

A COMPREHENSIVE PLAN FOR THE CITY OF PORT WASHINGTON

Chapter XIII

INTERGOVERNMENTAL COOPERATION ELEMENT

INTRODUCTION

The intergovernmental cooperation element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001 (2) (g) of the *Statutes* requires this element to compile goals, objectives, policies, programs, and maps for joint planning and decision making between the City of Port Washington and other jurisdictions, including school districts and Ozaukee County, for the siting and building of public facilities, and for sharing public services. The *Statute* also requires this element to:

- Analyze the relationship of the City to school districts, other local governments, Ozaukee County, the Region, the State, and to other governmental units (such as library boards).
- Incorporate any plans or agreements to which the City is a party under Sections 66.0301, 66.0307, or 66.0309 of the *Statutes*.
- Identify existing or potential conflicts between the City and adjacent local governments, Ozaukee County or the regional planning commission, and to describe the processes to resolve such conflicts.

In addition, the following comprehensive planning goals related to the intergovernmental cooperation element are set forth in Section 16.965 of the *Statutes* and were addressed as part of the planning process:¹

- Encouragement of coordination and cooperation among nearby units of government.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
- Providing an integrated, efficient, and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependant citizens and persons with disabilities.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
- Planning and development of land uses that create or preserve varied and unique urban and rural communities.

Cooperation between neighboring and overlapping units of government is one of the goals of the Wisconsin comprehensive planning law and is an important aspect of this comprehensive plan, which is a result of City participation in the Ozaukee County multi-jurisdictional comprehensive planning process. The County multi-jurisdictional planning process was undertaken as a cooperative, multi-jurisdictional process that sought to involve all cities, villages, and towns in the County as partners. The planning process was also fully coordinated with SEWRPC, the regional planning commission serving Ozaukee County and its communities, and UW-Extension. School districts and representatives from State and Federal agencies were also involved in the planning process through membership on various work groups and advisory committees, or were provided with plan materials and invited to submit comments and/or attend committee meetings. In addition, the County sponsored a workshop on intergovernmental cooperation, with a featured speaker from the Wisconsin Department of Administration's Municipal Boundary Section, which focused on opportunities for boundary agreements and shared services. The County also co-sponsored an Implementation Workshop with Washington County to discuss the consistency requirements of the comprehensive planning law and extraterritorial authorities with local governments. The Workshop featured speakers from UW-Extension's Center for Land Use Education.

¹ Chapter I lists all 14 of the comprehensive planning goals included in Section 16.965 of the *Statutes*.

The City has the opportunity participate in the Ozaukee County resolution process to provide a forum to address conflicts between the City and adjacent local governments or the County arising from implementation of adopted comprehensive plans. The dispute resolution process is modeled after a similar process developed by Washington County to resolve disputes relating to comprehensive plans. The recommended process is described in this chapter.

Some of the benefits of Intergovernmental Cooperation are provided below:

- **Cost Savings**
Cooperation can save money by increasing efficiency and avoiding unnecessary duplication. Cooperation can enable some communities to provide their residents with services that would otherwise be too costly. Examples include shared library services, police and fire protection, recycling of household hazardous waste, and shared government buildings.
- **Address Regional Issues**
By communicating and coordinating actions, and working with County, regional, and State agencies, communities are able to address and resolve issues that are regional in nature. Examples include the protection of natural resources, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater and surface water resources; construction and maintenance of highways; provision of transit service; and planning and construction of facilities for stormwater management and water supply.
- **Early Identification of Issues**
Cooperation enables jurisdictions to identify and resolve potential conflicts at an early stage, before affected interests have established rigid positions, before the political stakes have been raised, and before issues have become conflicts or crises.
- **Reduced Litigation**
Communities that cooperate may be able to resolve issues before they become mired in litigation. Reducing the possibility of costly litigation can save communities money, as well as the disappointment and frustration of unwanted outcomes.
- **Consistency**
Cooperation can lead to consistent goals, objectives, policies, programs, and plans of neighboring communities and other jurisdictions.
- **Predictability**
Jurisdictions that cooperate provide greater predictability to residents, developers, businesses, and others. Lack of predictability can result in lost time, money, and opportunity.
- **Understanding**
As jurisdictions communicate and collaborate on issues of mutual interest, they become more aware of one another's needs, priorities, unique character, and sense of identity. They can better anticipate problems and work to avoid them, while respecting each other's identity.
- **Trust**
Cooperation can lead to positive experiences and results that build trust and good working relationships between jurisdictions, while maintaining identity.
- **History of Success**
When jurisdictions cooperate successfully in one area, the success creates positive feelings and an expectation that other intergovernmental issues can be resolved as well.

- **Service to Citizens**

The biggest beneficiaries of intergovernmental cooperation are citizens for whom government was created in the first place. They may not understand, or even care about, the intricacies of a particular intergovernmental issue, but all residents can appreciate cooperation that improves their quality of life. Benefits such as cost savings, provision of needed services, and a strong economy may also result from such cooperation.

