling for continued residential and commercial development along busy transportation corridors extending out from the City. This is

consistent with the Cooperative Plan which proposed an orderly process for this development via defined City Growth Areas, City Boundary Adjustments, a Town of Fond du Lac Growth Area, and Town of Fond du Lac Undesignated Territory.

- *Town of Friendship Comprehensive Plan 2008-2028 (2009)* – Friendship’s comprehensive plan primarily focuses on preserving the community’s agricultural character, which is reflected in the Cooperative Plan by the Town opting not to add any growth area.
- *Town of Taycheedah Comprehensive Plan (2009)* – the future land use map within Taycheedah’s comprehensive plan focuses on residential development adjacent to an existing area of development and preservation of lands to the east for agriculture. The Cooperative Plan’s City Growth Area and Town of Taycheedah Growth Areas supports this.

The Communities indicate that the Cooperative Plan is consistent with all applicable federal, state and local laws, shoreland ordinances, municipal regulations and administrative rules which may apply to the Towns and City and have not identified any conflicts, inconsistencies, or adverse effects with their Cooperative Plan. In the event inconsistencies are later discovered, the Communities intend that the Intergovernmental Cooperative Plan Advisory Committee will meet to resolve these.

Also, comment letters from Fond du Lac County’s Department of Planning & Development and East Central Wisconsin Regional Planning Commission (ECRPC) do not indicate any conflicts or inconsistencies. ECRPC believes the Cooperative Plan will better promote comprehensive plan consistency, efficient urban services delivery, orderly development patterns, and preservation of natural resources. Furthermore, ECRPC commented that this Cooperative Plan will be valuable in the RPC’s current update of the Fond du Lac Sewer Service Area 2040 Plan, in particular the City and Town Growth Areas which the RPC will carefully consider.

Additionally, none of the Communities municipal neighbors, and no residents, have voiced objection or raised issues of material concern.

For the foregoing reasons, the Department finds that the Cooperative Plan is consistent with each community’s comprehensive plan and with all current state laws, municipal regulations and administrative rules and that the standard in s. 66.0307(5)(c)(2) Wis. Stats. is therefore met.

(3) Adequate provision is made in the cooperative plan for delivery of necessary municipal services to the territory covered by the plan. s. 66.0307(5)(c)(3), Wis. Stats.

The Cooperative Plan includes provisions and discussion for how services will be provided to the City and Town Growth Areas, providing specifics on law enforcement, fire protection and rescue services, sewer & water service, libraries, parks and recreation, and streets and highways.

Regarding police protection, the City is served by the City of Fond du Lac Police Department, which provides full-time, 24-hour services including K-9, SWAT, Drug Enforcement, and Police Bike Patrols. Meanwhile, the Towns receive police services through the Fond du Lac

County Sheriff's Department. The Cooperative Plan provides that City Growth Areas, currently under Town jurisdiction, will continue to receive police service by the county sheriff's department until they are annexed to the City at which time these areas will be served by the City of Fond du Lac Police Department.

Regarding fire protection and rescue services, the City is served by the Fond du Lac Fire/Rescue Department which provides full-time 24-hour fire suppression and investigation, emergency medical, rescue, hazardous materials mitigation, and fire/EMS safety education. The Towns receive fire protection and EMS services from a variety of sources, including Fond du Lac Fire/Rescue, the Town of Fond du Lac Volunteer Fire Department, and service agreements with other adjacent communities such as the communities of North Fond du Lac, Lamartine, Eldorado, and Eden. The Cooperative Plan provides that City Growth Areas Territory, currently under Town jurisdiction, will continue to receive fire protection and EMS services as it is currently provided until they are annexed to the City, at which time they will be served by the Fond du Lac Fire/Rescue Department.

Water service is provided to the City by the Fond du Lac Water Utility which has 16 wells within and near the City. The Towns of Byron, Empire, Friendship, and Taycheedah do not have a public water system, and instead properties are served via private wells. The Town of Fond du Lac created Town Sanitary District #3 to provide water service to a portion of the Town.

As mentioned previously, sewer and water service within the Fond du Lac metropolitan community is governed by the Master Sewer Agreement. The Cooperative Plan indicates that territory annexed and attached to the City will receive sewer and water services from the City. Towns agree to disallow sanitary sewer hookups within City Growth Areas prior to annexation, while the City agrees to permit extension of sewers within Town Growth Areas without requiring attachment or annexation.

The Cooperative Plan does not alter library services or park and recreation services.

Finally, regarding streets and highways, the Cooperative Plan provides specific provisions for cost sharing, design standards, and cooperation over jurisdiction and maintenance responsibility.

For the foregoing reason, the Department finds that adequate provision has been made for the delivery of necessary municipal services to the agreement territory, and that the standard in s. 66.0307(5)(c)3, Wis. Stats., is met.

(4) The shape of any boundary maintained or any boundary change under the cooperative plan is not the result of arbitrariness and reflects due consideration for compactness of area. Considerations relevant to the criteria under this subdivision include quantity of land affected by the boundary maintenance or boundary change and compatibility of the proposed boundary maintenance or boundary change with natural terrain including general topography, major watersheds, soil conditions and such features as rivers, lakes and major bluffs. s. 66.0307(5)(c)(5), Wis. Stats.

This Cooperative Plan was developed foremost with compact and rational boundaries in mind, so that every boundary adjustment results in more regular and compact municipal boundaries for Fond du Lac area communities. Specifically, the agreement:

- (1) Eliminates many existing Town islands and other isolated and fragmented areas within the Cooperative Plan territory, as well as preventing their creation in the future;
- (2) Proposes City Growth Areas, Town Growth Areas, and City Boundary Adjustments which are immediately adjacent to existing developed areas, along major transportation corridors, and could be efficiently served by a reasonable expansion of services;
- (3) Establishes an orderly and predicable process for transferring territory within the City Growth Areas, City Boundary Adjustments, and Town islands, rather than an unplanned, unknown, reactive, and competitive manner;
- (4) Facilitates efficient, consistent, and cohesive infrastructure between the Communities, such as sewer and water, and streets and highways; and
- (5) Preserves key areas along the Niagara Escarpment for preservation, as well as rural lands and rural character targeted for preservation by Town comprehensive plans. Furthermore, the certainty of Town Growth Areas provide the Towns with certainty and predictability that these lands will remain in the Towns so that they can make careful development decisions.

For the foregoing reasons, the Department finds that this Cooperative Plan is compatible with the surrounding community and will result in compact municipal boundaries. Therefore, the standard in s. 66.0307(5)(c)5, Wis. Stats., is met.

(6) *Any proposed planning period exceeding 10 years is consistent with the plan.*
s. 66.0307(5)(c)6 Wis. Stats.

The Cooperative Plan takes effect upon both approval of the Communities' governing bodies, which occurred for the City on January 23, 2017 and for the Towns on various days in February, 2017 and approval of the State of Wisconsin, which occurs this day, July 27, 2017. The term of the Cooperative Plan is variable, upon the earlier of either a) 30 years, or b) renewal of the Master Sewer Agreement.

Because of the scope of this Cooperative Plan, including City and Town Growth Areas, City Boundary Adjustments, and Town Islands, as well as detailed sewer and water service provisions, a term that may exceed 10 years is appropriate. The Department therefore finds that the standard in s. 66.0307(5)(c)6, Wis. Stats., is met.

April 7, 2017

Erich Schmidtke
Wisconsin Department of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison, WI 53703



Re: Submittal of a Cooperative Plan Pursuant to Wis. Stat. § 66.0307

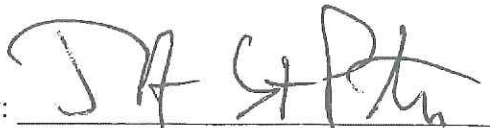
Dear Erich:

Enclosed please find the approved Cooperative Plan between the Towns of Byron, Empire, Fond du Lac and Friendship and the City of Fond du Lac. The Cooperative Plan includes maps and exhibits that provide the supplemental information referenced in the Cooperative Plan or documents required as part of the process. The Cooperative Plan is being submitted for your review pursuant to Wis. Stats. 66.0307.

If you have any questions or comments, please share those with both representatives at jstpeter@lawfdl.com and dbenson@fdl.wi.gov


Sincerely,

On Behalf of the Towns of Byron, Empire,
Fond du Lac, Friendship and Taycheedah

By: 
John A. St. Peter
Authorized Representative

Sincerely,

On Behalf of the City of Fond du Lac

By: 
Dyann Benson
Authorized Representative

Enclosure: Cooperative Plan

**COOPERATIVE PLAN
SECTION 66.0307**

**CITY OF FOND DU LAC AND
THE TOWNS OF BYRON, EMPIRE, FOND DU LAC, FRIENDSHIP, TAYCHEEDAH**

February 16, 2017

TABLE OF CONTENTS

SECTION 1	INTRODUCTION
SECTION 2	PARTICIPATING MUNICIPALITIES
SECTION 3	MUNICIPAL CONTACTS
SECTION 4	CONSISTENCY WITH COMPREHENSIVE PLANS
SECTION 5	BOUNDARY COOPERATIVE PLAN RULES FOR POTENTIAL ANNEXATION AND/OR ATTACHMENT OF LAND IN THE TOWNS AND THE PROVISION OF MUNICIPAL SERVICES TO SUCH LANDS
SECTION 6	UTILITIES AND ROADS
SECTION 7	DEVELOPMENT IN GROWTH AREAS
SECTION 8	TOWN ISLANDS
SECTION 9	UNDESIGNATED TERRITORY
SECTION 10	INTERGOVERNMENTAL COOPERATIVE PLAN ADVISORY COMMITTEE
SECTION 11	SEVERABILITY
SECTION 12	REFERENCES
SECTION 13	COMPLETE COOPERATIVE PLAN
SECTION 14	AUTHORIZATION
SECTION 15	IMPLEMENTATION
SECTION 16	TERM OF COOPERATIVE PLAN
SECTION 17	BINDING EFFECT
SECTION 18	DISPUTE RESOLUTION
SECTION 19	COOPERATION WITH GOVERNMENTAL AGENCIES
SECTION 20	MISCELLANEOUS PROVISIONS
SECTION 21	EXHIBITS
SECTION 22	ADOPTION

SECTION 1 - INTRODUCTION

The City of Fond du Lac ("City"), and the Towns of Byron ("Byron"), Empire ("Empire"), Fond du Lac ("TFDL"), Friendship ("Friendship"), Empire ("Empire"), and Taycheedah ("Taycheedah") (referred to collectively as "the Towns") enter into this Cooperative Plan, hereinafter "Cooperative Plan" or "Plan", subject to the approval of the Wisconsin Department of Administration, under authority of Wis. Stats. Section 66.0307

WHEREAS, Wis. Stats. §66.0307 authorizes municipalities to determine the boundary lines between themselves upon approval of a Cooperative Plan by the Wisconsin Department of Administration; and

WHEREAS, the purpose of the Cooperative Plan is to set forth the procedures, terms, and conditions by which the parties wish to achieve the following mutual goals pursuant to Wis. Stats. §66.0301 and §66.0307:

Orderly, planned growth for the City and the Towns and the provision of appropriate, cost-effective municipal services for such development;

Orderly boundaries between the City and the Towns, promoting cost-effective provision of services and more efficient operation of all units of government;

Continual City growth to provide the City with an ever-renewing and expanding tax base and a pool of citizen leadership;

Continual development for the Towns to replace tax base lost due to City growth, so that the Towns may also have an ever-renewing and expanding tax base and a pool of citizen leadership;

Promotion of diversity and balanced development in the City and the Towns;

Prevention of unplanned development leading to urban sprawl, and protection of the area's natural resources, including its lakes, streams, rivers, wetlands, woodlands, and Niagara Escarpment; and

Promotion of quality development in the City and the Towns; and

WHEREAS, this Cooperative Plan was developed following review of the City and the Towns adopted comprehensive plans that meet the content and requirements outlined under Wis. Stats. §66.1001

WHEREAS, the purpose of the Cooperative Plan, as described in Wis. Stats. §66.0307(3)(b), is to guide and accomplish a coordinated, adjusted, and harmonious development of the territory covered by the Cooperative Plan that will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity, and the general welfare, as well as the efficiency and economy in the process of development; and

WHEREAS, the Cooperative Plan is organized around the definition of options for future boundary changes that will occur during the planning period defined in the Cooperative Plan; and

WHEREAS, it is the intent of the Cooperative Plan to establish the boundaries between the Towns and the City in a configuration as the boundaries exist at the time of the effective date of this Cooperative Plan, with the exception of the attachments described in this Cooperative Plan. The parties both further acknowledge that this Cooperative Plan will be binding and enforceable contracts.

SECTION 2 – PARTICIPATING MUNICIPALITIES

This Cooperative Plan applies to the City of Fond du Lac, Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship, and Town of Taycheedah, Fond du Lac County, Wisconsin.

SECTION 3 – MUNICIPAL CONTACTS

Any notice, or other communication, required to be given to any Party shall be given to the following persons to and on behalf of such Party:

Town Clerk
Town of Byron
Byron Town Hall
N3097 State Road 175
Byron, WI

Town Clerk
Town of Empire
Empire Town Hall
W3675 Fourth Street Road
Fond du Lac, WI

Town Clerk
Town of Fond du Lac
Fond du Lac Town Hall
W5990 Pioneer Road
Fond du Lac, WI

Town Clerk
Town of Friendship
Friendship Town Hall
W6931 County Road N
Van Dyne, WI

Town Clerk
Town of Taycheedah
Taycheedah Town Hall
W4295 Kiekhaefer Parkway
Fond du Lac, WI

City Clerk
City of Fond du Lac
City/County Building
160 S. Macy Street
Fond du Lac, WI 54936-0150

The persons holding positions set forth above may change from time to time. Upon a change of position holder, this section shall be deemed amended to substitute the new position holder as the party to whose attention correspondence should be sent.

All notices required under this Cooperative Plan must be served, either personally or by certified mail, upon the parties' respective municipal clerks. Unless otherwise expressly provided in this Cooperative Plan, failure of any party to object to the activity described in the notice within 45 days of receipt of the notice will be deemed an approval by the relevant party. Any action taken by a party in violation of the relevant notice requirement is voidable unless, under the facts of the particular case, the public interest outweighs strict enforcement of the notice requirement.

SECTION 4 – CONSISTENCY WITH COMPREHENSIVE PLANS, STATE AND FEDERAL LAWS, AND COMPACTNESS

The Growth Areas and Undesignated Areas subject to this plan are covered by adopted plans of the Towns and City. The proposed land use patterns for these Areas are well known and described in existing adopted plans. These plans and the future comprehensive plans of the Towns and City will guide new development and redevelopment which occurs within these Areas. The following provides a listing of the plans currently in place for the Growth Areas and Undesignated Areas.

The Towns and City have prepared the following plans to guide development:

- Town of Byron 2006 Comprehensive Plan
- Town of Empire 2007 Comprehensive Plan
- Town of Fond du Lac 2005 Comprehensive Plan
- Town of Friendship Comprehensive Plan 2008-2028
- Town of Taycheedah 2009 Comprehensive Plan
- City of Fond du Lac Comprehensive Plan 2010-2030

The Cooperative Plan is consistent and compatible with existing plans, ordinances, codes, and statutes. The Cooperative Plan was developed in recognition of the multiple jurisdictions with an interest in Growth Areas and Undesignated Areas. The Cooperative Plan will allow the Towns and City to move forward in planning for the delivery of services to their respective areas so that there will not be a competition between the Towns and City, property owners, and developers.

4.1 Comprehensive Plans.

(a) The City of Fond du Lac's Comprehensive Plan focuses on redevelopment within the City and development along key transportation corridors where more intensive development will likely occur benefiting from access to the City's municipal services. The growth areas identified in the Cooperative Plan are consistent with those goals. The area to the south and west of the City are identified for future growth for consideration of future expansion of commercial and industrial use due to its close proximity to Interstate

41 and County Truck D and Highway 151. The growth area to the east along Highway 23 is consistent with additional commercial and residential uses. The Land Use Map within the City's Comprehensive Plan reflects those areas as opportunities for future development.

(b) Town of Byron's Comprehensive Plan focuses on preserving the rural character of the Town while protecting natural resources and recreational opportunities. The predominant land use within the Town is Agriculture and the Town's Comprehensive Plan indicates a desire to preserve that land use while accommodating growth, primarily residential and industrial in select areas of the community. The Cooperative Plan reflects this goal by the designation of a growth area in that area that has already seen more focused residential development. The scattered residential development throughout the Town is consistent with residential development supported by the Farmland Preservation Act and the provisions of the Cooperative Plan.

(c) The Town of Empire's Comprehensive Plan's focuses on preserving the rural character of the Town. This is consistent with the Cooperative Plan in that growth areas are immediately adjacent to existing area of development and sanitary districts. A substantial portion of the Town remains agricultural in nature with limited opportunities for development which are also reflected in the provisions of the Cooperative Plan. In addition, the Town identified the Niagara Escarpment as a key natural feature and an area for conservation development and preservation. This is also reflected in the Cooperative Plan.

(d) The Town of Fond du Lac's Comprehensive Plan reflects a growing community that is seeing increased residential development and commercial development along key arterials. The Comprehensive Plan also discusses a desire to focus on smaller or mid-size commercial development while supporting a range of residential development options. These goals are reflected in the growth areas shown in the Cooperative Plan and the focus of development near existing areas and support for the City's growth areas along key transportation corridors where larger commercial and industrial development is likely to occur.

(e) The Town of Friendship's Comprehensive Plan focuses on compact development and preservation of the agricultural character of the community. This is reflected in the Cooperative Plan in that the Town opted to not expand or add any growth area.

(f) The Town of Taycheedah's Comprehensive Plan's Future Land Use Map reflects the future growth area identified under the Cooperative Plan. The plan focuses on residential development adjacent to existing growth areas and preservation of land to the east for agricultural uses.

4.2 Consistency with Other Laws. The Cooperative Plan is generally consistent with current state and federal law, shoreland ordinances, municipal regulations and administrative rules that apply in the Towns and the City. The language used within the Cooperative Plan acknowledges that other state and federal laws or administrative rules may apply and that such laws and rules may supercede the Cooperative Plan unless otherwise authorized by law. The intent of the Cooperative Plan was not to conflict with any current state or federal laws, shoreland zoning ordinance, municipal regulations and administrative rules. Through the Intergovernmental

Cooperative Plan Advisory Committee, the City and Towns will collaborate to amend any sections of the Cooperative Plan that may later be determined to be inconsistent.

4.3 Compactness. In establishing the future growth area boundaries, the City and Towns considered whether the growth area was a logical expansion of its existing growth area and the topography and natural features of the area. The process of identifying growth areas focused on compact growth that could be efficiently served by a reasonable expansion of services. The growth areas identified under the Cooperative Plan are immediately adjacent to existing growth areas and/or included with Town Sanitary Districts.

(a) The City growth areas focused on those areas served by higher volume transportation corridors that would like result in more intense development needing access to the City's municipal services. These areas include Interstate 41, County Trunk D, Highway 151 and Highway 23.

(b) The Town of Byron's growth area focused on the area that had experienced residential development and not within the areas utilized for quarry operations which were not suitable for such development.

(c) The Town of Empire's growth area focused on expansion of their two (2) existing growth areas near Highway K and Lake DeNeveu. The key area along the Niagara Escarpment was identified as an area for limited development and preservation.

(d) The Town of Fond du Lac's growth area focused on the area of current growth and development.

(e) The Town of Friendship did not identify any growth area under the Cooperative Plan.

(f) The Town of Taycheedah identified growth area adjacent to existing growth in order to preserve land for agricultural use.

(g) All of the above City and Town growth areas reflect current and reasonably foreseeable growth patterns in the greater Fond du Lac area.

