



Parks & Recreation Board Meeting

Cravath Lakefront room 2nd floor 312 West
Whitewater Str, Whitewater, WI, 53190 *In Person
and Virtual

Wednesday, April 17, 2024 - 5:30 PM

**Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone.
Citizen participation is welcome during topic discussion periods.**

Please note that although every effort will be made to provide for virtual participation, unforeseen technical difficulties may prevent this, in which case the meeting may still proceed as long as there is a quorum. Should you wish to make a comment in this situation, you are welcome to call this number: (262) 473-0108.

1. Topic: Parks and Recreation Board Meeting
Time: Apr 17, 2024 05:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85428039940?pwd=SWRsRDJrenludFhhUIRuTDRVbkZjdz09>

Meeting ID: 854 2803 9940

Passcode: 355760

Dial by your location

- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)

Meeting ID: 854 2803 9940

Passcode: 355760

AGENDA

CALL TO ORDER

ROLL CALL

Members: Steve Ryan (Chair), Appointed Council Member, Kathleen Fleming, Dan Fuller, Stephanie Hicks, Mike Kilar, Megan Mathews, Ben Prather, Deb Weberpal, Vacant Alternate

Staff: Kevin Boehm (Director), Michelle Dujardin (Assistant Director, Recreation & Events), Hunter Karnitz (WAFC), Jennifer French (Adult Programs), Ethan Cesarz (Athletic Programs)

APPROVAL OF AGENDA

A board member can choose to remove an item from the agenda or rearrange its order; however, introducing new items to the agenda is not allowed. Any proposed changes require a motion, a second,

and approval from the board to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.

APPROVAL OF MINUTES

- [2.](#) Minutes from March 20, 2024

HEARING OF CITIZEN COMMENTS

No formal Board action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Board discusses that particular item.

To make a comment during this period, or during any agenda item: On a computer or handheld device, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. On a traditional telephone, dial *6 to unmute your phone and dial *9 to raise your hand.

STAFF UPDATES

3. Director's Report
4. WAFC Report
5. Athletics Report

CONSIDERATIONS / DISCUSSIONS / REPORTS

6. Discussion regarding pathway projects scheduled for 2024
- [7.](#) Discussion and possible action regarding Youth Sports Policy update.
- [8.](#) Discussion and possible action regarding Banner Policy update.
- [9.](#) Discussion and possible action on Waiver & Release of Liability
- [10.](#) Discussion on Parkland Dedication Ordinance and Fees.

FUTURE AGENDA ITEMS

11. Additional evening classes at the WAFC.
12. Cravath Lake Information Kiosk.
13. Soccer Field Maintenance
14. Have Rachel come in to discuss dog park
15. Whitewater Creek plan/future of the site
16. Playground Maintenance Schedule / Playground Mulch

ADJOURNMENT

A quorum of the Common Council may be present. This notice is given to inform the public that no formal action will be taken at this meeting.

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk (262-473-0102) at least 72 hours prior to the meeting.



**Parks and Recreation Board Minutes
Wednesday, March 20, 2024 – 5:30 pm
Cravath Lakefront Room
312 W. Whitewater Street
Whitewater, WI 53190
Hybrid Meeting**

1. Call to Order and Roll Call

Present: Kathleen Flemming, Dan Fuller, Stephanie Hicks, Mike Kilar, Brienne Brown, Steve Ryan, and Deb Weberpal. Absent: Ben Prather and Megan Matthews
Staff: Michelle Dujardin, Jennifer Jackson, Kevin Boehm
Guest: Jerome Convers

2. Approval of Minutes from January 17, 2024

Motioned by Weberpal. Seconded by Kilar. Ayes Kathleen Flemming, Dan Fuller, Stephanie Hicks, Mike Kilar, Brienne Brown, Steve Ryan, and Deb Weberpal: Absent: Ben Prather, Megan Matthews

Hearing of Citizen Comments

Jerome Convers: Would like the Park and Recreation department to look at the kiosk at Cravath Park. It is warping and leaking and the flyers get wet.

