Parks Commission
Agenda
Tuesday, January 14, 2020
5:30 P.M.
Village Hall

1. Call to Order
2. Consider Minutes from meeting on December 10, 2019
3. Staff Liaison Updates
   a. 2020 Citizens Academy
   b. Upcoming Presentations on Housing Study and Transportation/Parking Study
4. Consider Recommendation (Ordinance #3009 and Resolution 2020-02) to Amend Chapter 400: Parks and Recreation and the Village Fee Schedule
5. Consider Commission’s Response to CDA / Village Board Strategic Plan Survey
6. Consider legislation that prohibits e-cigarettes and smoking in public parks and Atwater Beach
7. Future Agenda Items and Schedule Next Meeting
8. Adjournment

DATED at Shorewood, Wisconsin this 9th day of January, 2020.

VILLAGE OF SHOREWOOD
Sara Bruckman, CMC/WCMC
Village Clerk

Should you have any questions or comments regarding any items on this agenda, please contact the Manager’s Office at 847-2702.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.
1. **Call to order.**
   The meeting was called to order at 5:31 p.m.

   Members present: Jenny Vulpas, Lybra Loest, Bonnie Pedraza, Enrique Figueroa, Mark Schill, Kathy Yanoff, and Julie Bradisse

   Others present: Assistant Village Manager Tyler Burkart

2. **Consider Minutes from Meeting on November 12, 2019**
   Mr. Schill moved to approve the November 12, 2019 minutes. The motion was seconded by Ms. Pedraza. Motion approved by 7-0 vote.

3. **Staff Liaison Updates**
   The CDA and Village Board is working on a joint Strategic Planning survey and asking all volunteer committees to submit one response on behalf of the committee. It is recommended to formulate a sub-committee to put together a response for the whole Committee to review during their January meeting. Ms. Loest, Mr. Figueroa, and Ms. Yanoff volunteered to work on the survey. Mr. Burkart informed the Committee applications are now available for the 2020 Citizens Academy. There is no maximum number as to how many people can apply. Community members can decide to register for one or all five sessions if they so choose. Applications are due January 10. Lastly, the Village will be hosting a gathering for interested Village Board candidates on December 19 at 5 p.m. in Village Center.

4. **Discuss Thoughts from Meeting with Park User Groups**
   The Commission had an overall discussion of the last meeting. They thought it was very informative. There was discussion about the baseball and soccer seasons and how they overlap to some degree. The Commission also discussed potential projects with Atwater Beach based on the November meeting. Ms. Loest mentioned some of the survey questions Friends of Atwater Beach are asking for potential fundraising opportunities. The Commission if fairly content with the feedback and uses of Hubbard Park based on the discussion.

5. **Discuss Next Aspects of the 2020 Shorewood Loves Dogs campaign**
   The Commission reviewed events and activities performed in 2019. The Commission asked Mr. Burkart to put together a 2020 campaign proposal for them to consider. It was expressed to have some metrics to measure the success of the program. Mr. Burkart mentioned the Parks Commission will need to drive the 2020 campaign for Ms. Donlevy won’t be tasked to continue managing the programming as she’ll have other tasks with Shorewood Waters to work on.
6. **Discuss Atwater Beach – Community Survey Results**  
The Commission reviewed the survey results. Mr. Burkart informed them he hopes to have the Atwater Park Permit for their reviewal at the January or February meeting. This will provide direction on the permitting process for vendors in park and beach spaces. The Commission will utilize the survey results to make a determination on a recommendation.

7. **Future Agenda Items and Schedule Next Meeting**  
The Commission asked to look into a possible Parks Commission banner. Mr. Burkart will provide an update at a later meeting.

8. **Adjournment.**  
Mr. Figueroa moved, seconded by Ms. Pedraza to adjourn the meeting. Motion approved 7-0 vote. Meeting adjourned at 6:33 p.m.

Respectfully submitted by,

Tyler Burkart  
Assistant Village Manager
VILLAGE OF SHOREWOOD
REPORTS AND PRESENTATIONS TO PARKS COMMISSION

Agenda Item: Consider Ordinance #3009 Amend Chapter 400: Parks and Recreation and Resolution 2020-02 Amending the Fee Schedule for the Park and Beach Permit

Date: January 14, 2020

Presenter: Tyler Burkart, Assistant Village Manager  Department: Village Manager’s Office

Legislative History – Please include a timeline of historical relevant events related to this agenda item. This may include previous Village Board action, policies, planning documents, etc. If able, hyperlink to previous agenda packets (include page number) to reference information. If there is no relevant history, N/A should be entered in this space.

In early 2017, a few vendors contacted the Village of Shorewood wanting to provide rental services at Atwater Park and Beach. Village staff worked with the Village Attorney to review ordinance language to determine the appropriate permitting process. After review, Village staff established an updated application for the Atwater Park Permit in Chapter 400 of the Village Code with some recommended language changes to the Code. A fee for the Atwater Park Permit also was established through Resolution #2017-05. The Village Board approved the permit changes during their May 1, 2017 meeting. Here is a link to those agenda materials. When the Village Board adopted the fee and application process, it was recommended to have the Parks Commission review at a later date.

Agenda Item Discussion – Please provide a summary of the agenda item along with bullet points highlighting the main items and key issues to be discussed.

During the 2019 prioritization process, the Parks Commission determined one of its initiatives for the upcoming year should be exploring vendor process at Atwater Park and Beach. This work would incorporate research into other municipalities, collecting feedback from the community, and reviewing the Village Code to determine if ordinance changes are needed.

Research. Village staff reached out to municipalities to learn how they administer and process vendor requests to be in public park space. The two municipalities with the most comprehensive and complete process were City of Madison and Milwaukee County. The City of Madison requires all applicants to fill out an application. Applicants are charged $275 for a daily permit or $900 for an annual permit. The applicant must specify the items they are selling and the locations in the park to perform vending activities. The applicant must also show proof of a Mobile Food Establishment license from the Public Health Department if they are selling food and proof of liability insurance. A list of all the park vending rules are attached to this memorandum. Milwaukee County requires all applicants to pay a $125 day permit or a $250 seasonal permit. If the vending services require using a public facility for more than a few days or on a seasonal/annual basis, the County will enter into a lease or service agreement with that vendor. Typically the vendor must be selected to provide these services through a request for proposals (RFP) process. Milwaukee County has several similar requirements compared with the City of Madison.

Community Survey. The Parks Commission requested the Village to include a question about rental options for Atwater Park and Beach on the 2019 community survey. The question listed options of different rental opportunities, including paddle craft, umbrellas, chairs, wagons, and refreshments.
Here were the following results of the survey (metrics illustrate percentage of residents in favor of rental option):

- Refreshments (70.9%)
- Chairs (65.9%)
- Umbrellas (65.5%)
- Paddle Craft (52.7%)
- Wagons (38.0%)

For this question there also was a separate comment box that asked respondents to identify any other rental ideas they would support at Atwater Beach. Here are the following main themes identified:

- No alcoholic beverages (this was the overwhelming number one comment)
- Charge access for the beach
- Improve bathroom facilities
- Food vendors and food trucks
- Access to yard games (volleyball, badminton, board games, bean bag toss, bocce, etc.)
- More frequent cleanings at the beach

**Ordinance language.** Currently the Village Code allows vendors to apply to perform vending activities in the park and beach space only at Atwater Park. A number of suggested changes to the ordinance are being recommended by staff to specify that all public parks and beach areas need a permit in order to perform vending, fundraising, or for-profit activities. The recommended changes also include (1) a number of requirements for an applicant to provide in order to be considered for the permit, (2) specifying the applicant won’t ever have exclusive rights to the park or beach, and (3) clarifying that no sale of beer and wine shall be permitted unless approved for a Temporary “Class B” license by the Village Board. Since the Village is modifying Chapter 400 of the Village Code, staff is also proposing to add regulations towards injury, destruction or removal of public property. This language came from research completed by Trustee Maher reviewing Milwaukee County’s ordinances.

**Application Process and Fees.** Village staff reviewed the current application for the Atwater Park Permit. The name is being changed to Park and Beach Permit, once again to emphasize the point that no vending, fundraising, or for-profit services are allowed without completing an application. Village staff proposed to leave the $50 application fee alone but to increase the daily fee from $10 to $50. Village staff would like to keep the fee similar to a Special Event Permit, which is currently set at $100. In addition, the vendor or organization would be billed for the hourly rate of any Village personnel requested or needed. The Village Board would need to approve all permits and have the ability to wave all related application fees if deemed appropriate. Groups who have been required to fill out a Special Event Permit in the past to occupy park space will now be asked to apply for a Park and Beach permit if they are performing vending, fundraising, or for-profit services OR requesting specific services from Village staff for an event. If a group or organization wants to use the park but isn’t vending, fundraising, or providing for for-profit service and doesn’t need specific services from Village staff, they will not need to fill out a permit application and can use the public park space.