SECTION 5 - BOUNDARY COOPERATIVE PLAN RULES FOR POTENTIAL ANNEXATION AND/OR ATTACHMENT OF LAND IN THE TOWNS AND THE PROVISION OF MUNICIPAL SERVICES TO SUCH LANDS

5.1 Designation of City and Town Growth Areas. Attached and incorporated by reference and identified as Exhibit A is a map identifying the City and Town growth areas (hereinafter "Growth Areas"). The City Growth Areas consist primarily of currently undeveloped land that the parties acknowledge is to be developed within the City's municipal boundaries. The City Growth Areas are intended to be sufficient for well beyond 24 years of City growth. The territory within the City Growth Areas will be developed with sewers in conformance with the City's comprehensive plan. The City desires that owners of lands in the Towns not receive a windfall in the form of City improvements, but rather pay a fair share for improvements that benefit lands in the Town.

The Town Growth Areas include areas of existing development and adjacent areas that the parties acknowledge is to be developed within the Towns' municipal boundaries. The

territory within the Town Growth Areas will generally be developed in conformance with the Towns' comprehensive plans. The Town Growth Areas depict areas expected to develop simultaneously with City Growth Areas. The Towns desire to protect the financial interests of the Towns and its citizens as the City grows by arranging favorable terms with respect to taxes and payment for improvements.

5.2 Boundaries Of Growth Areas. The parties agree that the Growth Areas identified for each party have been determined after considerable negotiation and, as so delineated, serve the best interests of each of the parties. Except as expressly set forth in this Cooperative Plan, no party will seek or allow, through any annexation, attachment, or detachment process, any change in the delineated boundaries that would be contrary to the terms of this Cooperative Plan, unless the change is by mutual consent of the City and the affected Town which consent may be withheld at the sole discretion of the City and the affected Town. Each party retains the right to determine the sequence of sewer or unsewered development of each specific parcel of land within its Growth Areas. However, sewer development shall occur in accordance with the provisions of Section 6.1(b), below.

5.3 Annexations from City Growth Areas.

- (a) The City will annex territory from City Growth Areas whenever orderly, planned development reasonably dictates that the land should be developed within the City. Where developed, non-agricultural land is presently contiguous to the City on several sides, the City will encourage annexation in order to eliminate problems associated with duplication of services, or difficulties in provision of services due to illogical municipal boundaries. "Development" means a material change in current land uses, particularly changes that require City municipal services, such as sewer and water utility services. The City is empowered to encourage development by, among other means, enforcing the provisions described in Section 7, herein.
- (b) If the City annexes land located in City Growth Areas, it will reimburse the relevant Town for any road made by the Town within ten (10) years of the annexation date on a prorated basis related to the lifespan of the improvement. Each Town shall present reasonable proof of such expenditure. At the time of making improvements which a Town feels may qualify for this reimbursement, it is encouraged, but not required, to notify the City prior to making the improvements. Ordinary repair and maintenance is not covered by this reimbursement policy. Only improvements constructed to standards agreed to by the City are eligible for this reimbursement.
- (c) The parties acknowledge the existence of various farming operations within portions of the City Growth Areas or within one-half mile of a City Growth Area. Notwithstanding any other provision in this Cooperative Plan, current farming operations will be allowed to continue, subject to compliance with State and County laws, ordinances, and regulations.
- (d) Subject to 5.3 and 8.2, the City agrees to limited residential development generally in conformity with the Towns' Comprehensive Plan in City Growth Areas prior to annexation into the City.

5.4 Annexations from Town Growth Areas.

The City will not annex any land from Town Growth Areas without the affected Town's prior written consent, which consent may be withheld at the sole discretion of the Town. A written request for consent will be submitted to the Town upon receipt of an annexation petition. The Town will respond in writing to such a request within 45 days.

5.5 Attachments of Land to City. Attached and incorporated by reference and identified as Exhibit B is a map entitled "City Boundary Adjustments." The City Boundary Adjustments, or Attachment Areas, constitute boundary cleanup, town island creation, and administrative housekeeping. The parties agree as follows with regard to the Attachments Areas described in Exhibit B.

- (a) The execution of this Cooperative Plan constitutes each party's authorization to participate in the preparation of a Cooperative Plan pursuant to Wis. Stats. §66.0307 and the Clerk of each party shall have authority to provide the notices required by Wis. Stats. §66.0307. Any failure to comply with this provision may be cured by adopting a resolution and giving notice as provided in Wis. Stats. §66.0307 not later than 45 days after the date of commencement of the term of this Cooperative Plan.
- (b) The Cooperative Plan shall permit attachment of the land described in Exhibit B by ordinance adopted by a simple majority of the City's Common Council in place of annexations.
- (c) The Cooperative Plan shall also permit the attachment of territory by ordinance adopted by a simple majority of the City's Common Council in place of annexation for those parcels that meet Section 8.2 (a) and noticed to the affected Town. Prior to such action, parcels proposed for attachment under this Section will be reviewed by the Intergovernmental Cooperative Plan Advisory Committee.
- (d) Once approved, the Cooperative Plan shall govern without respect to subsequent changes in statutory law.

5.6 Attachment Conditions. The following conditions shall apply to the attachments required by Section 5.3, above:

- (a) The City agrees that, subsequent to the attachments described in Sections 5.3, 5.5 and 5.5, the City will provide the affected property owner(s) and town(s) with all necessary and proper approvals for ingress and egress over and through the attachment area. The City will also cooperate with the affected property owner(s) and town(s) to allow the development on the real estate adjacent to the attachment area. The City's cooperation will include, without limitation, supporting easements over the attachment area, but only if the easement area is subject to the City's jurisdiction. The City will waive all fees under its control. The parties acknowledge that, unless otherwise specifically stated in this Cooperative Plan, the attachments required by this Cooperative Plan will not delay, condition, or prohibit the development of real estate adjacent to the attachment area.

- (b) To the extent not expressly prohibited by law or otherwise waived in writing by the relevant town, the prohibition against the involuntary annexation or attachment of town islands by the City consisting of privately-owned real estate continues for the duration of this Cooperative Plan. Annexation or attachment of existing town islands may occur only with the unanimous consent of the affected property owner(s). This paragraph is limited in application to only those town islands that exist at the time of execution of this Cooperative Plan.
- (c) The requirements of Wis. Stats. §66.0235 apply to the attachment of properties to the City, including, without limitation, sanitary sewer infrastructure and prior investments by the relevant Town or Town Sanitary District toward Shared Regional Facilities as more particularly defined in the 2000 Master Sewer Agreement referenced in Section 6.1(a).

5.7 Cooperation with Annexations or Attachments. The Towns will not challenge any annexation or attachment that is in accordance with the terms of this Cooperative Plan. The Towns agree not to judicially oppose any annexations or attachments that are consistent with the terms of the Cooperative Plan. The Towns also agree not to financially support anyone who opposes or contests any such annexation or attachment. The City further agrees to meet with Town officials prior to or shortly after the filing of any annexation or attachment petition to discuss matters of mutual concern. If any Town is impleaded in any annexation or attachment lawsuit by a party other than the City, the Town will immediately stipulate that it does not oppose the contested annexation or attachment. The Town will also cooperate with the City on the dismissal of the Town as a party to the relevant lawsuit. The Towns agree that the City may exercise powers pursuant to Wis. Stats. §236.10(4) for the approval of all subdivision plats and land divisions (certified survey maps) within the annexation territory if the Towns breach this subsection. The City's authority under the preceding will include, without limitation, the right to require full compliance by all proposed subdivision plats and land divisions with all City land subdivision regulation ordinance requirements then in effect.

5.8 Provision of Services.

(a) Police and Fire/Rescue Services.

- (i) The City of Fond du Lac is served by the Fond du Lac Police Department which provides full-time, twenty-four hour police services to the City, including K-9, S.W.A.T. and Drug Enforcement Unit, and Police Bike Patrols.

The City of Fond du Lac is served by Fond du Lac Fire/Rescue which provides full-time, twenty-four hour emergency services including emergency medical transport, fire suppression, technical rescue, hazardous materials mitigation, fire prevention, domestic preparedness, fire/EMS safety education, and fire investigation programs.

- (ii) The Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah receive police services through the Fond du Lac County Sheriff's Department. The Fond du Lac County Sheriff's

Department would continue to provide police services to the Towns under the Cooperative Plan.

Fond du Lac Fire/Rescue also services the Towns of Byron, Empire, Fond du Lac, and Taycheedah.

The Town of Fond du Lac Volunteer Fire Department provides primary fire service, including the First Responder Program. The Town participates in mutual aid agreements with many of the surrounding towns, the Village of North Fond du Lac, and the City of Fond du Lac. Ambulance is provided through contracts by the City and by the Village, each in certain areas of the Town.

The Town of Empire also receives fire protection services from the Mount Calvary and Village of Eden Fire Departments. Ambulance service is provided by the Mount Calvary Fire Department EMT service and the City of Fond du Lac.

The Town of Taycheedah also receives fire protection services from the Mount Calvary and Calumet Fire Volunteer Departments. Both departments support First Responder units. Ambulance service for the Town is provided by the Mount Calvary Ambulance Service.

The Town of Friendship is provided fire protection services by joint response from the Van Dyne, Village of North Fond du Lac, and Town of Eldorado Fire Departments. Ambulance is provided through agreement with North Fond du Lac and the Towns of Eldorado, Fond du Lac, Lamartine, and Friendship.

- (iii) Dispatch services are provided through contract with the Fond du Lac County E911 Communications Center to the City and Towns.
- (iv) Territory annexed into the City as provided under the Cooperative Plan will receive police and fire/rescue services from the City upon annexation.

(b) Sewer and Water.

- (i) The City of Fond du Lac's water supply is provided through the Fond du Lac Water Utility which is supplied by ground water that is pumped from 16 wells within and near the City.
- (ii) The Towns of Byron, Empire, Friendship and Taycheedah do not have a public water system. Properties are served through private wells.

The Town of Fond du Lac constructed a public water supply system to provide municipal water service to the area generally bounded by Town Sanitary District #3. The Town entered into an

intergovernmental agreement with the Village of North Fond du Lac, which sells the water to the Town at its regular rate plus a 10% surcharge. The Town contracts with the Village for 24-hour on-call emergency services and annual maintenance services. The water system has sufficient volume and pressure to provide for both residential consumption and residential fire flows. To provide an added measure of protection for commercial fire protection, the Town installed a booster pump system to boost pressure for emergency fire flow needs. All other water service in the Town is provided by private, on-site wells.

- (iii) The provision of sewer services is managed through a separate Agreement entitled “2000 Wastewater Agreement Between City of Fond du Lac, Wisconsin and Outlying Sewer Group” (“Master Sewer Agreement”). The Master Sewer Agreement defines the terms and conditions for the provision of sanitary sewers within the City and the Towns.
 - (iv) Territory annexed into the City as provided under the Cooperative Plan will receive sewer and water services from the City upon annexation.
 - (c) Other Utilities. The City and Towns are provided natural gas and electric power by Alliant Energy. Telephone service is provided by AT&T and Charter Communications. Cable television is available through Charter Communications. Various local and national companies provide internet access services.
 - (d) Library
 - (i) Library service is provided by the City of Fond du Lac Public Library to the City and the Towns of Byron, Empire, Fond du Lac, and Taycheedah. The Library has a satellite facility, FDLPL Express, which is located in the Johnson Crossing shopping center.
 - (ii) The North Fond du Lac Library System serves the Town of Friendship.
 - (iii) The Cooperative Plan does not change access to library services for the City or Towns.
 - (e) Parks and Recreation.
 - (i) The City of Fond du Lac has over two thousand acres of parks and open space areas exist in Fond du Lac. The City maintains 26 parks and other open space areas available for public recreational use, totaling 692 acres. The City’s park and recreational facilities are open to individuals within the community and adjoining Towns.

- (ii) Fond du Lac County is the primary source of parks and recreation within the Towns. The Town of Fond du Lac does not have any County parks. There are three bicycle/pedestrian facilities within the Town.

The Town of Fond du Lac has Simon Park, a Town park, which provides park and recreational opportunities.

The Town of Byron has Hobbs Woods which provides park and recreational opportunities.

The Town of Empire does not have any local parks to provide public access to natural areas that are present in the Town and no established trail routes are present.

The Town of Taycheedah has a County Park and town parks that provide park and recreational opportunities. These parks include Roosevelt County Park, Kiekhaefer Park, Scenic Overlook and Hermanns Park. In addition, the Town has two established trail routes.

The Town of Friendship has Highway 45 Wayside Park.

- (iii) The Cooperative Plan does not alter the accessibility of existing park and recreational facilities. The provision of additional facilities in the City are provided through the development approval process and for the Towns through planning with Fond du Lac County.

SECTION 6 – UTILITIES AND ROADS

6.1 City Growth Areas.

- (a) The Towns will refuse to permit sanitary sewer hookups or extensions in City Growth Areas prior to annexation or City permission.
- (b) The parties acknowledge that there exists a separate Agreement entitled “2000 Wastewater Agreement Between City of Fond du Lac, Wisconsin and Outlying Sewer Group” (“Master Sewer Agreement”). The parties further acknowledge that the Master Sewer Agreement defines the terms and conditions for the provision of sanitary sewers within the City and the Towns. Unless specifically stated to the contrary in this Cooperative Plan, the terms and conditions of the Master Sewer Agreement and any subsequent sewer agreements will control the provision of sanitary sewer service within the City and the Towns.
- (c) The Towns will utilize any planning and construction standards proposed by the City for new or reconstructed roads, utilities, and other public facilities in these areas, which are based upon the ultimate development capacity of said areas. The preceding does not apply to the maintenance or repair of existing roads.

6.2 Town Growth Areas.

- (a) The City will permit, without requiring annexation or attachment, extension of sanitary sewer services within the Town Growth Areas as provided in the Master Sewer Agreement and any subsequent Master Sewer Agreement and cooperate fully with extension of sanitary sewer services by the Towns or their sanitary districts, provided that the design and operations plans are consistent with the provisions of the Master Sewer Agreement, any subsequent Master Sewer Agreement, this Cooperative Plan, and the relevant Town's comprehensive plan.
- (b) The Towns will plan sewer service growth areas in conformance with their comprehensive plans and the Master Sewer Agreement and any subsequent Agreements.

6.3 City/Town Road Boundaries. Where a road is proposed in an annexation to serve as a boundary between the City and a particular Town, the governments will discuss the exact location of the boundary in order to avoid jurisdictional confusion over the governmental services to be provided within or by way of that segment of highway. The particular Town will cooperate with the City on the City's reconstruction of the road to urban standards, including sidewalks, streetlights, curb and gutter, asphalt or concrete, according to the City's capital improvement program. The City must obtain the Town's consent before the Town is financially obligated to pay for any portion of the reconstruction of the relevant road.

SECTION 7 – DEVELOPMENT IN GROWTH AREAS

7.1 City Growth Areas.

- (a) The Towns will cooperate to maintain currently undeveloped lands in an undeveloped state, in order to preserve them for future City development. It is acknowledged that City development of such lands may be gradual, extending over several decades.
- (b) The Towns will discourage premature development by imposing and maintaining zoning classifications that do not permit, or that discourage, such development and by informing their assessors of the nature of this Cooperative Plan so that assessments consistent with preserving land until needed by the City are promoted to the extent allowed by assessment laws.
- (c) The Towns will approve changes in zoning classifications only after consultation with, and the agreement of, the City. Consultation by the Towns, and the agreement or disapproval of the City, shall be in writing. Failure of the City to respond within 45 days of notice will be deemed an approval. Failure of a Town to abide by the City action of disapproval will void the subject amendment. The City and Town will consider the City's future land use and zoning plans when it considers these zoning classification change requests. The Towns agree to continue to enforce the limited development allowed under agricultural preservation zoning.
- (d) To the extent authorized by law, the Towns will refuse to approve certified survey maps or platted subdivisions unless the City consents to the land divisions.

Failure of the City to respond within 45 days of notice will be deemed an approval. Failure of a Town to abide by the City action of disapproval will void the subject amendment of the approved CSMs or subdivision plats. As part of the City's review process, the City will consider whether the proposed division will block further development or create a de facto subdivision that doesn't comply with City standards.

- (e) The Towns will require that the limited development permitted under this Cooperative Plan in City Growth Areas meet the City lot standards and will have the required right of way dedication per City standards to allow for future improvements.

7.2 Town Growth Areas.

- (a) The City will not unreasonably withhold approvals necessary under applicable State, County, and local laws, regulations, or ordinances to all divisions of land, sewer extensions, or other development-related matters, provided such development occurs in accordance with this Cooperative Plan and all other applicable statutes, ordinances, and regulations. City objections must be stated in writing and with specificity.
- (b) The Towns will implement development within their respective Town Growth Areas generally consistent with each Town's Comprehensive Plan.
- (c) The Towns will provide notice to the City prior to new commercial or industrial development (including billboards), abutting or within 300 feet of Federal or State highways. The City will comment on the development plans to assure highway accessibility, aesthetics, and appropriate building design, site landscaping as well as paved surfaces for drives and parking.

7.3 Extraterritorial Jurisdiction. The parties acknowledge that the City has been exercising its statutory extraterritorial zoning and land division review authority throughout the various Towns pursuant to Wis. Stats. §62.23(7a), §236.10(1)(b) and §263.02(5).

- (a) The City may continue to exercise its extraterritorial jurisdiction throughout the City Growth Areas, subject to the provisions of this Cooperative Plan.
- (b) The City waives its extraterritorial land division review authority and other extraterritorial jurisdiction powers throughout the Town Growth Areas.
- (c) The City also waives its extraterritorial land division review authority and other extraterritorial jurisdiction powers throughout the Undesignated Territory described in Section 9, provided the Towns actively participate in the Intergovernmental Advisory Committee, set forth below in Section 10. Active participation means attendance at meetings, generally complying with their respective comprehensive plans, sharing of information regarding development within the undesignated areas and meaningful discussions as to such developments as they relate to this Cooperative Plan and the need for possible amendment.

- (d) The City and the Towns shall record with the Fond du Lac County Register of Deeds resolutions providing for the waiver of the City's extraterritorial jurisdiction powers described in this Cooperative Plan.
- (e) The City shall not rescind the waiver for the duration of this Cooperative Plan. The parties acknowledge and agree that the various review and approval requirements contained in this Cooperative Plan replace the City's extraterritorial review and approval powers authorized by Wis. Stats. §62.23(7a) and Chapter 236 of the Wisconsin Statutes.

SECTION 8 – TOWN ISLANDS

8.2 Future Functional Town Islands.

- (a) Town islands that are created during this Cooperative Plan as a result of development within City Growth Areas that have frontage access to roads and utilities may be attached upon request/determination of the City Community Development Director. The timeline for such attachments is 24 years or whenever the island has frontage on city utilities, whichever occurs later.
- (b) For purposes of this Cooperative Plan, a functional town island occurs when either man-made or natural barriers, employed in conjunction with City Corporate boundaries, isolate a portion of a Town. In determining whether an area is sufficiently isolated so as to constitute a function town island, the parties shall consider:
 - (i) The extent to which lakes, rivers, and political boundaries isolate the area from the balance of the Town,
 - (ii) The extent to which natural barriers, manmade barriers, and political boundaries of the City isolate the area from the balance of the Town, or
 - (iii) The extent to which, for all practical purposes, the area is cut off from the remainder of the Town.
- (c) The parties agree to attempt to avoid creating town islands as they review and approve future developments.

SECTION 9 - UNDESIGNATED TERRITORY

9.1 General Provisions Applicable to Undesignated Territory. Territory that is not identified as City Growth Areas, Town Growth Areas, or Attachment Areas shall remain undesignated territory ("Undesignated Territory"). This Undesignated Territory is subject to future annexations (but not attachments), subject to the terms and conditions set forth in Sections 9.2 thru 9.5. The terms and conditions of Sections 9.2 thru 9.5, supersede any statutory provisions applicable to annexations, whether these statutory provisions are in existence upon the effective date of this Cooperative Plan or subsequently adopted. Future annexations from the Undesignated Territory must strictly comply with the provisions of Sections 9.2 through 9.5. Except as expressly stated otherwise in this Cooperative Plan, there are no restrictions on development within the Undesignated Territory. The Towns shall generally follow their Land

Use or Comprehensive Plan in approving proposed zoning changes, conditional use permits, and land divisions. The City shall not object under Section 18 to land divisions or rezonings adopted by the Towns which are generally consistent with the Towns' Comprehensive Plans.

