



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org Phone:
262-245-2700 | Fax: 262-245-2705

NOTICE

COMMITTEE MEETINGS

WEDNESDAY, SEPTEMBER 15, 2021 AT 6:30 PM
VILLAGE HALL COUNCIL ROOM

AGENDA

The following agenda items may be considered for Discussion, Consideration, or Action

I. Streets & Highways Committee – Stanek, Umans, Vlach

- a. Call to Order
- b. Roll Call
- c. Streets & Highways Committee Meeting Minutes of August 11, 2021
- d. Adjourn

II. Parks & Lakefront Committee – D'Alessandro, Stanek, Wright

- a. Call to Order
- b. Roll Call
- c. Parks & Lakefront Committee Meeting Minutes of August 11, 2021
- d. Edgewater Park Use Application Addendum from the Lion's Club
- e. Adjourn

III. Water & Sewer Committee – Umans, Parker, Stanek

- a. Call to Order
- b. Roll Call
- c. Water & Sewer Committee Meeting Minutes of August 11, 2021
- d. 2018 Water Impact Needs Assessment Study
- e. Adjourn

IV. Protective Services Committee – Vlach, Umans, D'Alessandro

- a. Call to Order
- b. Roll Call
- c. Protective Services Committee Meeting Minutes of August 11, 2021
- d. Boat Launch Parking
- e. Stop Sign Request at Walworth/Liechty
- f. Consider a motion to convene into closed session pursuant to the exemption contained in Wis. Stats. §

19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

1. First Responders

- g. Motion to reconvene into open session
- h. Possible discussion of/action for those items discussed in closed session
- i. Chief's Report
- j. Monthly Numbers
- k. Adjourn

V. Building, Zoning & Ordinance Committee – Wright, Vlach, Parker

- a. This Committee Meeting will take place on Friday, September 17th at 10:45 AM via Zoom at <https://us06web.zoom.us/j/87561479084>

VI. Finance & Personnel Committee – Parker, D'Alessandro, Wright

- a. This Committee Meeting will take place on Friday, September 17th at 11:00 AM via Zoom at <https://us06web.zoom.us/j/87561479084>

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Village Clerk's office in advance so the appropriate accommodations can be made.

Posted: 09/14/2021 12:00 PM



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org
Phone: 262-245-2700 | Fax: 262-245-2705

UNOFFICIAL MINUTES STREETS AND HIGHWAYS COMMITTEE WEDNESDAY, AUGUST 11, 2021 AT 6:30 PM VIA TELECONFERENCE

Call to Order

Meeting was called to order by Chairman Stanek at 9:32pm.

Roll Call

Trustees Stanek, Vlach and Umans

Also Present: President Duncan, Trustees D'Alessandro, Parker, Wright, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards and Police Chief Timm.

Meeting Minutes

Umans/StaneK motion to approve meeting minutes of July 14, 2021. Unanimously carried.

Adjourn

Umans/StaneK motion to adjourn at 9:33pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

These are not official minutes until approved by the Streets & Highways Committee



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org
Phone: 262-245-2700 | Fax: 262-245-2705

UNOFFICIAL MINUTES PARKS AND LAKEFRONT COMMITTEE WEDNESDAY, AUGUST 11, 2021 AT 6:30 PM VIA ZOOM WEBINAR

Call to Order

Meeting was called to order by Chairman D'Alessandro at 9:18pm

Roll Call

Present: Trustees D'Alessandro, Stanek and Wright

Also Present: President Duncan, Trustees Parker, Vlach and Umans, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards and Police Chief Timm.

Meeting Minutes

Wright/StaneK motion to approve meeting minutes of July 14, 2021. Unanimously carried.

Calvary Community Church Edgewater Park use for October 16, 2021

StaneK/Wright motion to recommend Village Board approval of Calvary Community Church Edgewater Park use for October 16, 2021. Unanimously carried.

Williams Bay Lions Club Edgewater Park use for October 8, 2021 – October 9, 2021

Wright/StaneK motion to recommend Village Board approval of Williams Bay Lions Club Edgewater Park use for October 8, 2021 – October 9, 2021. Unanimously carried.

Update on Kayak/Paddleboard rentals

The Committee reviewed the kayak/paddleboard rental analysis provided by Recreation Director Rowland. The Committee requested that the analysis be amended to provide a cost analysis to include information relative to the financial plan that was presented in 2020.

