

**VILLAGE OF PLEASANT PRAIRIE
PARK COMMISSION
Village Hall, Auditorium
9915 39th Avenue
Pleasant Prairie, Wisconsin 53158
Tuesday, March 1, 2005
6:00 p.m.**

A regular meeting of the Pleasant Prairie Park Commission was held on Tuesday, March 1, 2005, at 6:00 p.m. Present were Michaeline Day, Glenn Christiansen, Rita Christiansen, Bill O'Toole, Greg Scheppler and Mike Serpe. Dino Laurenzi was excused. Also present were Jean Werbie, Community Development Director; Mike Pollocoff, Village Administrator, and John Steinbrink.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. MINUTES - FEBRUARY 1, 2005**

Michaeline Day:

In your packets is the minutes of February 1, 2005. I'm sure you all had a moment to review it. If there's no corrections or additions, I need a motion to accept the minutes.

Glenn Christiansen:

Make a motion to accept the minutes.

William O'Toole:

Second.

Michaeline Day:

All in favor?

Voices:

Aye.

Michaeline Day:

Motion passed.

- 4. CITIZEN COMMENTS**
- 5. NEW BUSINESS**

a. Park Impact Fees (M. Pollocoff)

Mike Pollocoff:

We have a report on the impact fees and we don't have a copy for you yet. I guess we can get one for you before you get out of here. Just to let you know we're in the process. We've prepared impact fees in parks and in a lot of areas, parks, police, fire, streets, storm water. They're done in varying degrees depending on what they are. This is under the new statute where when an impact fee is created you need to complete a needs analysis that shows why do you need this, what's your existing level of demand, what's your incremental increase of demand. So that has new development comes in you can't charge them for things you don't have that you're using development to pay for, but you can't expect them to pay for things that they're going to share in the impact of.

We've basically come up with--in turn this goes back to the consultant, Virchow Krause. They're going to do the analysis on existing users and what their benefit is to pull that out of the impact fee and then the impact of that incremental increase on new people. When you look at this we've come up with how much parkland we have and what the requirements are. We're looking at in the case of bike trails land acquisition, cost per mile. We're looking at future off street trails, \$100,000 a mile. We're looking at land acquisition for those trails at \$4.3 million. Improvement costs at \$4.93 million for a total cost of \$8.7 million. So as nice as trails sound they're not cheap. In places where we can get developers to dedicate land for acquisitions that will save us money. Again, in other cases we're not going to be able to do that. And the other thing we have to be able to pay for is where we have existing developments where we're going to have to go through areas and buy that land up in order to have some connectivity between trails.

Right now we have existing and total parkland 1,331 acres that the Village currently has in parkland. We're going to need under the plan, I don't think we have a total number here. The total estimated acquisition cost for additional parkland for parks in the Village Green area, Lighthouse Pointe, Creekside, Prairie Trails East, Pleasant Homes Park and the Carol Beach Unit W Park would be \$3.5 million for acquisition and improvement. Again, some of that we can't put on a developer. It's going to be a cost that would be assumed in the process of a building permit. We're hoping to have this set up so that the park impact fee, the fire impact fee and the police impact fee would be ready to go sometime in April. There's a hearing process. We put a public notice out. There's two weeks for the notice. We have the hearing and then following that probably two weeks later the Board would in essence at that point adopt the impact fee. So as we get these things ready we're going to incrementally adopt them in part because there's so much development that's currently under way and we want to be able to capture what we can.

Right now I can't tell you what that fee is going to be. The . . . we got from Virchow Krause was about \$6,000 a lot as things were really maxing out on a residential lot. That will be probably ferreted out over the next month or month and a half total. The bigger fees, the most expensive ones, are going to be streets and storm sewers, and that study is going to be a lot more intensive than the needs analysis will be than the other ones will be. The other ones are pretty straight forward. We need another fire station. We need

additional space for the police department. Once we get so many units we'll grow out of our space and we'll have to set money aside for remodeling and expansion of the existing space.

Mike Serpe:

A question for Mike. Mike, could you explain to the Commission how these impact fees will be collected and when they will be collected, at what point in development.

Mike Pollocoff:

The consultant has been directed to focus on the fees being collected at the time of building permit rather than at the time of development. It's a cleaner nexus between--an impact fee really has to be tied close to that impact. That impact occurs when the building starts rather than when a lot is created and then you have it sit out there where developers paid X number of impact fees and maybe the development doesn't happen that quick and it sits out there. So this would be something that's going to be paid at the time of the building permit. We're going to be notifying all the developers or anybody who's got land available that this fee, whatever that number is going to be, is going to be out there so that as someone who is building a home or buying a home puts their budget together they're going to see that number out there and know that they need to include that in their cost of business for putting their house package put together.

Mike Serpe:

And this makes no difference if the person building the house is presently a Pleasant Prairie resident and just building another residence in Pleasant Prairie? He's still going to be subject to those impact fees?