9.2 Annexations of Undesignated Territory. The City agrees that annexations of land are subject to the following provisions, which constitute contractual preconditions to annexation:

- (a) The area to be annexed is already a functional town island that is substantially surrounded by existing City boundaries; or
- (b) The proposed annexation involves a development that would produce a significant number of new jobs or tax base in the greater Fond du Lac community in the immediate future following the proposed annexation. The employment base of both the City and the Towns that are signatory to this Cooperative Plan shall be used to determine whether the proposed annexation involves a development that would produce a significant number of new jobs or tax base in the greater Fond du Lac community in the immediate future following the proposed annexation; or
- (c) The proposed development requires municipal services that cannot be provided by the relevant Town including, without limitation, municipal sewer and water, roads and related urban services.

9.3 Further Annexation Restrictions. In addition to the restrictions described in Section 9.2, the City agrees to the following additional contractual preconditions:

- (a) The annexation petition must be unanimous and the annexation territory must encompass only the minimum acreage necessary and/or economically feasible for the relevant project; and
- (b) The City will reimburse the relevant Town or Sanitary District for infrastructure investments pursuant to the adjustment provisions of Wis. Stat. §66.0235 and any contractual requirements under the 2000 Wastewater Agreement and any subsequent Agreements; and
- (c) The City shall make annual payments to the relevant Town, for up to five (5) years, in an amount equal to the property taxes that the relevant Town would have received had the property remained in the Town at the pre-annexation undeveloped asset valuation.
- (d) Town will help communicate the deferred assessment process under state law to affected town residents and let them know their options.

9.4 Conservation/Preservation/Environmentally Sensitive Area Language. C/P/ESA areas within a landscape that encompass especially valuable natural resource features should be protected from development. Under this Cooperative Plan, the Town of Empire and City will work together to preserve the Niagara Escarpment. Preservation of the Niagara Escarpment may be obtained through a variety of land use tools including, but not limited to buffer areas, overlay districts, conservation subdivisions, and conservation easements. The method of preserving the Niagara Escarpment shall be determined by the Town.

9.5 Limitation on Development. The Town of Fond du Lac agrees to defer commercial or industrial development along Town Line Road, Highway 151 lane to the City of Fond du Lac as shown in Exhibit C.

SECTION 10 – INTERGOVERNMENTAL COOPERATIVE PLAN ADVISORY COMMITTEE

10.1 Creation of the Intergovernmental Agreement Advisory Committee. The City and Towns shall establish a committee with twelve (12) members, to be known as the Intergovernmental Agreement Advisory Committee. The Committee shall include two (2) representatives from each community. Members of the Advisory Committee shall serve at the pleasure of their respective appointing authorities.

Land uses in the Towns and the City, have, historically, often resulted from decisions and actions of other entities, public and private. As a result, the Towns and the City have often reacted to forces driving land use decisions rather than anticipating and influencing those forces. Further, the Towns and the City have met only infrequently. The Advisory Committee allows the Towns and the City to jointly plan for development within the areas subject to this Cooperative Plan. The Advisory Committee provides a mutually beneficial framework for joint discussion and planning; and that will lead to a reduction in adversarial tension and promote intergovernmental cooperation, planning, and problem solving for more efficient delivery of municipal services. Land use planning provides predictability and certainty to property owners. It serves as a guideline for the future use of property and future actions by elected officials and governing bodies. Planning enhances the ability of property owners to make decisions about investment, use, and maintenance of their land.

- (a) Meeting Times.
 - (i) The Advisory Committee shall meet annually or as otherwise needed as identified by the Committee. Meetings can be called by any party if there is a question regarding activities in the Undesignated Areas. The first meeting of the Advisory Committee will be held 45 days from the complete execution of this Cooperative Plan. Meetings must be held to discuss any development that exceeds that permitted under the existing zoning or requests to consider annexation by the City under Section 5.2 (e.g. Agricultural land preservation, sparse development to residential subdivision).
- (b) Responsibilities. The Committee shall have the following responsibilities:
 - (i) To facilitate the implementation of the Cooperative Plan during the duration of the term of the Cooperative Plan.
 - (ii) To undertake reasonable efforts to foster, maintain, and enhance communication and cooperation between the Towns and the City in regards to land use planning and development.
 - (iii) To identify when there is a need to amend the Cooperative Plan and initiate the formal process of amending the Cooperative Plan.

1. The need to amend the Cooperative Plan may include, but is not limited to: a change in the economy which generates additional development demand beyond those planned for under this Cooperative Plan; changes in the Outlying Sewer Group (OSG) sanitary district boundaries that result in the need to align sanitary districts with growth areas.
 2. Amendments to the Towns' comprehensive plans may result in a need to amend this Cooperative Plan.
- (iv) To monitor and prevent the creation of town islands that would likely exist at the expiration of this Cooperative Plan. Further, to refer any such potential islands for consideration of amendment of this Cooperative Plan.

SECTION 11 – SEVERABILITY

If any section, paragraphs, or portion of this Cooperative Plan is deemed by any court having lawful jurisdiction of the subject matter of the Cooperative Plan to be void, voidable or invalid for any reason, the relevant court is hereby authorized to substitute alternative provisions in order to implement the parties' intent. If the relevant court declines to substitute alternative language, the parties shall resort to the dispute resolution provisions of Section 18 for the purpose of substituting non-offending language. Resort to the dispute resolution provisions of Section 18 include both mediation and, if mediation is unsuccessful, arbitration.

SECTION 12 – REFERENCES

Any references in this Cooperative Plan to any particular agency, organization, or official shall be interpreted as applying to any successor agency, organization, or official or to any other agency, organization, or official to which contemplated functions are transferred by statute or ordinance. Any references in this Cooperative Plan to any particular statute or ordinance will be interpreted as applying to such statute or ordinance as recreated, renumbered, or amended from time to time.

SECTION 13 - COMPLETE COOPERATIVE PLAN

This Cooperative Plan is the complete Cooperative Plan of the parties with respect to the matters covered by this Cooperative Plan and it shall supersede all prior Cooperative Plans or municipal policies to the contrary. No Cooperative Plans, promises, or representations made during or in connection with the negotiations for or approval of this Cooperative Plan shall be binding or effective unless they are included herein. This Cooperative Plan may be filed with the Register of Deeds of Fond du Lac County. This Cooperative Plan may be used in litigation and may be introduced into evidence by either party without objection in any action to enforce the terms of this Cooperative Plan.

Other Cooperative Plans. Except as specifically provided herein, this Cooperative Plan does not supersede prior or other contracts, Cooperative Plans, Court Decisions, or Arbitration Awards between the parties. All other intergovernmental Cooperative Plans among the parties, or any

combination of the parties remain in full force and effect, including without limitation, the Master Sewer Agreement. Nothing in this Cooperative Plan is intended to expand the rights of the parties under the Master Sewer Agreement. All rights are reserved.

SECTION 14 – AUTHORIZATION

This Cooperative Plan shall not take effect until approval by the City and Towns’ governing bodies as well as the Wisconsin Department of Administration pursuant to Wis. Stat. §66.0307.

SECTION 15- IMPLEMENTATION

The City and Towns shall take such actions as may be necessary or desirable to implement and effectuate the provisions and the intent of this Cooperative Plan.

SECTION 16 – TERM OF COOPERATIVE PLAN

The parties acknowledge that the Master Sewer Agreement is subject to review and continuation in 2020. The parties further acknowledge that the likely review period for the Master Sewer Agreement will be 20 years from 2020 through 2040 (“Review Term”). Therefore, the term of this Cooperative Plan shall be the earlier of either (a) 30 years, or (b) the Renewal Term of the Master Sewer Agreement. No breach or violation of any of the terms of this Cooperative Plan shall operate to void or terminate this Cooperative Plan, it being the intent of the parties that any such breach or violation shall only be redressed, enjoined, or otherwise remedied by exercise of any lawful, contractual enforcement remedies then available to be utilized by the aggrieved party to enforce the terms of the Cooperative Plan.

SECTION 17 – BINDING EFFECT

This Cooperative Plan shall inure to the benefit of and be binding upon the City and Towns hereto, as well as their respective heirs, successors and assigns. Its enforceability will not be affected by changes in the forms of the City or Town government, or changes in elected officials.

SECTION 18 – DISPUTE RESOLUTION

All disputes over the interpretation or application of this Cooperative Plan shall be resolved according to the following dispute resolution procedures:

- (a) If the dispute cannot be resolved by the parties directly involved, the parties will conduct the following mediation process before invoking formal arbitration:
 - (i) Each party will designate a representative with appropriate authority to be its representative in the mediation of the dispute.
 - (ii) Either representative may request the assistance of a qualified mediator. If the parties cannot agree on the qualified mediator within five days of the request for a mediator, a qualified mediator will be chosen from the Roster of Dispute Resolution Providers maintained by the Wisconsin Boundary Review Division of the Wisconsin Department of Administration. If the parties cannot agree upon a mediator, they will request an initial panel of five (5) persons, who are all listed on the Roster. Each party will have two

- (2) strikes from the initial panel. The parties may agree to an alternative method for the selection of the single mediator.
- (iii) The mediation session shall take place within 30 days of the appointment of the respective representatives designated by the parties, or the designation of a mediator, whichever occurs last.
 - (iv) In the event that a mediator is used, each party will provide the mediator with a brief memorandum setting forth its position with regard to the issues that need to be resolved at least 10 days prior to the first scheduled mediation session. The parties will also produce all information reasonably required for the mediator to understand the issues presented. The mediator may require either party to supplement such information.
 - (v) The mediator does not have authority to impose a settlement upon the parties but will attempt to help the parties reach a satisfactory resolution of their dispute. The mediation session(s) are private. The parties and their representatives may attend mediation sessions. Other persons may attend only with the permission of the parties and with the consent of the mediator. The parties will maintain the confidentiality of the mediation and shall not rely on, or introduce as evidence in any arbitral, judicial, or other proceeding, views expressed or suggestions made by the other party with respect to a possible settlement of the dispute, or admissions made by the other party in the course of the mediation proceedings.
 - (vi) The expenses of a mediator, if any, shall be borne equally by the parties.
- (b) If unresolved after (a) above, the parties will submit the dispute to binding arbitration by an arbitrator of recognized qualifications. If the parties cannot agree on an arbitrator they will request a five (5) person panel list from the Wisconsin Boundary Review Division of the Wisconsin Department of Administration from the Roster of Dispute Resolution Providers, which said Roster may be updated from time to time. Each party will have two strikes from the five (5)-person panel. The parties may agree to an alternative method for the selection of the single arbitrator.
 - (c) The City and the Towns will be responsible for the fees of their own arbitrator and will equally divide the fees of the third arbitrator, as well as the costs of court reporters, if any. The City and the Towns will be responsible for their own attorneys' and expert fees.
 - (d) The arbitration panel will not be bound by rules of evidence or the substantive, internal laws of Wisconsin. The award of the panel is final and binding, and will be enforceable at law. The arbitration provisions of Chapter 788 of the Wisconsin Statutes will apply to the arbitration proceedings, unless the parties agree on different arbitration procedures.
 - (e) The parties agree that arbitration proceedings must be instituted within two (2) years after the claimed breach occurred if reasonably discoverable or from date of discovery, if not reasonably discoverable, and that the failure to institute

arbitration proceedings within such period shall constitute an absolute bar to the institution of any proceedings and a waiver of all claims.

SECTION 19 – COOPERATION WITH GOVERNMENTAL AGENCIES

19.1 Advancement of Mutual Interests. The parties acknowledge that in order to effectively implement this Cooperative Plan, it may be necessary to obtain the cooperation and approval of other governmental agencies, including but not limited to, the East Central Wisconsin Regional Planning Commission, the Wisconsin Department of Natural Resources, and the Wisconsin Department of Transportation. In all matters necessary to implement this Cooperative Plan, the parties agree to seek the cooperation and approval of all relevant agencies. To the extent practicable, the parties will, where necessary to obtain such required approval, submit a single, joint request or other appropriate document requesting the approval.

19.2 Examples of Joint Requests. Examples of joint requests that may require the cooperation of the parties include, but are not limited to, the following:

- (a) Approvals to size and cost sharing of future sanitary sewer extensions to accommodate anticipated growth over a period of 50 years, rather than the usual 20-year planning.
- (b) Approvals to size and cost sharing of future wastewater treatment plant capacity improvements to accommodate anticipated growth over a period in excess of usual planning periods, or to plan for staged capacity increases to accommodate anticipated growth several decades in advance.
- (c) Approvals for access to Federal, State, or County roadways.
- (d) Storm water management, soil erosion control, wetlands, and woodlands management.
- (e) Approvals required by East Central Regional Planning Commission, including, without limitation, amendments to sewer service area boundaries and land exchanges between Growth Areas.

SECTION 20 – MISCELLANEOUS PROVISIONS

20.1 Amendments. This Cooperative Plan may be amended, from time to time, by mutual consent of all parties hereto. Any party wishing to propose such an amendment will give written notice to all other parties. The notice will identify the proposed amendment and the reasons supporting such amendment. Within 30 days after receipt of the notice, the parties will meet to discuss and, if necessary, negotiate the proposed amendment. If, after 90 days, the parties are unable to agree upon and approve the proposed amendment, it shall be automatically deemed to have been withdrawn and shall not thereafter be proposed for a period of one (1) year after the date of the initial notice, unless a majority of the parties jointly re-submit it for consideration. The preceding does not apply to an amendment that affects only a particular Town or the City.

20.2 Enforceability. The parties have entered into this Cooperative Plan under the authority of Sections 60.23(1), 66.0307, and 66.0301 of the Wisconsin Statutes, or as subsequently amended. Its enforceability will not be affected by statutory amendments, changes in the forms of City or

Town government, or changes in elected officials. The parties agree that this Cooperative Plan be construed so as to be binding on their respective successors, agents, and employees.

20.3 No Waiver. The failure of any party to require strict performance with any provision of this Cooperative Plan will not constitute a waiver of the provision or of any of the parties' rights under this Cooperative Plan. Rights and obligations under this Cooperative Plan may only be waived or modified in writing. Any writing waiving or modifying a right must be signed by the party waiving or modifying the right. If an obligation of a party is being waived or released, the writing must be signed by all affected parties. Waiver of one right, or release of one obligation, will not constitute a waiver or release of any other right or obligation of any party. Waivers and releases will affect only the specific right or obligation waived or released and will not affect the rights or obligations of any other party that did not sign the waiver or release.

20.4 Performance Standard. This Cooperative Plan requires the parties to act or to refrain from acting on a number of matters. The parties hereby acknowledge that this Cooperative Plan imposes on them a duty of good faith and fair dealing. In addition, whenever consent or approval is required by a party, the consent or approval will not be unreasonably withheld.

20.5 No Third Party Beneficiary. This Cooperative Plan is intended to be solely between the signatories set forth on the following pages. Nothing in this Cooperative Plan grants any third party beneficiary rights to any non-party that may be enforced by any non-party to this Cooperative Plan.

20.6 Construction. This Cooperative Plan shall be liberally construed to accomplish its intended purposes. The parties acknowledge that the language contained in this Cooperative Plan is the product of numerous individuals representing the various interests. Therefore, ambiguities shall not be construed against the drafter of this document. If any term, section, or other portion of this Cooperative Plan is reviewed by a court or other judicial or quasi-judicial entity, such entity shall treat this Cooperative Plan as having been jointly drafted by both the City and the Towns. This Cooperative Plan should be construed to give a reasonable meaning to each of its provisions, and a construction that would render any of its provisions meaningless, inexplicable, or mere surplusage is to be avoided.

20.7 Recordation. This entire Cooperative Plan shall be recorded by the parties with the Fond du Lac Register of Deeds. The costs of recording shall be shared equally by each of the signatories to this Cooperative Plan.

20.8 Counterparts. This Cooperative Plan may be signed in counterparts which, when taken together, shall be effective as if all signatures appeared on the same original. Facsimile and digital signatures constitute the same as an original.

SECTION 21 – EXHIBITS

21.1 List of Exhibits. This Cooperative Plan includes by incorporation the following exhibits:

- (a) Exhibit A: City-Town Growth Area Map
- (b) Exhibit B: City Boundary Adjustments
- (c) Exhibit C: Town Lane
- (d) Exhibit D: Authorizing Resolutions
- (e) Exhibit E: Affidavit – Distribution of Authorizing Resolutions
- (f) Exhibit F: Approving Resolutions
- (g) Exhibit G: Class 3 Notice
- (h) Exhibit H: Summary of Public Comments & Changes
- (i) Exhibit I: Comment Letters – County and RPC

SECTION 22 – ADOPTION

IN WITNESS WHEREOF, the City and Towns certify that this Cooperative Plan, including all exhibits, has been duly approved by their respective governing bodies in accordance with State and local laws, rules and regulations, and each has caused their duly authorized officers to execute this Cooperative Plan on the dates written before their respective signatures.

[This area left blank intentionally.]

TOWN OF BYRON

The undersigned officers of the Town of Byron have executed this Cooperative Plan pursuant to a duly adopted resolution of the Town Board dated February 14, 2017.

By: Bob Linn
Chairman

Date: 2/14/17

By: Mary Lindsey
Clerk

Date: 2-14-17

TOWN OF EMPIRE

The undersigned officers of the Town of Empire have executed this Cooperative Plan pursuant to a duly adopted resolution of the Town Board dated February 8, 2017

By: James Pierquet
Chairman

Date: 2/8/2017

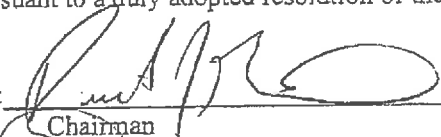
By: [Signature]
Clerk

Date: 2/8/2017

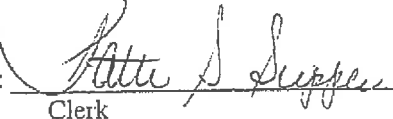
[This area left blank intentionally]

TOWN OF FOND DU LAC

The undersigned officers of the Town of Fond du Lac have executed this Cooperative Plan pursuant to a duly adopted resolution of the Town Board dated 2/13/2017.

By: 
Chairman

Date: 2/13/2017

By: 
Clerk

Date: 2/13/2017

[This area left blank intentionally.]

TOWN OF FRIENDSHIP

The undersigned officers of the Town of Friendship have executed this Cooperative Plan pursuant to a duly adopted resolution of the Town Board dated 2/9/17

By: _____

Chairman

Date: _____

By: _____

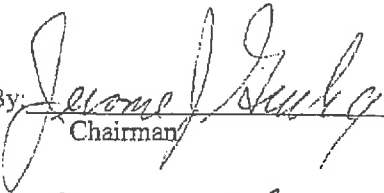
Clerk

Date: _____

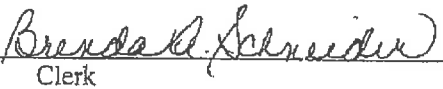
[This area left blank intentionally.]

TOWN OF TAYCHEEDAH

The undersigned officers of the Town of Taycheedah have executed this Cooperative Plan pursuant to a duly adopted resolution of the Town Board dated 2/16/17

By: 
Chairman

Date: 2/16/17


By: 
Clerk

Date: 2/16/17

[This area left blank intentionally.]

CITY OF FOND DU LAC

The undersigned officers of the City of Fond du Lac have executed this Cooperative Plan pursuant to a duly adopted resolution of the City Council dated 1/25/2017.

