

RESOLUTION NO. 2019-01

**RESOLUTION AUTHORIZING HOLDING A REFERENDUM
RELATING TO THE MIDDLETON STORM WATER UTILITY RAISING ITS
ANNUAL CHARGE FOR A TEMPORARY PERIOD OF TIME**

WHEREAS, on November 4, 2014, the electors of the City of Middleton approved a referendum permitting exceedance of municipal levy limits for maintenance of existing storm water management facilities of up to \$15.00 dollars per equivalent runoff unit from each property in the City of Middleton; and

WHEREAS, pursuant to Wis. Stats. §66.0602(4), the approval of the resolution by the City's voters permitted the City to exceed its levy increase limit under Wis. Stats. §66.0602(2); and

WHEREAS, the City of Middleton sustained devastating damage to its storm water management facilities in a rain event on August 20, 2018 estimated to exceed the 1 in 1,000 year storm in the City of Middleton; and

WHEREAS, the amount of damage to the City of Middleton's storm water management facilities – and especially those within the Pheasant Branch Creek Corridor and Tiedeman and Stricker Ponds – would require many years of storm water utility revenue to restore to its pre-storm condition without a sizeable increase in funding of the storm water utility's operations; and

WHEREAS, the City of Middleton anticipates that once the storm damage is remediated, the annual charge for storm water management may return to its pre-flood levels; and

WHEREAS, prior to the August, 2018 flood, the storm water utility had made substantial progress toward eliminating the maintenance project deficit that existed at the time of its adoption of Resolution 2014-34A, authorizing the initial charge of the storm water utility;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Middleton as follows: beginning in 2019 and ending December 31, 2024, the City of Middleton Storm Water Utility may collect fees for maintenance of storm water management facilities by usage fees collected from the owners of City properties on the basis of \$45.00 dollars per equivalent runoff unit, and the applicable levy limit shall not be reduced by the fee revenue collected for storm water management.

BE IT FURTHER RESOLVED: that beginning with fees collected in January, 2025, the fee per equivalent runoff unit shall be reduced to \$15.00. In all cases, the City levy limit shall not be reduced by the fee revenue collected for storm water management.

BE IT FURTHER RESOLVED: that this Resolution shall not take effect until such time as the electors of the City of Middleton approve a referendum containing the following referendum question:

RESOLVED, that due to the devastating impact of the August 20, 2018 storm, the City of Middleton Storm Water Utility shall be permitted to charge customers of the Storm Water Utility an annual charge of up to \$45 per equivalent runoff unit from each property, for the years 2019 through 2024 only, to fund the repairs to the Pheasant Branch Creek Corridor, Tiedeman Pond, Stricker Pond and other storm water management features that were damaged by the August 2018 flood, without reducing the levy limit for the charges of the Storm Water Utility.

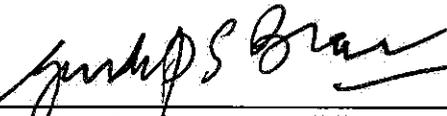
Yes No

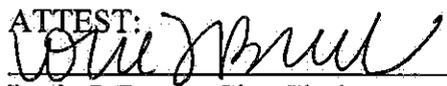
Explanation: A "yes" answer means you support the City of Middleton's increase in Storm Water Utility fees to repair the substantial damage from the August, 2018 storm spread over all property owners producing storm water runoff for a period of 5 years in the City of Middleton beyond maximum property tax revenue levy limits. A "no" answer means that the City of Middleton may continue to maintain its annual charge of \$15 per equivalent runoff unit to support storm water maintenance projects outside of property taxes.

BE IT FURTHER RESOLVED that the Common Council of the City of Middleton hereby directs the City Clerk to place the above referendum question on the April 2, 2019 ballot.

The above and foregoing Resolution was duly adopted at a regular meeting of the Common Council of the City of Middleton on the 15th day of January 2019.

CITY OF MIDDLETON

By: 
Gurdip Brar, Mayor

ATTEST:

Lorie J. Burns, City Clerk

Vote:
Ayes: 7
Noes: 0

Adopted: 1/15/16

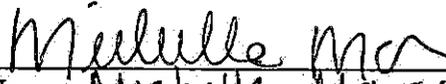
CERTIFICATION

Lorie J. Burns, being first duly sworn on oath, does hereby certify that the above and foregoing Resolution was duly adopted by the Common Council of the City of Middleton on the 15th day of January 2019.



Lorie J. Burns, City Clerk

Subscribed and sworn to before me this
15 day of January, 2019


Name: Michelle Marx
Notary Public, State of Wisconsin
My Commission: 9/18/2021