Display Case/Signage on Lake Front Building

D'Alessandro discussed the request from the Williams Bay Business Association to replace the display case at the Lakefront. Tobin stated that she spoke with the Zoning Administrator and she did not see an issue with it but requested to see a picture of the signage.

Adjourn

Wright/StaneK motion to adjourn at 9:32pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

These are not official minutes until approved by the Parks and Lakefront Committee



Page 1 EDGEWATER PARK USE AND POLICY CONTRACT

EDGEWATER PARK USE AND POLICY CONTRACT

The Village of Williams Bay will allow use of the park, shelter building, some park equipment, electricity, water and sewer, natural gas and waiver of alcoholic beverage license fees.

IN RETURN THE UNDERSIGNED AGREES TO THE FOLLOWING:

- 1) You must specify, in writing, your purpose for using the park with date and time requested and documentation for the event a minimum of four (4) weeks prior to the event.
- 2) Organizations requesting the park must be non-profit, civic-minded Williams Bay based groups or have a constituency composed primarily of Williams Bay residents. Organization must also possess liability and worker's compensation insurance as required by the Village Board for your particular event.
- 3) A Five Hundred Dollar (\$500.00) refundable deposit shall accompany this signed contract to assure compliance with the following rules governing use of the park.
- 4) Organization using the Park agrees to repair or replace any items broken, stolen or lost, such as mops, brooms or cleaning equipment; lights or bathroom fixtures, lawn turf, etc., during the time the Park is used.
- 5) Organization using the Park must keep the park clean and orderly during your event, including allowing others to freely access the park and the bathrooms. Also, agrees to pick up litter as it accumulates and clean rest rooms during the time of your event. All clean up must be performed by 10:00 AM of the day following the event unless specifically changed by the Village Administrator.
- 7) Organization must supply chairs, garbage receptacles and dumpster and must be responsible for removing trash and garbage at close of event and to leave that portion of the park in a clean manner. All park tables shall be returned to their original placement in the park.
- 8) These rules apply to beer and/or wine sales. Beer and/or Wine requests must be submitted to the Village Clerk a minimum of four (4) weeks prior to the event.
 - a) Use of alcoholic beverages on village property is prohibited. However, when fermented malt beverages and/or wine are to be sold and/or served at any event authorized by the village board, a valid license shall be obtained and the provisions of village ordinance Chapter 8.01 shall be in full compliance. The license must be held by the person who filed the original application and shall be presented to any law enforcement officer upon request. Prior to the issuance of a license, the applicant must attend a pre-event informational meeting to be held prior to the Village Board meeting preceding this event with the Chief of Police and the Director of Public Works. This meeting is required as specific requirements are to be met for license approval that will be outlined and reviewed.
 - b) It is expected that an organization issued such a license will post in one or more conspicuous locations, including sales outlet, signs disclosing that no fermented malt beverages or wine will be served to any underage person or any person without adequate age identification.
 - c) A fence is to be installed around the licensed premises to control ingress and egress with designated personnel posted at the entrance for the purpose of checking age identification.
 - d) No underage person is allowed to assist in the sale of beer and/or wine, nor are they allowed to loiter in the area of beer/wine sales.
 - e) There shall be one point of sale only. Licensee shall comply with regulations specified in Wisconsin Statutes for Class "B" licenses.
 - f) A list of those serving alcoholic beverages at this event must accompany this contract.



Page 2 EDGEWATER PARK USE AND POLICY CONTRACT

9) All group members must be informed and agree to abide by these rules prior to the occurrence of the event.

After approval of a park request has been granted, the Village Board, Village Administrator, Chief of Police, or Public Works Director may revoke same if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, administrative or clerical error or likelihood of a breach of the peace.

The applicant agrees by signing this Park Application that the security deposit, when required, shall be held by the Village of Williams Bay, and may be applied to property damage to the premises resulting during the time of the activity or may be forfeited as a result of police action required at the activity. The Village may also seek further action to recover damages to the occupied premises. The applicant agrees not to use the premises for any unlawful activity including those posted in the parks, and also agrees to abide by park rules, regulations and ordinances of the Village of Williams Bay.

The applicant agrees to indemnify the Village and hold it harmless for all expenses, liability and claims of any kind arising out of harm to or activities of attendees to the event. For certain events, the Village may require the applicant to file evidence of insurance in force or other evidence of adequate financial responsibility. The Village may also require the applicant to provide trained security personnel at the event.