**Enforcement.** The purpose of this permitting process is to assure vendors don’t overtake and abuse the space at any of the Village’s park and beach space. The process allows for a careful review of proposed vendor and business activities. While it isn’t being proposed for the Police Department staff to proactively enforce due to other priorities, it shall be enforced if an issue arises with a vendor if officers identify peculiar behavior during their routine monitoring or a complaint is filed to the department.
Community and Business Outreach – If applicable, did you notify the community groups and businesses that are directly impacted by this agenda item. Please specify in attached communication plan how community groups and businesses will be informed of action after Village Board consideration.

X Yes _____ No

If Yes, identify how and what community groups and businesses were notified.
Village staff reviewed the groups over the past year who would have qualified for such a permit. These groups were emailed the agenda packet materials on Thursday, January 9. In addition, the groups were informed the Parks Commission will be making a recommendation to consider during one of their February meetings, which they can also attend and provide feedback if they so choose. List of community groups contacted include the Shorewood Men’s Club (coordinates the Chicken Barbecue), Shorewood Concert Band (coordinates the summer band concert in July), Shorewood SEED (5K Brunch), Shorewood Surfrider Foundation (coordinates Surf @water), St. Robert’s Parish (coordinates outside mass), Crown Judaica, Moore Fitness LLC, and the Friendship Circle (coordinates the Jewish Farmers Market). If approved, Village staff will use other communication tools to inform the public prior to the issue going to the Community and Business Relations Committee and the Village Board.

Fiscal Note – Please include comments on the fiscal impact of this action.

The Village doesn’t anticipate to receive a great deal of requests for this permit. Any revenue received will be processed and accounted for in the Village Clerk & Customer Service revenue line item “Village Licenses” (100-1420-44120).

Action Required / Recommended – Please include the recommended motion or possible actions for this agenda item.

1. I move recommending to the Village Board the adoption of Ordinance #3009 Amending Chapter 400: Parks and Recreation in order to make changes to the Park and Beach Permit and add regulations towards injury, destruction or removal of public property.

2. I move recommending to the Village Board the adoption of Resolution 2020-02 Amending the Village fee schedule so that the name of the Atwater Park Permit is changed to Park and Beach Permit, the daily fee to be increased from $10 to $50, and that the group or organization requesting special Village services with the permit will be billed the hourly rate of the Village staff to perform those requested services.

Attachments – Please list the following attachments and supporting documents for this agenda item. Some attachments may be hyperlinked. Include Fiscal notes, if applicable, as the first attachment following this memorandum. Attachments may include: agreements/contracts, presentation materials, letters, service proposals, etc.

1. Ordinance #3009
2. Resolution 2020-02
3. Proposed changes to Park and Beach Permit application
4. Supporting research documents from City of Madison and Milwaukee County Parks
An Ordinance Amending Chapter 400 Parks and Recreation

At a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin held on this ____ day of _______________ __, 2020, a quorum being present and a majority of the Board voting therefore, said Board finds:

That Chapter 400: Parks and Recreation of the General Ordinances of the Village of Shorewood be retitled, repealed, and replaced as follows:

Chapter 400. Parks and Recreation.

§ 400-1 Private beaches.
It shall be unlawful for any person or persons, except the riparian owners or their permittees, to bathe, picnic on, or frequent any privately owned beach property bordering on Lake Michigan within the confines of the Village of Shorewood.

§ 400-2 Park and Beach Permit.
A. Purpose.

(1) It shall be unlawful for any groups, organizations or businesses to use any park, beach, its facilities, or improvements specified in Chapter 400 for vending, fundraising, or for-profit purposes, unless such groups, organizations or businesses have procured a valid permit for such usage from the Village of Shorewood approved by the Village Board and paid the required fee, as set forth in the Village Fee Schedule.[1] Fee schedule found on Village website.

[1] Editor’s Note: The Village Fee Schedule is on file in the Village Clerk offices.

(2) Such permit shall be presented upon request to any Village official and shall be valid only for the period of time for which the same has been issued and be used only by the group, organization or business therein named.

(3) All parks and beaches are open to the general public. No groups, organizations, or businesses are able to reserve a park, beach, its facilities, or improvements unless a written agreement is agreed upon by the Village Manager and the Village Board.

B. Qualification for permits.

(1) Groups, organizations or businesses may obtain a permit from the Village by paying the fee charged as set forth in the Village Fee Schedule.[2]

[2] Editor’s Note: The Village Fee Schedule is on file in the Village offices.

(2) Village volunteer committees may obtain a group permit from the office of the Village Clerk without fee, valid for one day only.

(3) Groups must fill out a permit application providing the following information.

a. Primary contact’s name and contact information
b. Organization’s name  
c. Reason for requesting the permit  
d. Location(s) requested  
e. Village services requested  
f. Applicants must provide a list of items to be sold  
g. If the applicant wishes to sell food, the applicant must also enclose a copy of the food establishment license obtained from the North Shore Health Department  
h. If the applicant wishes to have amplified sound, a Short-Term Cabaret License must be submitted and paid  
i. Applicants must present proof of product and premises liability insurance in the amount specified on the permit application as well as a Certificate of Insurance listing the Village of Shorewood as an “additional insured”  

(4) No sale of beer and wine shall be permitted in the Village parks or beach area unless approved for a Temporary “Class B” license by the Village Board.  

C. Permits revocable. All permits issued shall be revocable by the Village Manager or the Chief of Police, or a member of the Police Department in charge in the Chief's absence, for unbecoming conduct and for failure to observe any of the Village ordinances regulating or covering the usage thereof.  

§ 400-3 Atwater Park, Hubbard Park, River Park, Triangle Park, the Village Nature Preserve, and Humble Park.  
A. The Village Board shall prescribe rules and regulations for the operation of Atwater Park, Hubbard Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park, and any and all associated facilities therein. Such rules and regulations shall govern the hours of these parks and building operation, the charges to the public for the use of any facilities therein, the nature and types of activities which may be undertaken on the premises, and related matters. Such rules, upon approval by the Village Board, shall have the full force of law, and violation thereof shall be subject to the penalties hereinafter provided.  
B. The sports playing fields in River Park designated as Spector Field (the Little League baseball field) and SCIF Field (the soccer field) are designed and intended for the use of children 13 years and younger. As a result, restrictions are necessary to assure damage may be minimized. No person may engage in any scheduled sport, game, or sports activity on these designated playing fields except as may be allowed under rules and regulations as established by the Village Manager.  

§ 400-4 Fermented malt beverages.  
The possession or consumption of fermented malt beverages at Atwater Park, Hubbard Park, Estabrook Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park and Shorewood public school buildings and grounds is strictly prohibited without the written authority of the jurisdictional governing body or its delegated agent.  

§ 400-5 Intoxicating liquor.  
The possession and consumption of intoxicating liquor at Atwater Park, Hubbard Park, Estabrook Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park, and Shorewood public school buildings and grounds is strictly prohibited without the written authority of the jurisdictional governing body or its delegated agent.
§ 400-6 Boat launching.
A. The launching of any motor-driven or powered float, boat, raft or other motorized watercraft from Hubbard Park, Atwater Park, or the Village Nature Preserve is strictly prohibited.

B. The launching of nonmotorized, nontrailer boats, canoes or kayaks is permitted from Hubbard Park or Atwater Beach without permit only during regular park hours.

§ 400-7 County park rules and regulations.
A. The rules and regulations governing parks and parkways under the jurisdiction of the Milwaukee County Park Commission as provided for under Chapter 47 of the Milwaukee County Ordinances and the amendments thereto are hereby adopted and incorporated by reference and made a part of the Village Code as if fully set forth therein.

B. Such rules and regulations shall only be applicable in the Village of Shorewood to parks and parkways under the jurisdiction of the Milwaukee County Park Commission.

§ 400-8 Park closing hours.
Unless otherwise provided herein or by rule or regulation of the Village, all Village parks and park areas shall be closed to the public between the hours of 10:00 p.m. and 5:00 a.m.