Mike Pollocoff:

Right, because that person that lives in Pleasant Prairie that's moving there could be selling his house to someone from Kenosha. The impact is having another family or another group of people that's coming into the Village. What brings this about is a couple things, but the biggest thing that brings this about is the tax freeze environment that we're in. You look at a couple of the proposals coming out of the legislature where if the levy is frozen and you're growing, you get the subdivision across the road here, the Village Green Heights, 200 and some lots, we're not going to see any dollars from that fully maybe for five years. When a lot is created and you buy it or you take out your building permit, it's based on the value of at January 1 of that year. So it takes a long time for the Village to realize any tax dollars although we start servicing that right away.

When there's some flexibility in the budget on the levy and you can move it and adjust it to accommodate for growth that's not a problem. But now under either proposal, whether it's Republicans or Democrats, if it's frozen we don't have any more room to give. So you compound on top of that the fact that we need to set aside capital to accommodate road expansions or park expansions or fire expansions or police, we don't have that ability to do it. And you're stuck going to referendum and having the entire community pay for that added impact because that's the only way you can get that new

money is by referendum, or you have the new growth pay for it and that money gets banked.

But right now every municipality that's growing--if you're already filled up as a community and there's no more room for growth it's not an issue. But if you're a growing community and you need to be setting money aside but you're frozen and you can't, this is the only way you can protect yourself in the future. It's the only way you can protect the existing taxpayers from having their services diminished so they can pay for the impacts of new growth. And at \$3.54 a thousand we're not collecting a lot of taxes on a house for the municipal services we have to provide. So as a community everyone is going to be seeing a lot of different approaches to public finance given what's coming about.

Michaeline Day:

Anyone else have any other questions on this to Mike?

Glenn Christiansen:

So the proposed \$6,000 of the Kentucky . . . is collected at the time I would take out a permit to build a house?

Mike Pollocoff:

Right.

Glen Christiansen:

So I would have to come up with an additional \$6,000. What is the permit charge now?

Mike Pollocoff:

About \$1,500 to \$2,000 depending on the size of the house.

Glen Christiansen:

Now, the \$6,000 that the Village collects as the impact, is that then put into a special fund and then used when a new fire house has to be build or a police department or all that other stuff?

Mike Pollocoff:

Funds are set up for whatever types of improvements there are. And then depending on what it is a new police station might be farther out, we would probably take that money and put it into a long term investment instrument to get as much interest as we can on it. Some parks may also be that way. We'll take a look in our program what parks get built first and then allocate that money out so we can invest as much as you can over a longer period of time. If we took and the Village Board decided to spend that money rather than

put it into reserves, we have to reserve our levy by that amount, or if they don't then the State will take away shared revenues in an equal amount, and you could be subject to having to give the money back. It opens up Pandora's box.

(Inaudible)

Mike Pollocoff:

That's what the needs analysis will show is that we have to specifically say where we're going to spend this money, where we're looking to spend it and how much it's going to cost and we have to stick to that. We can change it, but there's a process to go through. You have to go through the notification process and everybody gets a kick at the cat to say we're not going to build a park in Unit W, we're going to build it in Unit 1 instead, so we have to change that.

Jean Werbie:

I just wanted the Park Commission to understand that John Steinbrink and I have gone through what is an element or a component of the Village's comprehensive plan that was adopted back in 1996. And in that document was the park and open space element that really set forth all the different parks in the Village, what acquisition areas, a number of the trail areas, what types of improvements, and so this is brand new information that we put together that this was something that was there already but we really hadn't done anything with it up to this point. But John did update all of the numbers with respect to in 2005 dollars and going forward what it would actually cost in order to put these improvements together.

Again, everything that was in the park element plan which is going to be updated by you folks over this next year identifies what parks, and there's standards and objectives that identify for a community how much parkland we should have, how many basketball courts, how many of this, how many of that for a community of our size. There's actually standards that would tell us all of those pieces of the park planning element, and that way we can use that as the basis for projecting when and where impact fees should be collected and what they should be used for. And then this needs analysis will be coming from the information that was provided as part of the factual gathering that we've done over the last year.

Michaeline Day:

Any other questions?

William O'Toole:

Mike, could you give us a little background, because I think some people might be wondering why we haven't done impact fees before. Could you go through and just briefly tell us a little bit of the history of that?

Mike Pollocoff:

We had impact fees in the early '90s. In fact, we had a park impact fee then of \$250 per unit. And with that we improved Pleasant Prairie ball park and put in that second diamond. We did the trail around Lake Andrea. But the legislature at that time was lobbied pretty successfully by the realtors and the home builders that impact fees should stop. In particular they were looking to get rid of the school impact fee. So all impact fees were modified. School impact fees were prohibited from applying that. No one can adopt an ordinance that permits it. The legislature's public policy at that point was it's better to have housing development and that impact fees for schools would be a drag on that so they excluded that.

The legislation that came out at that time, and it still is complicated legislation compared to what it was before, everyone including us and our legal counsel was saying don't go near this and this thing is ripe for legal challenge. It's not clean legislation from a legislative legal standpoint. So there's probably a good four year period where no one did any impact fees because it just wasn't worth the challenge. Slowly communities started doing it. There have been a few tests on it. Some of the attorneys have gotten warmed up to ways to work on it. I have to tell you we have one attorney who does a lot of our litigation for us, and Quarles and Brady still won't sign onto it. We have another attorney who works for us and he said, yeah, we could make it work so that's why we're going to do it.