PART 1: ANALYSIS OF INTERGOVERNMENTAL RELATIONSHIPS

City of Port Washington

Services provided by the City are available to all residents of the City. The *Utilities and Community Facilities Element* (Chapter XI) provides a summary of the services and facilities provided by the City. The *Transportation Element* (Chapter X) provides information on highway, transit, and other transportation facilities and services provided in the City and Ozaukee County. This section briefly highlights a few of the City departments that have entered into service agreements with or provide services to neighboring communities, Ozaukee County, and other units and agencies of government.

School Districts

The City is served by the Port Washington-Saukville School District. There are 4 public schools and 3 private schools that serve the City. There are also three institutions of higher learning in Ozaukee County; Milwaukee Area Technical College (MATC) Mequon Campus, Concordia University, and Wisconsin Lutheran Seminary. In addition, the University of Wisconsin-Milwaukee (UWM) maintains a field station with research facilities located at the Cedarburg Bog Natural Area in the Town of Saukville, and UW-Extension provides services to County residents through their office in the County Administration Center. Map IV-22 in Chapter IV shows the location of public and private schools and colleges and universities in the County in 2006, and the boundaries of public school districts. Chapter XI describes facilities planning by school districts to determine future needs.

The City can assist school districts, if requested, by providing information regarding proposed residential developments for use in facilities planning, and by offering comments on proposed school locations. City regulations that affect the location of schools include the Zoning Ordinance, Land Division Ordinance, and Building Code Ordinance. Schools and other district facilities also rely on local services such as sewer and water, police and fire protection, and streets and highways.

Recreational sites and facilities present an opportunity for shared use of facilities between the City, the school district, and Ozaukee County. The school district may rely on the use of City or County parks for athletic events (such as the use of City parks for baseball or softball); and play apparatus and playfields at schools may be available for City residents to use when school is not in session. It may also be advantageous to locate schools and parks next to each other when possible, to maximize opportunities for shared use of recreational areas and facilities.

Consolidation of school districts is a topic that often comes up when discussing efficiencies in government. While it is important to recognize that bigger is not always better, there are some efficiencies that can be gained by combining school districts. Although it is possible that consolidating school districts could reduce certain costs (such as central office staffing), it is also possible that other costs could increase (busing students, etc.) following a merger. School district consolidation is a complex issue and should be studied thoroughly before school districts pursue consolidation.

Libraries

The Niederkorn Public Library, which serves the City and is part of the Eastern Shores Library System, participates in an interlibrary loan and reference referral program that includes all libraries in the Eastern Shores Library System and all public school libraries located in Ozaukee County. The City allocates annual funding to the Niederkorn Library and appoints members to the Joint Library Board, which serves as the oversight committee for the Niederkorn Library.

Adjoining Local Governments

The Towns of Port Washington and Grafton are located adjacent to the City. There are also a number of special purpose units of government located in the City, which are government agencies authorized by the *Statutes* to carry out specific responsibilities. Examples of special purpose districts include sanitary districts, utility districts, and school districts.

Boundary plans and intergovernmental agreements can preserve lands for towns and allow them the ability to plan for future development without worrying about future annexation occurring. Depending on the agreements and plans developed, such devices also have the potential for revenue sharing or payments from incorporated areas, to receive municipal services not readily available to towns, and to preserve lands from future urban development. Boundary agreements and annexation and extraterritorial issues are described in more detail in Parts 2 and 3 of this chapter.

Regional Organizations

SEWRPC

The City and Ozaukee County are served by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Ozaukee County contracted with SEWRPC to assist the County, the City, and 13 other participating local governments to help prepare the City comprehensive plan and comprehensive plans for the County and the other participating local governments. SEWRPC also prepares a regional land use plan, which includes population, employment, and household projections to assist in local and county planning efforts, and is the federally-designated transportation planning and programming agency for the seven-county region. SEWRPC is also the regional water quality management agency for communities in the Region, and is involved in many other aspects of land use planning and development. In addition to comprehensive planning and the County jurisdictional highway system plan, major SEWRPC planning projects affecting the City include the regional water supply plan, regional water quality management plan, regional natural areas and critical species habitat management plan, and the regional telecommunications plan. SEWRPC works closely with the City, Ozaukee County, and other local and county governments in the Region, as appropriate, when developing its plans. SEWRPC also prepares other community plans on request, such as park and open space plans.

Milwaukee 7

The Milwaukee 7 is a council of representatives from the seven Southeastern Wisconsin counties (same seven counties within the SEWRPC area). The council, made up of about 35 civic and business leaders, was formed with the idea that a regional approach is key to fostering economic growth. Additional information about the Milwaukee 7 is provided in Chapter XII.

State of Wisconsin

Wisconsin Department of Transportation (WisDOT)

WisDOT administers a variety of State and Federal programs to complete projects that enhance the transportation network within the area in partnership with the City, Ozaukee County, and SEWRPC. Grant programs include the Surface Transportation Program, Congestion Mitigation and Air Quality, Local Transportation Enhancements, and a number of other programs that collectively provide funding for streets and highways, transit, bicycle and pedestrian improvements, and funding for railroad improvements.