§ 400-9 Dogs prohibited in certain park areas.
A. Dogs are only allowed in Atwater Park, Hubbard Park, and River Park on paved walkways in these parks, with the exception that no dog shall be allowed past the gate for the paved walkway leading down to Atwater Beach. No owner or keeper of a dog shall allow or permit such dog to enter or remain in any other areas of either Atwater Park or Hubbard Park, including, but not limited to, park buildings, shelters, playground areas, and Atwater Beach.

B. Dogs present in either Atwater Park, Hubbard Park, or River Park pursuant to the preceding section shall be on a maximum six-foot-long visible leash. Owners shall be in control of their dogs at all times.

C. The provisions of this section shall not apply to:

(1) An individual with a disability who is utilizing a service dog that has been individually trained to do work or perform tasks for the individual with a disability. The task or tasks performed by the dog must be directly related to the person's disability. The service dog must be under the control of the handler at all times.

(2) Dogs used by or under the authority of law enforcement personnel in the course of official police business.

D. Any owner, person or party who violates the provisions of this section shall be subject to the penalties authorized under the provisions of § 400-10 of this chapter.

§ 400-10 Use of Atwater Beach
Use of beach area at Atwater Park. It shall be unlawful for any person or persons to use the beach area of Atwater Park or any of its facilities or improvements or enter upon the premises thereof for any purpose without the written approval of the Village Manager except during the hours established by the Village Board and posted at the top of the bluff entrance. The "beach area" is
defined as that area below the top of the bluff of Atwater Park. The hours when the beach area is open to the public, and the fees (if any) to be charged for the use of said area, shall be determined by the Village Board.

§ 400-11 Injury to, destruction or removal of public property
   A. No person shall plant, remove, injury, destroy, cut, trample, top or prune any tree, shrub, plant, turf, fruit or flower in any Village of Shorewood park unless the activity is specifically allowed under the terms of a volunteer program approved by the Village Manager or another activity approved by the Village Manager. The above restrictions apply to both wild and cultivated plants.

   B. No person shall remove, injury, deface, write upon, defile or ill use any building, sign, table, bench, official notice, sign, ornament, fountain, statue, fence, trail, pathway, apparatus or other property in any Village of Shorewood park unless the activity is specifically approved by the Village Manager.

§ 400-12 Violations and penalties.
Except where a penalty is otherwise prescribed, the penalty for violation of any provision of this chapter shall be as set forth in § 115-1 of the Village Code.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this ___ day of _____________, 2020

______________________________
Allison Rozek, Village President

Countersigned:

______________________________
Sara Bruckman, Village Clerk
Chapter 400. Parks and Recreation.

§ 400-1 Private beaches.
It shall be unlawful for any person or persons, except the riparian owners or their permittees, to bathe, picnic on, or frequent any privately owned beach property bordering on Lake Michigan within the confines of the Village of Shorewood.

§ 400-2 Atwater Park and Beach Permit.
[Amended 6-4-2012 by Ord. No. 2006]

A. Purpose.

(1) It shall be unlawful for any groups, organizations or businesses to use Atwater Park or any of its facilities or improvements or enter upon the premises any park, beach, its facilities, or improvements specified in Chapter 400 for vending, fundraising, or for-profit purposes, unless such groups, organizations or businesses have procured a valid permit for such usage from the Village of Shorewood approved by the Village Board and paid the required fee, as set forth in the Village Fee Schedule.[1] Fee schedule found on Village website.

[Amended 5-1-2017 by Ord. No. 2074]

[1] Editor’s Note: The Village Fee Schedule is on file in the Village Clerk offices.

(2) Such permit shall be presented upon request to any Village official and shall be valid only for the period of time for which the same has been issued and be used only by the group, organization or business therein named.

(3) All parks and beaches are open to the general public. No groups, organizations, or businesses are able to reserve a park, beach, its facilities, or improvements unless a written agreement is agreed upon by the Village Manager and the Village Board.

B. Qualification for permits.

(1) Groups, organizations or businesses may obtain a permit from the Village by paying the fee charged as set forth in the Village Fee Schedule.[2]

[2] Editor’s Note: The Village Fee Schedule is on file in the Village offices.

(2) Village civic groups-volunteer committees may obtain a group permit from the office of the Village Clerk Manager without fee, valid for one day only.

(3) Groups must fill out a permit application providing the following information.

a. Primary contact’s name and contact information
b. Organization’s name
c. Reason for requesting the permit
d. Location(s) requested
e. Village services requested
f. Applicants must provide a list of items to be sold
g. If the applicant wishes to sell food, the applicant must also enclose a copy of the food establishment license obtained from the North Shore Health Department.

h. If the applicant wishes to have amplified sound, a Short-Term Cabaret License must be submitted and paid.

i. Applicants must present proof of product and premises liability insurance in the amount specified on the permit application as well as a Certificate of Insurance listing the Village of Shorewood as an “additional insured”.

(4) No sale of beer and wine shall be permitted in the Village parks or beach area unless approved for a Temporary “Class B” license by the Village Board.

C. Permits revocable. All permits issued shall be revocable by the Village Manager or the Chief of Police, or a member of the Police Department in charge in the Chief's absence, for unbecoming conduct and for failure to observe any of the Village ordinances regulating or covering the usage thereof.

E. Rules and regulations.

(1) The Village Board shall prescribe rules and regulations for the operation of Atwater Park. Such rules and regulations shall govern the time when the beach shall be open to the public each year, the hours of beach operation, the charges to the public for the use of facilities, improvements, and grounds, the nature and types of activities which may be undertaken on the premises, and related matters.

(2) Such rules and regulations, upon approval by the Village Board, shall have the full force of law, and a violation thereof shall be subject to the penalties hereinafter provided.

§ 400-3 Atwater Park, Hubbard Park, River Park, Triangle Park, the Village Nature Preserve, and Humble Park.
[Amended 5-22-2000 by Ord. No. 1799; 9-5-2017 by Ord. No. 2082]

A. The Village Board shall prescribe rules and regulations for the operation of Atwater Park, Hubbard Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park, and any and all associated facilities therein. Such rules and regulations shall govern the hours of these parks and building operation, the charges to the public for the use of any facilities therein, the nature and types of activities which may be undertaken on the premises, and related matters. Such rules, upon approval by the Village Board, shall have the full force of law, and violation thereof shall be subject to the penalties hereinafter provided.

B. The sports playing fields in River Park designated as Spector Field (the Little League baseball field) and SCIF Field (the soccer field) are designed and intended for the use of children 13 years and younger. As a result, restrictions are necessary to assure damage may be minimized. No person may engage in any scheduled sport, game, or sports activity on these designated playing fields except as may be allowed under rules and regulations as established by the Village Manager.
§ 400-4 Fermented malt beverages.
[Amended 9-5-2017 by Ord. No. 2082]
The possession or consumption of fermented malt beverages at Atwater Park, Hubbard Park, Estabrook Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park and Shorewood public school buildings and grounds is strictly prohibited without the written authority of the jurisdictional governing body or its delegated agent.

§ 400-5 Intoxicating liquor.
[Amended 9-5-2017 by Ord. No. 2082]
The possession and consumption of intoxicating liquor at Atwater Park, Hubbard Park, Estabrook Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park, and Shorewood public school buildings and grounds is strictly prohibited without the written authority of the jurisdictional governing body or its delegated agent.

§ 400-6 Boat launching.

A. The launching of any motor-driven or powered float, boat, raft or other motorized watercraft from Hubbard Park, Atwater Park, or the Village Nature Preserve is strictly prohibited.

B. The launching of nonmotorized, nontrailered boats, canoes or kayaks is permitted from Hubbard Park or Atwater Beach without permit only during regular park hours.

§ 400-7 County park rules and regulations.

A. The rules and regulations governing parks and parkways under the jurisdiction of the Milwaukee County Park Commission as provided for under Chapter 47 of the Milwaukee County Ordinances and the amendments thereto are hereby adopted and incorporated by reference and made a part of the Village Code as if fully set forth therein.

B. Such rules and regulations shall only be applicable in the Village of Shorewood to parks and parkways under the jurisdiction of the Milwaukee County Park Commission.

§ 400-8 Park closing hours.
Unless otherwise provided herein or by rule or regulation of the Village, all Village parks and park areas shall be closed to the public between the hours of 10:00 p.m. and 5:00 a.m.