You've probably seen some impact fee ordinances adopted in the county and they haven't gone through the tests and the effort that we're doing to justify it. So they pretty much put a fee out there and said we're going to charge \$2,000 for trails or we're going to charge this for police or fire and they're not substantiated. At some point a developer or a home builder or someone is going to make that analysis is it worth it to fight this because I'm paying so many impact fees or not, and they're going to have to fight the fight. It took us this long to really get comfortable that we could come up with a process that was sustainable that we could win in court if somebody sued us and prevail. That's not to say we won't get sued, but if somebody does do it we'll be able to win the day.

William O'Toole:

Will the Virchow Krause analysis delve into that legal aspect and give their opinion?

Mike Pollocoff:

They'll be working with Paul Kent. He's the attorney in Madison that we'll be working with who is going to create the ordinance that implements Virchow Krause's findings so those two are dovetail.

William O'Toole:

And how many existing ordinances for impact fees are out there right now in Wisconsin municipalities?

Mike Pollocoff:

Not a lot. Probably not even a fifth or sixth of the communities have implemented. And out of that in talking with Virchow they think maybe two percent or three percent have really gone through the rigors that the statutes require to do them. Some communities have just thrown their hands up and they're trying to find some way to control growth and they're popping these things in and they're waiting to see if they get challenged.

William O'Toole:

You mentioned that schools were not permitted before. Are they still barred?

Mike Pollocoff:

Yes, they're still barred.

William O'Toole:

So we should expect to see a report when, sometime in April?

Mike Pollocoff:

Yes, I think the final, assuming that we'd like the numbers as we see them, we'd be bringing the park portion back to you folks before we go to hearing on it. Then we go to hearing and it might be April or the end of May before they're implemented assuming that everybody signs off on it.

William O'Toole:

Thank you.

Mike Serpe:

Mike, this is for developable lots or newly created lots. Is there any talk anywhere about newly arriving residents out of state moving into it? We have, for example, a major problem with it being a border town. Is there any talk of impact fees in that regard, somebody moving into Pleasant Prairie, buying a home in Pleasant Prairie let's say from Winthrop Harbor or Illinois?

Mike Pollocoff:

In my understanding of the statute that would be illegal.

--:

Hard to do.

Mike Pollocoff:

The thought of logic on that is if someone has bought a home in Pleasant Prairie, they vacated one, that home was there so your net gain is one. And if you've got people

building new houses that's where you get the new impact.

Greg Scheppler:

These impact fees how do they compare to areas around us, Kenosha, Paddock Lake, Somers or whatever?

Mike Pollocoff:

We don't know, but we do know and I'm reasonably certain that Paddock Lake and Somers didn't go through an evaluation. So they generated a political number and they're living with that. But I think what you really have to do as a border community is two things. One, we have to make sure we can cover our costs to the extent that we're legally able to do that. And you've got to look at what is someone coming from Lake County paying there. Right now this isn't going to address the whole problem, but if you're in Lake County and some of the communities that have impact fees, especially where they have school impact fees, and then you come here and there is no impact fees, that price difference gets to be significant and that's why people come here. With the housing lot prices creeping up the way they are, what's happening is builders and developers are taking advantage of that difference and that difference is going to their pocket. So they're comparing their lot to one in Lake County that's subject to impact fees, so they're getting money that would normally go to the community in Lake County being reflected in the prices that are comparable here and that goes to the developer's bottom line. So at some point lots are going to achieve a value in Pleasant Prairie if they pay the impact fees that's going to be competitive with someplace else if they want to sell them. Will it slow development down? I don't know.

Greg Scheppler:

My concern is, and by the way I'm in favor of it, if the impact fees come to a point where it forces people in the developments to skirt Pleasant Prairie. But we've got all these great parks, the bike trails, and the surrounding areas starts taking advantage of the RecPlex and the bike trails there's really no way for us to charge for that use.

Mike Pollocoff:

Right. For RecPlex we can, but for our parks that's a drawback. The City has indicated they're waiting to see what we do and how we come up with it to do theirs. On the other hand, if you follow that logic through to its end, if there is a slow down in development in the Village and we don't have the facilities, then there's not that many facilities for people to use. Maybe the demand would be less.

Michaeline Day:

When this is developed, will you need the Board to attend some of those hearings or need our support in any way?

Mike Pollocoff:

Yes, definitely. You'll see it before it goes to hearing. So I think to the extent that you want you'll be able to advocate before it goes to Plan Commission and Board what the impact of new development is on park infrastructure and why this is needed or how that's come about. So hopefully the impact fee that you end up recommending to the Plan Commission is one that you can support because it's well grounded and it's got some solid numbers that hold it up and we go forward. I think that that's in essence what the community is going to be coming to grips with is what does development cost us and we need to set that money aside and how are we going to take care of it. Or, the policy implication is we need to be willing to absorb that into our taxes and adjust the levy accordingly.

Michaeline Day:

Any other questions for Mike on this issue? This is just informational?