WisDOT also administers the General Transportation Aids program, which returns a portion of the money collected through fuel taxes and vehicle registration fees to the City to help offset local road construction and maintenance costs. WisDOT maintains the Wisconsin Information System for Local Roads (WISLR), which is an extensive map-based database, accessible to City officials and staff, of road conditions such as right-of-way and pavement width, shoulder width, number of driving and parking lanes, pavement condition, and other information.

Wisconsin Department of Natural Resources (DNR)

The Wisconsin Department of Natural Resources is dedicated to the preservation, protection, effective management, and maintenance of Wisconsin's natural resources. It is responsible for implementing the laws of the State and, in some cases, the laws of the Federal government that protect and enhance the natural resources of the State, including wetlands, shorelands, floodplains, woodlands, and water quality. The DNR is charged with coordinating the many disciplines and programs necessary to provide a clean environment and a full range of outdoor recreational opportunities for Wisconsin citizens and visitors.

The DNR makes grants available to the City for park acquisition and development. The City should continue to apply for grant funds through the DNR to improve recreational opportunities, to purchase land for parks and preservation of important natural resources, and to develop parks. The City must have an adopted park and open space plan in order to apply for DNR grant funds.

The DNR also worked with the Federal Emergency Management Agency and Ozaukee County to update floodplain mapping within the City in 2007. In addition, the DNR identifies and monitors environmentally contaminated sites and administers grant programs to clean up such sites, which are commonly referred to as "brownfields." Contaminated sites and brownfield remediation grant programs are identified in Chapter XII.

Department of Commerce

The Wisconsin Department of Commerce administers a number of economic development programs to assist both communities and businesses. The Department has in the past provided Community Development Block Grant (CDBG) funds to local businesses that in-turn helped to fund the City's Revolving Loan Fund (RLF). Commerce staff has provided the City with leads for new businesses looking to relocate. When some of the local industries and large employers have either down-sized or closed, the Department through its Workforce Development division, has provided job training assistance.

Other Governmental Units

Other governmental units or "special purpose" units of government that the City works with include the municipal electric companies and the public library board.

PART 2: EXAMPLES OF EXISTING SERVICE AND OTHER AGREEMENTS IN OZAUKEE COUNTY

The Statutes require that this element incorporate any plans or agreements to which the County is a party under the following:

- **Section 66.0301 – Intergovernmental Cooperation:** This section of the *Statutes* authorizes cooperation between local, County, and State government agencies and/or special purpose units of government for the receipt or furnishing of services or for the joint exercise of powers or duties required or authorized by law. The agreement is a contract between the cooperating entities and specifies the responsibilities of each, and the time period for which the contract is in effect. This *Statute* may also be used for boundary agreements between communities. Boundaries are set in the agreement and the parties either commit to maintain them or to allow the city or village to grow to an ultimate boundary. The agreement may also contain provisions for revenue sharing. The City is a party to the following intergovernmental agreements:
- **Section 66.0307 – Boundary Change Pursuant to Approved Cooperative Plan:** A cooperative plan may change boundaries between local governments. The cooperative plan must be approved by the DOA. The plan may establish ultimate city or village boundaries, zoning for the areas included in the agreement, and provide for revenue sharing. The major difference between a boundary agreement established under Section 66.0301 and one established under Section 66.0307 is that the latter supercedes the annexation Statute for attachment and/or detachment of property from one local government to another, provided the attachment or detachment is called for by the agreement. The City is not a party to any agreements established under Section 66.0307. There are no boundary agreements between local governments in effect under Section 66.0307 in Ozaukee County.

Boundary agreements may also be established by a judicial order as part of a settlement of annexation litigation between a town and adjacent city or village. Boundaries are determined by mutual agreement of the parties. The procedures for this type of agreement are set forth in Section 66.0225 of the Statutes, “Stipulated Boundary Agreement in Contested Boundary Actions.” The City has entered into a boundary agreement with the Town of Port Washington developed under Section 66.0225 of the Statutes.

- **Section 66.0309 – Creation, Organization, Powers, and Duties of Regional Planning Commissions:** This section of the *Statutes* authorizes the Governor to establish regional planning commissions in response to petitions from County and local governments. A regional planning commission is charged by the *Statutes* to prepare and adopt a master plan for development of the region. Ozaukee County is part of the Southeastern Wisconsin Regional Planning Commission (SEWRPC), which serves the seven counties and 147 cities, towns, and villages in the southeastern corner of Wisconsin. The seven counties include Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha. SEWRPC was established by then-Governor Gaylord Nelson in 1960 and is governed by a 21-member Commission. Chapter V includes a summary of recent plans conducted by SEWRPC that affect the City. SEWRPC also assisted Ozaukee County and the City in the preparation of this comprehensive plan.

Examples of Shared Services in the City of Port Washington

There are many existing service agreements between the City and Ozaukee County and between the City and other local governments. Listed below is a list of several types of the agreements and examples of cooperation. Agreements can take the form of intergovernmental agreements under the *Statutes*, memoranda of understanding between or among units of government, resolutions approved by governing bodies, or more informal written agreements.