§ 400-9 Dogs prohibited in certain park areas.
[Amended 7-11-2005 by Ord. No. 1889; 5-1-2017 by Ord. No. 2076]

A. Dogs are only allowed in Atwater Park, Hubbard Park, and River Park on paved walkways in these parks, with the exception that no dog shall be allowed past the gate for the paved walkway leading down to Atwater Beach. No owner or keeper of a dog shall allow or permit such dog to enter or remain in any other areas of either Atwater Park or Hubbard Park, including, but not limited to, park buildings, shelters, playground areas, and Atwater Beach.
B. Dogs present in either Atwater Park, Hubbard Park, or River Park pursuant to the preceding section shall be on a maximum six-foot-long visible leash. Owners shall be in control of their dogs at all times.

C. The provisions of this section shall not apply to:

   (1) An individual with a disability who is utilizing a service dog that has been individually trained to do work or perform tasks for the individual with a disability. The task or tasks performed by the dog must be directly related to the person's disability. The service dog must be under the control of the handler at all times.

   (2) Dogs used by or under the authority of law enforcement personnel in the course of official police business.

D. Any owner, person or party who violates the provisions of this section shall be subject to the penalties authorized under the provisions of § 400-10 of this chapter.

§ 400-10 Use of Atwater Beach

Use of beach area at Atwater Park. It shall be unlawful for any person or persons to use the beach area of Atwater Park or any of its facilities or improvements or enter upon the premises thereof for any purpose without the written approval of the Village Manager except during the hours established by the Village Board and posted at the top of the bluff entrance. The "beach area" is defined as that area below the top of the bluff of Atwater Park. The hours when the beach area is open to the public, and the fees (if any) to be charged for the use of said area, shall be determined by the Village Board.

§ 400-11 Injury to, destruction or removal of public property

A. No person shall any plant, remove, injury, destroy, cut, trample, top or prune any tree, shrub, plant, turf, fruit or flower in any Village of Shorewood park unless the activity is specifically allowed under the terms of a volunteer program approved by the Village Manager or another activity approved by the Village Manager. The above restrictions apply to both wild and cultivated plants.

B. No person shall remove, injury, deface, write upon, defile or ill use any building, sign, table, bench, official notice, sign, ornament, fountain, statue, fence, trail, pathway, apparatus or other property in any Village of Shorewood park unless the activity is specifically approved by the Village Manager.

§ 400-12 Violations and penalties.

Except where a penalty is otherwise prescribed, the penalty for violation of any provision of this chapter shall be as set forth in § 115-1 of the Village Code.
RESOLUTION – 2020 – 02

A RESOLUTION FOR AMENDING FEES
WITHIN THE VILLAGE FEE SCHEDULE

WHEREAS, from time to time the Village of Shorewood reviews and revises various fees to assure that the fee assessed is consistent with the actual cost to the Village for providing this service and/or fees as otherwise deemed appropriate for activities; and

WHEREAS, the Parks Commission reviewed the Atwater Park Permit application requirements and fees during their January 14, 2020 meeting with a recommendation to amend the fees; and

WHEREAS, staff has prepared a recommended update to those fees as part of the annual review of municipal fees in preparation for the upcoming fiscal year; and

WHEREAS, the following items are to be amended and added to the Village fee schedule to be effective February 17, 2020; and

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Shorewood that the following added or updated Village Clerk fees within the Village Fee Schedule is hereby approved with a quorum being present and a majority of the Board voting.

Park and Beach Permit
 Application Fee  50.00
 Daily fee  50.00
 Other requested Village services Billable at hourly rate of staff

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 17th day of February, 2020.

___________________________________
Allison Rozek, Village President

Countersigned:

___________________________________
Sara Bruckman, CMC/WCMC, Village Clerk
APPLICATION FOR ATWATER PARK AND BEACH PERMIT

$50 Application Fee + $5010 Per Day Fee + Any Billable Hourly Rate(s) for Village personnel requested/needed for day(s) of permit usage

Please answer the following questions fully and completely:

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<th>Date of Event (if multiple days, see instructions):</th>
<th>Start time of event:</th>
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Do you have current CPR certification?  
Yes ☐ No ☐

Do you have current First Aid certification?  
Yes ☐ No ☐

Describe program/activity, including any costs to the participants:

Describe in detail how the park land, park equipment, and/or park improvements will be used:

Anticipated Attendance/Usage (if multiple days, provide anticipated daily average):

Will you be erecting a temporary structure/tent?  
Yes ☐ No ☐

If yes, please describe:

Will you be providing equipment for your participants need amplified sound or electricity? Serving beer, wine, or food?  
Yes ☐ No ☐

If yes, please describe:

Have you ever been convicted of any felony or of violating any Federal Law, State Law, or Local Ordinance?  
Yes ☐ No ☐

If yes, provide the date and the nature of the offense:

Incomplete applications will not be accepted. It is required to submit 60 days prior to the event. The following items must be submitted at time of application (see page 2 for more information):

☐ $50 Application Fee + $5010 Per Day Fee  
☐ Site Plan/Map  
☐ Certificate of Insurance  
☐ Other Licenses or Permit Applications  

☐ Multiple employees only – Listing of each employee who will utilize permit, including full name(s) and address(s)  
☐ Multiple dates only - Listing of each date requested, including start time and end time

CONTINUED ON NEXT PAGE
To the Village of Shorewood, Wisconsin: I hereby make application for a Atwater Park Permit in the Village of Shorewood, Wisconsin, subject to the provisions and limitations of Section 400-2 of the Village of Shorewood Municipal Code, and hereby agree to comply with all laws, resolutions, ordinances and regulations, affecting said activity, if a license be granted me. I hereby release, discharge, hold harmless and agree to defend the Village of Shorewood, its officers, agents, and employees from and against any and all loss that may arise out of or result from, in any way, in whole or in part, the scheduled activity and the conduct or actions of any individual participating in or attending the scheduled activity.

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, I certify that the aforementioned information is correct to the best of my knowledge and I agree to operate this business according to law and that the rights and responsibilities conferred by the permit, if granted, will not be assigned to another.

Applicant’s Signature ____________________ Date ____________________

Instructions, Requirements, and Regulations

Site Plan Requirement: All applicants are required to submit a detailed Site Plan/Map. Site plans/maps must identify location of sales, tents, classes, etc. Specify if any Village personnel or services are being requested. Time for Village personnel to be onsite for Police, Public Works, or any services will be billed at the personnel’s hourly rate.

Certificate of Insurance: All applicants are required to submit a Certificate of Insurance naming the Village of Shorewood as an additional insured party.

Other Licenses: If the applicant is applying for other licenses such as a Short-Term Cabaret License for amplified sound.

Requests for Multiple Days: If request is for more than one day, applicants are required to submit a detailed listing of each date, indicating start time and end time.

Applicants with Multiple Employees: If there will be multiple employees utilizing the permit, applicants are required to submit a detailed listing of each employee, indicating names and addresses.

Sales of Food/Drink Prohibited: The sale of food and/or beverages is prohibited under this permit unless applicant receives Temporary “Class B” license or food establishment license obtained from the North Shore Health Department (both shall be included in application).

Temporary Setup: All structures, equipment, materials, etc. required to perform the activity requested must be temporary and removed on each day of the activity.

Non-Exclusive Use: A permit, if one should be granted, does not provide exclusive use of Atwater Park, any park or beach space or any specific location(s) within Atwater Park.

Proof of Permit: Permit holders are required to have with them the permit when conducting the permitted activity within Atwater Park. The Village of Shorewood and any Village of Shorewood designated staff member by the Village Manager retains the right to request proof of permit of any permit holder.

CPR & First Aid Certification Encouraged: The Village of Shorewood encourages all applicants to have current CPR & First Aid Certification.

Compliance with Federal, State, and Local Regulations: All applicants and participants must at all times comply with all Federal, State, and Local regulations, including but not limited to Chapter 400 “Parks and Recreation” and Chapter 383 “Noise” of the Shorewood Village Code.

Cancellations/Refunds: The Application Fee is non-refundable. Upon written request and written notification of cancellation at least one week prior to the event, the Per Day Fee may be reimbursed to the applicant. Permit can be transferable to another day or time within 60 days of the originally scheduled event if unable to use permit due to weather.
Annual Permit: Date of issuance _______________ to April 14, 20__ ($900.00)
Daily Permit: Date: ($275.00)

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**Merchandise Information**
*(Be complete and accurate. You may not sell anything not listed on this application)*

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**Food and Menu Information**
*(List all menu items. Be complete and accurate. You may not sell anything not listed on this application)*

Main Menu Items:

Side Dishes and Desserts:

Beverages:
Vending Location Requests
List the Park(s) where you would like to vend, in priority order if more than one park.