Indemnification:

Prior to approving any application for reserved use of any village facility, the village may require the applicant to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, protecting third parties as may be injured or damaged and naming the Village of Williams Bay as an additional insured, in any amount depending upon the likelihood of injury or damage as a direct and proximate result of the reserved use sufficient to indemnify the Village and such third parties as may be injured or damaged thereby, caused by the applicant, its agents or participants.

General Information

Name: Dan Anderson Organization: Wms Bay Lions Club
Address: [REDACTED] Wms Bay WI 53191
Phone: [REDACTED] Email: [REDACTED]
Title of Event: The Nick Caselli Rocking Car Show
Date(s) requested: Oct 8th & 9th 2021 Is event open to public? (circle one) YES NO

Summary of Event including the approximate number of attendees:

Car Show at Edgewater Park 10 AM - 3 PM Sat Oct 9th
Set up on Fri Afternoon
We would like to Park Display Cars on lawn
Also we would like access to the parking stalls along the Park
for Extra Display Cars.
We expect about 100 Cars and 500 People
We also want to Sell Beer - Wine - Hot dogs + Brats
With an Elvis impersonator

Contact Information (if different than above)

Name: Dan Anderson Organization: Wms Bay Lions
Address: [REDACTED] Williams Bay WI 53191
Phone: [REDACTED] Email: [REDACTED]

Revised 2/2021

Applicant Initials

DTA



STATEMENT CONCERNING LIABILITY AND WORKER'S COMPENSATION INSURANCE FOR USE OF EDGEWATER PARK

We hereby acknowledge and confirm that the undersigned non-profit group or organization, together with all of its members, are not acting or serving in the service of the Village of Williams Bay in any respect in connection with the use we are about to make of or event we are about to hold in Edgewater Park. Our organization, including all members thereof, is not acting under any contract of hire, express or implied with the Village of Williams Bay nor is our organization, or any members thereof serving the Village of Williams Bay as an independent contractor. Our organization, including all members thereof, will not employ any other persons or firms in connection with the use we are about to make of or event we are about to hold in Edgewater Park as our use or event will be run using our membership or immediate family members of our membership only. This statement is made to clarify and confirm that our organization, including all members thereof, is not subject to Worker's Compensation coverage of the Village of Williams Bay.

We further acknowledge and confirm that the undersigned non-profit group or organization has liability insurance coverage of at least \$1,000,000 (one million dollars) and liquor liability insurance coverage (if applicable) in the same amount of coverage provided to it by its parent organization as set forth below that does provide liability insurance coverage to our local group or organization for the use or event about to take place under our exclusive control in Edgewater Park. We acknowledge that we are responsible, and all of our members and our member's immediate family who may also be participating in our event, for the safe and careful conduct of our event. As an express condition of our event therein under our exclusive use and control we do hereby agree to indemnify the Village of Williams Bay and all of its officials, agents and employees against all liability or loss that the Village of Williams Bay may sustain as a result of claims, demands, costs or judgments arising from the use or event we are about to hold in Edgewater Park.

DATED this 20th day of July, 2021

Group or organization Wms Bay Lions Club

Our liability insurance provided by: West Bend on order

(a certificate of insurance is attached hereto naming the Village of Williams Bay as an additional named insured)

Signed by: [Signature]
President or other authorized signatory

Brune Nelson

VILLAGE USE ONLY

Date application received: 7/23/2021 Received by: sherie

All documentation attached? ☒ yes ☐ no

Date and time of pre-event informational meeting: _____

Committee approval? ☒ yes ☐ no Date: 8/11/2021

Village Board approval? ☒ yes ☐ no Date: 8/16/2021

Comments:

Commercial Lines Policy Declaration

Customer Number: 0110176731
Policy Number: 1451578 10

Policy Period: 07/20/2021 to 07/20/2022
at 12:01 AM Standard Time at Your Mailing Address Shown Below

Named Insured and Address:

Williams Bay Lions Club
PO Box 550
Williams Bay, WI 53191

Agency Name and Address:

JOHANNESSEN-FARRAR INC
PO BOX 347
DELAVAN, WI 53115
262-728-2631

48480

In return for the payment of the premium, and subject to all the terms of this policy, we agree with you to provide the insurance as stated in this policy.

This policy consists of the following coverage parts for which a premium is indicated. This premium may be subject to adjustment.