By: 
City Manager

Date: 1/25/2017

By: 
City Clerk

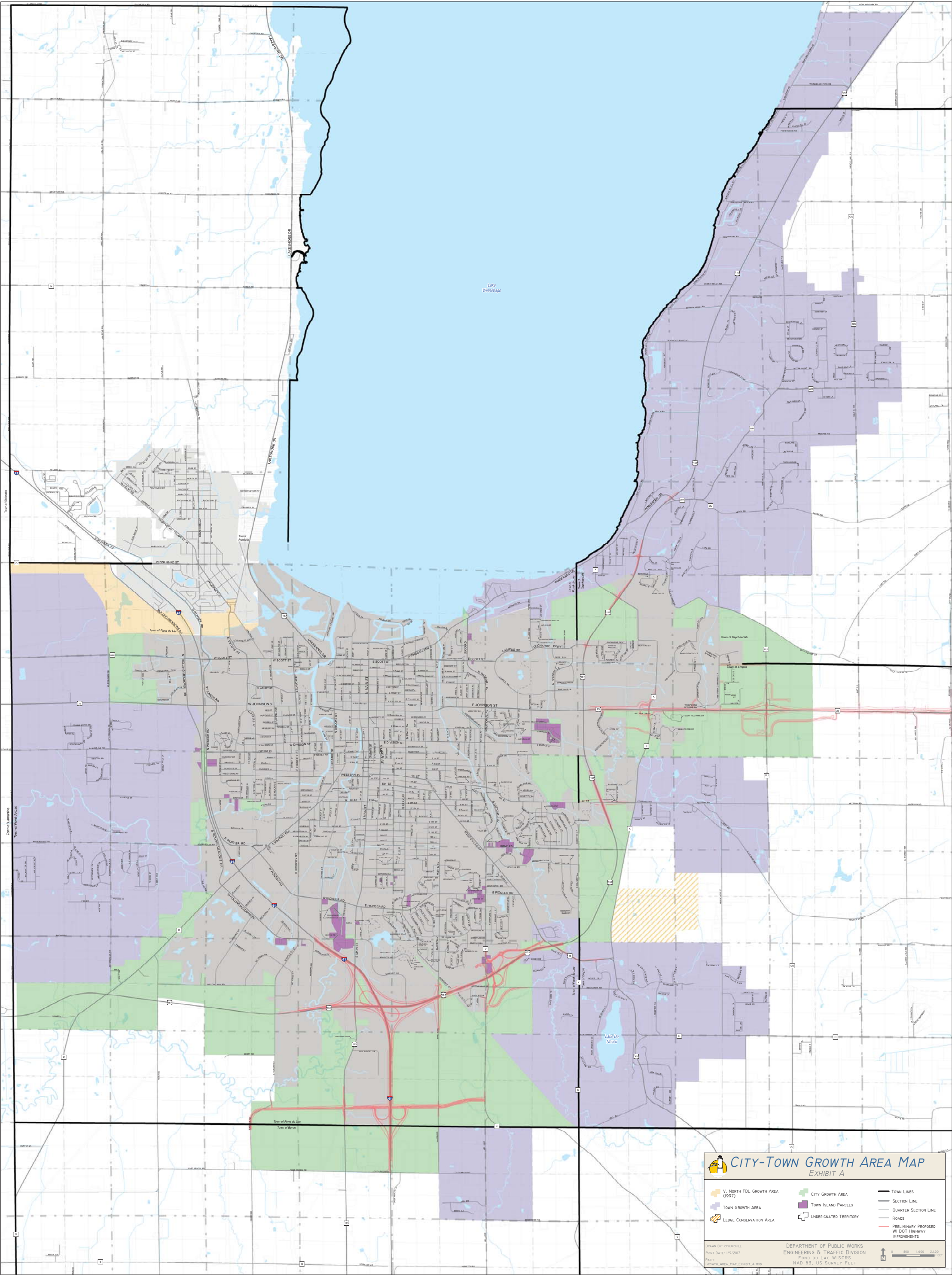
Date: 1/25/2017

[This area left blank intentionally.]

EXHIBIT “A”

Map Identifying City and Town Growth Areas

See attached



CITY-TOWN GROWTH AREA MAP

EXHIBIT A

- | | | |
|---------------------------------|------------------------|--|
| V. NORTH FDL GROWTH AREA (1997) | CITY GROWTH AREA | TOWN LINES |
| TOWN GROWTH AREA | TOWN ISLAND PARCELS | SECTION LINE |
| LEDGE CONSERVATION AREA | UNDESIGNATED TERRITORY | QUARTER SECTION LINE |
| | | ROADS |
| | | PRELIMINARY PROPOSED WI DOT HIGHWAY IMPROVEMENTS |

Drawn by: CHORCHILL
Print Date: 1/9/2017
PATK: GROWTH_AREA_MAP_C00011A.MXD

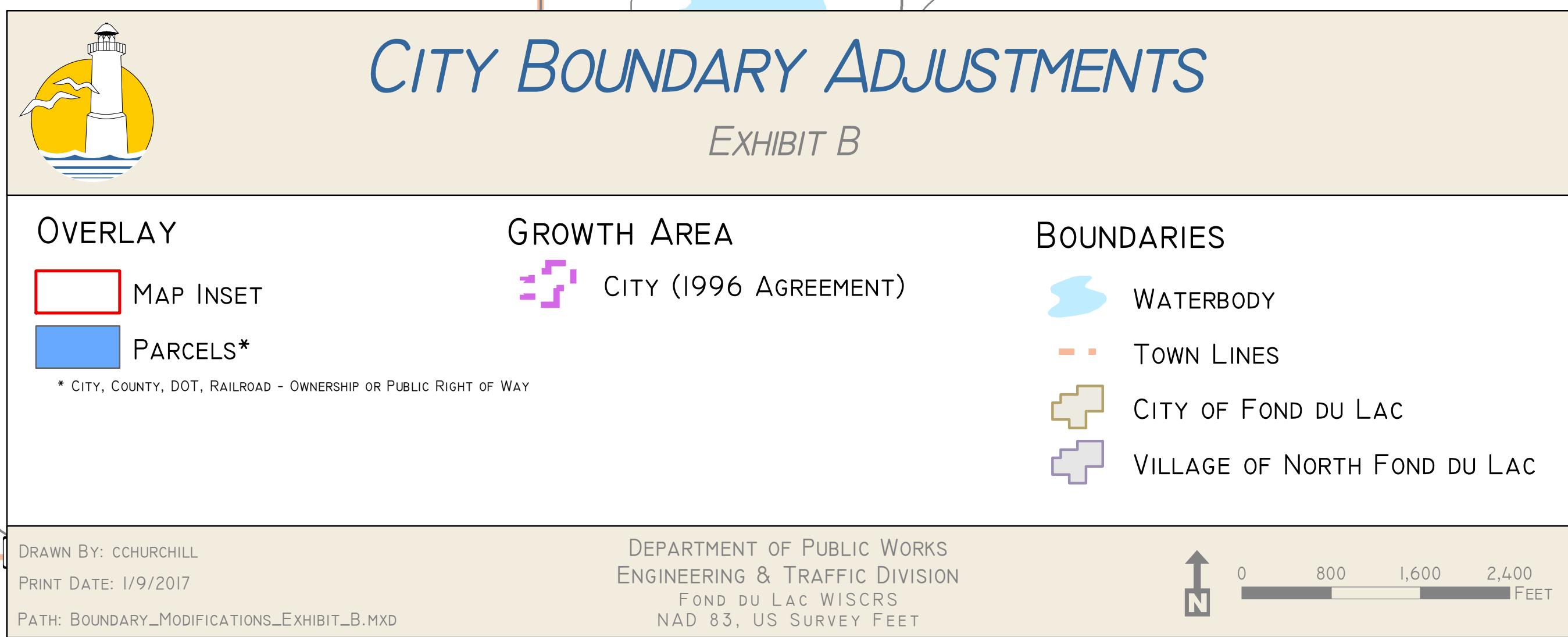
DEPARTMENT OF PUBLIC WORKS
ENGINEERING & TRAFFIC DIVISION
FOND DU LAC, WISCONSIN
NAD 83, US SURVEY FEET

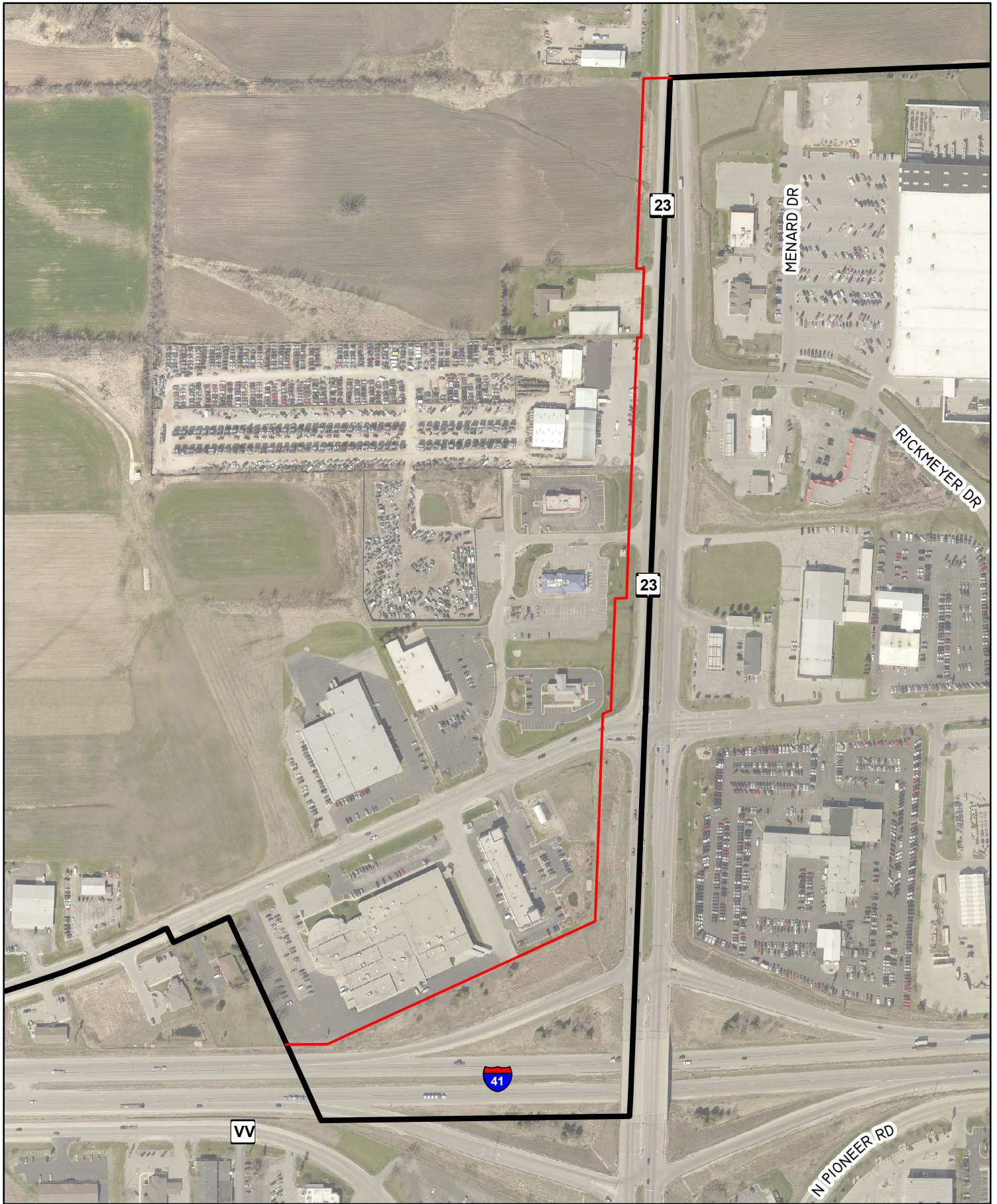
0 800 1,600 2,400
Feet

EXHIBIT "B"