The Parks Division reserves the right to limit the number of vendors allowed in any one park and the total number of permits issued in any one year. The department further reserves the right to limit the vending unit size based on park aesthetics and available vending space in each park.

Required Documents/Information
Include the following with your application: Recent photo of Primary vendor with name on back; a photograph and measurements of the vending unit to be used in the vending operation; a copy of the Mobile Food Establishment license obtained from the Public Health Department if you are selling food.

Application Signature
I attest that the information on and enclosed with this application is true and complete to the best of my knowledge.

By signing the Parks Vending application I acknowledge that I understand and will abide by all applicable ordinances, statutes, laws and Parks Division rules and regulations governing Parks vending.

Signature __________________________ Date __________________________

Office Use Only
Application Received _________________ Issued _________________
The Superintendent of the Madison Parks Division is authorized to establish rules, and regulations for vending permits in City Parks and the Park Commission is authorized to establish a fee schedule pursuant to, and not inconsistent with, Madison General ordinance 8.17. Vending permits will be at locations designated by the Parks Division.

All applications will be reviewed by the Parks Superintendent or authorized designee. Park vending permits will be granted to those applicants who best meet the needs of the public that the Parks Division is trying to serve at locations deemed appropriate by the Parks Superintendent. Only a limited number of park vending permits will be issued.

APPLICATION PROCEDURES

1) All persons, partnerships and corporations interested in vending in a City park are required to submit the following documents to the Madison Parks Division, 210 Martin Luther King, Jr. Blvd., Ste. 104, Madison, WI 53703; 608-266-4711, Fax 608-267-1162,

   _ An application which includes the applicants full name; name of business; residence and business addresses, phone numbers, and email address; the type of vending permit requested and the vending location(s) requested.
   _ A photograph and measurements of the vending unit to be used in the vending operation.
   _ A typed list of items to be sold and the prices to be charged for same.
   _ A completed and signed application form which includes a statement that the applicant will adhere to all City ordinance provisions, and Parks Division rules and regulations governing Parks vending.
   _ A copy of the Mobile Food Establishment license obtained from the Public Health Department, 210 Martin Luther King, Jr. Blvd., Rm. 507, Madison, WI 53703-3346
   _ A copy of the Wisconsin State Tax Number document for your business.
   _ Present proof of product and premises liability insurance in the amount of $1,000,000 in the aggregate and a Certificate of Insurance listing the City of Madison as an “additional insured”.
   _ A cashier’s check or money order made payable to “City Treasurer” in the amount of $900.00 for an Annual permit or $275.00 for a Daily permit

2) When all required documents are received, the application will be reviewed. If the application is approved, a park vending permit will be issued.
GENERAL VENDING RULES & REGULATIONS FOR CITY PARKS

1) All required city, county and state licenses must be prominently displayed on the mobile unit from which the vendor operates. Park vendors must keep a copy of the Parks Vending Permit available for inspection at all times.

2) An Annual park vending permit shall be valid from the date of issuance until April 14 of the following year.

3) The Parks Division reserves the right to limit the number of vendors allowed in any one park and the total number of permits issued in any one year. The department further reserves the right to limit the vending unit size based on park aesthetics and available vending space in each park.

4) The fee for an annual park vending permit is $900.00 per year payable in advance. A daily vending fee is $275.00.

5) Based on poor performance or violation(s) of Parks vending regulations, a park vending permit may be revoked at any time by the Parks Superintendent or designee upon seven days notice by mail to the permit holder’s business address of record. No refund of permit fees will be granted.

6) The business of park vending shall be conducted between the hours of 6:00 a.m. to 10:00 p.m.

7) Park vendors shall not leave their pushcart or other vehicle or equipment unattended at any time.

8) Pushcarts or other vehicles and equipment related to the vending operation shall not be parked, stored or left overnight in any park location.

9) Every park vendor shall indemnify and save harmless the City of Madison from all suits or actions brought against the City for or on account of any injuries or damages received or sustained by any party or parties by or from said vendor, his/her employees or agents, or by or on account of any act or omission of said vendor.

10) Park vending permits shall not be assigned by vendors in whole or part, nor any portion of the premises sublet.

11) A park vending permit does not grant exclusive use of the area assigned. Special events permitted in adjacent areas are allowed to select their own vendors during the course of such an event. Further, the Parks Superintendent or designee, reserves the right to invalidate the vending permit if special event, festival, fair or parade permits are issued within 300’ of the park vending permit location.

12) No glass bottles or containers shall be served to customers in the park.

13) Park vendors shall provide at their own expense all equipment necessary to provide the items for sale in the conduct of the business. All equipment used shall be in a self-contained unit. No storage area, water, electric or other utilities will be supplied by the Parks Division. Generators may be used in the vending operation with approval from the Parks Superintendent or authorized designee.

15) Park vendors shall not block the passage of the public through a public area or interfere with access to ramps, curb cuts or other conveniences for individuals with disabilities.

17) Park vendors shall collect and remove all litter and garbage generated by their vending operation from the park at the end of each business day. Vendors may not put refuse from the operation of their business in or beside any public trash container or in any drain along or in the streets or sidewalks.
Hi Tyler,

I received the information from Milwaukee County (below) regarding the Parks/Beach research.

Tony McCoy
Administrative / Payroll Specialist
Village of Shorewood
3930 N Murray Avenue
Shorewood, WI 53211
414.847.2603
amccoy@villageofshorewood.org

From: Orlowski, Jeffrey [mailto:Jeffrey.Orlowski@milwaukeecountywi.gov]
Sent: Wednesday, February 21, 2018 3:42 PM
To: Anthony McCoy <AMccoy@villageofshorewood.org>; Smith, Guy <Guy.Smith@milwaukeecountywi.gov>; Santiago, Eduardo <Eduardo.Santiago@milwaukeecountywi.gov>
Cc: Tarantino, James <James.Tarantino@milwaukeecountywi.gov>
Subject: Re: Parks/Beach Vendor Process Questions

Tony,

Thanks for your inquiry. In regards to vendors selling items or providing services on our properties, if they are doing so on a small scale, associated with a specific event or series of events, there is a permit process. After completing paperwork, the vendor requests either a day permit ($125) or a seasonal permit ($250).

If a concessionaire operates on a larger scale, uses County Parks buildings, etc., generally an agreement is entered into - whether that is a vendor agreement, lease agreement, or other. This begins after an RFP process. There are specific procedures that must be followed, insurance requirements met, and due diligence obligations should the contract reach a substantial dollar threshold. Generally speaking, there are different ways these contracts have been and are approached - including a flat rent or permit fee which sometimes includes a commission that the County Parks receive as well in addition to the base rent or fee. Please let me or Jim Tarantino know if you'd like to discuss in greater details. We would be glad to provide information or steer you in the right direction for further clarity.

Sincerely,
Jeff
Jeffrey D. Orlowski, CPRE
Assistant Chief of Recreation and Business Services

Milwaukee County Parks
T: 414-257-8087 F: 414-257-6466
Jeffrey.Orlowski@milwaukeecountywi.gov
countyparks.com

P Please consider the environment before printing this email.

From: Anthony McCoy <AMccoy@villageofshorewood.org>
Sent: Monday, February 19, 2018 9:50 AM
To: Smith, Guy; Santiago, Eduardo
Cc: Orlowski, Jeffrey; Tarantino, James
Subject: RE: Parks/Beach Vendor Process Questions

Thanks for your help Guy.

Tony McCoy
Administrative / Payroll Specialist
Village of Shorewood
3930 N Murray Avenue
Shorewood, WI 53211
414.847.2603
amccoy@villageofshorewood.org

Good Morning Tony,

Thank you for reaching out! I have included my colleagues, Jeff and Jim, on this email. They can help outline our process. Thanks!

Sincerely,
Guy
Purpose of Survey

The Village of Shorewood has supported economic development through the redevelopment and enhancement of commercial properties and housing as outlined in the Central Business District Master Plan over the last 10-15 years. The CDA and Village Board are reflecting on their progress and looking forward to prioritizing their next steps for economic development and housing.

To reflect on the Village’s progress, the CDA and Village Board hired Baker Tilly Municipal Advisors to facilitate a strategic planning session focused on economic development and housing with the CDA and Village Board in early 2020. As a first step of the facilitation, on behalf of the CDA and Village Board, Baker Tilly staff is seeking feedback from key stakeholders through the economic development and housing strategic goals and priorities survey.