Coverage Part	Premium
Commercial General Liability Coverage	\$482.00
Commercial Inland Marine Coverage	\$514.00
Total Premium:	\$996.00
Total Including Taxes, Fees and Surcharges:	\$996.00

This is not a bill. A billing invoice will be sent separately.

See attached schedule for forms applicable to all coverage parts.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

Village of Williams Bay

PO Box 580, Williams Bay, WI 53191

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable limits of insurance;

whichever is less.

This endorsement shall not increase the applicable limits of insurance.

The Williams Bay Lions, Park use permit addendum for October 9th 2021

Remove request to park show cars along park on Geneva street.

In case of bad conditions in the park cars will be parked in the Café Calamari parking lot, also that will be used for overflow cars as well.

We ask to block off one parking stall across from Café Calamari for the purpose of establishing a cross walk for pedestrian traffic.

We ask to move the handicap stalls on the eastern end of the park over one spot for ease of access for show cars to the park.

We ask to use half of the sailboat rigging area for show cars.

We ask to use the inside of the circle parkway east of the sailboat rigging area for overflow show cars.

We ask to send extra show cars to Walworth Street towards the field house.

We ask to set up Thursday night Oct. 7th to include the beverage tent with tables and chairs and fencing. The fence will run from the pavilion north along the Fire Dept. Parking lot to the sidewalk, east to the flagpole, south to the pavilion with a gate in the middle for pedestrians. Friday set up to include laying out of lines for show cars as well as extra set up of kitchen and other booth displays.

We will begin to admit cars at 8am Saturday.

We ask to erect one large poster of the steam train and station at the eastern end of the park for a display. Dimensions approximately 10 foot high by 9 foot wide.

Thankyou, Dan Anderson chairman [REDACTED]

Patrick Byrnes co-chair [REDACTED]

This will be a rain or shine event with no rain date.



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org
Phone: 262-245-2700 | Fax: 262-245-2705

UNOFFICIAL MINUTES WATER AND SEWER COMMITTEE WEDNESDAY, AUGUST 11, 2021 AT 6:30 PM VIA TELECONFERENCE

Call to Order

Meeting was called to order by Chairman Umans at 9:33pm

Roll Call

Trustees Stanek, Umans and Parker

Also Present: President Duncan, Trustee D'Alessandro, Vlach and Wright, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards and Police Chief Timm.

Meeting Minutes

Stanek/Parker motion to approve the July 14, 2021 meeting minutes. Unanimously carried.

Adjourn

Parker/Stanek motion to adjourn at 9:34pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

These are not official minutes until approved by the Water and Sewer Committee



Village
Of
Williams Bay

Lori Peternell <treasurer@williamsbay.org>

FW: WLMSV Impact Fee

1 message

Douglas R. Snyder <dsnyder@baxterwoodman.com>
To: Lori Peternell <treasurer@williamsbay.org>
Cc: "James Weiss (admin@williamsbay.org)" <admin@williamsbay.org>

Fri, Oct 5, 2018 at 12:09 PM

For review and possible distribution. The study will support a fee as high as \$2416. We would need to change the ordinance to:

- Eliminate the zones
- Reflect the newer meters
- Include the new charge

From: Joseph W. Marchese
Sent: Friday, October 05, 2018 12:05 PM
To: Douglas R. Snyder <dsnyder@baxterwoodman.com>
Subject: WLMSV Impact Fee

Doug,

The updated draft report is attached.

Joe



Draft Impact Fee Report 10-05-18.pdf
1373K

DRAFT

Village of Williams Bay, Wisconsin

Water Impact Fee Needs Assessment



Prepared by:

BAXTER & WOODMAN
Consulting Engineers

www.baxterwoodman.com

October 2018

Village of Williams Bay, Wisconsin Water Impact Fee Needs Assessment

TABLE OF CONTENTS

<u>Section</u>	<u>Page No.</u>
1. INTRODUCTION	
1.1 Community Profile	3
1.2 Background	3
1.3 Study Area.....	3
1.4 Previous Studies	3
1.5 Purpose and Scope	4
2. PLANNING CONSIDERATIONS	
2.1 General	5
2.2 Existing Residential Equivalent Units	5
2.3 Commercial and Other Equivalent Units.....	5
2.4 Future Residential Equivalent Units	6
3. NEEDS ASSESSMENT AND IMPACT FEE CALCULATION	
3.1 General	7
3.2 Existing Water Facilities	7
3.3 Treatment Facility Expansion.....	7
3.4 Elevated Storage Improvements	7
3.5 Needs Assessment.....	8
3.5.1 Opinion of Probable Capital Costs.....	8
3.6 Impact Fee Calculation.....	8