Map Identifying City Boundary Adjustments

See attached





MAP INSET I
BOUNDARY ADJUSTMENT

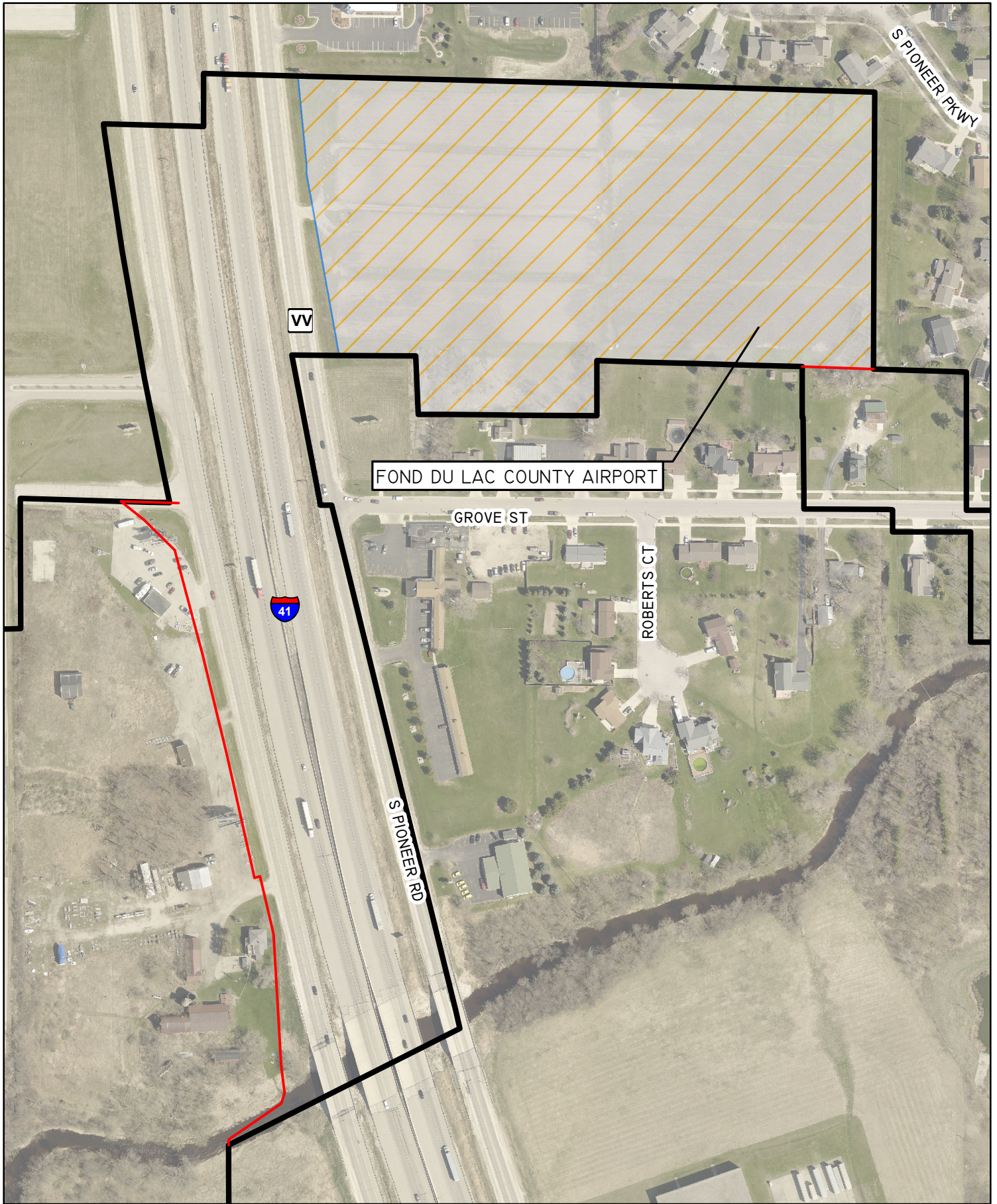
- PROPOSED BOUNDARY ADJUSTMENTS
- AFFECTED PARCELS
- EXISTING CITY BOUNDARY

PARCEL OWNERSHIP



DRAWN BY: CHURCHILL DATE: 6/30/2015

1:4,000



MAP INSET 2
ATTACHMENT

- PROPOSED BOUNDARY ADJUSTMENTS
- AFFECTED PARCELS
- EXISTING CITY BOUNDARY

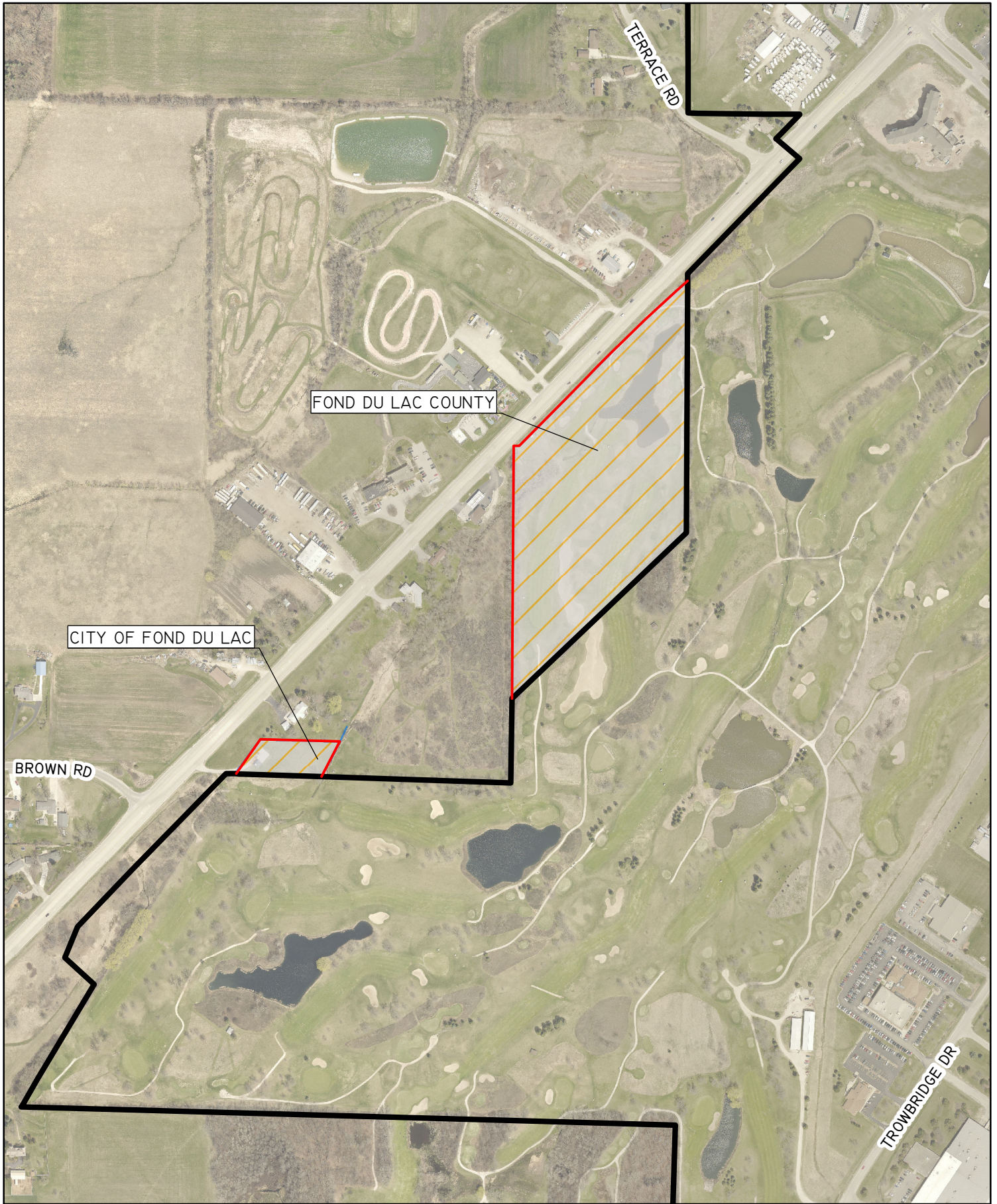
PARCEL OWNERSHIP

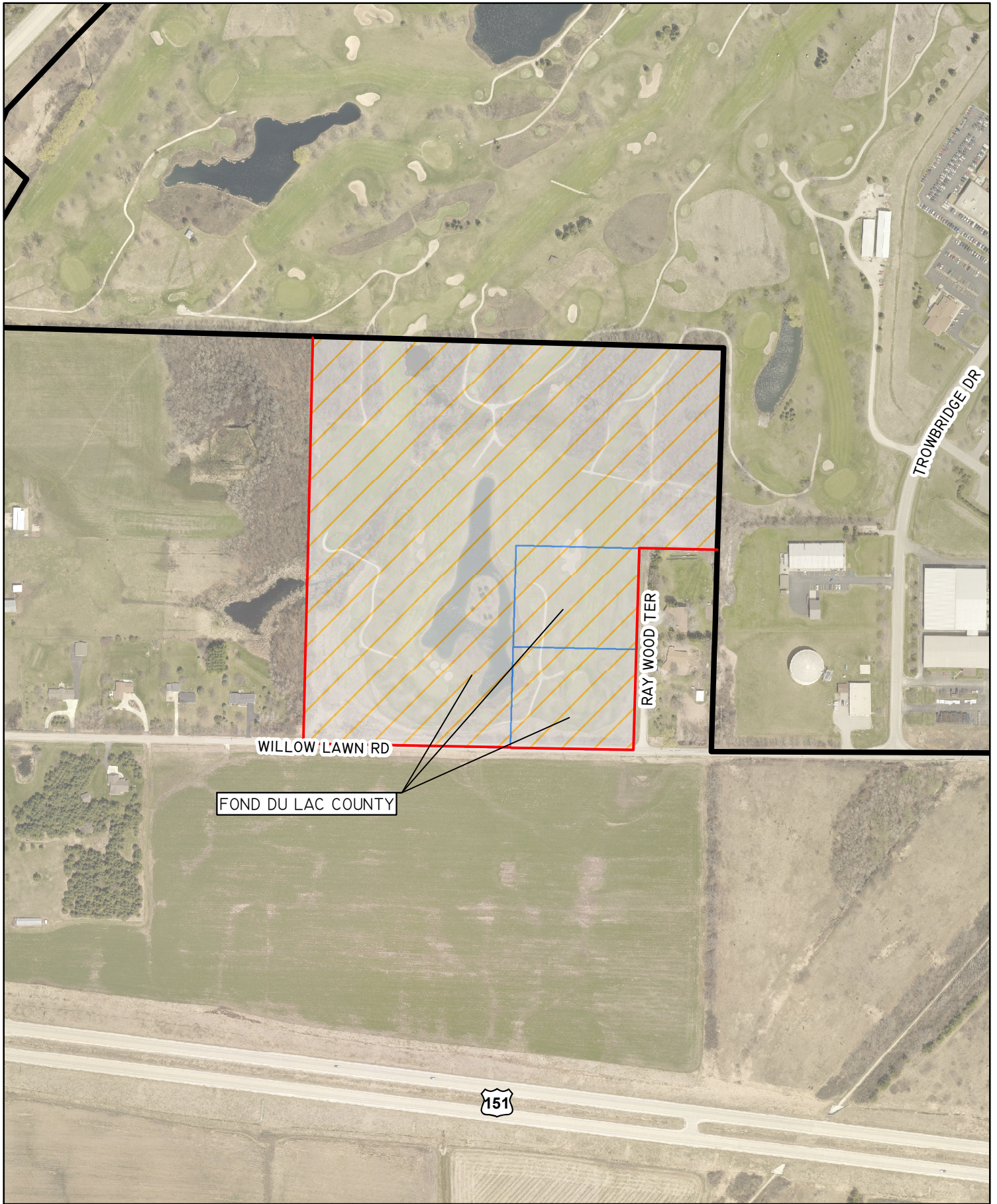


1:2,750

DRAWN BY: CCHURCHILL DATE: 6/30/2015







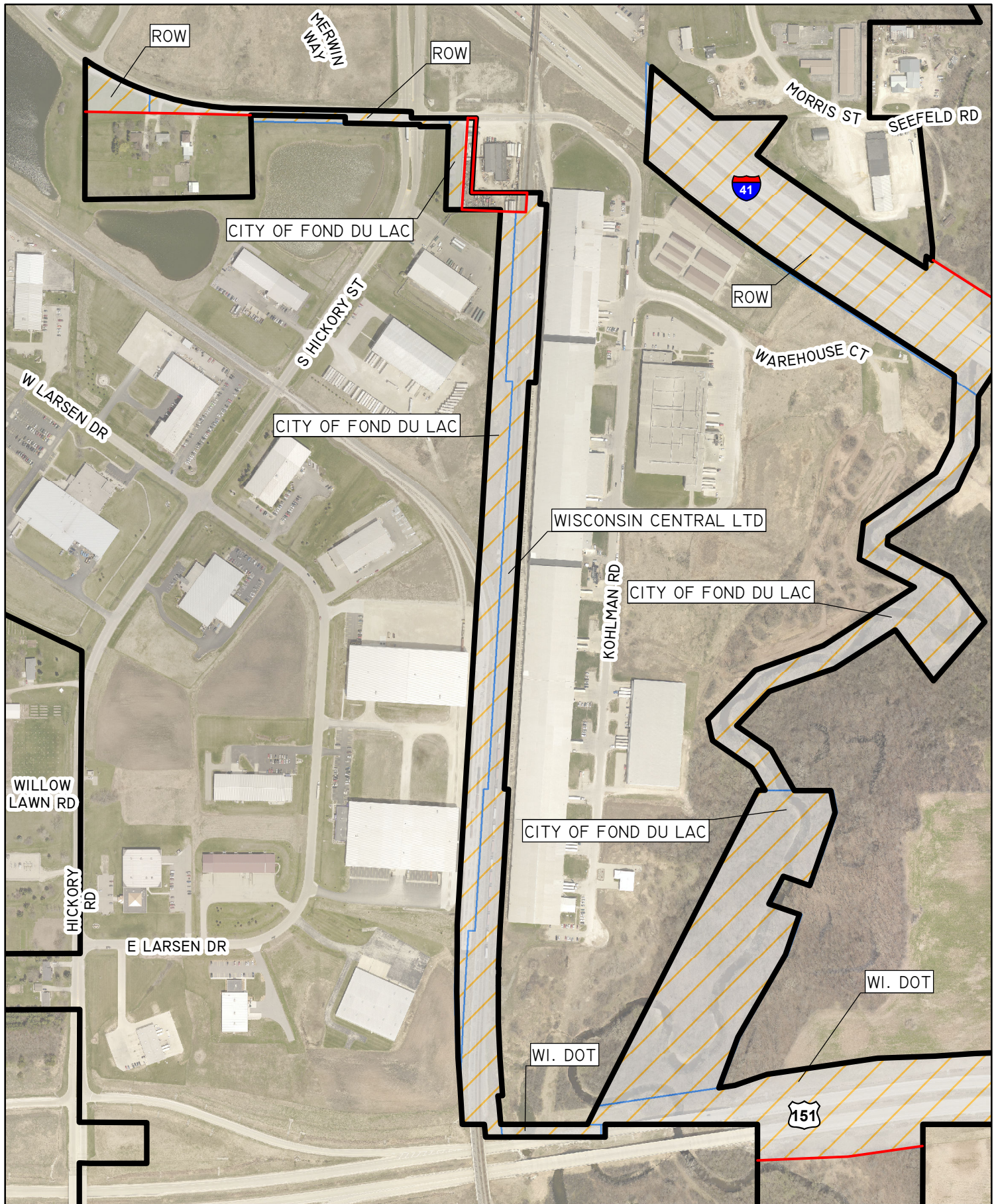
MAP INSET 3B
ATTACHMENT

- PROPOSED BOUNDARY ADJUSTMENTS
- AFFECTED PARCELS
- EXISTING CITY BOUNDARY

PARCEL OWNERSHIP



DRAWN BY: CCHURCHILL DATE: 7/14/2015



MAP INSET 5

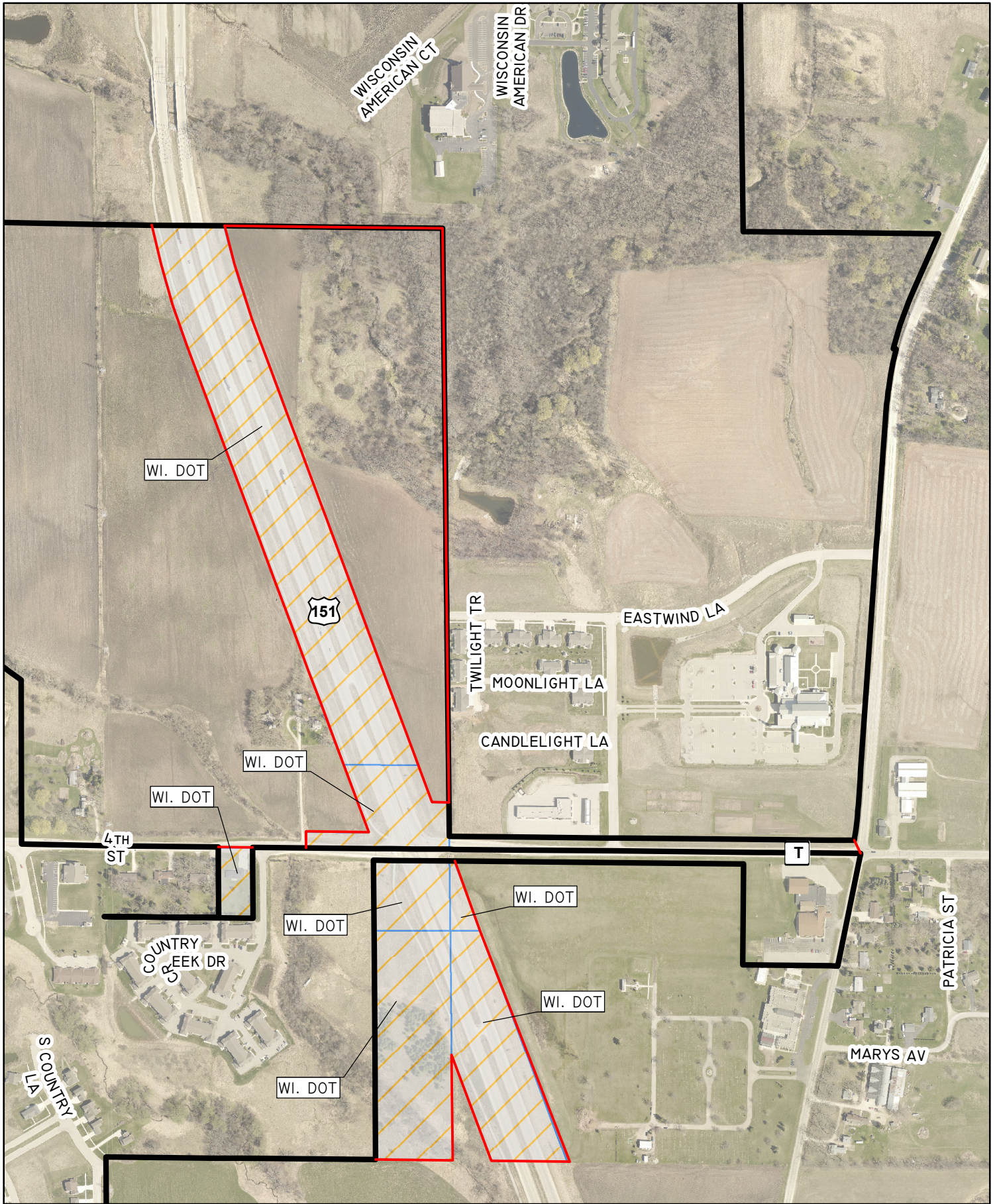
ISLAND CREATION

- PROPOSED BOUNDARY ADJUSTMENTS
- ▨ AFFECTED PARCELS
- EXISTING CITY BOUNDARY

PARCEL OWNERSHIP



DRAWN BY: CHURCHILL DATE: 6/30/2015



MAP INSET 6 ISLAND CREATION

- PROPOSED BOUNDARY ADJUSTMENTS
- AFFECTED PARCELS
- EXISTING CITY BOUNDARY

PARCEL OWNERSHIP

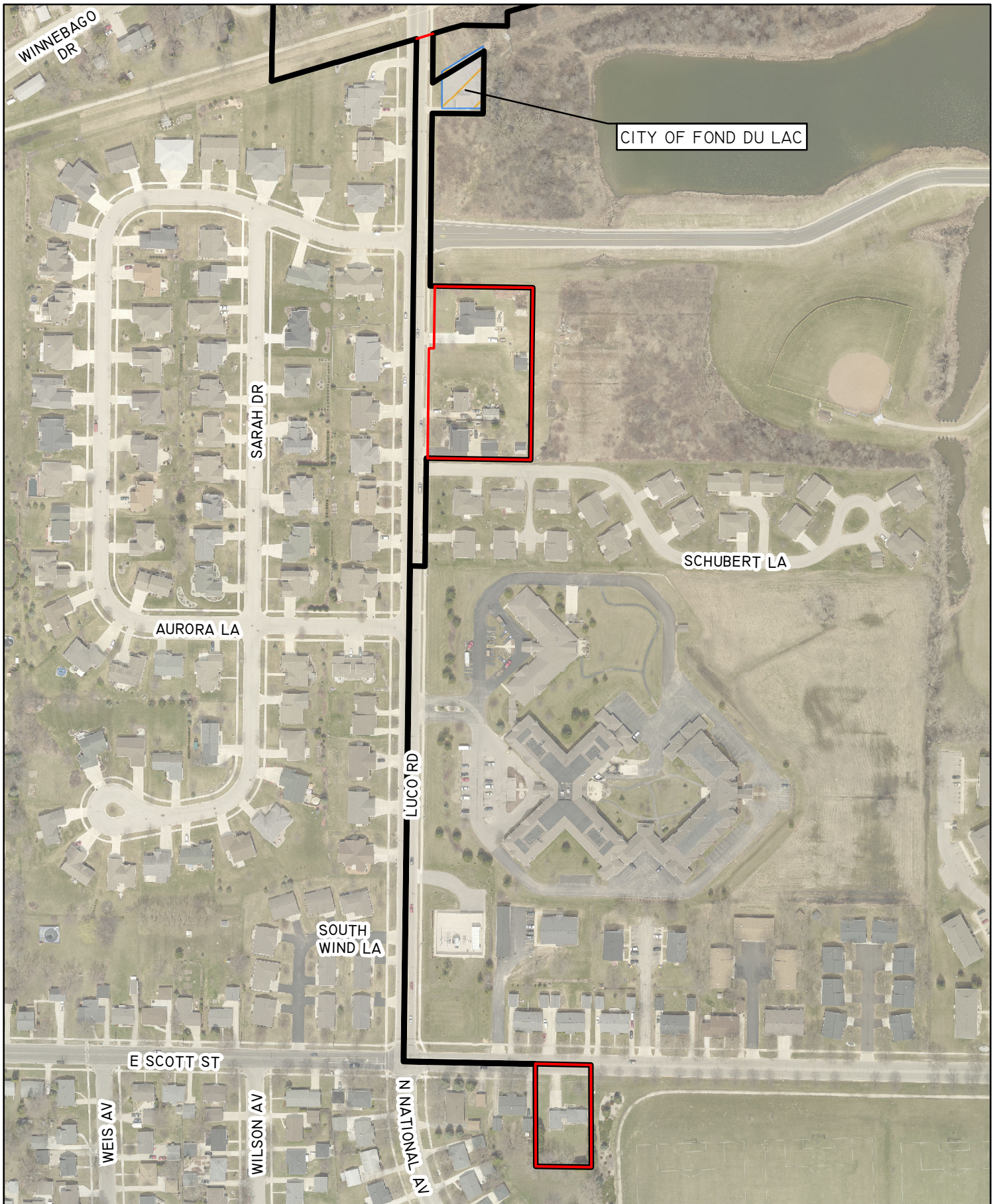


DRAWN BY: CCHURCHILL DATE: 6/30/2015

1:6,500



	<p>MAP INSET 6 (ALTERNATE)</p> <p>ISLAND CREATION</p>	<div> <div> <p>AFFECTED PARCELS</p> </div> <div> <p>RESULTING CITY BOUNDARY</p> </div> </div> <div> <div> <p>PARCEL OWNERSHIP</p> </div> <div> <p>DRAWN BY: CCHURCHILL DATE: 6/30/2015</p> </div> </div>	<div> <p>1:6,500</p> </div>
--	--	--	-----------------------------





 <p>MAP INSET 7</p> <p>ISLAND CREATION</p>	<p>— PROPOSED BOUNDARY ADJUSTMENTS</p> <p>— AFFECTED PARCELS</p> <p>— EXISTING CITY BOUNDARY</p>	<p>PARCEL OWNERSHIP</p> <div data-bbox="1429 1900 1534 1995">  </div> <p>1:3,000</p>
	<p>DRAWN BY: CCHURCHILL DATE: 6/30/2015</p>	

EXHIBIT "C"

Map Identifying Town of Fond du Lac deferred commercial or
industrial development along Town Line Road Highway 151
lane to the City of Fond du Lac.

See attached



TOWN LANE


EXHIBIT C

 TOWN LINE

 CITY GROWTH AREA

 PARCELS

 TOWN GROWTH AREA

 CITY BOUNDARY

DRAWN BY: CCHURCHILL DATE: 1/9/2017

DEPARTMENT OF PUBLIC WORKS
ENGINEERING & TRAFFIC DIVISION

0 500 1,000



1 INCH = 900 FEET

FOND DU LAC WISCONSIN
NAD 83, US SURVEY FEET

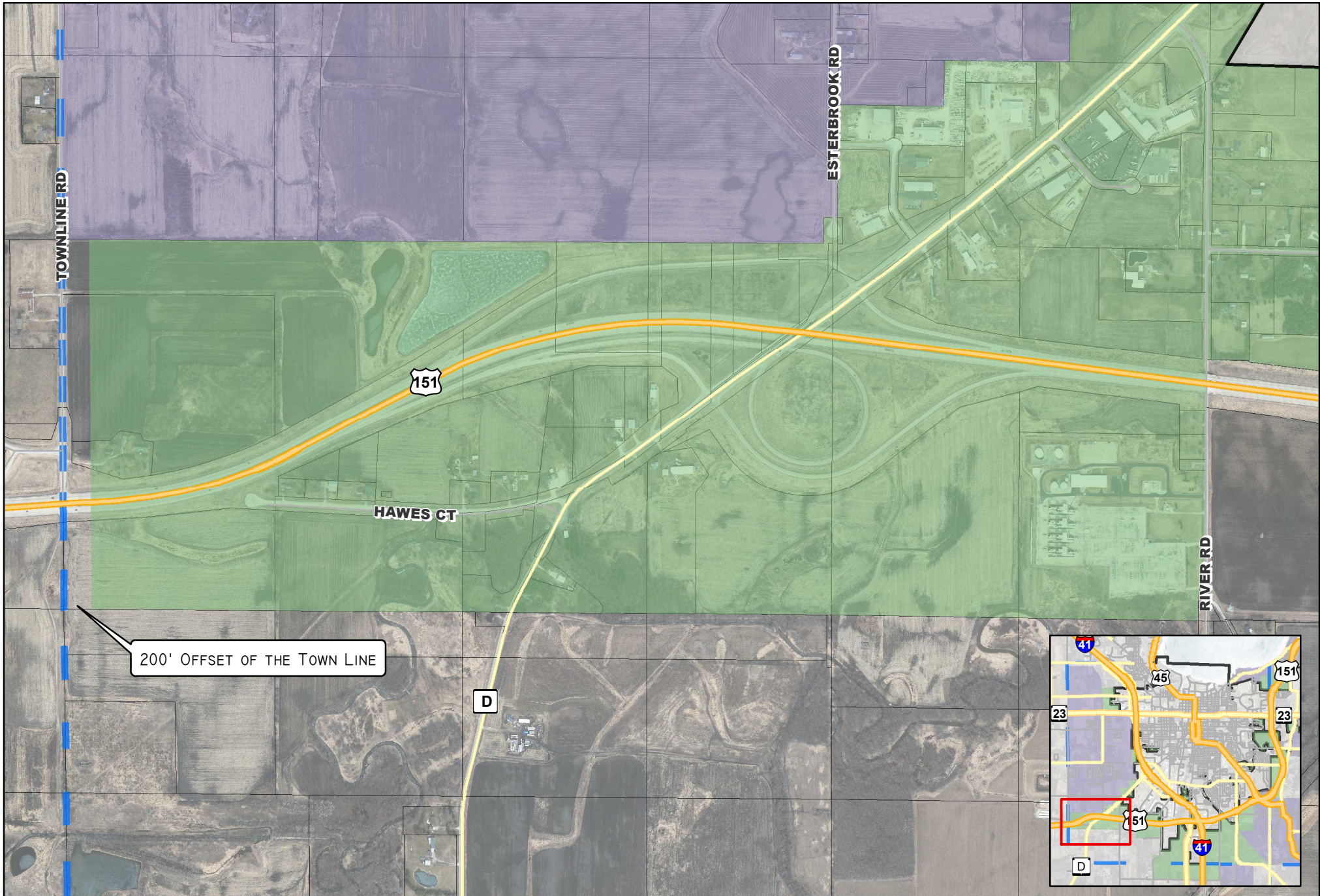


EXHIBIT D

Authorizing Resolutions

July 15, 2016

To: Parties Identified on Attached Distribution List


Re: Notice of Adoption of Resolutions Authorizing Participation in the Preparation of
a Cooperative Plan Pursuant to Wis. Stat. § 66.0307

Greetings:

Enclosed are copies of Resolutions adopted by the City of Fond du Lac and the Towns of Byron,
Empire, Fond du Lac, Friendship and Taycheedah, all located in Fond du Lac County,
Wisconsin. This notice is being provided to you pursuant to Wis. Stat. § 66.0307.