The purpose of the economic development and housing strategic goals and priorities planning process is to provide an inclusive forum of which to build on the input received from the already-completed 2019 community survey. This will establish more specific and defined guidelines and policies that will meet the community’s desires regarding future processes and objectives.

Economic development is generally defined as the process by which the economic well-being and quality of life within a community are measured and improved upon. Measurements may include jobs – quality, wages and types – and tax base – growth and diversification. Housing is generally defined in terms of meeting your community’s needs as provided through periodic housing studies and balancing with market demands. Focus may include providing a variety of housing options (rental and ownership), life cycle (all ages) and affordability to persons and families that are within varying income levels.

All answers will be listed anonymously when submitted individually online and presented anonymously but grouped by the respective stakeholder group. All groups (with the exception of the CDA and Village Board) will be provided with their respective group’s feedback to discuss. If after review of the feedback a group votes to provide specific group recommendations, those will be attributed to the group and provided to the CDA and Village Board for consideration. The CDA and Village Board will review their grouped comments with all other survey responses during the strategic planning process in early 2020.
There are no right or wrong answers to these questions, simply your perspective as a volunteer in our community that desires Shorewood to be a wonderful place to live, work and play.

Stakeholder Groups
Please check the stakeholder group of which you are a member. If you reside on multiple groups, please select your primary stakeholder group of interest or involvement.

1. Board of Appeals
2. Business Improvement District (BID)
3. Community Development Authority (CDA)
4. Conservation Committee
5. Department Heads and Key Staff
6. Design Review Board
7. Elder Services Advisory Board
8. Human Relations Commission
9. Library Board
10. Parks Commission
11. Pedestrian & Bicycle Safety Committee
12. Plan Commission
13. Police Commission
14. Public Art Committee
15. Shorewood Foundation
16. Shorewood Historical Society
17. Shorewood Recreational Advisory Committee
18. Shorewood School Board
19. Village Board
Questions:

Focus of Interest

The Community Development Authority is looking for input about its plans and programs for both economic development and housing in the Village. You will have the option of giving your input about economic development programs, housing programs, or both.

Economic Development Programs

1. Would you like to give feedback on the Village’s economic development activities and priorities?
   
   1. Yes
   
   2. No

2. Economic Development – Strengths

What do you think are the Village’s greatest strengths when it comes to economic development? In the spaces below, please provide a brief description of up to three of your ideas and observations.

1. Strength #1
   Access to public transportation (three bus lines), bike paths, the lakefront and river, great schools, great community for a range of household types (families, seniors, young professional and college students). The Village’s has some amazing parks on great natural resources (Lake Michigan, and on the Milwaukee River) so these are vibrant spaces that are a good draw for both the community and outside of Shorewood.

2. Strength #2
   High median income so the Village residents have spending/buying power. There is demand in the community for goods/services. We are also part of a major metropolitan area and in very close proximity to a larger city.
3. Strength #3
We don’t have a lot of available undeveloped land but we do have older buildings that are prime for new tenants, as well as a mix of newer spaces.

3. Economic Development – Issues and Challenges

What do you think are the biggest issues or challenges facing the Village when it comes to economic development? In the spaces below, please provide a brief description of up to three of your ideas and observations.

1. Issue/Challenge #1
Commercial rent is high and we have property owners who are willing to maintain vacant properties vs. drop lease rents. Landlords don’t care enough about the community to find and negotiate with potential renters. We are losing potential renters to property managers that aren’t willing to work with them.

2. Issue/Challenge #2
Increased risk for businesses to have brick and mortar locations. However, there are pockets along Oakland that seem ‘dead’ in terms of drawing foot traffic. In some locations, there is a lack of vibrant clusters of businesses that would draw foot traffic and makes it feel more of a challenge to link our downtown center. Need to attract more entrepreneurship.

3. Issue/Challenge #3
There are factions of residents that are opposed to offering incentives. The Village is challenged with the perceived that Shorewood has parking and traffic congestion issues.

The Village should also ensure we have adequate and safe bike lanes and be thinking about how to address increased scooter use.

Nostalgic bias – the idea that people don’t want things to change in their neighborhood, even if the what they have isn’t working well.
4. Economic Development – Actions

1. What is the most important thing the Village should start doing as relates to economic development?
   Can the Village penalize property owners for maintaining vacant property for a certain duration of time?

   Also, the Village should be referencing other vibrant cities, villages and neighborhoods to learn more about what is working for them. Are there lessons learned or strategies from peer communities

2. What is one thing the Village does related to economic development which it needs to do better?
   When the Village proposes urban design changes, there should be more renderings or precedent images that can help relay the vision to the community.

   Educate the public on the return on investment for offering taxpayer-supported economic incentives to developers.

   Village should incorporate more public art and small urban parks (pocket parks). Could we incentivize new developments to include outdoor amenities as part of the development.

   Test out pocket parks or pop-up parks with food trucks in some of the underutilized/vacant properties to encourage developers to locate permanently.

3. What is one thing the Village does related to economic development which it should stop doing?

   If there are currently any restrictions on food trucks, the village should lift these restrictions. Food trucks can offer a great way to activate a space and allow vendors an opportunity to test a market.
5. Economic Development – Outcomes

1. What is the most important economic development outcome that you would like to see the Village achieve in the next 1-3 years?

We would like to see the Village partner with the County to get another joint venture partnership in Estabrook Park, similar to the Estabrook Park Beer Garden or the Hubbard Park Beer Garden.

Allow vendors (food and amenities) in Atwater Park as another revenue source for the Village.

Fill half of the vacant properties with new businesses.

2. What is the most important economic development outcome that you would like to see the Village achieve in the next 4-10 years?

Strive for 5% vacancy rate for commercial properties in the village.

Incorporate park space as part of new developments to increase walkability and an attractive downtown center.

Increase in the tax base that will sustain new development incentives and urban revitalization efforts (pocket parks, urban art programs, streetscape and community branding).
Housing Programs

6. Would you like to give feedback on the Village's housing activities and priorities?
   1. Yes
   2. No

7. Housing – Strengths

What do you think are the Village's greatest strengths when it comes to housing? In the spaces below, please provide a brief description of up to three of your ideas and observations.

1. Strength #1
   Range of housing options, old, new, single, duplex, multi-family, low rise, high rise caters to a range of household types, (senior, family, single/young professional and students)

2. Strength #2

Overall the housing stock is well maintained and has a high value.

3. Strength #3
8. Housing – Issues and Challenges

What do you think are the biggest issues or challenges facing the Village when it comes to housing? In the spaces below, please provide a brief description of up to three of your ideas and observations.

1. Issue/Challenge #1
   Integrate affordable and market rate multi-family housing so that our community remains diverse.

2. Issue/Challenge #2
   Ensure that duplex and property managers maintain rental units to a standard.

3. Issue/Challenge #3

9. Housing – Actions

1. What is the most important thing the Village should start doing as relates to housing?
   Find ways to incentivize housing developments to provide higher quality affordable housing that is integrated with market rate options.

2. What is one thing the Village does related to housing which it needs to do better?
   Village could license AirBnb’s so there is an additional revenue source, and can also ensure that AirBnb’s are managed well and don’t cause additional issues for neighbors, etc.

   Take advantage proximity to the bike path and to downtown. Incentivize green / sustainable / energy efficient buildings.
3. What is one thing the Village does related to housing which it should stop doing?
   Stop letting homeowners convert duplex to single family homes, to ensure that we maintain a good mix of housing stock for a range of income levels.

10. Housing – Outcomes

1. What is the most important housing outcome that you would like to see the Village achieve in the next 1-3 years??
   Allow residents to have additional structures like mother-in-law house.
   Is there a way to provide tiny homes as another option for affordable housing or an alternative to traditional living?
   Tiny homes could also be used as a boutique hotel option.

2. What is the most important housing outcome that you would like to see the Village achieve in the next 4-10 years?
   Improve energy efficiency standards

11. Communications

1. How can the CDA communicate most effectively with you and your stakeholder group?
   Through our liaison, Tyler Burkhardt for the parks commission

2. How would you prefer to provide comments and feedback to the CDA going forward?
   We would be open to having a meeting with the CDA and other commissions to learn the outcomes and any other considerations.
   We could also communicate via email.
Thanks for your time. Your suggestions and ideas will help improve the Village of Shorewood’s future direction for economic development and housing initiatives.