Shared Services and Equipment

Police/Fire Services

- The Ozaukee County Emergency Management Department works in cooperation with local governments throughout the County to organize, plan, and assign available resources to mitigate, prepare for, respond to, and recover from the effects of all hazards. The Department is supported by County funds, which are reimbursed in part by Federal funding and in-kind contributions from the City of Port Washington.
- The Ozaukee County Sheriff’s Department operates the Ozaukee County Anti-Drug Task Force. This unit consists of deputy sheriffs and municipal law enforcement officers from throughout the County. The purpose of the unit is to investigate drug related crimes and educate residents about drug activity in the County.
- The Ozaukee County Sheriff’s Department participates in a countywide Special Response Team. This unit consists of deputy sheriffs and municipal law enforcement officers that receive special training and employ special weapons to increase their capability to respond to hostage and barricaded suspect situations throughout the County.
- Ozaukee County works with MATC to provide a countywide law enforcement training consortium to benefit all law enforcement agencies located in Ozaukee County.
- All fulltime Ozaukee County and Washington County law enforcement agencies cooperate in the Suburban Mutual Aid Response Team (SMART). This is a mutually beneficial response plan that equitably utilizes the resources of each fulltime law enforcement agency in both counties if a member is experiencing a local emergency and requires additional resources.
- The City helps Ozaukee County fund the County Rescue Boat that is moored in the downtown marina.
- The County Sheriff’s Department and City of Port Washington Police Department are equal partners in the ownership and use of a “SMART” trailer. This trailer is a computer equipped radar surveillance trailer that is used to monitor speed, traffic counts, and traffic flow for the purposes of aiding traffic safety.

Public Works

- Ozaukee County provides fueling services, including regular gas and diesel, to the City of Port Washington Public Works Department, Police Department, Fire Department, and the Port Washington – Saukville School District.

- Ozaukee County purchases and stores 30,000 tons of salt annually for winter road maintenance use by all cities, villages, and towns in the County.
- Ozaukee County provides quotes for special construction projects to all cities, villages, and towns in the County.

Ozaukee County Finance Department

- The Ozaukee County Finance Department has offered the services of its Purchasing Manager to cities, villages, and towns in the County.

Shared Equipment

- The City of Port Washington shares the use of a Stump grinder with the Village of Grafton and the City of Cedarburg,
- The City of Port Washington shares the use of a Asphalt patcher with the City of Cedarburg,
- The City of Port Washington shares the use of Sanitary sewer televising equipment with the Village of Grafton and the City of Cedarburg.

Shared Utilities and Community Facilities

- The Ozaukee Interurban Trail is an excellent example of intergovernmental cooperation between the of Port Washington, Ozaukee County and the other municipalities along the Trail.
- The City of Port Washington along with the Village of Grafton and City of Cedarburg have worked on joint solicitation of RFPs for bulk supply of wastewater treatment chemicals.
- Along with other Ozaukee County communities, the City participates in the Eastern Shores Library System.
- The City cooperates with the City of Cedarburg and Village of Grafton by providing residents with shared pool passes.

Shared Technologies

- Ozaukee County undertakes parcel mapping for the City. The County provides periodic updates of the data in the format the communities require. This has freed up City staff time to devote to other priorities and makes community parcel information available in a format identical to other areas of the County.
- The importance of digital orthophotography in a variety of County applications continues to increase. SEWRPC coordinates Federal, State, regional, and county government partners to acquire this valuable imagery. The City of Port Washington is able to get the imagery they need at a fraction of the cost they would have paid doing the project alone.
- Ozaukee County and participating local governments like Port Washington have an agreement that the County provides the technical services for the Statewide Voter Registration System (SVRS). The County Clerk had developed an election inspector training program that has had over 300 participants.
- Ozaukee County provides the forms for the tax bills for local governments. Ozaukee County provides the tax bills, tax rolls, and computer tax receipting for City residents..
- The Ozaukee County Land Information Department and SEWRPC have acquired a great deal of base data. This data is also available for public use through the Ozaukee County Interactive Map on the County website or by request.
- The Wisconsin Department of Natural Resources (DNR) initiated a “Map Modernization Program” in Ozaukee County in 2004 to update floodplain mapping throughout the County. The County provided funding through a strategic land information grant. Ozaukee County and the City of Port Washington updated their respective zoning maps to reflect the new floodplain delineations.
- Emergency dispatch services are provided by the Ozaukee County Sheriff’s Department to any interested community located in the County through an intergovernmental agreement. The Port Washington, police, fire, and EMS departments participated in the program as of 2008.

- The Ozaukee County Sheriff’s Department operates a communications center that benefits all public safety agencies within the County through the reception of all wireless 911 calls.
- There is a shared emergency radio system between Ozaukee County and cities, villages, and towns with connectivity to the City of Milwaukee and the State Police. All fire and EMS departments and municipal public works departments benefit from the shared radio system.
- Ozaukee County hosts the website and e-mail services for the City of Port Washington.