Mike Pollocoff:

Right. John, I'm sorry between me and Judy we couldn't make it here, the impact fee report we'll make sure you get copies before you get out of here tonight.

John Steinbrink:

Although if the Commission would allow it I would just e-mail everything to you guys. We have your e-mail addresses and we can do it that way.

Michaeline Day:

The Commission agrees. That fine, you can e-mail it to us.

- b. Park Commissioner's Role in the Review/Recommendation of Park Plans. (J. Werbie)**
- c. Status of Current Pleasant Prairie Subdivisions. (J. Werbie)**
- d. Upcoming Planning Efforts. (J. Werbie)**

Jean Werbie:

Actually the next three items on your agenda I'm going to be talking about all three of them . . . information for you. What I have for you is just a memo that the first thing that John had asked for me to do is kind of define some of the roles or the duties of the Park Commission. We're very busy right now and we have a lot of things going on, and we'd really like to get the Park Commission very active in helping us do some reviews and make some recommendations on a lot of things that we're doing.

The six different identified duties for the Park Commission as defined in the new Commission regulations that were adopted by the Board just recently: One, facilitate acquisition, development and preservation of park and open space lands and recreational

facilities. Two, which is something that I believe is underway right now, to create and maintain a Village park and open space plan, recommend that plan to the Plan Commission who by statute is required to adopt elements of the master plan which includes the park plan, and then refer that on to the Village Board for their endorsement or adoption as well. The third is to make recommendations to the Board regarding the operation of recreational programs and the development of recreational facilities. Four, to review and update Chapter 242 which is parks and recreation concerning standards for parks and recreational activities. Again, I mentioned previously that the goals, standards and objectives that are outlined and will be outlined in the new park master plan or park and open space plan will set forth those standards. That's something that we have to take very seriously, because some communities don't take their parks as seriously as I think we do and we will into the future. So it's something that we need to look at very closely and see how we compare and stack up to other communities around us.

The fifth is to make recommendations to the Plan Commission and the Board and any changes or amendments to conceptual plans that pertain to park and open space and recreational facility development. And, finally, to consider and . . . to recommend all matters that are referred to the Park Commission, one of which, as discussed this evening, are the impact fees. Again, when you see the report we've put together on the impact fees, maybe a lot of this will make a little bit more sense on how we arrived at what we did, and then the reasons for it I'm about to explain all that right now.

On page 2, as you know, a request for a proposal has been sent out by the Village for a park and open space plan. It's not a brand new plan, but really what it is is it's going to be a refinement in detailing of what we adopted back in '96, and I think to take us forward to 2020 and 2025. Really make it an active document that we're working with and towards as new development proposals come into the community.

Another big element that John has been a big strong proponent on is that we really need to start implementing the bicycle/walking trail elements of the park plan, and we need to get input and we need to start getting reservations and land dedications and identify areas when these plans come to us where these are going to be located and how we can get developers to help not only pay for them but help preserve or dedicate land for them, because going back after the fact makes it very, very difficult to get that right of way that we're going to need for those.

One of the things I wanted to talk about, though, is the whole planning process. I know that Mike and Bill are pretty familiar because they hear me talk about this all the time at our Plan Commission meetings, but I just want to make sure that there's an understanding from the Park Commission's standpoint of where we are and how we process developments in Pleasant Prairie. There is basically a five step process in going through the major planning efforts to get a development approved in Pleasant Prairie, the first one of which is the comprehensive land use plan. As you know, we adopted that back in June of 1996. It was adopted by the Plan Commission because that's the body that's required to adopt it and it was endorsed by the Village Board. Since that time we have been amending it. Time after time if we have development proposals or re-evaluations of areas or elements with respect to park elements that need to be brought in we have been amending it. But what's required by statute now, by 2010, is that we redo the whole

thing again to come into conformance with the new smart growth law. Again, by January 1, 2010 we've got to have the whole thing updated.

We are in the process right now of working with SEWRPC, which is the Regional Planning Commission and many of the communities in Kenosha County, along with the County itself, to prepare a joint smart growth plan which will include an element which is Pleasant Prairie. I think it will be very similar to what our other book looks like, although it needs to add more detail as it relates to housing, economic development, parks and transportation. Those are four areas that we need to get more information in. So that's something that we're going to be updating. I'm not sure if we have qualified for the grant. If we haven't this year, we're going to try for it again next year. If after a couple of tries we don't qualify, then I believe that we're going to go on our own to put together an update to that plan because we still have about three or four years left to do that. But, again, that comprehensive plan is critical to Pleasant Prairie because we're growing, there's a tremendous amount of development pressure and there's just a lot going on.