Baker Tilly Municipal Advisors, LLC
Background

General Powers and Duties of the CDA

The CDA shall exercise all powers conferred and perform all duties imposed, by state and local ordinance of the Village of Shorewood and shall perform such further and other duties as may properly from time to time be required by the Village Board. Specific duties of the CDA include, but are not limited to:

b. Provision of recommendations on redevelopment.
c. Preparation and implementation of Tax Increment District (TID) financial management guidelines.
d. Evaluation and preparation of TID project plans and financial projections. Prepare annual report of projections of Tax Incremental District expenditures, revenues and other CDA programs or initiatives.
e. Preparation and implementation of redevelopment assistance criteria, including recommendation of developer agreements for specific projects.
f. Preparation and administration of business and developer recruitment and retention-assistance activities, as well as CDA-approved programs.
g. Actions as Village’s Housing Authority, per State Statute.

CDA Programs

1. Business Incentive Loan Program - assists businesses and property owners in financing business expansion and startups, consistent with the economic development goals of the Village.

2. Façade Improvement Program - the purpose of the program is to stimulate exterior building improvements to existing commercial buildings which are sufficient in scope to produce visible changes to the building facades.

3. Neighborhood Improvement Loan Program - The loans include:

   - Attic improvements for currently uninhabitable space
   - Down payment assistance
   - Duplex conversion to single-family home

4. Tax Incremental Financing (TIF) - traditionally, municipalities have used TIF to provide financial assistance to developers at the beginning of a development project. The municipality recovers those costs in later years from the increased property tax revenues generated by the project.
Since 2003, the Village of Shorewood has performed periodic community surveys (2003, 2008, 2013, 2016, and most recently in 2019). The survey is completed once every three years to coincide with the same time span as a Village Trustee or majority of the committee appointment terms to allow all Village officials to assess new data once during their elected or appointed term.

The purpose of the community survey is to gather information and allow the community to provide input on certain municipal issues and benchmark service delivery. This data is used to frame the discussion for future decision-making processes related to policies, budget and other civic matters. Click here for the 2019 Community Survey Results. Of the 28 questions asked in the 2019 survey, the following may be considered more relevant to the upcoming survey and planning process that will occur to provide the foundation for which this next phase will be built on:

- Reputation
- Affordability
- Variety of Housing Options
- Quality of Businesses
- Opportunities to Participate in Community Matters
- Ease of Walking and Biking
- Traffic Flow on Major Streets
- Schools
- Senior-Friendly
- Availability of Parking
- Housing Maintenance
- Traffic Issues
- Road Conditions
- Business Façade Improvements
- Business District Redevelopment
VILLAGE OF SHOREWOOD
REPORTS AND PRESENTATIONS TO PARKS COMMISSION

Agenda Item: Consider legislation that prohibits e-cigarettes and smoking in public parks and Atwater Beach.

Date: January 17, 2020
Presenter: Rebecca Ewald, Village Manager
Department: Village Manager’s Office

History – Please include a timeline of historical relevant events related to this agenda item. This may include previous Village Board action, policies, planning documents, etc. If able, hyperlink to previous agenda packets (include page number) to reference information. If there is no relevant history, N/A should be entered in this space.

1. April 3, 2019 – resident Rod DePue emailed members of the Village Board requesting the Board review legislation to limit the sale and use of vaping devices and accessories for minors, see attachment.
2. April 5, 2019 – Tr. McKaig responded to Mr. DePue and requested the Village Manager to list this item under Future Items of Consideration on 4/15.
3. April 5, 2019 – Village Manager Ewald reached out to the North Shore Health Department and requested their assistance on providing information to the Village Board on e-cigarettes and vaping to give the Board a sense of the scope of the issue. In addition, they have provided some action steps taken by other municipalities in the Wisconsin, see the FAQ sheet attached.
4. April 15, 2019 – the Village Board referred to the matter to the Public Safety Committee for review. It was the recommendation of the Committee to
   a. Have the Village Attorney update/change the ordinance that was presented in the June 3 packet to include the following under 319-10 (E)(c), “All municipal premises and village owned parkland including Atwater Beach.”
   b. Park Board was requested to review and provide a recommendation; PSC did not desire to review after the Park Board and it should go to the full board for approval.
5. July 9, 2019 – the Parks Commission reviewed the proposed language in regards to vaping and smoking on municipal premises. They determined to keep the language as is, excluding parkland. The Commission recommended clarifying the meaning of parkland in the ordinance language if possible (i.e. Beach, Hubbard Park Lodge, etc.). The Commission would have interest in discussing this topic at a future date to allow more public input.
6. July 15, 2019 – the Village Board approved an ordinance prohibiting e-cigarettes in all places the State bans smoking, on all municipal premises, excluding parking land and directed staff to return with a discussion of both cigarette and e-cigarette smoking at parks and Atwater Beach after obtaining additional public input on the specific matter of prohibiting e-cigarettes and smoking in public parks and the beach prior to bringing the item back for Village Board consideration. The following efforts were performed to solicit public input on this subject.
   - July 2019 NSHD conducted a survey of beach patrons that reflected 81% of respondents reported that smoking and vaping should not be allowed at parks within Shorewood, while 90% responded it should not be allowed at beaches.
   - 7/18/19 Update the community and request to receive public input via the Village Manager’s Memo
   - 8/1/19 Update on the public comment received via the Village Manager’s Memo
   - Letter sent to the BID, Shorewood School District, Russ Davis (Hubbard Park Lodge Leaseholder), Eric Geitzen (contracted for lifeguard services) and request a response of their views on the subject.
   - 8/25/19 Partnered with NSHD for an article in North Shore Now Shorewood could become the first community in the state to ban smoking at public beaches.
   - 10/8/19 Partnered with NSDH for an article in the Ripples Ban on smoking and vaping.
7. Attached is the public input received. Of note is Russ Davis’s request to not ban smoking and e-cigarettes on the leased premise of Hubbard Park due to the operation of the beer garden and lodge venue which hosts a number of large events and weddings. Mr. Davis currently has specific locations on his leased premise for smoking
located outside the front door of Hubbard Lodge and the River Club. There is no smoking in the beer garden, similar to Estabrook beer garden, but in these two designated locations outside each building.

8. The Village’s current Ordinance 319-10E states the following:
   E. Prohibition against smoking. No person shall smoke in any of the following:
      a. Any place prohibited by § 101.123, Wis Stats., which are expressly adopted and incorporated herein.
      b. Any enclosed indoor area in any place prohibited by § 101.123, Wis Stats.
      c. All municipal premises, excluding parkland.

The Village Code suggests that the beach is part of “Atwater Park.” (e.g., 400-2, “…the beach area of Atwater Park or any of its facilities…”) However, it would be helpful to specify the beach area if it were included in the ban.

Agenda Item Discussion – Please provide a summary of the agenda item along with bullet points highlighting the main items and key issues to be discussed.

This item is coming back to the Parks Commission and Public Safety Standing Committee for further consideration of the specific item of whether or not to prohibit e-cigarettes and smoking in public parks and the beach. Attached is the public feedback obtained specifically for this item that was not available the last time the Committees discussed the matter. Each Committee is requested to provide a recommendation on prohibiting these actions on parkland and the beach. As we embark on this matter, here are a few options to consider:

   a. Excluding both parkland and the beach from the ban.
   b. Including both parkland and the beach from the ban.
   c. Including the parkland, but excluding the beach from the ban.
   d. Excluding parkland, but including the beach from the ban.

The Health Department recommendation is to prohibit e-cigarettes and smoking in parks and the beach.

Residents have on occasion noted the amount of cigarette butts located on the beach and concerns of marijuana usage at Atwater Beach. The Surf Rider Foundation offered to purchase cigarette butt receptacles for the beach in 2019 and the request was deferred until conclusion of the Village’s policy direction on smoking on the beach. The beach is a smaller environment, surrounded by the bluff and Lake Michigan that does have some regulation when life guards are present during scheduled summer hours. In such case the Village desires to take an incremental approach, the multiple options above reflect that not all locations (parks and beach) may be deemed appropriate to ban the activity at the same time.

Community and Business Outreach – If applicable, did you notify the community groups and businesses that are directly impacted by this agenda item. Please specify in attached communication plan how community groups and businesses will be informed of action after Village Board consideration.

_____ Yes   __X__ No

If Yes, identify how and what community groups and businesses were notified.