Joint Planning Efforts and Ordinance Administration

Cooperative Planning

- Ozaukee County, in partnership with 14 local governments, SEWRPC, and UW-Extension, formally agreed to work together in a single planning effort to develop a multi-jurisdictional comprehensive plan. This joint planning process provided an opportunity for neighboring local governments to work through issues to provide for the future success, economic vitality, and quality of life in Ozaukee County.
- A boundary agreement was developed between the City of Port Washington and Town of Port Washington under Section 66.0225 of the Statutes.
- The City of Port Washington and the Village of Saukville developed a joint planning area during the multi-jurisdictional planning process.
- Ozaukee Economic Development (OED) seeks to improve and enhance the economic vitality of Ozaukee County and all its communities by serving as the central voice on economic development issues. The City maintains membership on the Board of Directors.
- Each city, village, and town located in Ozaukee County has been invited to participate in the Local Ozaukee Government Information Network (LOGIN). Local governments meet to:
 - Share information about local community programs and initiatives that have successfully addressed and resolved problems experienced by one or more local government in Ozaukee County
 - Identify areas where communities may wish to work together to achieve mutually desired goals and effect cost saving strategies
 - Learn about Ozaukee County, State, and Federal programs and how they may be accessed to further serve the citizens of each local government
 - Develop relationships among the various local governments in Ozaukee County that will serve to identify and prevent future problems.
- Ozaukee County works with the Ozaukee Interurban Trail Advisory Committee, We Energies, and nine local governments to develop the Ozaukee Interurban Trail. The Trail is a 30-mile paved trail connecting the communities of Mequon, Thiensville, Cedarburg, Grafton, Port Washington, and Belgium, which is mostly off road.

PART 3: INTERGOVERNMENTAL CONFLICTS AND DISPUTE RESOLUTION

Dispute Resolution Process²

Section 66.1001 (2) (g) of the *Wisconsin Statutes* requires that the Intergovernmental Cooperation Element identify existing or potential conflicts between the City and other governmental units, including school districts, and describe processes to resolve such conflicts.

Negotiation Facilitated by Ozaukee County

Under the Ozaukee County multi-jurisdictional comprehensive plan, Ozaukee County is developing a program to provide for the establishment of a multi-jurisdictional dispute resolution forum to resolve conflicts regarding the adopted comprehensive plans if the first stage of negotiations is unsuccessful. Interested County and local governments would enter into an appropriate intergovernmental agreement to voluntarily participate in this dispute resolution process in an effort to reduce or avoid expenditures of valuable taxpayer dollars. It is

² *This section is based on the dispute resolution process developed under the Washington County Multi-Jurisdictional Comprehensive Plan (See SEWRPC Community Assistance Planning Report No. 287).*

recommended that Ozaukee County establish a workgroup to develop a set of rules and bylaws to govern the County dispute resolution process. The process will be called a “facilitated negotiation” to clearly differentiate it from the negotiation and mediation stages of dispute resolution. A program has been recommended under Part 4 of this Chapter to provide for City participation in the multi-jurisdictional dispute resolution forum.

Intergovernmental Conflicts

Section 59.69(3)(b) of the *Wisconsin Statutes* explicitly requires that a county development (comprehensive)³ plan include, without change, the master (comprehensive) plan of a city or village adopted under Section 62.23(2) or (3), and the official map adopted by a city or village under Section 62.23(6) of the *Statutes*. Section 59.69(3)(e) of the *Statutes* further provides that a master plan or official map adopted under Section 62.23 “shall control” in unincorporated areas of a county; however, Section 59.69(3)(e) does not specifically require that city and village plans for their extraterritorial areas be included in the County comprehensive plan. There is no Statute requiring a county to incorporate town plans into the county comprehensive plan. In addition, the comprehensive planning law did not alter any existing town, village, city, or county authorities or responsibilities with regard to planning, zoning, plat approval, extraterritorial authorities, annexations, or any of the other statutes and regulations that affect land use in Wisconsin. There has been no apparent attempt by the proponents of the comprehensive planning law or any State officials or agencies to address the many ambiguities between the comprehensive planning law and pre-existing Statutes.

The Ozaukee County planned land use map (Map XIII-1) includes city and village planned land use maps for the areas within city and village limits⁴ based on the SEWRPC recommendation regarding incorporation of city and village comprehensive plans for extraterritorial areas into a county comprehensive plan.⁵ However, each city and village planned land use map adopted as part of a local comprehensive plan included areas outside the limits of the city or village. This practice is consistent with good land use planning, because cities and villages typically annex land to accommodate population growth and associated land uses. The regional land use plan recommends that additional residential growth occur in a compact pattern within and adjacent to urban service areas at densities that can be cost-effectively provided with sewer and other urban services. The regional plan recommends that new urban development occur with sanitary sewer service; however, it is not necessary that such development occur only within cities and villages. Towns that have formed a sanitary or utility district to provide sanitary sewer services, or that have entered into a boundary agreement with an adjacent city or village that provides for urban development in the town and the extension of sewers to serve that development, such as the City and Town of Port Washington, is consistent with the regional land use plan.