In that comprehensive plan, within the document, there is a map that's entitled the neighborhood plan map for Pleasant Prairie. In that particular map there are about 25 different neighborhoods that Pleasant Prairie has been divided up into. Not just subdivisions, but mile and a half to mile square areas that we identify as neighborhoods. And then the next step of our planning process, and we had about a five hour meeting yesterday on one of them, was to examine just that neighborhood and take a look at the connectivity of roadway systems, to look at any bicycle trail systems, to look at lot layouts, to look at open space and preservation areas, to look at how the neighborhood could be served by community facilities and services and utilities, so there's a lot of elements that go into that neighborhood planning effort. There aren't any other communities in Kenosha County that have endorsed that exact concept other than the Town of Salem which is going after it very hard right now. The City of Kenosha somewhat endorses it but it's driven development by development. It's not the true neighborhood planning like we do. And we find that essential because what we hope to do is that when we have all these neighborhood plans put together, we're going to put it all together and it will be a mosaic of the Village. It will be the groundwork for our official map of the Village and how we anticipate growth and development to occur in the Village.

There's some really funky things that are going on in Madison with respect to the smart growth, and one of the strange things that they had required is by that 2010 when our smart growth plan is put together, we have to prezone the entire Village to what that plan is into the future. From our standpoint, a developing community like Pleasant Prairie, that's not always a good thing. Because even though the plan may designate a certain land use, and then the neighborhood plan may take that a step further, we still don't know exactly what we're going to get by way of quality, by the way of the level, the cost of the development that's going to go in. So there's a lot of things that are going to be taken out of our control very quickly in 2010. And so the more planning we can do and the more specific we can be with respect to what we want to see in our community and what we want to see where that's my goal is to get that all done by 2010, so there is not much question and there's not that much freedom for a developer to come in and say, well, but

I want to put in this or I want to put in that. We've got it narrowed down to a framework to what he's allowed to do in a certain area. That should maintain property values and that should encourage better growth and development within the community.

As indicated in the neighborhood planning area, and it's very important for you folks to understand this step, is that neighborhood planning is essential to the orderly growth of the community, and it established a framework as to how development should occur and when and if it should occur. The Village is not driving development in this community. It's driven by people who want to sell their land, developers that want to develop their land, and somebody that wants to do something. Typically it is not the Village that is pushing for this development to occur. So it's at this step and at the next step that the Park Commission is going to have a very critical role. And at this point it's been the Plan Commission that's been doing a lot of this along with the Village staff. And the way we're going to be setting things up is that the Park Commission--it's going to go to the staff, then the Park Commission then the Plan then the Board.

Some of the elements that will need to be evaluated include things like trail systems and their connections from one location to another, make sure our park systems that they're going to be connected to a school park site that that makes sense and it makes sense for us, because I'm going to tell you a few things tonight that maybe some of you don't even know about some of the things we've done in the past with respect to school park sites. There's going to need to be some decisions where community, regional and neighborhood parks are located and how they get connected by walking trails or bike trails.

Then there's another big element that we have and that's the protection and acquisition of major corridor areas, primary environmental corridor areas, wetlands, floodplains, woodlands, watershed areas. There's a number of areas and many of you know that I've been working very hard over the last 15 years trying to acquire land along the Des Plaines River Watershed. Working with the Racine/Kenosha Land Trust and working with the Nature Conservancy we've been very successful to start getting a lot of that land. Well, you know what, developers don't necessarily want to hang onto that land because of the environmental limitations because they don't want to pay taxes on it and they don't want to maintain it, but we need to really evaluate to determine whether or not it makes sense for us to take every single small piece as a Village, or should we be focusing on the larger tracks of land where at some point we can control or manage those more effectively and efficiently given the limited resources that we have.

So there really are a lot of pieces to this puzzle that need to be evaluated as we go through this process. I'll give you two examples, one of which we are working on a neighborhood plan called the Village Green. It came to us once before back in--well, it came first I think in '94 and then it was updated again in '98. But now I've got players. I've got developers and active people that want to develop all sections of that mile and a half square area so now people are getting serious. And so one of the things that I can tell you that the comp. plan said was that there's a 25 acre community park somewhere in this neighborhood. And right now we're trying to get that defined where it's going to be in that neighborhood. The developers all had a meeting today. We weren't there, but the developers who are all going to be affected by this were meeting and they're all concerned. But we want to make sure that they don't just give us the wetlands and the

woodlands and the floodplain, because that does make a very nice park amenity, but you're not going to be able to put any ball fields or soccer fields in all that kind of land. So it's going to be very important for us to start thinking about just looking at this neighborhood plan how much land do we really need and how can we effectively utilize that land as an active recreational amenity. And if it's not and it's just going to be passive I need to know that, too, so that I can work with them to decide whether or not it's just the conservancy areas we want to have dedicated to us, or do we want to have the active areas dedicated.

The developers all know that impact fees are coming, and I disagree with Mike on a couple things. I am going to be pushing to have the developers pay for some things up front, and that might be parkland dedication, storm water management and transportation. Those are three issues that I don't know that I can feel right putting that whole burden on the affected property owner. He still may pass some of that onto the property owners when he sells the lots or the lot home packages, but I believe that some of that should be developer driven and developer paid for up front, because we don't want to wait for all those homes to be in before we get the funds that we need to widen the road or to build a park or to at least get all the land we need to develop that park at some point. So I guess I'm anxious to see how some of that works, too. Many of the others are driven by each individual lot, but I think the developers have to pony up, too, with respect to developing in Pleasant Prairie and what they should be setting aside for us in order to develop the way I think that our community needs to develop.