Sincerely,

On Behalf of the Towns of Byron, Empire,
Fond du Lac, Friendship and Taycheedah

By: 
John A. St. Peter
Authorized Representative

Sincerely,

On Behalf of the City of Fond du Lac

By: 
Dyann Benson
Authorized Representative

Encs. Authorizing Resolutions
Distribution List

DISTRIBUTION LIST OF TOWNS OF BYRON, EMPIRE, FOND DU LAC, FRIENDSHIP
AND TAYCHEEDAH, FOND DU LAC COUNTY, WI
RESOLUTIONS PURSUANT TO WIS. STAT. § 66.0307

Wisconsin Department of Administration
Division of Intergovernmental Relations
Municipal Boundary Review
P.O. Box 1645
Madison, WI 53701-1645

Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

Wisconsin Department of Agriculture, Trade
& Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911

Wisconsin Department of Transportation
P.O. Box 7910
Madison, WI 53707-7910

Moraine Park Technical College
235 N. National Avenue
Fond du Lac, WI 54935

Fond du Lac County
c/o Planning & Parks Department
160 S. Macy Street
Fond du Lac, WI 54935

East Central Wisconsin Regional Planning
Commission
400 Ahnaip Street, Suite 100
Menasha, WI 54952

Fond du Lac School District
72 W. Ninth Street
Fond du Lac, WI 54935

Town of Fond du Lac
c/o Town Clerk
N5256 County Road V
Fond du Lac, WI 54937

School District of North Fond du Lac
225 McKinley Street
North Fond du Lac, WI 54937

School District of Oakfield
200 White Street
Oakfield, WI 53065

Campbellsport School District
114 W. Sheboygan Street
Campbellsport, WI 53010

New Holstein School District
1715 Plymouth Street
New Holstein, WI 53061

Town of Calumet
c/o Town Clerk
N934 Sunset Lane
New Holstein, WI 53061-9404

Town of Taycheedah
c/o Town Clerk
W4295 Kiekhaefer Pkwy
Fond du Lac, WI 54937

Town of Friendship
c/o Town Clerk
N8822 Lakeshore Drive
Van Dyne, WI 54979

City of Fond du Lac
c/o City Clerk
160 S. Macy Street
Fond du Lac, WI 54935

Town of Empire
c/o Town Clerk
W3897 Fourth Street Road
Fond du Lac, WI 54937

Town of Lamartine
c/o Town Clerk
N5367 Hillcrest Road
Fond du Lac, WI 54937

Town of Eden
c/o Town Clerk
N3352 Eagle Road
Eden, WI 53019

Town of Oakfield
c/o Town Clerk
N2576 County Road YY
Oakfield, WI 53065

Town of Forest
c/o Town Clerk
N6199 Loehr Road
Mt. Calvary, WI 53057

Town of LeRoy
c/o Town Clerk
W4197 Ledge Road
Mayville, WI 53050

Village of Eden
c/o Clerk-Treasurer
P.O. Box 65
Eden, WI 53019

Village of St. Cloud
c/o Clerk/Treasurer
P.O. Box 395
St. Cloud, WI 53079

Village of North Fond du Lac
c/o Village Administrator/Clerk/Treasurer
16 Garfield
North Fond du Lac, WI 54937

Empire Sanitary District #1
c/o President
N5295 Club DeNeveu Drive
Fond du Lac, WI 54935

Town of Byron
c/o Town Clerk
W3438 Maple Lane
Fond du Lac, WI 54935

Town of Eldorado
c/o Town Clerk
N7378 Deer Vu Lane
Eldorado, WI 54932

Town of Marshfield
c/o Town Clerk
P.O. Box 94
Mt. Calvary, WI 53057-0094

Town of Osceola
c/o Town Clerk
N1093 Airport Road
Campbellsport, WI 53010

Town of Lomira
c/o Town Clerk
N11392 Cty. Rod AY
Brownsville, WI 53006

Village of Oakfield
c/o Clerk/Treasurer
130 N. Main Street
P.O. Box 98
Oakfield, WI 53065

Village of Mt. Calvary
c/o Village Clerk
970 Calvary Street
Mt. Calvary, WI 53057

Calumet Sanitary District #1
W934 Sunset Lane
New Holstein, WI 53061

Empire Sanitary District #2
c/o President
W4478 Mary Hill Park Drive
Fond du Lac, WI 54937-9313

Empire Sanitary District #3
N6338 Reilly Drive
Fond du Lac, WI 54937

Town of Fond du Lac Sanitary District #2
W5342 Bechaud Beach Drive
Fond du Lac, WI 54935

Town of Fond du Lac Sanitary District #3
c/o Patti Supple
N5256 County Road V
Fond du Lac, WI 54937

Town of Fond du Lac Sanitary District #4
c/o John Ransom
P.O. Box 1316
Fond du Lac, WI 54936-1316

Town of Fond du Lac Sanitary District #6
c/o LeRoy Schmitz
W6826 State Road 23
Fond du Lac, WI 54937

LeRoy Sanitary District No. 1
c/o President
N10404 Highway Y
Mayville, WI 53050

Town of Fond du Lac Water Utility District No. 1
c/o Robert Giese
W5320 Giese Drive
Fond du Lac, WI 54935

Johnsburg Sanitary District
c/o Brenda Schneider
W4295 Kiekhaefer Parkway
Fond du Lac, WI 54937

Friendship Consolidated Sanitary District #1
c/o President
7852 S. US Hwy 45
Oshkosh, WI 54902

Friendship Sanitary District #2
c/o Eric Flood
N7559 N. Pioneer Road
Fond du Lac, WI 54937

Taycheedah Sanitary District #1
c/o Priscilla Yohann
W4295 Kiekhaefer Parkway
Fond du Lac, WI 54937

Taycheedah Sanitary District #3
c/o President
N8117 Rolling Hills Drive
Fond du Lac, WI 54937

RESOLUTION NO. 8620

**A RESOLUTION OF THE CITY OF FOND DU LAC AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE TOWNS OF BYRON, FOND DU LAC, EMPIRE,
TAYCHEEDAH AND FRIENDSHIP**

WHEREAS, the City of Fond du Lac ("City") and the Towns of Byron, Fond du Lac, Empire, Taycheedah and Friendship ("Towns") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the City and the Towns; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

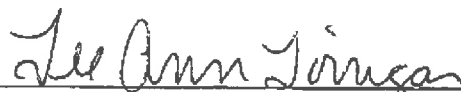
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Fond du Lac that pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

BE IT FURTHER RESOLVED, that promptly upon the adoption of this resolution, the City Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the City, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the City and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the proper City officials are hereby authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

ADOPTED:
JUL 13 2016



Lee Ann Lorrigan, President
Fond du Lac City Council

Attest:

City Attorney:



Margaret Hefter, City Clerk

Reviewed 

**RESOLUTION OF THE TOWN OF BYRON AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Byron ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 12th day of July, 2016.

TOWN OF BYRON

By: Bob Simon Town Chair
Bob Simon, Town Chairperson

Attest:

Mary Laudolff, Town Clerk
Mary Laudolff, Town Clerk

**RESOLUTION OF THE TOWN OF EMPIRE AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

Resolution #2016-7-1

WHEREAS, the Town of Empire ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and


FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 13th day of July, 2016.

TOWN OF EMPIRE

By: James Pierquet
James Pierquet, Town Chairperson

Attest:


Michael D. Morgan, Town Clerk

**RESOLUTION OF THE TOWN OF FOND DU LAC AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Fond du Lac ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

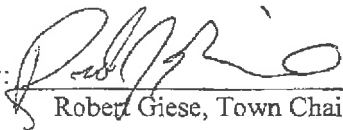
FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

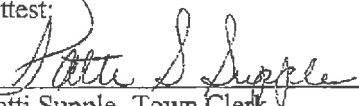
FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 11th day of July, 2016.

TOWN OF FOND DU LAC

By: 
Robert Giese, Town Chairperson

Attest:

Patti Supple, Town Clerk

**RESOLUTION OF THE TOWN OF FRIENDSHIP AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Friendship ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 14th day of July, 2016.

TOWN OF FRIENDSHIP

By: /s/ Jeff Meisenburg
Jeff Meisenburg, Town Chairperson

Attest:

/s/ Lori Hoffmann
Lori Hofmann, Town Clerk

**RESOLUTION OF THE TOWN OF TAYCHEEDAH AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Taycheedah ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

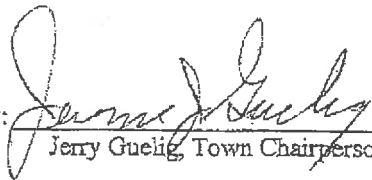
FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 11th day of July, 2016.

TOWN OF TAYCHEEDAH

By: 
Jerry Guelig, Town Chairperson

Attest:


Brenda Schneider, Town Clerk

EXHIBIT E

Affidavit – Authorizing Resolutions Sent to

Department of Administration

Department of Natural Resources

Department of Transportation

Department of Agriculture, Trade & Consumer Protection

County Clerk

County Planning


Regional Planning Commission

& Other Jurisdictions

AFFIDAVIT OF MAILING

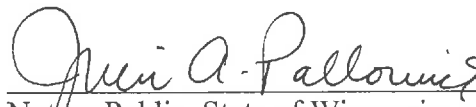
STATE OF WISCONSIN)
) ss.
FOND DU LAC COUNTY)

Mary Jo Kraus, being first duly sworn, on oath, deposes and says that she is a legal assistant in the offices of Edgerton, St. Peter, Petak & Rosenfeldt, and that on the 15th day of July, 2016, she mailed a true and correct copy of the materials attached as Exhibit A to the recipients identified on the attached Exhibit B with sufficient postage thereon via first class U.S. mail.



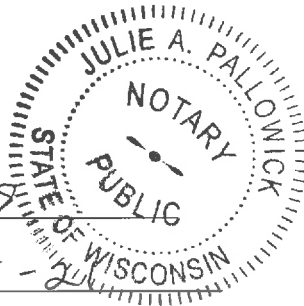
Mary Jo Kraus

Subscribed and sworn to before me
on this 27th day of March, 2017.



Notary Public, State of Wisconsin

My Commission expires: 1-15-20



July 15, 2016

To: Parties Identified on Attached Distribution List

Re: Notice of Adoption of Resolutions Authorizing Participation in the Preparation of
a Cooperative Plan Pursuant to Wis. Stat. § 66.0307

Greetings:

Enclosed are copies of Resolutions adopted by the City of Fond du Lac and the Towns of Byron,
Empire, Fond du Lac, Friendship and Taycheedah, all located in Fond du Lac County,
Wisconsin. This notice is being provided to you pursuant to Wis. Stat. § 66.0307.

Sincerely,

On Behalf of the Towns of Byron, Empire,
Fond du Lac, Friendship and Taycheedah

By:



John A. St. Peter
Authorized Representative

Sincerely,

On Behalf of the City of Fond du Lac

By:



Dyann Benson
Authorized Representative

Encs. Authorizing Resolutions
Distribution List



DISTRIBUTION LIST OF TOWNS OF BYRON, EMPIRE, FOND DU LAC, FRIENDSHIP
AND TAYCHEEDAH, FOND DU LAC COUNTY, WI
RESOLUTIONS PURSUANT TO WIS. STAT. § 66.0307

Wisconsin Department of Administration
Division of Intergovernmental Relations
Municipal Boundary Review
P.O. Box 1645
Madison, WI 53701-1645

Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

Wisconsin Department of Agriculture, Trade
& Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911

Wisconsin Department of Transportation
P.O. Box 7910
Madison, WI 53707-7910

Moraine Park Technical College
235 N. National Avenue
Fond du Lac, WI 54935

Fond du Lac County
c/o Planning & Parks Department
160 S. Macy Street
Fond du Lac, WI 54935

East Central Wisconsin Regional Planning
Commission
400 Ahnaip Street, Suite 100
Menasha, WI 54952

Fond du Lac School District
72 W. Ninth Street
Fond du Lac, WI 54935

Town of Fond du Lac
c/o Town Clerk
N5256 County Road V
Fond du Lac, WI 54937

School District of North Fond du Lac
225 McKinley Street
North Fond du Lac, WI 54937

School District of Oakfield
200 White Street
Oakfield, WI 53065

Campbellsport School District
114 W. Sheboygan Street
Campbellsport, WI 53010

New Holstein School District
1715 Plymouth Street
New Holstein, WI 53061

Town of Calumet
c/o Town Clerk
N934 Sunset Lane
New Holstein, WI 53061-9404

Town of Taycheedah
c/o Town Clerk
W4295 Kiekhaefer Pkwy
Fond du Lac, WI 54937

Town of Friendship
c/o Town Clerk
N8822 Lakeshore Drive
Van Dyne, WI 54979

City of Fond du Lac
c/o City Clerk
160 S. Macy Street
Fond du Lac, WI 54935

Town of Empire
c/o Town Clerk
W3897 Fourth Street Road
Fond du Lac, WI 54937

Town of Lamartine
c/o Town Clerk
N5367 Hillcrest Road
Fond du Lac, WI 54937

Town of Eden
c/o Town Clerk
N3352 Eagle Road
Eden, WI 53019

Town of Oakfield
c/o Town Clerk
N2576 County Road YY
Oakfield, WI 53065

Town of Forest
c/o Town Clerk
N6199 Loehr Road
Mt. Calvary, WI 53057

Town of LeRoy
c/o Town Clerk
W4197 Ledge Road
Mayville, WI 53050

Village of Eden
c/o Clerk-Treasurer
P.O. Box 65
Eden, WI 53019

Village of St. Cloud
c/o Clerk/Treasurer
P.O. Box 395
St. Cloud, WI 53079

Village of North Fond du Lac
c/o Village Administrator/Clerk/Treasurer
16 Garfield
North Fond du Lac, WI 54937

Empire Sanitary District #1
c/o President
N5295 Club DeNeveu Drive
Fond du Lac, WI 54935

Town of Byron
c/o Town Clerk
W3438 Maple Lane
Fond du Lac, WI 54935

Town of Eldorado
c/o Town Clerk
N7378 Deer Vu Lane
Eldorado, WI 54932

Town of Marshfield
c/o Town Clerk
P.O. Box 94
Mt. Calvary, WI 53057-0094

Town of Osceola
c/o Town Clerk
N1093 Airport Road
Campbellsport, WI 53010

Town of Lomira
c/o Town Clerk
N11392 Cty. Rod AY
Brownsville, WI 53006

Village of Oakfield
c/o Clerk/Treasurer
130 N. Main Street
P.O. Box 98
Oakfield, WI 53065

Village of Mt. Calvary
c/o Village Clerk
970 Calvary Street
Mt. Calvary, WI 53057

Calumet Sanitary District #1
W934 Sunset Lane
New Holstein, WI 53061

Empire Sanitary District #2
c/o President
W4478 Mary Hill Park Drive
Fond du Lac, WI 54937-9313

Empire Sanitary District #3
N6338 Reilly Drive
Fond du Lac, WI 54937

Town of Fond du Lac Sanitary District #2
W5342 Bechaud Beach Drive
Fond du Lac, WI 54935

Town of Fond du Lac Sanitary District #3
c/o Patti Supple
N5256 County Road V
Fond du Lac, WI 54937

Town of Fond du Lac Sanitary District #4
c/o John Ransom
P.O. Box 1316
Fond du Lac, WI 54936-1316

Town of Fond du Lac Sanitary District #6
c/o LeRoy Schmitz
W6826 State Road 23
Fond du Lac, WI 54937

LeRoy Sanitary District No. 1
c/o President
N10404 Highway Y
Mayville, WI 53050

Town of Fond du Lac Water Utility District No. 1
c/o Robert Giese
W5320 Giese Drive
Fond du Lac, WI 54935

Johnsburg Sanitary District
c/o Brenda Schneider
W4295 Kiekhaefer Parkway
Fond du Lac, WI 54937

Friendship Consolidated Sanitary District #1
c/o President
7852 S. US Hwy 45
Oshkosh, WI 54902

Friendship Sanitary District #2
c/o Eric Flood
N7559 N. Pioneer Road
Fond du Lac, WI 54937

Taycheedah Sanitary District #1
c/o Priscilla Yohann
W4295 Kiekhaefer Parkway
Fond du Lac, WI 54937

Taycheedah Sanitary District #3
c/o President
N8117 Rolling Hills Drive
Fond du Lac, WI 54937

RESOLUTION NO. 8620

**A RESOLUTION OF THE CITY OF FOND DU LAC AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE TOWNS OF BYRON, FOND DU LAC, EMPIRE,
TAYCHEEDAH AND FRIENDSHIP**

WHEREAS, the City of Fond du Lac ("City") and the Towns of Byron, Fond du Lac, Empire, Taycheedah and Friendship ("Towns") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the City and the Towns; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

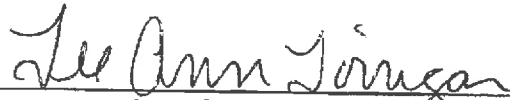
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Fond du Lac that pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

BE IT FURTHER RESOLVED, that promptly upon the adoption of this resolution, the City Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the City, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the City and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the proper City officials are hereby authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

ADOPTED:
JUL 13 2016



Lee Ann Lorrigan, President
Fond du Lac City Council

Attest:

City Attorney:



Margaret Hefter, City Clerk

Reviewed 

**RESOLUTION OF THE TOWN OF BYRON AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Byron ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 12th day of July, 2016.

TOWN OF BYRON

By: Bob Simon Town Chair
Bob Simon, Town Chairperson

Attest:

Mary Laudolff, Town Clerk
Mary Laudolff, Town Clerk

**RESOLUTION OF THE TOWN OF EMPIRE AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

Resolution #2016-7-1

WHEREAS, the Town of Empire ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and


FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 13th day of July, 2016.

TOWN OF EMPIRE

By: James Pierquet
James Pierquet, Town Chairperson

Attest:


Michael D. Morgan, Town Clerk

**RESOLUTION OF THE TOWN OF FOND DU LAC AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Fond du Lac ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

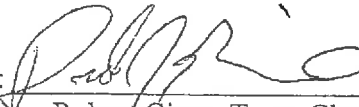
FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

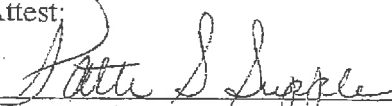
FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 11th day of July, 2016.

TOWN OF FOND DU LAC

By: 
Robert Giese, Town Chairperson

Attest:

Patti Supple, Town Clerk

**RESOLUTION OF THE TOWN OF FRIENDSHIP AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Friendship ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 14th day of July, 2016.