3. Staff Reports

a. Director's Report

i. Kevin Boehm

1. Dwight Slocum is retiring April 5th.
2. Ethan Cesarz will be our New Athletic Program Coordinator and will be starting April 8th
3. We are working on getting a new park and recreation software up and going. We will be going to CIVICREC recreation management.
4. Working to get pricing to repair boiler controls and larger of the two air handlers at the WAFC. We have gotten one quote back as of right now.
5. We will be looking into Axiom Energy on a potential alternative to heat our water.
6. WAFC promotion every month to get memberships increase.
7. April 7th the WAFC is hosting an Easter egg hunt

b. Event Programs and Lakes Update

i. Michelle

1. Day at the pool: Plunge numbers were down, but the athletes loved it. Open swim had people waiting for the doors to open. Bahama Bob played for the first 2 hours of the event. 3 memberships came of open swim. Cardboard boat races were super fun!
2. Stevie was a wedding dress themed for February. It only took 2 days for Stevie to be found.
3. Lakes update: Lake advisory committee created. Working with the DNR to figure out how to get the most out of our permits. Will be monitoring bogs. Continue working on dredging, stocking fish, lakes conference in a few weeks.

c. Senior Programs

i. Jennifer Jackson

1. April Seniors in the Park will be hosting two types of dementia training one is for anyone who would like to know more and the other is for businesses.
2. Chili Cook off had 10 participants and raised a total of \$490.

4. Considerations/Discussions/Reports

a. Discussion and possible action regarding replacement of air sock in lap pool area of WAFC

- i. Kevin Boehm presented the lap pool needs a new air sock. Asked for 5 quotes and received 2 back. Asking for approval to go to city council with the proposals.

Motioned by Weberpal to approve the direct replacement quote for \$12,655, seconded by

Brown. Ayes: Kathleen Flemming, Dan Fuller, Mike Kilar, Brienne Brown, Steve Ryan and Deb

Weberpal. Abstain: Stephanie Hicks. Absent Ben Prather and Megan Matthews.

5. Considerations/Discussions/Reports

a. Discussion and possible action regarding repainting lockers in all WAFC locker rooms

- i. Boehm presented that we are looking for someone to electrostatically repaint lockers. 6 vendors came in to quote the job. They will repair lockers and fix rust. Lowest \$8,865 without coming out. The other two quotes were \$12,991 and \$15,075. Requested to go with the high bid as they will also remove the bottom 8 inches of the door frames weld new metal on and repaint them as well, along with repainting the lockers. This will be a longer lasting repair.

Motioned by Ryan to approve the bid for \$15,075. Seconded by Flemming. Ayes Kathleen Flemming, Dan Fuller, Mike Kilar, Brienne Brown, Steve Ryan, and Deb Weberpal: Absent: Ben Prather and Megan Matthews Abstain: Stephanie Hicks

6. Considerations/Discussions/Reports

a. Discussion and possible action regarding floor coating in WAFC locker rooms

- i. Kevin presented to have the flooring in the locker rooms redone. Tiles have separated from the floor they are stained and there is little to no grout left. Flooring is also slippery. Reached out to four vendors and got 2 back. Their bids came in at \$35,938 and \$59,881.03. Boehm recommends going with the \$35,938, this price does not include removal of the tiles. A local company will remove the tiles for \$3,000.

Motioned by Fuller to accept the bid of \$35,938. Seconded by Kilar. Ayes Kathleen Flemming, Dan Fuller, Mike Kilar, Brienne Brown, Steve Ryan, and Deb Weberpal: Absent: Ben Prather and Megan Matthews Abstain: Stephanie Hicks

7. Considerations/Discussions/Reports

a. Discussion and possible action regarding Recreation Program Fee Policy update

- i. Kevin presented that the fee policy has been in place since 2007. Updated the refund policy to our process of refunding. Looking for a word that works better than special needs.
 1. Flemming asked if Boehm was up to suggestions for a different word
 2. Brown offered the idea of special considerations
 3. Kilar felt that special considerations is a good inclusive word

Motioned by Ryan to approve policy with changes. Seconded by Hicks Ayes Kathleen Flemming, Dan Fuller, Stephanie Hicks, Mike Kilar, Brienne Brown, Steve Ryan, and Deb Weberpal: Absent: Ben Prather, Megan Matthews

8. Considerations/Discussions/Reports

a. WAFC Operational, Policy and Procedure Manual Draft Review

- i. Ryan mentioned that Kevin has put together a policy and procedure plan for the WAFC. If there are any questions on it to reach out to Kevin.
 1. Weberpal asked who in the building are CPR and First Aid Certified
 2. Boehm all of our life guards are.