So the neighborhood plan step is an important one for the Park Commission, and then the conceptual plan which is the next step is even more critical, because at that point we're zeroing in on just one piece of property, and we're looking specifically at that property. And I may be able to tell John or you that we have five acres here and five acres here, now tell me what we're going to do with it. I need to understand what needs to be developed, what responsibility the developer is going to have and what kind of costs are going to be involved. So if there's something that can be put into this as part of the development agreement I need to know that so I can negotiate that early enough in the process. And the conceptual plan stages really are a policy step and that's when we get everything out on the table for the developer. That's when we decide we're going to move forward or not. The cost analysis, the whole development out, and they say it's going to work or it's not going to work, and that's where they either come or they don't.

Right now we've got about 34 different developments that are in that kind of stage right now, 34. That John and everyone is working on with me being the point person. I would say about 20 of them are realistic, because I know that the others are going to drop. I know that they're not going to move forward and I know that it's just more speculation at that point. But, again, it's to get everything out on the table. A good example of a concept plan that I want you folks to look at is the Creekside development. I know that we've got a walking trail system that we've identified that they have to dedicate easements for and construct through that development, and I know that we've got two areas reserved for potential small park areas, five acres and five acres, and I know they have a lot of floodplain and wetlands they'd love to give to somebody. But, again, those are things I really do need to get the issues out on the table so that I can make them aware of what's going on. So those are the two really critical steps.

The last two steps in the planning process are the preliminary and final plat. By that time everything should be on the table and the decisions should have been made on what's being dedicated, what the outlots are, what's going to be park, and so at that point it's really a function of the staff, Plan Commission and Board in getting through that whole process to get to the end, but your input is critical and very important for us to have. I was speaking to John the other day that we need to help coordinate that so that the Park Commission meetings are timed before the Plan Commission and before the Board. So we'll just have to kind of get into a sequence or a que so that the information gets to you, it can get into line and it can get through the review process.

With respect to the last page on the information I gave you, the status of current Pleasant Prairie subdivisions—

Michaeline Day:

Bill, you had a question.

William O'Toole:

Could I ask a question in regard to what you just spoke of? This is kind of a new role for this committee.

Jean Werbie:

Yes.

William O'Toole:

And is this driven in part by the impact fees? Is this process being set up so as to help justify the impact fees?

Jean Werbie:

I think that's part of it. The other part, to be perfectly honest, from my standpoint is that I need some additional input, and I need to make it credible and I need it to be logical and I want it to be driven by another Commission that is focusing in on these elements because we want Pleasant Prairie to stay pleasant. I hear that all the time, so we want to make sure that these important elements get their due attention.

William O'Toole:

Don't get me wrong. I think it's a good thing for us to do and there's a lot of developments. I guess one of the questions I would have for you is if you could help educate us as to what the parameters would be when we look at a development, how much should be set aside not only in the development but then as it ties into the whole neighborhood plan. I think I would personally find that helpful. And in terms of the existing proposals that are out there, developments, will some of those then kind of be

routed back to us?

Jean Werbie:

Yes, they will and they know that.

William O'Toole:

I'm just trying to get this clear in my own head. That's fine and I'm all for that. What if this Commission says, gee, you have 10 percent set aside in XYZ development, we really think it ought to be 20 percent, and the developer says, no, I'm sticking with 10. Can the Plan Commission override us or could they override us? How is that going to work or do we know?

Jean Werbie:

Let me just take a step back. The purpose of that neighborhood plan that I told you is so important, that's a very critical element. And from my perspective I would like to get more specificity on those neighborhood plans. Right now all I have is a C that tells me it's a community park. In my mind I know that based on our standards and our documents that's a minimum of 25, maximum of 99 acres. I know that neighborhood plans show that neighborhood parks are typically 10 acres. They can be anywhere from 5 up to 25 acres, but I typically like to see 10 acres, so the neighborhood plan is very important. That's where a lot of the input needs to get out on the table very quick.

The second part of this is that, you know, developers know that it's not done until it has been approved. So a Park Commission recommendation will go to the Plan Commission, Plan Commission recommendations go to the Village Board. Ultimately it's the Village Board that approves these conceptual plans and neighborhood plans. So, yes, the Plan Commission can get overridden by the Board and the Park Commission can get overridden by the Plan Commission, but if something is recommended by the Park Commission that's what will go to the plan. And if it's different then I will bring both Park and Plan to the Village Board and then the Board will make that decision. So, again, one plays to the next.

Like I said, in this last page of the handout, I tell you what is the active status of neighborhood plans. I've got five we're working on right now and that's a major effort. We have nine that we've completed. If a developer changes an element within that neighborhood plan, he's got 100 acres in that neighborhood plan and he wants to do it totally different, he's got to go back to the start. So they know that if it gets changed then all bets are off and we start off with a clean slate. The ones at the bottom that list A and B of the upcoming planning efforts, and I'll talk about those in a minute, but the developers know that I have not gone to the Park Commission and I have not sat down with John yet. I know that I've got so many acres identified because it's been through that neighborhood and conceptual, but I don't know what you're going to put in either one. I don't know how it should be graded to accommodate what. I don't know some elements with respect to how that trail is going to interconnect. If it needs to not only go here and here, but there needs to be a connection to the east because it needs to go into

that future neighborhood. So there are opportunities to make some minor modifications as we go through that process.