Although many towns recognize the need for cities and villages to grow, there is often opposition to annexations when such annexations occur in prime farmland areas, particularly where alternatives are available; where a city or village annexes land without providing sewer and/or water services; and where annexations result in illogical city or village boundaries, including long, narrow “arms” of the city or village extending into the town or creation of small areas of the town completely surrounded by the city or village, except for a thin strip of land left to avoid creation of a town island. Irregularly-shaped annexations also create problems with street maintenance, due to alternating portions of a street being in a city or village and remaining portions in a town; half of a street being annexed and subject to city or village construction standards (which may, for example, require installation of

³ Section 66.1001(1)(a) of the *Statutes* defines a comprehensive plan as a county development plan prepared or amended under Section 59.69(2) or (3); a city or village master plan adopted or amended under Section 62.23(2) or (3); a town master plan adopted under Section 62.23(2), where the town exercises village powers under Section 60.22(3); and a master plan adopted by a regional planning commission under Section 66.0309(8), (9), or (10).

⁴ An exception is the City of Mequon extraterritorial zoning area (ETZ) in the Town of Grafton, because Mequon has the zoning authority in this area.

⁵ The recommendation is summarized in the Land Use Element (Chapter VIII) of this report.

curbs and gutters), while the other half remains developed to town standards, and/or or different speed limits posted for segments of the street under town versus city or village jurisdiction.

Many of these issues and disagreements could be resolved through the development of cooperative or boundary agreements between cities and villages and adjacent towns. Until such agreements are developed, disagreements will likely continue between cities and villages and adjacent towns as each unit of government develops in accordance with its land use plan, and cities and villages continue to exercise their extraterritorial authorities in adjacent towns (a summary of extraterritorial authorities is provided in Appendix M).

There were several opportunities to develop coordinated planned land use maps for the extraterritorial areas of cities and villages during this multi-jurisdictional planning process. The City and Town of Port Washington was an example of successful coordination. The City of Port Washington reviewed the planned land use map for the area of the Town of Port Washington identified in the City/Town boundary agreement, which also lies within the City's comprehensive plan planning area. The City then incorporated the planned land use identified by the Town for this area in the City planned land use map. In addition, the City and the Village of Saukville developed a joint planning area located between the City and Village along STH 33. The County encourages cities and villages and adjacent towns to continue or to initiate cooperative planning following adoption of a comprehensive plan by each local government. The inventory information and recommendations developed as part of this multi-jurisdictional comprehensive plan should provide a good basis for the development of boundary agreements and other joint planning activities.

Maps XIII-1 depicts the land use plan map approved by the County as part of the County multi-jurisdictional comprehensive plan. The County land use plan map has a design year of 2035, as do other local land use plan maps in the County with the exception of the City of Cedarburg, which used a design year of 2025. Local land use plan categories were generalized into County land use plan categories for inclusion in the County planned land use map. The generalized planned land use categories are consistent with each of the land use categories identified in local government land use plan maps. Table XIII-1 lists each plan category shown on the City land use plan map, and the corresponding category on the County plan map. Maps for each community in Ozaukee County were prepared as part of the multi-jurisdictional planning process, and are included in the County comprehensive plan.

Map XIII-2 graphically summarizes conflicts between the City plan and adjacent City plans.⁶ In cases where a conflict exists between a city or village plan and a town plan, there is also a conflict between the city or village plan and the County plan, because the County planned land use map includes town recommendations for areas outside city and village limits.

The dispute resolution process recommended as part of this comprehensive planning process can be used to resolve conflicts between the comprehensive plans adopted by the City and adjacent local governments or Ozaukee County, if conflicts cannot be resolved using more informal means. Boundary agreements offer another means of resolving conflicts, particularly when disputes are based on conflicting recommendations for future land uses or residential densities within a city or village's extraterritorial area and/or sewer service area. In addition to establishing future city and village boundaries, such agreements can also establish future land uses and provide for the extension of city or village sewer and water services to portions of the town.

PART 4: INTERGOVERNMENTAL COOPERATION GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

This section sets forth intergovernmental cooperation goals and objectives through the comprehensive plan design year of 2035. Policies, which are steps or actions recommended to be taken to achieve goals and objectives; and programs, which are projects or services that will implement the policies, are also identified. Goals and

⁶ *Map XIII-16 in the County comprehensive plan summarizes conflicts resulting from local comprehensive plans for the entire County.*

objectives were developed using the general planning issue statements and goals and objectives related to intergovernmental cooperation identified in Chapter VI. Sources of public input outlined in the City and County Public Participation Plans and existing City plans and programs, other local government existing plans and programs, and County existing plans and programs were also reviewed to identify intergovernmental cooperation issues to be addressed by the goals, objectives, policies, and programs set forth in this section.

Intergovernmental Cooperation Issues

Shared Services and Facilities

An increase in shared services and facilities has been identified as an important issue for communities and Ozaukee County by committees, boards, and local governments participating in the multi-jurisdictional comprehensive planning process. The sharing of services and facilities is often a way to increase the efficiency of providing services at a lower cost to the community. The coordinating of government services was also seen as an opportunity during the County SWOT analysis. The City, as well as the County and each local government within the County, should identify possible shared service and facility opportunities in the intergovernmental cooperation element and work to implement recommendations through the comprehensive plan design year of 2035.