9. Future Agenda Items

- a. **Fix soccer fields**
- b. **Possibility to have Rachel come in to present to the board about the dog park and her business.**
- c. **Is there a schedule for playground maintenance or as we need it?**
- d. **Whitewater Creek park maintained/ what is the future of that park**

10. Adjournment

Motioned by Steve Ryan at 6:45pm, followed by a unanimous vote. Ayes Kathleen Flemming, Dan Fuller, Stephanie Hicks, Mike Kilar, Brienne Brown, Steve Ryan, and Deb Weberpal.

Respectfully Submitted,

Jennifer Jackson
Jennifer Jackson

CITY OF WHITEWATER POLICY		TITLE: YOUTH SPORTS POLICY	
POLICY SOURCE: Parks and Recreation Department	Parks and Recreation Board Approval Date: 08/09/10 Updated: 01/07/13	TEXT NAME: G:\Park & Rec\Policy\ Youth Sports Policy	

Purpose

It is the purpose of this policy to provide guidelines necessary to administer youth sports programs by the Whitewater Parks and Recreation Department.

Policy

The Whitewater Parks and Recreation Department provides youth sports to allow all children an opportunity to have fun, participate, and learn fundamental sports. We are committed to providing both educational and recreational programs and services. Participants will learn sportsmanship, respect, teamwork, fair play and self-confidence. The sports environment will be safe and well maintained. Prudent behavior by adults is mandatory.

Essential Components of Whitewater Parks and Recreation Youth Sports Philosophy

1. All children in our community who meet the basic program registration requirements have a right to participate in youth sports programs.
2. Whitewater Parks and Recreation will offer programs at a reasonable cost in accordance with the Recreation Program Fee Policy
3. Whitewater Parks and Recreation youth sports leagues operate on an equal playing time philosophy for all participants.
4. Youth sports athletes may participate on only one Whitewater Parks and Recreation Department team per season.
5. Participants in Whitewater Parks and Recreation youth sport leagues are allowed to "play up" only one grade level. Players cannot "play down" a grade.
6. Youth sport program practices and games should be an enjoyable, challenging, and learning experience for all participants.
7. Whitewater Parks and Recreation will recruit volunteer coaches and staff who have the ability to act as role models, mentors, and facilitators for its programs.
8. Individuals in coaching and leadership positions in youth sport programs shall lead by example through the promotion of fair play and sportsmanship.
9. Youth sports programs focus on the enjoyment of the sport – NOT the score.
10. All Whitewater Parks and Recreation Department youth sports program will embrace the concept of encouraging multiple sport athletes and that seasons will be structured to minimize overlap of programs.

Requirements and Accountability

1. Whitewater Parks and Recreation will complete background checks on all volunteer coaches as outlined in the City of Whitewater Volunteer Background Check policy.
2. Prior to the start of each season, each youth sport operated by Whitewater Parks and Recreation will offer a Parent Orientation Meetings. It is highly recommended that the parent(s)/guardian(s) attend one of the meetings. The Youth Sports Policy will be passed out and discussed, and other important information will be distributed.
3. Prior to the start of each season, each youth sport operated by Whitewater Parks and Recreation will hold a Coaches Meeting. It is required that all head and assistant coaches attend one of these meetings. The Youth Sports Policy will be passed out and discussed, and other important information will be distributed.
4. Each youth sport coach is required to document receipt of the youth sports policy.

Coaches Code of Conduct

- I will place the emotional and physical well-being of my players ahead of any personal desire to win.
- I will remember to treat each player as an individual, remembering the large spread of emotional and physical development.
- I will do my very best to provide a safe play situation for my players.
- I promise to review and practice the necessary first aid principles needed to treat injuries of my players.
- I will do my best to organize practices that are fun and challenging for all my players.
- I will lead, by example, in demonstrating fair play and sportsmanship to all my players.
- I will insure that I am knowledgeable in the rules of each sport that I coach, and that I will teach these rules to my players.
- I will use those coaching techniques appropriate for each of the skills that I teach.
- I will remember that I am a youth coach, and that the game is for children and not adults.