Once the preliminary plat is approved, that's valid for two years, and if they submit a final plat that's substantially conforming to that preliminary then we can't make any more changes. So once that preliminary plat has been approved I typically cannot get any changes to that with respect to lots or park areas or anything unless I negotiate very well with them and they're willing to work with me on that.

Michaeline Day:

But part of this is that when we finally get through with this plan and the neighborhood scheme and everything is that there will be some uniformity to all of this so it won't be that because this developer is a little easier we can squeeze more out of this one, but this guy is a hard nose and we can't, and there could be some people saying you're unfair by having this plan. It's going to be pretty much uniform based on the needs and the growth in that area, if it's high density or low density or whatever. So this plan will also help you in determining that as well as the trail systems.

Jean Werbie:

Exactly. Again, what we have to work with is what we did in '96, what John and I have updated since then, but I really would like to update it again and that's what is going on this year. And in answer to your other question, I guess I envisioned that I would be a staff member along with John to the Park Commission because I need to make sure there's continuity between Park, Plan and Board as the developments go through because I am the one that's working with all these developers. And, you know what, they have their concerns off and on with respect to what we require and what we don't require and how tough we are, but the best thing is to set the ground rules and tell everybody what they are. We've got a brand new recodified zoning and land division ordinance that is going to be going before the Board along with the rest of the general code on April 4th, so those rules are going to be out there for everybody and everybody is going to understand them.

Michaeline Day:

And it's not a surprise to them either. A developer coming in it won't be, well, gee, what are they going to ask me this time, because last time I got this but this time I won't. There will be some continuity and uniformity.

Jean Werbie:

And that's why we have so many steps. We really want them to understand. We don't want to jump all the way to a preliminary plat step and then they say now you're telling us you need this and now you want some parkland and now you want that dedication for that right of way for the bike trail. We try to get all those policy issues out on the table. I guess these two can testify how much discussion takes place at the Plan Commission meeting before it even gets to the Board meeting, but then each subsequent planning meeting that we have there's less and less concern from the residents and from the

developer because they know what to expect because we've laid it out for them. This is what we want for our community, this is where we want to go, and this is what we expect if you want to develop here.

Michaeline Day:

Any other questions? Okay, Jean.

Jean Werbie:

The last thing I want to mention is the very last page that's attached this is more of an informational piece for you. A lot of these things are on the website under community development, and these are the ones that we are actively working on. Again, there's a whole bunch of others that are just kind of pie in the sky and speculative and things like that, but they don't make it to one of my sheets here. I've got one that actually goes back five years that kind of gives you an idea of where we've been going. But this list is kind of what's happening right now, how many units, when we anticipate it to start construction, when we anticipate it to finish construction. This happens to be one of the most asked questions not only for the developers but people who want to move here. So, so far we've been finding that people are very anxious to come here, and I don't know that--a lot of developers and realtors know about the impact fees that are coming and it hasn't stopped anything yet.

William O'Toole:

Mike would like to stop everybody from out of State to come here. I think he'd like to give them a special tax.

Mike Serpe:

I'll explain that in a minute. Jean, what kind of staff do you have to handle all this?

Jean Werbie:

We're all working non stop. Is it budget time?

Mike Serpe:

Bill, in answer to your statement, what I was getting to is you pay \$6,000 to build a new home in Pleasant Prairie and we have a whole lot of people buying brand new construction. Admittedly that fee has been paid, but I was just thinking if there should be something to be paid by anybody coming in from out of State that's going to impact our community. Not just those building lots but anybody--I'm just saying--I just asked, because I equated it to you buy a brand new car you pay a big tax on it. Every time that car is sold, there's tax being paid on it again and again and again.

(Inaudible)

Jean Werbie:

I just wanted to mention, as somebody was asking me, all of the neighborhoods in Pleasant Prairie are not all self-contained to Pleasant Prairie. Some of them overlap into the City. And where we have areas in Pleasant Prairie that jut up into the City, they incorporated those areas and made them part of neighborhoods within the City. So there might be one on there that says White Caps. There's an area north of 75th Street, west of 88th Avenue, and that's considered part of the White Caps neighborhood, even though there's no interconnections and the City totally ignored us with respect to not having any roads connect through. It's still identified as part of the White Caps neighborhood. And I actually have a development called Westfield Heights up there which you are going to be seeing as one of the next developments for single family, commercial and some conservancy areas up there, so you'll be seeing that one soon. Again, it's just part of a larger area. It's not White Caps in Pleasant Prairie.

Michaeline Day:

Jean, I have a question for you. You mentioned something about coordinating meetings and stepping up and a lot of work to be done. Our meetings are the first Tuesday of every month. Before you were attending our meetings we had all known and agreed that if there were additional meetings that this Board was willing to come to additional meetings at other times and that we can work around you. So as you were saying, there's a lot of work to be done, if you need us to meet more than the first Tuesday of every month.

