

## NOTICE OF REFERENDUM ELECTION

Notice is Hereby Given, that an election to be held in the City of Middleton on Tuesday, April 6, 1999, the following referendum question will be submitted to a vote of the people pursuant to law:

### REFERENDUM REGARDING AIRPORT EXPANSION

Shall the following Charter Ordinance be enacted?

#### PROPOSED CHARTER ORDINANCE

The Common Council or the electors of the City of Middleton, Dane County, Wisconsin, as applicable, do ordain as follows:

Sec. 1. **Prohibition on Expansion of City Airport.** Neither the City of Middleton, nor any agency or instrumentality thereof, shall expand or cause or permit the expansion of airport operations, as they exist as of the effective date hereof, which are associated with any airport lands or facilities owned or controlled by the City of Middleton, or any agency or instrumentality thereof. For purposes hereof, "expansion of airport operations" shall include the acquisition of any interest in real estate by the City of Middleton, or any agency or instrumentality thereof, by purchase, lease, eminent domain, dedication or otherwise, including acquisition of fee title, easement, leasehold or any other interest, for airport operations which are associated with any airport lands or facilities owned or controlled by the City of Middleton, or any agency or instrumentality thereof. The acquisition or granting of any interest in land (a) prior to the effective date of this ordinance, (b) for which a binding contract is in effect prior to the effective date of this ordinance, or (c) where required by federal or state laws or regulations, shall not be prohibited by this section.

Sec. 2. **Charter Ordinance.** This is a charter ordinance of the City of Middleton adopted under the provisions of sec. 66.01, Wis. Stats.

Sec. 3. **Effective Date.** This charter ordinance shall become effective at the earliest date provided for in sec. 66.01, Wis Stats.

Sec. 4. **Severability.** In the event that any part, but less than all, of this ordinance is held to be invalid for any reason by a court of competent jurisdiction from which no further appeal may be taken, the balance of this ordinance not held to be invalid shall be and remain in full force and effect and the invalid portion shall be deemed severed therefrom.

YES \_\_\_\_\_

NO \_\_\_\_\_

**EXPLANATORY STATEMENT  
OF THE EFFECT OF EITHER A  
"YES" OR "NO" VOTE**

A "**no**" vote would have the effect of **allowing** the City of Middleton to do the following:

1. Effectively plan for the improvement and operation of Morey Airport.
2. Allow for potential future acquisition of land and other property rights for such improvement and operation of Morey Airport.
3. Preserve the ability to secure state and federal funding for improvement and operation of Morey Airport.
4. Better control the delicate balance between types of development and storm water run-off issues in the area.

A "**yes**" vote would have the effect of **denying** the City of Middleton the opportunity to do the following:

1. Effectively plan for the improvement and operation of Morey Airport.
2. Allow for potential future acquisition of land and other property rights for such improvement and operation of Morey Airport.
3. Preserve the ability to secure state and federal funding for improvement and operation of Morey Airport.
4. Better control the delicate balance between types of development and storm water run-off issues in the area.

Timothy R. Studer  
City Clerk