Cooperative Planning and Ordinance Administration Issue

Cooperative planning and ordinance administration between the City, County, and other local governments has also been identified as an important issue by comprehensive planning committees and local governments participating in the multi-jurisdictional planning process. In addition, coordinating government planning was identified as an opportunity for the future during the SWOT analysis. The County multi-jurisdictional comprehensive plan was identified as a catalyst for cooperative planning and includes policy and program areas that facilitate future cooperative planning. The City comprehensive plan should recognize the cooperative planning opportunities provided by the County comprehensive plan. The City should work with the County and adjacent communities to implement cooperative planning programs recommended in the intergovernmental cooperation element.

School District Cooperation Issue

Section 66.1001 of the *Wisconsin Statutes* requires the City to analyze its relationship with the local school district. Through each phase of public input gathered as part of the multi-jurisdiction comprehensive planning process, including the countywide public opinion survey and the SWOT analysis, education has been seen as an asset and an important priority for the future quality of life of City and County residents. The City comprehensive plan should identify policies and programs to assist the local school district with future planning, which will enable them to provide a high level of education in an efficient and cost effective manner.

Intergovernmental Cooperation Goals, Objectives, Policies, and Programs

This section includes a compilation of goals, objectives, policies, programs, and maps that will facilitate intergovernmental cooperation between the City, Ozaukee County, local governments located in the County, and special units of governments such as school districts through the comprehensive plan design year 2035.

General Intergovernmental Cooperation Issue

- **Goal:** Encourage intergovernmental cooperation.
 - **Objective:** Participate in continuing dialog about comprehensive planning, land use regulation issues, and boundary issues with the County and other local governments in Ozaukee County.
 - **Objective:** Encourage intergovernmental cooperation when selecting sites for locating public facilities such as police stations, fire stations, government administration buildings, and libraries, and quasi-public facilities such as hospitals, clinics, and skilled nursing, assisted living, and independent living centers for the elderly and persons with disabilities.
 - **Objective:** Pursue intergovernmental cooperation between the City, Ozaukee County, other local governments, and other agencies as opportunities arise.

Shared Services and Facilities Issue

- **Goal:** Encourage shared services and facilities between the City and other units and levels of government.
 - **Objective:** Cooperate with other units and agencies of government, where appropriate, to provide cost-effective government services.
 - **Policy:** Support the development of water control facilities and programs including stormwater management systems, to meet the stormwater runoff control needs of the City.
 - **Policy:** Cooperate with SEWRPC, the County, and other local governments to implement the recommendations of the regional water supply plan.
 - **Program:** Work with SEWRPC, Ozaukee County, and other local governments to implement recommendations from the regional water supply plan, as appropriate, to study the development of alternative water sources, including converting from groundwater to Lake Michigan as a source of municipal water.
 - **Policy:** Support County efforts to implement cooperative programs to reduce the human and environmental risks posed by household and agricultural waste, including hazardous waste.
 - **Program:** Request Ozaukee County to apply for grants to conduct household and agricultural chemical hazardous waste Clean Sweep programs.
 - **Program:** Request Ozaukee County to study the feasibility of providing a permanent County household hazardous waste drop-off site for use by all County residents.
 - **Program:** Request Ozaukee County to work with pharmacies, medical centers, health care providers, hospice providers, and veterinarians in Ozaukee County to continue an annual countywide recycling program for unused pharmaceuticals.
 - **Program:** Study possible City partnership in regional recycling programs and facilities.
 - **Policy:** Continue to participate in cooperative police protection and emergency management service efforts.
 - **Policy:** Consider participation in additional cooperative police protection and emergency management service efforts.
 - **Program:** Continue countywide funding and support for the Ozaukee County Rescue Boat.
 - **Program:** Continue to participate in the Ozaukee County Anti-Drug Task Force, which consists of deputy sheriffs and municipal law enforcement officers from throughout the County.
 - **Program:** Continue to participate in the countywide Special Response Team, which consists of deputy sheriffs and municipal law enforcement officers from throughout the County that respond to hostage and barricaded suspect situations throughout the County.
 - **Program:** Continue to participate in the MATC countywide law enforcement training consortium.
 - **Program:** Continue to participate in the Suburban Mutual Aid Response Team (SMART), which includes all fulltime law enforcement agencies in Ozaukee County and Washington County.
 - **Policy:** Continue to provide assistance and share equipment, as appropriate, for public works projects with other local governments and Ozaukee County.
 - **Policy:** Consider participation in additional cooperative public works efforts.
 - **Program:** Continue to contract with Ozaukee County for construction and maintenance services for applicable City transportation facilities.
 - **Policy:** Continue to participate in shared technical services with the County and other local governments as appropriate.
 - **Policy:** Consider participation in additional cooperative technical services programs.
 - **Program:** Continue to provide City parcel data to Ozaukee County for use in technical applications such as the County GIS system.
 - **Program:** Continue to work with Ozaukee County to maintain the City website to provide information to the public and other units and agencies of government.
 - **Program:** Continue to work with Ozaukee County to maintain City e-mail services.
 - **Program:** Consider contracting with Ozaukee County for emergency dispatch services through an intergovernmental agreement.

