



Village of Whiting

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Stevens Point, Wisconsin 54481-5866

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VILLAGE BOARD AGENDA

Village of Whiting Municipal Center
3600 Water St. Stevens Point, WI 54481

Tuesday, February 12, 2019 – 7:00 p.m.

1. Roll Call
2. Pledge of Allegiance
3. Approval of the January 8, 2019 Village Board minutes as distributed.
4. Committee Reports:
 - Public Works & Parks
 - Utilities
5. Public comment on non-agenda items

Discussion with possible action on the following agenda items; Public comment may be permitted.

6. Appointment of Jeanna Diedrich to the PW&P Committee as Citizen Member
7. DOT surplus property for sale - 2326 Post Road (formerly Precision Glass)
8. Ordinance Amendment: Section 26.16 Public Sites and Open Spaces – Park Fees
9. Treasurer's Monthly Report
10. Multiple Vouchers
11. Adjournment

Dated: February 7, 2019

cc: Village Board
Stevens Point Journal
Point/Plover Metro Wire

NOTICE: Any person who has special needs and plans on attending this meeting should contact the Village Clerk at least one (1) day prior to the meeting to ensure that reasonable accommodations can be made. (715-341-2742)

NOTICE: Village Board may take action on any Agenda Item.

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Sec. 26.16 Public Sites and Open Spaces - Dedication and Reservation of Lands

- a) **PURPOSE.** The requirements of this Subsection are established to insure that adequate parks, open spaces and sites for other public uses are properly located and preserved as the Village grows. It has also been established to insure that the cost of providing the park and recreation sites and facilities necessary to serve the additional people brought into the community by land development may be equitably apportioned on the basis of the additional needs created by the development. The requirements shall apply to all lands proposed for all residential development.
- b) **DESIGN.** In the design of a subdivision, land division, planned unit development, or development project, provision shall be made for suitable sites of adequate area for schools, parks, playgrounds, open spaces, drainage ways and other public purposes. Such sites as are shown on the Official Map, Master Plan or Parks and Open Space Plan, if applicable, shall be made a part of the design. Consideration shall be given ponds, streams, watercourses, watersheds and ravines and woodland, prairie and wetland plant and animal communities.
- c) **DEDICATION.**
 - (1) The subdivider shall dedicate adequate developable land for the park, recreation and open space needs of the development, subject to a determination of acceptability by the Plan Commission.
 - (2) The subdivider shall dedicate sufficient land area that is suitable and readily developable to provide adequate park, playground, recreation and open space to meet the needs to be created by and to be provided for the subdivision, land division, group housing project or planned community development project. A minimum of one thousand (1,000) square feet of land in single-family or two-family residential zoning, and a minimum of seven hundred (700) square feet of land in multiple-family residential zoning shall be dedicated for each proposed dwelling unit.
- d) **FEE IN LIEU OF DEDICATION.**
 - (1) Where, in the discretion of the Planning Commission, there is no land suitable for parks within the proposed subdivision or the dedication of land would not be compatible with the Village's comprehensive development plan, or the Planning Commission determines that a cash contribution would better serve the public interest, the Planning Commission shall recommend to the Village Board that the subdivider pay a fee in lieu of making the required land dedication.
 - (2) The amount of any fee imposed shall be determined as follows: ~~the number of proposed one- or two-family residential dwelling units within the development shall be multiplied by seven hundred (700) square feet; then the resulting product shall be divided by forty three thousand, five hundred sixty (43,560) (square feet in an acre); and the resulting quotient shall be multiplied by the fair market value of an acre of comparable land. The fair market value shall be determined by the Village Assessor.~~
 - **For each Single Family Residence - \$250/Lot**
 - **For each Two Family (Duplex) Residence - \$450/Lot**
 - **For each Multiple Family Dwelling housing Unit - \$200/Unit**
 - (3) All funds so collected by the Village shall be deposited as "Special Fund for the Acquisition and Development of Public Sites, Recreation Areas, Open Spaces and Greenways" (Park Special Fund), and that said funds so levied and collected shall be used for such purposes at such places and in such manner as shall be approved, ordered and directed by the Village upon recommendation by the Plan Commission. Any and all interest accumulated upon such funds shall be added to the Special Fund and be used only for acquisition and developments for said purposes.
 - (4) **Payment shall be made prior to the issuance of any building permit for a development.**
- e) ~~DEDICATION AND FEE.~~
 - (1) ~~The Plan Commission may recommend the subdivider satisfy the requirements by combining land dedication with fee payments. The fee, in such cases, shall be determined by subtracting the~~

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fair market value of the dedicated land, from the total fee which would have been imposed had no land been dedicated by the subdivider. The fair market value shall be determined by the Village Assessor.