TOWN OF FRIENDSHIP

By: /s/ Jeff Meisenburg
Jeff Meisenburg, Town Chairperson

Attest:

/s/ Lori Hoffmann
Lori Hofmann, Town Clerk

**RESOLUTION OF THE TOWN OF TAYCHEEDAH AUTHORIZING
PARTICIPATION IN THE PREPARATION OF A COOPERATIVE PLAN
WITH THE CITY OF FOND DU LAC**

WHEREAS, the Town of Taycheedah ("Town") and the City of Fond du Lac ("City") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement will expire in 2016; and

WHEREAS, the Town and the City, together with other area towns, wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan will have the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Town and the City; and

WHEREAS, cooperative planning is in the best interests of the Town and the City as participating municipalities; and

WHEREAS, the purpose of this resolution is to authorize participation in the cooperative planning process described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, pursuant to Wis. Stat. § 66.0307(4)(a), does hereby authorize participation in the preparation of a cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307;

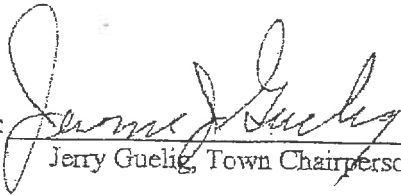
FURTHER RESOLVED, that promptly upon the adoption of this resolution, the Town Clerk shall forward a copy of this resolution to the parties listed in Wis. Stat. § 66.0307(4)(a); and

FURTHER RESOLVED, that at least 60 days after the adoption of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the State for review and approval, the Town, together with the other participating municipalities, shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by the Town and each of the other participating municipalities by Class 3 notice; and

FURTHER RESOLVED, that the Town Clerk and the Town Attorney are authorized and directed to take all other necessary and appropriate action consistent with this authorizing resolution.

Adopted this 11th day of July, 2016.

TOWN OF TAYCHEEDAH

By: 
Jerry Guelig, Town Chairperson

Attest:


Brenda Schneider, Town Clerk

DISTRIBUTION LIST OF TOWNS OF BYRON, EMPIRE, FOND DU LAC, FRIENDSHIP
AND TAYCHEEDAH, FOND DU LAC COUNTY, WI
RESOLUTIONS PURSUANT TO WIS. STAT. § 66.0307

Wisconsin Department of Administration
Division of Intergovernmental Relations
Municipal Boundary Review
P.O. Box 1645
Madison, WI 53701-1645

Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

Wisconsin Department of Agriculture, Trade
& Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911

Wisconsin Department of Transportation
P.O. Box 7910
Madison, WI 53707-7910

Moraine Park Technical College
235 N. National Avenue
Fond du Lac, WI 54935

Fond du Lac County
c/o Planning & Parks Department
160 S. Macy Street
Fond du Lac, WI 54935

East Central Wisconsin Regional Planning
Commission
400 Ahnaip Street, Suite 100
Menasha, WI 54952

Fond du Lac School District
72 W. Ninth Street
Fond du Lac, WI 54935

Town of Fond du Lac
c/o Town Clerk
N5256 County Road V
Fond du Lac, WI 54937

School District of North Fond du Lac
225 McKinley Street
North Fond du Lac, WI 54937

School District of Oakfield
200 White Street
Oakfield, WI 53065

Campbellsport School District
114 W. Sheboygan Street
Campbellsport, WI 53010

New Holstein School District
1715 Plymouth Street
New Holstein, WI 53061

Town of Calumet
c/o Town Clerk
N934 Sunset Lane
New Holstein, WI 53061-9404

Town of Taycheedah
c/o Town Clerk
W4295 Kiekhaefer Pkwy
Fond du Lac, WI 54937

Town of Friendship
c/o Town Clerk
N8822 Lakeshore Drive
Van Dyne, WI 54979

City of Fond du Lac
c/o City Clerk
160 S. Macy Street
Fond du Lac, WI 54935

Town of Empire
c/o Town Clerk
W3897 Fourth Street Road
Fond du Lac, WI 54937



Town of Lamartine
c/o Town Clerk
N5367 Hillcrest Road
Fond du Lac, WI 54937

Town of Eden
c/o Town Clerk
N3352 Eagle Road
Eden, WI 53019

Town of Oakfield
c/o Town Clerk
N2576 County Road YY
Oakfield, WI 53065

Town of Forest
c/o Town Clerk
N6199 Loehr Road
Mt. Calvary, WI 53057

Town of LeRoy
c/o Town Clerk
W4197 Ledge Road
Mayville, WI 53050

Village of Eden
c/o Clerk-Treasurer
P.O. Box 65
Eden, WI 53019

Village of St. Cloud
c/o Clerk/Treasurer
P.O. Box 395
St. Cloud, WI 53079

Village of North Fond du Lac
c/o Village Administrator/Clerk/Treasurer
16 Garfield
North Fond du Lac, WI 54937

Empire Sanitary District #1
c/o President
N5295 Club DeNeveu Drive
Fond du Lac, WI 54935

Town of Byron
c/o Town Clerk
W3438 Maple Lane
Fond du Lac, WI 54935

Town of Eldorado
c/o Town Clerk
N7378 Deer Vu Lane
Eldorado, WI 54932

Town of Marshfield
c/o Town Clerk
P.O. Box 94
Mt. Calvary, WI 53057-0094

Town of Osceola
c/o Town Clerk
N1093 Airport Road
Campbellsport, WI 53010

Town of Lomira
c/o Town Clerk
N11392 Cty. Rod AY
Brownsville, WI 53006

Village of Oakfield
c/o Clerk/Treasurer
130 N. Main Street
P.O. Box 98
Oakfield, WI 53065

Village of Mt. Calvary
c/o Village Clerk
970 Calvary Street
Mt. Calvary, WI 53057

Calumet Sanitary District #1
W934 Sunset Lane
New Holstein, WI 53061

Empire Sanitary District #2
c/o President
W4478 Mary Hill Park Drive
Fond du Lac, WI 54937-9313

Empire Sanitary District #3
N6338 Reilly Drive
Fond du Lac, WI 54937

Town of Fond du Lac Sanitary District #2
W5342 Bechaud Beach Drive
Fond du Lac, WI 54935

Town of Fond du Lac Sanitary District #3
c/o Patti Supple
N5256 County Road V
Fond du Lac, WI 54937

Town of Fond du Lac Sanitary District #4
c/o John Ransom
P.O. Box 1316
Fond du Lac, WI 54936-1316

Town of Fond du Lac Sanitary District #6
c/o LeRoy Schmitz
W6826 State Road 23
Fond du Lac, WI 54937

LeRoy Sanitary District No. 1
c/o President
N10404 Highway Y
Mayville, WI 53050

Town of Fond du Lac Water Utility District No. 1
c/o Robert Giese
W5320 Giese Drive
Fond du Lac, WI 54935

Johnsburg Sanitary District
c/o Brenda Schneider
W4295 Kiekhaefer Parkway
Fond du Lac, WI 54937

Friendship Consolidated Sanitary District #1
c/o President
7852 S. US Hwy 45
Oshkosh, WI 54902

Friendship Sanitary District #2
c/o Eric Flood
N7559 N. Pioneer Road
Fond du Lac, WI 54937

Taycheedah Sanitary District #1
c/o Priscilla Yohann
W4295 Kiekhaefer Parkway
Fond du Lac, WI 54937

Taycheedah Sanitary District #3
c/o President
N8117 Rolling Hills Drive
Fond du Lac, WI 54937

EXHIBIT F

Approving Resolutions

**RESOLUTION OF THE TOWN OF BYRON APPROVING
A COOPERATIVE PLAN WITH THE CITY OF FOND DU LAC AND THE
TOWNS OF EMPIRE, FOND DU LAC, FRIENDSHIP AND TAYCHEEDAH**

WHEREAS, the City of Fond du Lac (“City”) and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah (“Towns”) previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries (“Existing Agreement”); and

WHEREAS, the Existing Agreement expired in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan has the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Towns and the City; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the City and the Towns held a joint hearing on the proposed plan on September 22, 2016 after providing notice of the hearing by Class 3 notice; and

WHEREAS, the City and the Towns have considered and revised the Cooperative Plan to incorporate comments received during the process; and

WHEREAS, the purpose of this resolution is to approve the Cooperative Plan as described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Byron does hereby approve the cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

FURTHER RESOLVED, that the proper Town officials are hereby authorized to take all other necessary and appropriate action consistent with this approving resolution and Wis. Stat. § 66.0307.

Adopted this 14th day of February, 2017.

TOWN OF BYRON

By: Bob Simon
Bob Simon, Chairperson

Attest:

Mary Laudolff
Mary Laudolff, Town Clerk

**RESOLUTION OF THE TOWN OF EMPIRE APPROVING
A COOPERATIVE PLAN WITH THE CITY OF FOND DU LAC AND THE
TOWNS OF BYRON, FOND DU LAC, FRIENDSHIP AND TAYCHEEDAH**

WHEREAS, the City of Fond du Lac (“City”) and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah (“Towns”) previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries (“Existing Agreement”); and

WHEREAS, the Existing Agreement expired in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan has the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Towns and the City; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the City and the Towns held a joint hearing on the proposed plan on September 22, 2016 after providing notice of the hearing by Class 3 notice; and

WHEREAS, the City and the Towns have considered and revised the Cooperative Plan to incorporate comments received during the process; and

WHEREAS, the purpose of this resolution is to approve the Cooperative Plan as described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Empire does hereby approve the cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

FURTHER RESOLVED, that the proper Town officials are hereby authorized to take all other necessary and appropriate action consistent with this approving resolution and Wis. Stat. § 66.0307.

Adopted this 8th day of February, 2017.

TOWN OF EMPIRE

By: James Pierquet
James Pierquet, Chairperson

Attest:


Michael Morgan, Town Clerk

**RESOLUTION OF THE TOWN OF FOND DU LAC APPROVING
A COOPERATIVE PLAN WITH THE CITY OF FOND DU LAC AND THE
TOWNS OF BYRON, EMPIRE, FRIENDSHIP AND TAYCHEEDAH**

WHEREAS, the City of Fond du Lac (“City”) and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah (“Towns”) previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries (“Existing Agreement”); and

WHEREAS, the Existing Agreement expired in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan has the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Towns and the City; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the City and the Towns held a joint hearing on the proposed plan on September 22, 2016 after providing notice of the hearing by Class 3 notice; and

WHEREAS, the City and the Towns have considered and revised the Cooperative Plan to incorporate comments received during the process; and

WHEREAS, the purpose of this resolution is to approve the Cooperative Plan as described in Wis. Stat. § 66.0307;

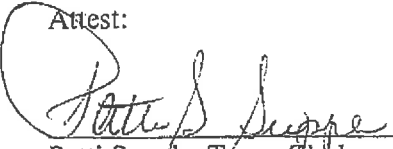
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Fond du Lac does hereby approve the cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

FURTHER RESOLVED, that the proper Town officials are hereby authorized to take all other necessary and appropriate action consistent with this approving resolution and Wis. Stat. § 66.0307.

Adopted this 13 day of February, 2017.

TOWN OF FOND DU LAC

By: 
Robert Giese, Chairperson

Attest:

Patti Supple, Town Clerk

**RESOLUTION OF THE TOWN OF FRIENDSHIP APPROVING
A COOPERATIVE PLAN WITH THE CITY OF FOND DU LAC AND THE
TOWNS OF BYRON, EMPIRE, FOND DU LAC AND TAYCHEEDAH**

WHEREAS, the City of Fond du Lac (“City”) and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah (“Towns”) previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries (“Existing Agreement”); and

WHEREAS, the Existing Agreement expired in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan has the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Towns and the City; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the City and the Towns held a joint hearing on the proposed plan on September 22, 2016 after providing notice of the hearing by Class 3 notice; and

WHEREAS, the City and the Towns have considered and revised the Cooperative Plan to incorporate comments received during the process; and

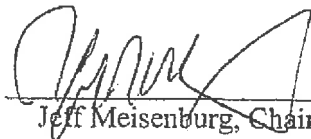
WHEREAS, the purpose of this resolution is to approve the Cooperative Plan as described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Friendship does hereby approve the cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

FURTHER RESOLVED, that the proper Town officials are hereby authorized to take all other necessary and appropriate action consistent with this approving resolution and Wis. Stat. § 66.0307.

Adopted this 9 day of February, 2017.

TOWN OF FRIENDSHIP

By: 
Jeff Meisenburg, Chairperson

Attest:


Lori Hofmann, Town Clerk

**RESOLUTION OF THE TOWN OF TAYCHEEDAH APPROVING
A COOPERATIVE PLAN WITH THE CITY OF FOND DU LAC AND THE
TOWNS OF BYRON, EMPIRE, FOND DU LAC AND FRIENDSHIP**

WHEREAS, the City of Fond du Lac (“City”) and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah (“Towns”) previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries (“Existing Agreement”); and

WHEREAS, the Existing Agreement expired in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan has the general purpose of guiding and accomplishing a coordinated adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare together with the future needs of the Towns and the City; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the City and the Towns held a joint hearing on the proposed plan on September 22, 2016 after providing notice of the hearing by Class 3 notice; and

WHEREAS, the City and the Towns have considered and revised the Cooperative Plan to incorporate comments received during the process; and

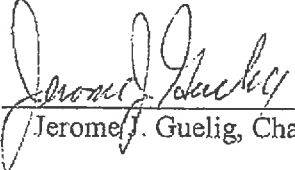
WHEREAS, the purpose of this resolution is to approve the Cooperative Plan as described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Taycheedah does hereby approve the cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

FURTHER RESOLVED, that the proper Town officials are hereby authorized to take all other necessary and appropriate action consistent with this approving resolution and Wis. Stat. § 66.0307.

Adopted this 16 day of February, 2017.

TOWN OF TAYCHEEDAH

By: 
Jerome J. Guelig, Chairperson

Attest:


Brenda Schneider, Town Clerk

RESOLUTION NO. 8654

**A RESOLUTION OF THE CITY OF FOND DU LAC APPROVING
A COOPERATIVE PLAN WITH THE TOWNS OF BYRON, EMPIRE,
FOND DU LAC, FRIENDSHIP AND TAYCHEEDAH**

WHEREAS, the City of Fond du Lac ("City") and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah ("Towns") previously entered into an intergovernmental agreement pursuant to the former Wis. Stat. § 66.30 to provide for orderly growth and development within agreed-upon municipal boundaries ("Existing Agreement"); and

WHEREAS, the Existing Agreement expired in 2016; and

WHEREAS, the City and the Towns wish to renew the Existing Agreement pursuant to Wis. Stat. § 66.0307; and

WHEREAS, Wis. Stat. § 66.0307 authorizes adjoining municipalities to set the boundaries between and among themselves upon adopting, and having approved by the Wisconsin Department of Administration, a cooperative plan in accordance with the procedures and requirements of Wis. Stat. § 66.0307; and

WHEREAS, the cooperative plan has the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan in order to best promote the public health, safety, and general welfare, together with the future needs, of the Towns and the City; and

WHEREAS, cooperative planning is in the best interests of the City and the Towns as participating municipalities; and

WHEREAS, the City and the Towns held a joint hearing on the proposed plan on September 22, 2016 after providing notice of the hearing by Class 3 notice; and

WHEREAS, the City and the Towns have considered and revised the Cooperative Plan to incorporate comments received during the process; and

WHEREAS, the purpose of this resolution is to approve the Cooperative Plan as described in Wis. Stat. § 66.0307;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fond du Lac does hereby approve the cooperative boundary agreement and cooperative plan as defined in Wis. Stat. § 66.0307; and

FURTHER RESOLVED, that the proper City officials are hereby authorized to take all other necessary and appropriate action consistent with this approving resolution and Wis. Stat. § 66.0307.

ADOPTED:

January 25, 2017



Karyn Merkel, Vice-President
Fond du Lac City Council

Attest:



Margaret Heftner, City Clerk

City Attorney:

Reviewed 

EXHIBIT G

Class 3 Notice

THE REPORTER

www.fdlreporter.com

STATE OF WISCONSIN
BROWN COUNTY

FOND DU LAC, CITY OF, CLERK

Guy Fox

160 S MACY ST

FOND DU LAC

WI 549354241

I, being duly sworn, doth depose and say I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin, in said county, and that a notice of which the annexed is a printed copy, taken from said paper, which published therein on:

Account Number: GWM-50601
Order Number: 0001512212
No. of Affidavits: 1
Total Ad Cost: \$101.92
Published Dates: 08/28/16, 09/04/16, 09/11/16

(Signed)

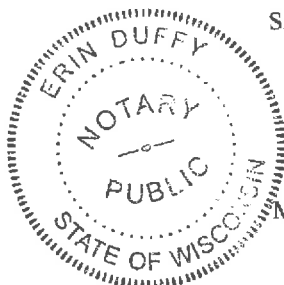
[Signature]

Legal Clerk

(Date)

9-13-16

Signed and sworn before me



My commission expires

5-25-18

NOTICE OF JOINT PUBLIC HEARING
REGARDING BOUNDARY
AGREEMENT PURSUANT TO
COOPERATIVE PLAN BETWEEN THE
TOWN OF BYRON, TOWN OF
EMPIRE, TOWN OF FOND DU LAC,
TOWN OF FRIENDSHIP, TOWN OF
TAYCHEEDAH AND THE CITY OF
FOND DU LAC

PLEASE TAKE NOTICE that a public hearing shall be held on Thursday, September 22,

2016, at 6:00 p.m. at the UW-Fond du Lac Campus, Large Group Instructional (LGI) Room 113/114, located at 4 University Drive, Fond du Lac, WI 54801 in the City of Fond du Lac, regarding a proposed Cooperative Plan developed between the Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship, Town of Taycheedah and the City of Fond du Lac under the provisions of §88.0307, Wisconsin Statutes. Any person may comment on the Cooperative Plan during the hearing and must submit written comments before, or within 20 days following the hearing; comments shall be considered by all the Towns and the City before finalizing the Plan.

A copy of the proposed Plan is available for review by contacting the Town or City Clerk at the following:

Town of Byron Town Hall, N3997 St Road 175, Byron, WI (920) 375-6119
Town of Empire Town Hall, W31 Fourth Street Road, Fond du Lac, WI (920) 922-4382

Town of Fond du Lac Town Hall, W51 Pioneer Road, Fond du Lac, WI (920) 923-1327

Town of Friendship Town Hall, W68 County Road N. Van Dyne, WI (920) 933-2351

Town of Taycheedah Town Hall, W41 Klekhaefer Parkway, Fond du Lac, WI (920) 921-5224

and City of Fond du Lac, City/Courthouse Building, 160 S. Macy Street, Fond du Lac, WI (920) 322-3433

This notice is provided as required under §88.0307(4)(b), Wis. Stats.
Dated this 16th day of August, 2016.

Margaret Heffler
City Clerk

Aug 28, Sept 4, 11 2016 WPM/ALP

FOND DU LAC, CITY OF, CLERK

Re: PH-Coop Plan

GANNETT WI MEDIA
435 EAST WALNUT ST.
PO BOX 23430
GREEN BAY, WI 54305-3430

GANNETT
Wisconsin Media
Delivering Customers. Driving Results.

PHONE 920-431-8298
FAX 877-943-0443
EMAIL legals@fdlreporter.com

THE REPORTER

www.fdlreporter.com

STATE OF WISCONSIN
BROWN COUNTY

Michael D. Morgan, Clerk
Town of Empire
W3897 Fourth Street Road
Fond du Lac, WI 54937

I, being duly sworn, doth depose and say I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin, in said county, and that a notice of which the annexed is a printed copy, taken from said paper, which published therein on:

Account Number: GWM-50601
Order Number: 0001512212
No. of Affidavits: 1
Total Ad Cost: \$101.92
Published Dates: 08/28/16, 09/04/16, 09/11/16

(Signed)

Melissa S. Huffer
Legal Clerk

(Date)

4/3/17

Signed and sworn before me

E. D.

My commission expires

B-25-4

NOTICE OF JOINT PUBLIC HEARING
REGARDING BOUNDARY
AGREEMENT PURSUANT TO
COOPERATIVE PLAN BETWEEN THE
TOWN OF BYRON, TOWN OF
EMPIRE, TOWN OF FOND DU LAC,
TOWN OF FRIENDSHIP, TOWN OF
TAYCHEEDAH AND THE CITY OF
FOND DU LAC

PLEASE TAKE NOTICE that a public hearing shall be held on Thursday, September 22,

2016, at 6:00 p.m. at the UW-Fond du Lac Campus, Large Group Instructional (LGI) Room 113F114, located at 400 University Drive, Fond du Lac, WI 54935, in the City of Fond du Lac, regarding the proposed Cooperative Plan developed between the Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship, Town of Taycheedah and the City of Fond du Lac under the provisions of §66.0307, Wisconsin Statutes. Any person may comment on the Cooperative Plan during the hearing and may submit written comments before, at, or within 20 days following the hearing. All comments shall be considered by all of the Towns and the City before finalizing the Plan.