Athletes Code of Conduct

- I will encourage good sportsmanship from fellow players, coaches, officials and parents at every game and practice.
- I will attend every practice and game that is reasonably possible and notify my coach if I cannot.
- I will expect to receive a fair and equal amount of playing time.
- I will do my very best to listen and learn from coaches.
- I will treat my coaches with respect regardless of race, sex, creed or abilities and I will expect to be treated accordingly.

- I deserve to have fun during my sports experience and will alert parents or coaches if it stops being FUN!
- I deserve to play in an alcohol, tobacco and drug free environment and expect adults to respect that wish.
- I will encourage my parents to be involved with my team in some capacity because it's important to me.
- I will remember that sport is an opportunity to learn and have fun.

Parents Code of Conduct

- I will encourage good sportsmanship by demonstrating positive support for all players, coaches, and officials at every game, practice or other youth sports event.
- I will place the emotional and physical well-being of my child ahead of any personal desire to win.
- I will insist that my child plays in a safe and healthy environment.
- I will provide support for coaches and officials working with my child to provide a positive, enjoyable experience for all.
- I will demand a drug-, alcohol- and tobacco free sports environment for my child and agree to assist by refraining from their use at all youth sports events.
- I will remember that the game is for children and not for adults.
- I will do my very best to make youth sports fun for my child.
- I will ask my child to treat other players, coaches, fans, and officials with respect regardless of race, sex, creed, or ability.
- I will promise to help my child enjoy the youth sports experience within my personal constraints by assisting with coaching, being a respectful fan, providing transportation or whatever I am capable of doing.
- I will require that my child's coach be trained in the responsibilities of being a youth sports coach and that the coach agrees to the youth sports Coaches' Code of Conduct.

Whitewater Parks and Recreation Complaint Against Coach Procedure

Whitewater Parks and Recreation firmly believes that for the sports experience to be positive, safe and a learning experience for youth, volunteer coaches must be aware of expectations and held accountable for their behavior when working with and around children. It is the duty of the Whitewater Parks and Recreation Department to respond to complaints against a coach in a Whitewater Parks and Recreation youth sports program. This is accomplished by initiating the "Complaint Against a Coach Procedure" detailed in the section above. The purpose of this procedure is to hear the complaints and to determine what, if any, action should be taken towards correcting the Whitewater Parks and Recreation coach's behavior.

When Whitewater Parks and Recreation receives a complaint about a coach, within three (3) days the Parks and Recreation Department will initiate a review process that includes:

1. Gather information and document eyewitness accounts of the event(s) that took place

from interested parties involved to determine if a violation has occurred. This may include the site supervisor, game officials, other coaches, parents and children.

2. Require the coach to attend a meeting with the Athletic Program Coordinator or Director of Parks to address the complaint and to offer his/her side of the incident. This meeting will be documented.
3. The Whitewater Parks and Recreation Department has the authority to determine the severity of the situation and whether or not the affected coach has violated the expected behaviors outlined under the Youth Sports Policy. The disciplinary actions will be enforced and logged.

Enforcing Codes of Conduct

Whitewater Parks and Recreation is dedicated to raising the standard of service to youth in sports through the enforcement of these Code of Conduct policies in youth sport programs. These Codes of Conduct defines the expectations for individuals serving as athletes, coaches, and parents in youth sports and provides the tools to be used by Whitewater Parks and Recreation, when necessary, to check behavior and to protect all children from the psychological, emotional, physical or social abuses that can be perpetrated against them.

In order to provide Whitewater Parks and Recreation the flexibility to take appropriate action when a athlete, coach or parent is found to have violated this policy, a range of possible actions have been developed.

Possible actions include:

- Verbal Warning
- Written Warning
- One Game Suspension
- Multiple Game Suspension
- Season Suspension
- Permanent Revocation of ability to participate/coach any Whitewater Parks and Recreation sports program.

Factors that might suggest a more lenient sanction include:

- First Offense
- Remorse
- Apparent Desire to Reform

Factors that might suggest a harsher sanction include:

- Prior complaints/review action
- Lack of remorse
- Type of violation
- Breach of Duties as a Role Model (Coaches)
- Extraordinarily Poor Judgment Around Children (Coaches, Parents)
- Child Endangerment
- Violation of Law

Addendum, January 2013

Whitewater Parks & Recreation Youth Baseball & Softball Expectations for Coaches

These expectations are based on furthering youth baseball and softball in Whitewater. The focus on development of all athletes is the primary goal of these programs. The expectations listed below are for regular season play. Participation in tournaments and the end of season league tournament will follow the rules established by those tournaments.