- (1) ~~Payment may shall be made by one of the following methods as follows:~~
 - a. ~~Lump Sum. A lump sum minus a discount of the current interest rate of the Park Special Fund of the day the Village Board accepts the final plat or on the day the certified survey is approved for recording by the Clerk Treasurer shall be paid prior to the issuance of any building permit for a development; or To be paid prior to the issuance of any building permit for a development.~~
 - b. ~~Payment of one third (1/3) of all land dedication and fee payments:~~
 - 1) ~~The subdivider shall pay the Village 33.4% of the total fee by the date the first building permit is issued. At such time that 33.4% of the building permits are issued for the approved development or after one (1) year from the date that the Village issued the first building permit, whichever occurs first, the subdivider shall pay the second installment of 33.3% of the total fee. At such time that 66.7% of the building permits are used for the approved development or after two (2) years from the date that the Village issued the first building permit, whichever occurs first, the subdivider shall pay the final installment of 33.3% of the total fee.~~
 - 2) ~~If this method of payment is used, the outstanding balance after the first payment is made shall be charged the interest rate earned by the Park Special Fund for the period of time that the second and third installments are outstanding.~~
 - (2) ~~Subdividers shall be given the options identified above in Subsection (e)(2) except under the following circumstances:~~
 - a. ~~The development is less than twenty five (25) units; or~~
 - b. ~~No plat of subdivision or certified survey is involved in the development.~~
 - (3) ~~In either event, the subdivider will be required to pay the lump sum minus the discount (as defined above) prior to the issuance of any building permits.~~
 - (4) ~~All fees required by Subsection (e) shall be paid within three (3) years from the date of the issuing of the first building permit. Failure to make the proper payments as defined in either option in Subsection (e) (2) shall result in the immediate withholding of all building permits until all delinquent payments are made to the Village.~~
- f) DEVELOPMENT OF AREA.
- (1) When park land is dedicated, the subdivider is required to bring the dedicated land up to the contours established in the approved street and utility plans, top soiled with a minimum of four (4) inches of quality topsoil, seeded as specified by the Village Board, fertilized with 16-6-6 fertilizer at the rate of seven (7) pounds per one thousand (1,000) square feet and mulched as specified in the Standard specifications for Road and Bridge Construction Section 726 and 629. The topsoil furnished for the park site shall consist of the natural loam, sandy loam, silt loam, silty clay loam or clay loam humus-bearing soils adapted to the sustenance of plant life and such topsoil shall be neither excessively acid nor excessively alkaline. Fine grading and seeding must occur within one year following issuance of the first building permit within that subdivision unless otherwise authorized by the Plan Commission.
 - (2) It shall be the duty of the Village to maintain the dedicated areas and the owner who dedicated said land shall in no way be responsible for its maintenance or liability thereon except that said owner shall not develop the surrounding area in a manner which would unduly depreciate the purpose, use or value of the dedicated property and except if such owner shall reside on one of the subdivided parcels, in which case he shall be responsible for the maintenance of adjacent public property as may be required in other laws of the Village.
- g) DEFINITIONS. For purposes of this Section:
- (1) Subdivider. Any person, firm, partnership, corporation, association, estate, or other legal entity using land for residential development. This shall include all residential development whether or not

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there is an actual subdivision of land. Property which does not require subdivision but will be used for residential development shall be included.

(2) Fair Market Value (Market Value). The highest price in terms of money which a property will bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

(3) Land Use Regulation. Broadly, any legal restriction, such as zoning ordinances which control the uses to which land may be put. A land use regulation may include such controls as those established by restrictive covenants or by redevelopment or urban renewal plans approved by local governing bodies.

(4) Phase. A phase ends with the completion of public improvements (as shown in the final plat documents) and a new phase begins with the start of public improvements (as shown in the final plat documents) in the portion of the plat being developed.

(5) Public Improvements. Installation of streets, electric service, sewer and water, gas lines and telephone lines.

- h) **DEDICATION AND RESERVATION OF LANDS**. Where an area being subdivided includes lands planned for public streets, as shown on the Village's Official Map or otherwise and in some other manner designated by the Village Board, said lands shall be dedicated to the public for such purpose as part of such plat or certified survey map.