

ORD-10805  
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Municipal Boundary Review  
Wisconsin Dept. of Admin.

CITY OF STOUGHTON, 381 E. Main Street, Stoughton, WI 53589

**ORDINANCE OF THE COMMON COUNCIL**

AN ORDINANCE PROVIDING FOR THE DIRECT ANNEXATION  
OF A PORTION OF THE TOWN OF DUNKIRK  
TO THE CITY OF STOUGHTON, DANE COUNTY, WISCONSIN

Committee Action: Planning Commission voted 6-0 to recommend the Council approve with the Mayor Voting  
Fiscal Impact: \$0

**File Number:** O-6-2018      **Date Introduced:** January 23, 2018

**RECITALS**

- A. The City of Stoughton (“Owner”) owns land in the town of Dunkirk as described in Exhibit A & B (the “Territory”) and is seeking to annex the Territory to the City of Stoughton, pursuant to Wis. Stat. § 66.0223(1).
- B. The City of Stoughton Planning Commission has recommended that the Territory be annexed to the City, and that the Territory be assigned a temporary zoning classification of RH- Rural Holding.

*NOW, THEREFORE, the Common Council of the City of Stoughton, Dane County, Wisconsin, does ordain as follows:*

**ORDINANCE**

- 1. Recitals. The above recitals are material to and are incorporated in this Ordinance.
- 2. Territory Annexed. The Territory is annexed to the City of Stoughton pursuant to Wis. Stat. § 66.0223(1).
- 3. Effect of Annexation. From and after the effective date of this ordinance, the Territory shall be a part of the City of Stoughton for any and all purposes provided by law, and all persons coming or residing within such Territory shall be subject to all ordinances, rules, and regulations governing the City of Stoughton.
- 4. Temporary Zoning Designation. The Territory shall be temporarily zoned R-H Rural Holding.

5. Ward Designation. The Territory shall be represented by: State Senate District #15, Assembly District #43, County Supervisory District #37, Aldermanic District #2, Ward #13, and shall be part of the Stoughton Area School District #5621. There are no current residents and there will be no effected voters.
6. Clerk Duties. The City Clerk is hereby directed to publish notice of and provide copies of this Ordinance in accordance with the applicable Wisconsin Statutes.
7. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

*The above ordinance was duly adopted by a two-thirds (2/3) majority vote of the elected members of the Common Council of the City of Stoughton at a regular meeting held on January 23, 2018.*

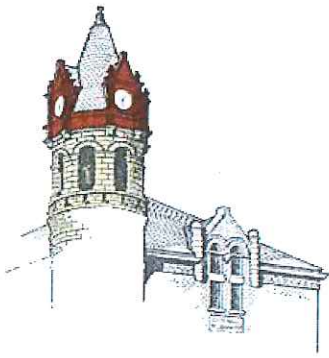
APPROVED:

By: Donna Olson  
Donna Olson, Mayor

ATTEST:

Holly Licht  
Holly Licht, City Clerk

APPROVED: 1/23/18  
PUBLISHED: 2/1/18



CITY OF STOUGHTON  
DEPARTMENT OF  
PLANNING & DEVELOPMENT  
381 East Main Street, Stoughton, WI. 53589

(608) 873-6619      [www.ci.stoughton.wi.us](http://www.ci.stoughton.wi.us)

RODNEY J. SCHEEL  
DIRECTOR

Date:            January 3, 2018

To:             Planning Commission Members

From:          Rodney J. Scheel  
                 Director of Planning & Development

Subject:       Listol & Kirby Annexation

The City of Stoughton acquired the above properties for the Public Works Facility in the Town of Dunkirk. We are now in a position to annex the property to the City. The property will be temporarily zoned – RH – Rural Holding. An annexation ordinance, map and legal description are provided for this item.



13 Dec 2017 - 9:08a M:\Angus-Young Associates\170137 Stoughton Public Works Facility\CADD\170137\_Annexation Map.dwg by: mzie