Memo and attachments were provided to the BID district and Shorewood School District on Thursday, May 30th prior to consideration by the Public Safety Committee on June 3.
Memo and attachment were provided again to the BID district and Shorewood School District on Thursday, July 11th prior to consideration by the Village Board on July 15.
Memo and attachment were provided again to the BID district, Shorewood School District and Russ Davis-Hubbard Lodge on January 17 prior to consideration by the Parks Commission on January 17.

Action Required / Recommended – Please include the recommended motion or possible actions for this agenda item.

Possible motions for consideration (select one):

[Enter motions here]
a. Excluding both parkland and the beach from the ban.
b. Including both parkland and the beach from the ban.
c. Including the parkland, but excluding the beach from the ban.
d. Excluding parkland, but including the beach from the ban.

**Attachments** – Please list the following attachments and supporting documents for this agenda item. Some attachments may be hyperlinked. Include Fiscal notes, if applicable, as the first attachment following this memorandum. Attachments may include: agreements/contracts, presentation materials, letters, service proposals, etc.

1. NSHD beach patron July survey results.
2. Comments submitted by the public, July – October 2019.
SMOKE-FREE PARKS & BEACHES

Shorewood, WI Survey Results

North Shore Health Department collected information on people's attitudes toward smoke-free beaches and parks starting in July 2019. We collected 80 responses from people at Atwater Beach and 36 additional responses through a website survey for a total of 116 respondents. We learned the following:

- 81% of respondents reported that smoking and vaping should not be allowed at parks within Shorewood, while 90% responded it should not be allowed at beaches.

- 80% of respondents never smoked, while 16% were former smokers and 4% were current smokers.

- 60% of respondents were residents in the North Shore, with 47% of those living in Shorewood.
I thought you’d be interested in this…

**Tyler Burkart**  
Assistant Village Manager  
Village of Shorewood  
3930 N. Murray Avenue  
Shorewood WI 53211  
414-847-2705  
414-847-2606 (Fax)  
Village Website  
Sign up for information through the Weekly Manager’s Memo.

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From: Jesse <jrdercks@gmail.com>  
Sent: Wednesday, September 25, 2019 9:01 AM  
To: Tyler Burkart <TBurkart@villageofshorewood.org>  
Subject: Disparate impact analysis of beach/park smoking ban.

Tyler,

Please fwd. as appropriate.

Shorewood in considering a smoking ban in parks and beaches. Amongst other considerations, we ought evaluate how enforcement of such policy would effect different racial groups (and identity groups generally).

Tobacco (and vaping) use is negatively correlated to income and education (higher rates amongst poorer and less educated) and these disparities are somewhat higher in the greater Milwaukee area than the state average.

That being said, impact scores are not terribly significant, or are favorable for underrepresented groups, amongst large-sample race groups; however, they but are high when 2+ or Native American are compared to White.

In summary, enforcement impact of this policy indicate little to no risk of adverse impact against underrepresented race groups and marginally-low risk of adversely impacting LGBT and disabled populations.

‘Adverse-Impact’ is not a significant concern.
Impact rates are as follows:

White/black: .96 (i.e. White tobacco use is 4% lower [said another way, ‘96% of’] than Black use)

White/2+: .45.

White/Native American: .37.

White/Hispanic: 1.39 (i.e. white tobacco is 39% higher [‘139% of’] than Hispanic use).

(Asian is not available, but smoke rates are lowest amongst all groups at state level).

(* Disabled and LGBT populations have tobacco rise around 21%, compared to 17% for the population as a whole)

https://www.americashealthrankings.org/explore/annual/measure/Smoking/state/WI
https://www.americashealthrankings.org/explore/annual/measure/Smoking/state/WI

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Carpe Diem,
Jesse
I highly support banning smoking in our parks and beaches. My family lives close to Atwater playground and beach. Especially on weekends, there are people who smoke on the benches next to the playground. My daughter is 2 years old and, at times, we have left because of this. We have had similar experiences at the beach. This is an important issue where you can make a difference.

Thank you for seeking feedback in this matter.

Mary Beth Stockton
Hello Rebecca,

Thank you for reaching out to Friends of Atwater Beach for input on the proposed smoking ban in parks and Atwater Beach. We discussed this proposal at our last directors’ meeting. We felt that any smoking/vaping bans should be consistent throughout the village. Therefore, if there are no bans on smoking outside in other parts of the village, there should not be a ban on smoking at Atwater Beach. If the village decides to go completely tobacco free as some college campuses, medical facility campuses, and other businesses have, then we feel that it would be appropriate to also ban smoking/vaping at Atwater Beach.

Alicia Domack

Rebecca Ewald

Good afternoon – please see the attached letter requesting your input on smoking and e-cigarette in public parks and the beach. Thank you advance for providing a response by October 11, 2019.

Sincerely,

Rebecca Ewald

Village Manager
Village of Shorewood
3930 N Murray Avenue
Shorewood, WI 53211
414.847.2701
Village website

* Shorewood Elected Officials and Members of Village Committees, Boards, Commission and Task Forces: In order to comply with the Open Meetings Act requirements, please limit any reply to only the sender of this electronic communication.
Sign up for information through the Manager’s Weekly Memo
Hi Rebecca,

As much as I hate smoking I be afraid of the effect a ban would have on my weddings and Beer garden. Many guests go outside to a designated area to have a smoke. Please keep me updated on the situation.

Russ Davis
Hubbard Park Lodge
2730 N Humboldt Blvd
Milwaukee, WI 53212
414-763-4175
www.escapetomilwaukee.com

From: Rebecca Ewald <rewald@villageofshorewood.org>
Sent: Monday, September 16, 2019 3:44 PM
To: 'bdavis@shorewood.k12.wi.us' <bdavis@shorewood.k12.wi.us>; 'director@shorewoodwi.com' <director@shorewoodwi.com>; 'eric.gietzen@gmail.com' <eric.gietzen@gmail.com>; 'rdavis@wi.rr.com' <rdavis@wi.rr.com>; 'info@internorthshorefc.com' <info@internorthshorefc.com>; 'domack@msoe.edu' <domack@msoe.edu>;'iamgoodnews@gmail.com' <iamgoodnews@gmail.com>; 'shorewoodcnrctband@sbcglobal.net' <shorewoodcnrctband@sbcglobal.net>; 'jbrooks@shorewood.k12.wi.us'
Subject: Stakeholder Input Requested

Good afternoon – please see the attached letter requesting your input on smoking and e-cigarette in public parks and the beach. Thank you advance for providing a response by October 11, 2019.

Sincerely,

Rebecca Ewald

Village Manager
Village of Shorewood
3930 N Murray Avenue
Shorewood, WI 53211
414.847.2701
Village website

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shorewood-sig
To whom it may concern:

I completely support the idea of banning smoking in public spaces such as parks and beaches. While I understand that individuals have the right to make decisions about their own health, the secondhand smoke takes that choice from me and my child. As a parent of a child with a medical condition, I asked you to please protect the rights of all to a smoke-free environment in public areas.

Best regards,
Kristi Woznicki Servi
4244 N Olsen Ave
Shorewood, WI
It may be too complicated to follow and difficult to enforce, but I wonder if a compromise regulation is possible. e.g. Smoking restricted to the south side of Atwater Beach, or no smoking within 20ft of others, or perhaps no smoking Memorial Day to Labor Day.

I don't think anyone should blow smoke on a beach crowded with families and kids, but I don't have a problem with someone having a solitary smoke on one of our many relatively uncrowded days.

It's too bad we can't let people smoke and trust that they won't be jerks about it... but they sometimes are, and probably will continue to be. The conflict will increase as Lake Michigan gets cleaner and more popular.

(By the way, if we want marijuana legalized then banning smoking at the beach in advance might help remove one more concern about it :-)

Good luck to the leadership in trying to figure this out!

Nicholas Hade
4167 N Bartlett Ave
Hi, Rebecca:

A couple of thanks:

First off, it’s great to see smoking being discussed as you mentioned in the Village Manager’s Memo! I couldn’t tell if what was up for discussion went beyond the beaches, because I’m very interested in no smoking in public spaces. When I sit outside at our bars and restaurants, smokers are rather bothersome.

Second, thank you in general for what you are producing in the Village Manager’s Memo. I’ve noticed a difference in it since you assumed your new role. Your communication style is very effective, and the care you take into picking a weekly topic and addressing it is noted!

Have a good weekend,

SCOTT YANOFF | yanoff@yahoo.com
“I don’t read the quotes that people put in their email signatures”