- All players are expected to be in the batting order.
- Athletes must play 2 innings in the field out of the 1st 4 innings played. No player should sit for more than 3 innings.
- All participants are expected to play a minimum of 1 inning in the infield per game.
- No player should play more than half the game at the same position.
- Coaches should make an effort to have the younger grade level pitch throughout the season. The younger grade level should pitch a minimum of 2 innings per game and those 2 innings should be in the first 4. Example: 10 & Under – A 9-year-old must pitch 2 innings.
- Pitching Limits:
 - 10 & Under – A maximum of 2 innings should be pitched by an individual player over a 4-day period
 - 12 & Under – A maximum of 3 innings should be pitched by an individual player over a 4-day period
 - 14 & Under – A maximum of 4 innings should be pitched by an individual player over a 4-day period



Parks & Recreation Department
Youth Sports Policy Sign Off

I acknowledge that I have received, read, and understand the Whitewater Parks and Recreation Department Youth Sports Policy. I understand that failure to comply with the policy and the coaches code of conduct could result in disciplinary action up to and including my removal as a volunteer coach. I understand that if I have any questions, I should contact the Parks and Recreation Department staff member who supervises the sports program in which I serve as a coach. Thank you for your dedication in working with the youth of our community!

Coach Signature

Date

Coach Name



Parks & Recreation Department
312 W. Whitewater Street, P.O. Box 178
Whitewater, Wisconsin 53190
www.wwparks.org
Telephone: (262)473-0520

Name of Group: _____
Contact Person: _____
Address: _____
Email Address: _____
Phone Number: _____

Exact wording on the banner:
(Banners promoting or advertising alcohol, tobacco products, and business promotions are ineligible for banner placement) _____

Date banner is to be put up: _____ (Monday's)
Date banner is to be taken down: _____ (Monday's)
Your event date: _____
Are you renting a City banner? _____ Yes _____ No

Indicate preferred location by rating the following locations 1 and 2"

UW Whitewater _____
Downtown Whitewater _____

I have read and understand the Banner policy and required fees (reverse page) relating to this request. I agree to follow all stated policies and instructions given.

Signature of Responsible Party: _____ Date: _____

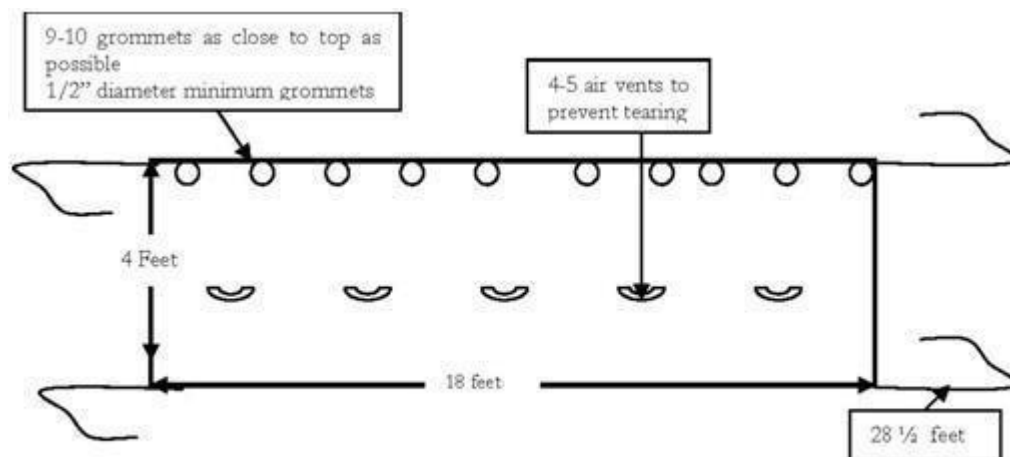
Rental Fee: _____ \$75.00 Banner Fee _____ \$40.00 2nd Week Fee
_____ \$60.00 City Banner Rental Fee

Office Use Only
Amount Paid: _____ Date Paid: _____ Initials: _____
Approved by: _____

BANNER REQUEST FORM PROCEDURE

Item 8.