# Exhibit B

## LANDS TO BE ANNEXED TO THE CITY OF STOUGHTON

Part of the Northeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 09, part of the Northwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 10 and part of the Northeast Quarter of the Northeast Quarter of Section 16, all in Township 05 North, Range 11 East, Town of Dunkirk, Dane County, Wisconsin, more fully described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 09; thence North 89 degrees 21 minutes 14 seconds East, along the North line of said Southeast Quarter of Section 09, a distance of 1335.48 feet, more or less, to the West line of the Northeast Quarter of the Southeast Quarter of said Section 09; thence South 00 degrees 07 minutes 18 seconds West, along said West line, 951.02 feet, more or less, to the South line of lands currently owned by the City of Stoughton, Parcel No. 0511-094-8201-2 and the point of beginning of this description; thence South 89 degrees 52 minutes 27 seconds East, along said South line, 475.36 feet, more or less; thence North 43 degrees 09 minutes 22 seconds East, along said South line, 204.82 feet, more or less; thence South 89 degrees 52 minutes 27 seconds East, along said South line, 260.21 feet, more or less; thence North 34 degrees 37 minutes 33 seconds East, along said South line, 195.20 feet, more or less to the Southwesterly right-of-way line of County Trunk Highway "A" and a point of curvature; thence along said Southwesterly right-of-way line and the arc of a curve to the left through a central angle of 02 degrees 29 minutes 54 seconds, a radius of 5736.00 feet, an arc distance of 250.11 feet and a chord bearing South 55 degrees 08 minutes 43 seconds East, 250.09 feet, more or less; thence South 56 degrees 23 minutes 36 seconds East, along said Southwesterly right-of-way line, 5.84 feet, more or less to the West line of lands currently owned by Ross and Carol Van Deusen (2371 C.T.H. A) Parcel No. 0511-094-8410-3; thence South 00 degrees 03 minutes 13 seconds West, along said West line, 163.75 feet, more or less, to the Southwest corner thereof; thence South 89 degrees 56 minutes 47 seconds East, along the South line of said Van Deusen parcel, 173.00 feet, more or less to the centerline of Collins Road; thence South 00 degrees 03 minutes 13 seconds West, along said centerline of Collins Road, 937.39 feet, more or less; thence North 89 degrees 56 minutes 47 seconds West, 33.00 feet, more or less, to the Westerly right-of-way line of said Collins Road and the Northeasterly corner of lands currently owned by the Town of Dunkirk, Parcel No. 0511-094-9860-7; thence South 35 degrees 56 minutes 53 seconds West, along the Northerly line of said Town of Dunkirk lands, 184.60 feet, more or less; thence South 02 degrees 09 minutes 53 seconds West, along the West line of said Town of Dunkirk lands, 578.93 feet to the South line of the Southeast Quarter of said Section 09; thence South 89 degrees 07 minutes 45 seconds West, along said South line, 314.09 feet, more or less, to its intersection with the West line of lands currently owned by the Town of Dunkirk, Parcel No. 0511-161-8000-7; thence

South 00 degrees 33 minutes 07 seconds East, along said West line of the Town of Dunkirk lands, 241.92 feet, more or less to the Northerly right-of-way line of lands currently owned by the Wisconsin Department of Transportation (currently a railroad line being operated by the Wisconsin and Southern Railroad); thence North 71 degrees 48 minutes 11 seconds West, along said Northerly right-of-way line, 944.34 feet, more or less to the West line of the Southeast Quarter of the Southeast Quarter of said Section 09; thence North 00 degrees 07 minutes 18 seconds East, along said West line and the West line of the Northeast Quarter of the Southeast Quarter of said Section 09, a distance of 1618.74 feet, more or less to the point of beginning. This description contains approximately 2,395,980 square feet or 55.0041 acres.

TOGETHER WITH THE FOLLOWING DESCRIBED LANDS:

Lot 2, Certified Survey Map Number 433, as recorded in Volume 2 of Certified Survey Maps, on pages 219 and 220, as Document Number 1277244, Dane County Registry, Dane County, Wisconsin. This description contains approximately 17,782 square feet or 0.4082 acres.

Total Area of lands to be annexed to the City of Stoughton is 2,413,763 square feet or 55.4123 acres.





The suggested changes will go back to the Landmarks Commission who will review and send their recommendation to the Common Council for approval.

A short recess took place and Bartlett left at 8:00pm

Attorney Dregne began the discussion related to the zoning code changes. Attorney Dregne stated section 78-913 is proposed to be repealed and section 78-517 is proposed to be repealed and recreated.

Attorney Dregne stated that showing the strike through changes would be very hard to understand since the new section 78-517 combines portions of 78-913 and 78-517.

The Commissioners expressed concern over not knowing exactly what was changed.

Truehl stated he would like to see a staff recommendation and a summary from Attorney Dregne regarding the changes.

Barman suggested the word "historic" within the purposed statement should be modified.

Attorney Dregne gave an overview of the new section 78-517 and stated there are now standards based on the Design Guidelines.

It was pointed out that the threshold to allow a demolition in the draft ordinance is high.

The Commission would like a staff review and recommendation for the next meeting.

Attorney Dregne will come to the next meeting on February 12<sup>th</sup>.

**13. Request to approve the Listol-Kirby Annexation Ordinance.**

Scheel explained the request.

Motion by Truehl to recommend the Common Council approve the annexation as presented, 2<sup>nd</sup> by Krcma. Scheel stated there may be an amendment to the resolution before Council action for the ward designation.

Motion carried 6 - 0.

**14. Future agenda items.**

Rezoning, CSM and Conditional Use for the Public Works Facility property.

Staff recommendation for the doubling of fees when a project is started without a permit or approval.

**15. Adjournment**

Motion by Krcma to adjourn at 9:15 pm, 2<sup>nd</sup> by Hanna. Motion carried 6 – 0.

Respectfully Submitted,

*Michael Stacey*