A copy of the proposed Plan is available for review by contacting the Town or City Clerk at the following:
Town of Byron Town Hall, N3097 State Road 175, Byron, WI (920) 375-6119
Town of Empire Town Hall, W3675 Fourth Street Road, Fond du Lac, WI (920) 922-4382
Town of Fond du Lac Town Hall, W5990 Pioneer Road, Fond du Lac, WI (920) 923-1327
Town of Friendship Town Hall, W6831 County Road N. Van Dyne, WI (920) 933-2351
Town of Taycheedah Town Hall, W4295 Kiekhafer Parkway, Fond du Lac, WI (920) 921-5224
and City of Fond du Lac, City/County Building, 160 S. Macy Street, Fond du Lac, WI (920) 322-3433

This notice is provided as required under §66.0307(4)(b), Wis. Stats.
Dated this 16th day of August, 2016.

Margaret Huffer
City Clerk

Aug 28, Sept 4, 11 2016 WNAJLP

FOND DU LAC, CITY OF, CLERK

Re: PH-Coop Plan

GANNETT WI MEDIA
435 EAST WALNUT ST.
PO BOX 23430
GREEN BAY, WI 54305-3430

GANNETT
Wisconsin Media
Delivering Customers. Driving Results.

PHONE 920-431-8298
FAX 877-943-0443
EMAIL legals@fdlreporter.com

THE REPORTER

www.fdlreporter.com

STATE OF WISCONSIN
BROWN COUNTY

Mary Laudolff, Clerk
Town of Byron
W3438 Maple Lane
Fond du Lac, WI 54937

I, being duly sworn, doth depose and say I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin, in said county, and that a notice of which the annexed is a printed copy, taken from said paper, which published therein on:

Account Number: GWM-50601
Order Number: 0001512212
No. of Affidavits: 1
Total Ad Cost: \$101.92
Published Dates: 08/28/16, 09/04/16, 09/11/16

(Signed)

Melissa J. Ker
Legal Clerk

(Date)

4/3/17

Signed and sworn before me

E. R.

My commission expires

5-25-18

NOTICE OF JOINT PUBLIC HEARING
REGARDING BOUNDARY
AGREEMENT PURSUANT TO
COOPERATIVE PLAN BETWEEN THE
TOWN OF BYRON, TOWN OF
EMPIRE, TOWN OF FOND DU LAC,
TOWN OF FRIENDSHIP, TOWN OF
TAYCHEedah AND THE CITY OF
FOND DU LAC

PLEASE TAKE NOTICE that a public hearing shall be held on Thursday, September 22, 2016, at 6:00 p.m. at the UW- Fond du Lac Campus, Large Group Instructional (LGI) Room 113/114, located at 400 University Drive, Fond du Lac, WI 54935, in the City of Fond du Lac, regarding the proposed Cooperative Plan developed between the Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship, Town of Taycheedah and the City of Fond du Lac under the provisions of §66.0307, Wisconsin Statutes. Any person may comment on the Cooperative Plan during the hearing and may submit written comments before, at, or within 20 days following the hearing. All comments shall be considered by all of the Towns and the City before finalizing the Plan.

A copy of the proposed Plan is available for review by contacting the Town or City Clerk at the following:
Town of Byron Town Hall, N3097 State Road 175, Byron, WI (920) 375-6119
Town of Empire Town Hall, W3675 Fourth Street Road, Fond du Lac, WI (920) 922-1382
Town of Fond du Lac Town Hall, W5990 Pioneer Road, Fond du Lac, WI (920) 923-1327
Town of Friendship Town Hall, W6931 County Road N, Van Dyne, WI (920) 933-2351
Town of Taycheedah Town Hall, W4295 Kiekhaefer Parkway, Fond du Lac, WI (920) 921-5224
and City of Fond du Lac, City/County Building, 160 S. Macy Street, Fond du Lac, WI (920) 322-3433
This notice is provided as required under §66.0307(4)(b), Wis. Stats.
Dated this 16th day of August, 2016,
Margaret Heister
City Clerk
Aug 28, Sept 4, 11 2016 WNAJLP

FOND DU LAC, CITY OF, CLERK
Re: PH-Coop Plan

GANNETT WI MEDIA
435 EAST WALNUT ST
PO BOX 23430
GREEN BAY, WI 54305-3430

GANNETT
Wisconsin Media
Delivering Customers. Driving Results.

PHONE 920-431-8298
FAX 877-943-0443
EMAIL legals@fdlreporter.com

THE REPORTER

www.fdlreporter.com

STATE OF WISCONSIN
BROWN COUNTY

Patti S. Supple, Clerk
Town of Fond du Lac
N5256 County Road V
Fond du Lac, WI 54937

I, being duly sworn, doth depose and say I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin, in said county, and that a notice of which the annexed is a printed copy, taken from said paper, which published therein on:

Account Number: GWM-50601
Order Number: 0001512212
No. of Affidavits: 1
Total Ad Cost: \$101.92
Published Dates: 08/28/16, 09/04/16, 09/11/16

NOTICE OF JOINT PUBLIC HEARING
REGARDING BOUNDARY
AGREEMENT PURSUANT TO
COOPERATIVE PLAN BETWEEN THE
TOWN OF BYRON, TOWN OF
EMPIRE, TOWN OF FOND DU LAC,
TOWN OF FRIENDSHIP, TOWN OF
TAYCHEedah AND THE CITY OF
FOND DU LAC

PLEASE TAKE NOTICE that a public hearing shall be held on Thursday, September 22,

2016, at 6:00 p.m. at the UW- Fond du Lac Campus, Large Group Instructional (LGI) Room 113/114, located at 400 University Drive, Fond du Lac, WI 54935, in the City of Fond du Lac, regarding the proposed Cooperative Plan developed between the Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship, Town of Taycheedah and the City of Fond du Lac under the provisions of §66.0307, Wisconsin Statutes. Any person may comment on the Cooperative Plan during the hearing and may submit written comments before, at, or within 20 days following the hearing. All comments shall be considered by all of the Towns and the City before finalizing the Plan.

A copy of the proposed Plan is available for review by contacting the Town or City Clerk at the following:

Town of Byron Town Hall, N3097 State Road 175, Byron, WI (920) 375-6119
Town of Empire Town Hall, W3675 Fourth Street Road, Fond du Lac, WI (920) 922-4382

Town of Fond du Lac Town Hall, W5990 Pioneer Road, Fond du Lac, WI (920) 923-1327

Town of Friendship Town Hall, W6931 County Road N, Van Dyne, WI (920) 933-2351

Town of Taycheedah Town Hall, W4295 Kiekhaefer Parkway, Fond du Lac, WI (920) 921-5224

and City of Fond du Lac, City/County Building, 160 S. Macy Street, Fond du Lac, WI (920) 322-3433

This notice is provided as required under §66.0307(4)(b), Wis. Stats.

Dated this 18th day of August, 2016.

Margaret Heffler

City Clerk
Aug 28, Sept 4, 11 2016 WNAXLP

(Signed)

Melissa Supple
Legal Clerk

(Date)

4/3/17

Signed and sworn before me

E. R.

My commission expires

5-25-18

FOND DU LAC, CITY OF, CLERK

Re: PH-Coop Plan

GANNETT WI MEDIA
435 EAST WALNUT ST.
PO BOX 23430
GREEN BAY, WI 54305-3430

GANNETT
Wisconsin Media
Delivering Customers. Driving Results.

PHONE 920-431-8298
FAX 877-943-0443
EMAIL legals@fdlreporter.com

THE REPORTER

www.fdlreporter.com

STATE OF WISCONSIN
BROWN COUNTY

Brenda A. Schneider, Clerk
Town of Taycheedah
W4295 Kiekhaefer Parkway
Fond du Lac, WI 54937

I, being duly sworn, doth depose and say I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin, in said county, and that a notice of which the annexed is a printed copy, taken from said paper, which published therein on:

Account Number: GWM-50601
Order Number: 0001512212
No. of Affidavits: 1
Total Ad Cost: \$101.92
Published Dates: 08/28/16, 09/04/16, 09/11/16

NOTICE OF JOINT PUBLIC HEARING
REGARDING BOUNDARY
AGREEMENT PURSUANT TO
COOPERATIVE PLAN BETWEEN THE
TOWN OF BYRON, TOWN OF
EMPIRE, TOWN OF FOND DU LAC,
TOWN OF FRIENDSHIP, TOWN OF
TAYCHEEDAH AND THE CITY OF
FOND DU LAC

PLEASE TAKE NOTICE that a public hearing shall be held on Thursday, September 22,

2016, at 6:00 p.m. at the UW-Fond du Lac Campus, Large Group Instructional (LGI) Room, 113/114, located at 400 University Drive, Fond du Lac, WI 54935. In the City of Fond du Lac, regarding the proposed Cooperative Plan developed between the Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship, Town of Taycheedah and the City of Fond du Lac under the provisions of §66.0307, Wisconsin Statutes. Any person may comment on the Cooperative Plan during the hearing and may submit written comments before, at, or within 20 days following the hearing. All comments shall be considered by all of the Towns and the City before finalizing the Plan.

A copy of the proposed Plan is available for review by contacting the Town or City Clerk at the following:

Town of Byron Town Hall, N3097 State Road 175, Byron, WI (920) 375-6119

Town of Empire Town Hall, W3675 Fourth Street Road, Fond du Lac, WI (920) 822-4382

Town of Fond du Lac Town Hall, W5890 Pioneer Road, Fond du Lac, WI (920) 923-1327

Town of Friendship Town Hall, W6931 County Road N, Van Dyne, WI (920) 933-2351

Town of Taycheedah Town Hall, W4295 Kiekhaefer Parkway, Fond du Lac, WI (920) 821-5224

and City of Fond du Lac, City/County Building, 160 S. Macy Street, Fond du Lac, WI (920) 322-3433

This notice is provided as required under §66.0307(4)(b), Wis. Stats. Dated this 16th day of August, 2016.

Margaret Hetter
City Clerk
Aug 28, Sept 4, 11 2016 WNA:YD

(Signed)

Melissa Stefkor
Legal Clerk

(Date)

4/3/17

Signed and sworn before me

E. D.

My commission expires

5-25-18



FOND DU LAC, CITY OF, CLERK

Re: PH-Coop Plan

GANNETT WI MEDIA
435 EAST WALNUT ST
PO BOX 23430
GREEN BAY, WI 54305-3430

GANNETT
Wisconsin Media
Delivering Customers. Driving Results.

PHONE 920-431-8298
FAX 877-943-0443
EMAIL legals@fdlreporter.com

THE REPORTER

www.fdlreporter.com

STATE OF WISCONSIN
BROWN COUNTY

Lori Hofmann, Clerk
Town of Taycheedah
N8822 Lakeshore Drive
Van Dyne, WI 54979

I, being duly sworn, doth depose and say I am an authorized representative of The Reporter, a daily newspaper published in the city of Fond du Lac, Wisconsin, in said county, and that a notice of which the annexed is a printed copy, taken from said paper, which published therein on:

Account Number: GWM-50601
Order Number: 0001512212
No. of Affidavits: 1
Total Ad Cost: \$101.92
Published Dates: 08/28/16, 09/04/16, 09/11/16

(Signed)

Margaret Heffler
Legal Clerk

(Date)

4/3/17

Signed and sworn before me

E. D.

My commission expires

5-15-18

NOTICE OF JOINT PUBLIC HEARING
REGARDING BOUNDARY
AGREEMENT PURSUANT TO
COOPERATIVE PLAN BETWEEN THE
TOWN OF BYRON, TOWN OF
EMPIRE, TOWN OF FOND DU LAC,
TOWN OF FRIENDSHIP, TOWN OF
TAYCHEEDAH AND THE CITY OF
FOND DU LAC

PLEASE TAKE NOTICE that a public hearing shall be held on Thursday, September 22,

2016, at 6:00 p.m. at the UW- Fond du Lac Campus, Large Group Instructional (LGI) Room 113/114, located at 400 University Drive, Fond du Lac, WI 54935, in the City of Fond du Lac, regarding the proposed Cooperative Plan developed between the Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship, Town of Taycheedah and the City of Fond du Lac under the provisions of §66.0307, Wisconsin Statutes. Any person may comment on the Cooperative Plan during the hearing and may submit written comments before, at, or within 20 days following the hearing. All comments shall be considered by all of the Towns and the City before finalizing the Plan.

A copy of the proposed Plan is available for review by contacting the Town or City Clerk at the following:

Town of Byron Town Hall, N3097 State Road 175, Byron, WI (920) 375-6118
Town of Empire Town Hall, W3675 Fourth Street Road, Fond du Lac, WI (920) 922-4382

Town of Fond du Lac Town Hall, W5990 Pioneer Road, Fond du Lac, WI (920) 923-1327

Town of Friendship Town Hall, W6931 County Road N, Van Dyne, WI (920) 933-2351

Town of Taycheedah Town Hall, W4295 Kiekhazior Parkway, Fond du Lac, WI (920) 921-5224

and City of Fond du Lac, City/County Building, 160 S. Macy Street, Fond du Lac, WI (920) 322-3433

This notice is provided as required under §66.0307(4)(b), Wis. Stats.
Dated this 16th day of August, 2016.

Margaret Heffler
City Clerk
Aug 28, Sept 4, 11 2016 WNAxLP

FOND DU LAC, CITY OF, CLERK

Re: PH-Coop Plan

GANNETT WI MEDIA
435 EAST WALNUT ST
PO BOX 23430
GREEN BAY, WI 54305-3430

GANNETT
Wisconsin Media
Delivering Customers. Driving Results.

PHONE 920-431-8298
FAX 877-943-0443
EMAIL legals@fdlreporter.com

EXHIBIT H

Summary of Public Comments

Charles Martin, Town of Fond du Lac

Mr. Martin asked for a clarification on the attachment maps (Exhibit B) and whether Town islands would be created by the attachment process. Mr. Martin requested clarification on the definition of a subdivision.

- John St. Peter and Dyann Benson reviewed the attachment maps and addressed Mr. Martin's concern. They also explained that a subdivision would follow the definitions provided under Wis. Stats §236 which governs platting of division of lands.

Mary Tenlio, Town of Fond du Lac

Ms. Tenlio requested that a reference to the Niagara Escarpment be added to the Introduction as part of a "Whereas." She suggested that each community publish who is on the Intergovernmental Cooperative Plan Advisory Committee. Ms. Tenlio requested a clarification on Section 7.2 (c) regarding development along Federal and State highways and whether the City will just comment on the development or prevent the development from occurring.

- John St. Peter and Dyann Benson noted that each community should insure that members of the Advisory Committee are made known to the public through each community's normal process of committee appointments. They clarified that they City would only be commenting under Section 7.2 (c) and would not stop any development from occurring.

List of Changes Made in Response to Public Comment

- Page 3 – Under the second "Whereas" as part of the sixth (6th) goal, Niagara Escarpment was added to the statement.


EXHIBIT I

Comment Letters

Memorandum

Date: March 21, 2017

To: Cooperative Plan File

From: Dyann Benson, Community Development Director 
City of Fond du Lac

Re: Fond du Lac County Review & Comment

On January 19, 2017, a letter was sent to Fond du Lac County requesting review and comment on the Cooperative Plan between the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah and City of Fond du Lac as require under Wis. Stats. 66.0307(4)(c).

As of March 6, 2017, Fond du Lac County has not submitted any comments regarding their review of the document. On March 3, 2017, East Central Wisconsin Regional Planning Commission (ECWRPC) provided their review of the Cooperative Plan.



March 3, 2017

Dyann Benson, AICP
Community Development Director
City-County Government Center
160 S. Macy Street
Fond du Lac, WI 54936-0150

Dear Ms. Benson:

ECWRPC No. 2017-004

Subject: Review Comments – Cooperative Plan

East Central Wisconsin Regional Planning Commission has reviewed the Cooperative Plan and appreciates the opportunity to offer our comments. This Cooperative Plan involves the jurisdictions of the City of Fond du Lac and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah and has a proposed term length of 24 years. This plan addresses key issues between the jurisdictions that include comprehensive planning consistency, efficient urban services delivery, promoting orderly development patterns and the protection of natural resources among others.

East Central is currently in the process of updating the Fond du Lac Sewer Service Area, (SSA), Plan with a planning horizon out to 2040. The future growth area designations for the jurisdictions involved in the Cooperative Plan will be a valuable in the SSA update effort and, as such, East Central will take those provisions into consideration during the SSA plan update.

East Central considers this Cooperative Plan to be mutually beneficial to the parties involved and therefore would support its adoption.

If there are any questions regarding this review please contact Joe Huffman or myself at (920) 751-4770.

Sincerely,

Eric W. Fowle
Executive Director

Cc: John St. Peter, (via email)

Bob Simon, Chairperson, Town of Byron, (via email)
James Pierquet, Chairperson, Town of Empire, (via email)
Robert J. Giese, Chairperson, Town of Fond du Lac, (via email)
Jeff Meisenburg, Chairperson, Town of Friendship, (via email)
Jerome J. Guelig, Chairperson, Town of Taycheedah, (via email)



City of Fond du Lac First on the Lake

Website: www.fdl.wi.gov

City-County Government Center
160 S. Macy Street—P.O. Box 150—Fond du Lac, WI 54936-0150

January 19, 2017

Sam Tobias
Director, Planning & Development
Fond du Lac County
160 S. Macy Street
Fond du Lac, WI 54935

Re: Cooperative Plan

Dear Sam-

The City of Fond du Lac and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah had an existing 20 year Intergovernmental Agreement. In July 2016, City Council and Town Boards approved resolutions authorizing the City and Towns to participate in the development of a Cooperative Plan. The Cooperative Plan is the document that outlines the terms and processes for future growth, land use and development. The Cooperative Plan has a term of 24 years which coincides with the terms of the Outlying Sewer Group (OSG) Agreement. The coordination of the timeline of these two (2) agreements enhances long term land use planning efforts.

Enclosed please find a copy of the proposed Cooperative Plan and map exhibits. Per Wis. Stats. 66.0307 (4)(c), the City and Towns are requesting the ECWRPC to review and comment on the proposed plan.

Comments or question relating to the plan may be directed to me at dbenson@fdl.wi.gov or John St. Peter at jstpeter@lawfdl.com.

Regards,

Dyann Benson, AICP
Community Development Director

cc: John St. Peter



City of Fond du Lac First on the Lake

Website: www.fdl.wi.gov

City-County Government Center
160 S. Macy Street~P.O. Box 150~Fond du Lac, WI 54936-0150

January 19, 2017

Eric Fowle, AICP
Executive Director
East Central Wisconsin Regional Planning Commission
400 Ahnaip Street, Suite 100
Menasha, WI 54952

Re: Cooperative Plan

Dear Eric-

The City of Fond du Lac and the Towns of Byron, Empire, Fond du Lac, Friendship and Taycheedah had an existing 20 year Intergovernmental Agreement. In July 2016, City Council and Town Boards approved resolutions authorizing the City and Towns to participate in the development of a Cooperative Plan. The Cooperative Plan is the document that outlines the terms and processes for future growth, land use and development. The Cooperative Plan has a term of 24 years which coincides with the terms of the Outlying Sewer Group (OSG) Agreement. The coordination of the timeline of these two (2) agreements enhances long term land use planning efforts.

Enclosed please find a copy of the proposed Cooperative Plan and map exhibits. Per Wis. Stats. 66.0307 (4)(c), the City and Towns are requesting the ECWRPC to review and comment on the proposed plan.

Comments or question relating to the plan may be directed to me at dbenson@fdl.wi.gov or John St. Peter at jstpeter@lawfdl.com.

Regards,

Dyann Benson, AICP
Community Development Director

cc: John St. Peter