- Banner requests are considered on a first-come-first-served basis. Payment must be made at the time of reservation. No reservation is considered to be valid until payment is made in full.
- Banner fees are non-refundable
- Banners must be of a general community concern and non-profit in nature. We will not hang banners with messages or sponsors involving: political campaigns, business promotion, tobacco and/or alcohol products.
- There are two banner locations on Main Street. Request for preferred hanging site will be considered based on availability and is not guaranteed.
- Banners will hang for 7-14 days (from a Monday to a Monday). Please have your banner delivered to the City Garage no later than the Friday before it is scheduled to hang on Main Street.
- Banners can be picked up and dropped off at the City Garage, 303 N. Fremont Street. Please call (262)473-0542 to confirm pickup. The garage is staffed 7am – 12 Noon and 1:00 -3:00pm Monday – Thursday and 7am -10am on Friday. If you supply your own banner, please pick it up within 2 weeks after it was hanging on Main Street.
- The City has banners available to rent. These banners will be rented for 3-4 weeks: 2 weeks to paint, and 1-2 weeks to have the banner hung over main street.
 - The renter is responsible for painting over the previous message (using white outdoor latex paint) and then painting their own message on the banner (using outdoor latex paint). Please be sure to paint both sides of the banner with your message. Be sure that the banner is orientated correctly so that the top is the same on both sides.
- Fees are as follows:
 - \$75 hanging fee
 - \$40.00 second week fee
 - \$60.00 City Banner Rental Fee.
- Banners that do not meet the following criteria, may not be installed at the discretion of the Streets Department Supervisor.
 - Banner must be constructed of heavy-duty vinyl
 - Banner must have wind slits cut
 - Banner must be sewn on all edges
 - Banner must have grommets installed across the top and in all 4 corners
 - 5/16" steel carabiner type clips must be supplied and installed by renter for all top grommets.
 - 3/8" rope must be supplied 50' for the top and 50' for the bottom.
- The City is not responsible for any damages caused to banners by wind or any other cause. Any banners that become damaged or are unsightly will be removed and not-reinstalled.



- Banner should be 18 x 4 feet and made of heavy canvas material.

WAIVER & RELEASE OF LIABILITY FORM

CITY OF WHITEWATER

Item 9.

BEFORE SIGNING THIS WAIVER AND RELEASE OF LIABILITY, READ THIS ENTIRE DOCUMENT CAREFULLY. IF YOU SIGN THIS WAIVER AND RELEASE OF LIABILITY AND AN INCIDENT OCCURS RESULTING IN INJURY OR LOSS OF PROPERTY, THEN YOU WILL BE GIVING UP LEGAL RIGHTS THAT YOU MIGHT OTHERWISE HAVE. IF YOU DO NOT UNDERSTAND ANYTHING IN THIS DOCUMENT, OR IF YOU OBJECT TO ANY PROVISION CONTAINED IN THIS DOCUMENT, YOU SHOULD NOT SIGN THIS DOCUMENT AS IT IS DRAFTED, BUT RATHER SEEK ADVICE FROM YOUR LEGAL COUNSEL. REQUESTS FOR MODIFICATIONS MAY BE DIRECTED TO THE PARK & RECREATION OFFICE AT (262)473-0520 WEEKDAYS BETWEEN 8:00 AM AND 4:30 PM

By signing the Waiver of Liability, I understand that any activity with the City of Whitewater Parks and Recreation Department has inherent risks associated with it, which could result in harm and/or losses to myself or my child(ren) whether or not known or readily foreseeable at this time, and which might result not only from my own act of omission, but also from the actions, inactions or negligence of others or the condition of the premises or equipment used. No accident or other insurance is provided through the City of Whitewater.

By signing this Waiver of Liability, I fully accept all such risks of any injury, damage or loss regardless of severity that may be sustained and all responsibility for losses, costs and damages incurred in any and all activities connected with or associated with the City of Whitewater Parks and Recreation Department.

By signing this Waiver of Liability, I agree to waive, relinquish, discharge, release and covenant not to sue the City of Whitewater, Wisconsin, its officers, employees and agents from all claims of Injury, damage, or loss that may accrue arising out of, connected with, or in any way associated with the activities with the City of Wisconsin Parks and Recreation Department as identified in this Waiver of liability. This waiver of liability does not apply intentional misconduct of the City of Whitewater.