- **Program:** Continue to participate in the emergency radio system operated by Ozaukee County between the County and each city, village, and town in the County with connectivity to the City of Milwaukee and the State Police.
- **Program:** Continue to participate in County programs that provide technical services such as assistance with tax bills, the voter registration system, and the County’s purchasing program.
- **Objective:** Work with other units and agencies of government and private entities, including non-profit agencies, where appropriate, to construct and/or operate community facilities in a cost-effective and efficient manner through joint service agreements.
- **Objective:** Discuss plans with neighboring governments when selecting sites for locating public facilities such as police and fire stations and libraries, and quasi-public facilities such as hospitals, clinics, and skilled nursing, assisted living facilities, and independent living centers for the elderly and persons with disabilities.
 - **Policy:** Cooperate with other local governments, special units of government including school and library boards, private service providers, and Ozaukee County, if requested, to help determine suitable locations for public and quasi-public facilities, such as parks, schools, libraries, and healthcare facilities.
 - **Program:** Work with Ozaukee County and private service providers, on request, to explain the type of permits required from the City before selecting and buying a building site.

Cooperative Planning and Ordinance Administration Issue

- **Goal:** Reduce land use planning, ordinance administration, and other boundary issue conflicts between the City and other communities in Ozaukee County.
 - **Objective:** Continue existing cooperative and consider future planning efforts with other local governments, the County, and SEWRPC.
 - **Policy:** Participate in continuing existing dialog and consider future dialog about land use planning and regulation issues and boundary issues with local governments in the County.
 - **Policy:** Participate in continuing dialog about land use planning and regulation issues and boundary issues with neighboring communities.
 - **Program:** Begin a dialog with the Village of Saukville and the Town of Graton regarding possible border agreements.
 - **Program:** Participate in informal ad-hoc committees facilitated by Ozaukee County that would meet periodically with adjacent communities to discuss development projects and issues, such as shared services, boundary agreements, and/or development standards and patterns.
 - **Program:** Consider participation in the Ozaukee County Facilitated Negotiation Dispute Resolution Forum to resolve multi-jurisdictional conflicts regarding the adopted comprehensive plans of Ozaukee County and local governments in the County.
 - **Program:** Participate in the County sponsored annual countywide workshop on opportunities for and examples of shared services.
 - **Program:** Continue to participate in ongoing cooperative planning efforts with all participating local governments, the County, and SEWRPC started under the multi-jurisdictional comprehensive planning process, including utilizing data and mapping provided by Ozaukee County.
 - **Program:** Participate with other local governments and the County in discussions regarding current governing issues through LOGIN.
 - **Program:** Work with Ozaukee Economic Development (OED), other local governments in the County, and the Milwaukee 7 to coordinate attraction and expansion of businesses to the most advantageous areas of the County for businesses and residents of the City, County and the Region.
 - **Policy:** Encourage comprehensive water resource management of surface water, groundwater, and water dependent natural resources.
 - **Program:** Support and participate, as appropriate, in Ozaukee County’s work with SEWRPC, NGOs, UWM, and the DNR to establish a cooperative process to develop a framework for

- coordinated planning of land use, sewage treatment and disposal, stormwater management, and water supply facilities and services.
- **Policy:** Support Ozaukee County’s work with the DNR, NGOs, and local governments to protect important natural resources.
 - **Program:** Support and participate, as appropriate, in Ozaukee County’s on-going cooperative planning and land acquisition efforts.
- **Policy:** Continue to work with SEWRPC and Ozaukee County on regional plans and issues affecting the City.
 - **Program:** Continue working with Ozaukee County, SEWRPC, and WisDOT on transportation planning and programming efforts to promote interconnection between all transportation modes and systems available within the City, County, and Region.
 - **Program:** Continue working with SEWRPC and Ozaukee County to update the County jurisdictional highway plan and the County transit development plan.
 - **Program:** Continue working with SEWRPC and Ozaukee County as appropriate to prepare new and updated elements of the regional plan, such as the regional water quality, water supply, natural areas, and telecommunications plans.
- **Objective:** Reach out to the public, Ozaukee County, and other local governments to provide information on land use-related ordinances.
 - **Policy:** Continue to provide information on land use-related ordinances to the public and Ozaukee County.
 - **Program:** Participate in the County sponsored annual countywide intergovernmental cooperation workshop.
 - **Program:** Continue to use the City website as a tool to disseminate information regarding City ordinances to developers and the general public.
 - **Program:** Work with Ozaukee County and SEWRPC, as appropriate, to use model ordinances develop by the County as recommended in other element chapters of this plan.
 - **Program:** Provide updates to Ozaukee County when land use boundaries are changed or other significant amendments are made to the City comprehensive plan land use plan map.
 - **Program:** Provide Ozaukee County and SEWRPC with current copies of the City zoning, land division, and official mapping ordinances.

School District Cooperation Issue

- **Goal:** Coordinate with school districts as they plan and locate school facilities, as appropriate.
 - **Objective:** Provide land use-related data and residential development data to help school districts plan for the future.
 - **Policy:** Encourage school districts to consult with City staff when initiating facilities planning or when planning locations of new schools or recreational facilities.
 - **Program:** Work with school district officials, on request, to explain the type of permits required from the City before selecting and buying a site.
 - **Program:** Provide access to mapping, such as the City planned land use map for 2035 (Map VIII-8), to assist school districts in facilities siting and planning.

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