Jean Werbie:

I think once a month is going to be good. I thought you were meeting once every two months, then that wouldn't work for me and for the Plan Commission and the Board, but once a month should work fine. I just need to get my stuff into the que so that they fall, and if yours is the first Tuesday my Plan Commission meets the second Monday so that should be good.

Michaeline Day:

I didn't know if that was enough days in between, second Monday/the first Tuesday.

Jean Werbie:

Yes, that should work just fine.

Michaeline Day:

We meet once a month.

Jean Werbie:

That should work fine. And then the Village Board meets the Monday after the Plan

Commission, so as long as they meet one, two three and one, two, three it will work fine.

6. SUCH OTHER MATTERS AS AUTHORIZED BY LAW

William O'Toole:

Any update, Madam Chairman, regarding the new members, whether for this Committee or for the Rec Committee?

Jean Werbie:

My understanding is that they have not made any further appointments. And one of the other things I have to bring to your attention is that we just received a ruling that the "such other matters by law" needs to be removed from your agenda just like it's just been removed from Plan Commission and Village Board, so that no other new business or unknown business gets discussed at the meeting without it being noticed on the agenda. I know that's tough even for the Plan Commission, but I just wanted to mention that to you so you can update that with the secretary.

--:

Whose ruling is that

Jean Werbie:

Jane had obtained the information from the League of Municipalities. They have attorneys and others on board that evaluate various elements of local government. And one of the things they questioned was the "such other matters" and whether or not any type of business or new business could be brought up. What we need to do is add an item on the agenda that says "old business." If anyone has any old business that they would like to talk about, then John would be able to put it on the agenda as old business and then it can be talked about. I don't think Robert's Rules dictate, but typically old business comes first before new business, but we can check Robert's Rules on that.

Michaeline Day:

It does go before, but I don't know why you--it's not written that it has to be, but normally in a rule order that's how it goes, but I don't know that it needs to be or has to be.

Jean Werbie:

There hasn't been any updates at this point.

William O'Toole:

But the salient point there is that if we want to discuss something we need to make sure that it gets on the agenda in some form or fashion. If you kept some of the major issues that we're working on and considered them old business and bulleted two or three items,

then we would have the opportunity to discuss that because it's been noticed.

Jean Werbie:

That's correct.

Michaeline Day:

The only request that I have, and it's been very good lately, the last couple of months it's been very, very good, but we have had some issue with when you had said to put old business on here or to bullet in or let us know, there has been times when the first time we've seen the agenda is the night when we show up at the table. It's kind of hard to know what we're even going to be discussing if we don't have advanced notice or an agenda or be able to put old or new business on here. So we have been getting them a couple of days in advance, but it would be nice if some of us work out of town or do something, so it would be nice if we could get it more than a day in advance.

Jean Werbie:

I'll work on a schedule with John. I was kind of late notice coming into this with John, but we'll work it out so we get in a regular routine like the Plan Commission and we'll get them out the same way with information.

John Steinbrink:

It could be a Wednesday prior to a meeting with e-mail.

Michaeline Day:

That's fine. And, like I said, the last couple of months have been very, very good and we have been informed with having new people now doing it. I believe that's why because we have new people doing it, but it was very difficult for any commission to be able to carry on a discussion or to discuss anything if you don't have it until you sit down. You can't come up with intelligent questions.

Jean Werbie:

I apologize.

Michaeline Day:

No, it wasn't you.

Jean Werbie:

Well, I didn't get this stuff to John until today because I was working on a big meeting that I had on Monday.

Michaeline Day:

I think that today's meeting was just fine.

Mike Serpe:

If you put something on the agenda or you change something on the agenda there has to be enough notice to give the proper noticing agents like the *Kenosha News* or whoever else. Is it 24 hour notice, Jean?

Jean Werbie:

You need to give at least 24 hour notice to the *Kenosha News*. If it's an emergency matter, 2 hours notice. But agendas need to be published in the public posting place, and even with a 24 hour or 2 hour notice change they have to be reposted in all those places within that time frame.

Mike Serpe:

So if they send that out and you make any changes you have to renote them again.

Jean Werbie:

Typically I'm not sure if you publish your notices, but for us our deadline is Wednesday noon in order to make sure it makes it for Saturday paper and then meeting Monday. I'll talk to John about getting a regular schedule together to make sure that happens.

William O'Toole:

It might make sense given the notice requirements that prior to you sending it out if it could go to the Chair, and at least the Chair would have the ability to sign off and say, yeah, it looks good and let's go forward and get it noticed. So you might want to think about that as part of your step that you would get it via e-mail before the rest of us so that you can say, yeah, we forgot this or I would like this on there or not. I think the Chair should be involved in that process.

Michaeline Day:

Since I can't ask any such matters as authorized by law any more, I can ask if we can have an adjournment.

7. ADJOURNMENT

William O'Toole:

So moved.

--:

Second.

Michaeline Day:

All in favor?

Voices:

Aye.

Michaeline Day:

Thank you very much and we'll see you all.