Medical Emergency Release Waiver for Minors

In the event of a medical emergency, I authorize the Parks and Recreation Department staff to obtain medical treatment for myself or my son/daughter or minor for which I am a guardian.

Photographic Release

By signing the Waiver of Liability, I hereby grant and convey unto the City of Whitewater all right, title, and interest in any and all photographic images and video or audio recordings made by the City of Whitewater during the undersigned's activities with the City of Whitewater, including, but not limited to, any royalties, proceeds, or the benefits derived from such photographs or recordings.

I have read this Waiver and Release of Liability thoroughly and fully understand and enter into it on behalf of myself, my heirs, next of kin, assigns, and personal representatives. No one has made any representations, statements, or inducements that change or modify anything written in this Waiver and Release of Liability.

Print Name of Participant

Print name of Parent/Guardian
(If participant is a minor)

Age of Child
(If participant is a minor)

Parent/Guardian or Adult Participant Signature

Address

City, State, Zip

Phone Number

Date

Witness:

Signature

Date

Printed Name

Phone

18.04.030 Public lands and open spaces.

- (a) Provision of Public Lands and Open Spaces. The city shall require the dedication of land, moneys in lieu of land, and improvement fees for parks and other public lands according to the following criteria:
- (1) Land Dedication Formula. After consultation with the park and recreation commission, the city plan commission shall determine whether the dedication of land for parks or moneys in lieu thereof will better serve the public interest. Where land is to be dedicated, at least one thousand forty-seven square feet of land shall be dedicated for each residential dwelling unit proposed. If no particular number of dwelling units is proposed, the requirements shall be based on the number of dwelling units permitted by right under the proposed subdivision and the then existing zoning.
 - (2) Moneys in Lieu of Land Dedication. Where, after consultation with the park and recreation commission, the plan commission determines that money in lieu of land is to be paid, the amount of money shall be on a basis of two hundred eighteen dollars in 2002 per residential unit permitted by right under the proposed subdivision and the then existing zoning. This fee amount shall be adjusted during the first quarter of each year by a percentage equal to that of the rate of consumer inflation based on the percent of yearly change for the previous year for the Milwaukee metropolitan area as reported by the U.S. Department of Labor, Bureau of Labor Statistics.
 - (3) Park Improvement Fee. In addition to all of the above, a park improvement fee of five hundred fourteen dollars in 2002 shall be paid for each dwelling unit proposed. If no particular number of dwellings units is proposed, the requirements shall be based on the number of dwelling units permitted by right under the proposed subdivision and the then existing zoning. The city shall hold these moneys in reserve to be used for park improvement purposes. This fee amount shall be adjusted during the first quarter of each year by a percentage equal to that of the rate of consumer inflation based on the percent of yearly change for the previous year for the Milwaukee metropolitan area as reported by the U.S. Department of Labor, Bureau of Labor Statistics.
- (b) Specifications for Dedicated Land.
- (1) Unity. The dedicated land shall form a single parcel of land except where the city plan commission determines that two parcels or more would be in the public interest.
 - (2) Shape. The shape of the dedicated parcel of land shall be sufficiently square or round to be usable for recreational activities, such as softball, tennis or soccer.
 - (3) Location. The dedicated land shall be located so as to serve the recreation and open space needs of the subdivision for which the dedication was made.
 - (4) Access. Public access to the dedicated land shall be provided by adjoining street frontage of sufficient width to assure safe, comfortable access to the dedicated land and protection of nearby private properties. In unique situations, the plan commission and park and recreation commission may permit access via public access easement to the dedicated parcel. The easement shall be sufficiently wide so that the public and maintenance equipment will have reasonably convenient access to the land.
 - (5) Usability. The dedicated land shall be usable for recreation, as determined by the park and recreation commission. Wetland and stormwater management areas may be considered usable for recreational purposes if such areas provide a meaningful recreational amenity for the neighborhood as determined by the park and recreation commission, rather than simply fulfilling regulatory requirements. Where the park and recreation commission determines that the recreational needs are being adequately met, either by other dedicated parcels of land or existing recreational facilities, then the park and recreation commission and plan commission may allow land that is not usable for recreation to be dedicated and credited against park land dedication requirements. Except for natural areas as defined by the park and

recreation director, the subdivider shall grade, topsoil, and seed the land for its intended use before it will be accepted by the city.

- (6) Plans. If specifically designated on the comprehensive (master) plan, comprehensive plan component, official map, or component neighborhood development plan, such park areas shall be made a part of the plat to the extent allowed under this section. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic and historic sites, stands of fine trees, marshes, lakes and ponds, watercourses, watersheds, natural prairies and ravines.
- (c) Allocation of Moneys in Lieu of Dedicated Land and Park Improvement Fees. The city, when receiving moneys in lieu of dedicated land and park improvement fees, shall hold these moneys in separate reserve accounts to be used, respectively, for purchasing land for parks and other public open spaces and improving such lands. Where possible, these moneys shall be spent to directly fill the needs of the subdivision which generated the moneys. However, where such a practice could result in insufficient funds for any one improvement, then a set of priorities for improvements shall be established by city council resolution. These priorities shall rank order the planned acquisitions or and/or improvements. Each project or land acquisition shall be identified by the general area it is to serve. Each subdivision contributing to the general reserve funds shall be shown as planned to be benefited by one of the projects in the list of priorities unless that subdivision is already adequately served.
- (d) Credit for Private Open Space. Where private open space for park and recreational purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision, such areas shall be credited against the requirement of public land dedication for park and recreation purposes, as set forth above in this subsection or the payment of fees in lieu thereof; provided that the city park and recreation commission and plan commission find it is in the public interest to do so, and that the following standards are met:
- (1) Yards, court areas, setbacks and other open areas required to be maintained by the zoning regulations shall not be included in the computation of such private open space;
 - (2) The private ownership and maintenance of the open space must be adequately provided for by written agreement between the city and property owner or by recorded covenant;
 - (3) The use of the private open space must be restricted for park and recreational purposes by recorded covenants that run in favor of the future owners of property within the tract and the city and that cannot be eliminated without the consent of the city council, following a recommendation from the park and recreation commission; and
 - (4) The proposed open space is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access and location of the private open space land.
- (e) Credit for Improvements within Private Open Space. Where private open space is used to satisfy all or part of the city's park land dedication requirements, and the subdivider agrees to install improvements within the park, such as play equipment or athletic facilities, the value of such improvements may be credited against the requirement for park improvement fees, as set forth in this subsection; provided that the city park and recreation commission and plan commission find it is in the public interest to do so.
- (f) Additional Park Land Shown on City Plans. Whenever a proposed park or other public open space land designated on the city's comprehensive (master) plan or component thereof is within a proposed subdivision, and the amount of public land suggested by said city plan is in excess of the required park land dedication requirements set forth in this subsection, the city will attempt to work with the subdivider during the concept plan and preliminary plat review stages of the subdivision to negotiate the purchase of said land. If the city elects not to purchase said land before or within this time period, then the plat need not comply with the city's comprehensive (master) plan with respect to this park land standard only.

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- (g) Lands within Extraterritorial Jurisdiction. If public dedication is not required by another governmental jurisdiction with authority, proposed public lands outside of the corporate limits of the city but within the extraterritorial jurisdiction may be reserved within outlots or public access easements if such land is identified as park or other public open space land within the city's comprehensive (master) plan subsections (a)(1), (b), (f) and (h) of this section shall provide guidance to the city in its review of all park reservations, easements, or dedications within extraterritorial subdivisions.
- (h) Access to Waterways and Drainage Ways. A subdivision abutting a navigable waterway shall, according to the provisions of Wisconsin Statutes, Section 236.16(3), provide access at least sixty feet wide to the low water mark so that there will be public access, which is connected to existing public roads, at one-half-mile intervals as measured along the lake or stream shore except where greater intervals and wider access is agreed upon by the State of Wisconsin, and excluding shore areas where public parks or open space, streets, or roads on either side of a stream are provided. When immediately surrounding land is included in a final plat or certified survey map, the city shall require a public access easement, reservation, or land dedication along navigable waterways where public access is recommended by the city's comprehensive (master) plan or components thereof, with such easement or dedication being of sufficient width to accommodate the level of access anticipated. Such dedication, easement, or reservation may be credited against the park land dedication requirements specified in this subsection.

(Ord. 1510 §1(part), 2002).