LIST OF TABLES

<u>Table</u>	<u>Page No.</u>
1 REU Multiplier Based on Meter Size	5
2 Opinion of Probable Capital Costs	8
3 Treatment and Storage Impact Fee	9
4 Effect of Fees.....	9

LIST OF APPENDICES

Appendix

A Current Law and Ordinance Information

1. INTRODUCTION

1.1 Community Profile

The Village of Williams Bay is located in southern Walworth County and is primarily urban in character. The Village is bounded by the Town of Linn to the east, Town of Geneva to the northeast, Town of Delavan to the north, Town of Walworth to the west, and Geneva Lake to the south. The population of the Village during the 2010 census was 2,564 and the current population is estimated at 2,603, based on the Wisconsin Department of Administration Demographic Services Center data.

1.2 Background

Wisconsin Act 305 (State Statute 66.0617) provides the authority for political subdivisions (cities, villages, towns, or counties) to enact ordinances that impose impact fees to cover capital costs to construct, expand, or improve public facilities due to new development. Capital costs include the land, legal, engineering, and design costs. Impact fees are not intended to prohibit or limit the authority of the political subdivision to finance public facilities by any other means authorized by law, except that the amount of an impact fee shall be reduced to compensate for any other costs of public facilities imposed by the political subdivision on developers to provide or pay for capital costs. A copy of State Statute 66.0617 and the current Village laws on impact fees are included in the Appendix.

1.3 Study Area

The study area for this report includes undeveloped land within the Village's corporate limits and also includes those areas outside of the Village corporate limits that were identified in the 2010 Williams Bay Comprehensive Plan as prepared by Vandewalle and Associates, Inc.

1.4 Previous Studies

The Village contracted with Ehlers and Associates, Inc. in 1996 to complete the *Report on Impact Fees for the Village of Williams Bay, Wisconsin*, which analyzed the existing system and calculated an impact fee. The calculated impact fee per Residential Unit for Supply and Storage and Main Oversizing were \$635 and \$129, respectively. The fees escalated incrementally for water meter sizes of one-inch and above. The ordinance detailing these fees is in the Appendix. The reason for the two public facilities is that the Supply and Storage fee applied to the existing service area as well as areas outside the existing service area while the Main Oversizing fee only applied to areas outside of the existing service area.

In 2018, Baxter & Woodman, Inc. completed a Water System Master Plan Report (Plan) to investigate whether adequate supply, treatment, and storage capacity was available to serve future customers. The following information is obtained from the Plan:

- Serve the lower pressure zone from the upper pressure zone in the future.
- The Village has adequate supply and treatment capacity to serve all platted lots within the Village.
- Consider constructing new storage (0.50 MG) in the upper pressure zone at the time that significant maintenance is required on the smaller Collie Street, Potawatomi Road, and Olive Street elevated storage tanks.

1.5 Purpose and Scope

This report determines water supply, storage, and treatment facilities that are necessary to serve future growth, provides an opinion of probable cost for the necessary improvements, allocates these costs based on need to future customers, and provides an estimated cost that is computed on a per residential equivalent unit (REU) basis.

This report also intends to streamline the impact fee ordinance by eliminating the need for two service zones and eliminating the water main oversizing component. Mercy Hospital constructed a 12-inch water main loop around the north side of the Village in 2012 and greatly improved the distribution system; the need for water main oversizing for future development is no longer needed. Only costs associated with supply, storage, and treatment will be part of the impact fee. The cost breakdown provided in this report accounts for allocations to existing and future customers and allows a single impact fee to be applied to all new development regardless of where they are located within the Village.

2. PLANNING CONSIDERATIONS

2.1 General

This section describes the Residential Equivalent Unit (REU) and develops an estimate of REU's based on the land use information contained in the 2010 Williams Bay Comprehensive Plan.

2.2 Existing Residential Equivalent Units

A residential equivalent unit (REU) is any individual living unit, which has, within the unit, at least an individual lockable entrance and exit, a kitchen with a cooking appliance, an individual bathroom with shower or bathtub and sleeping and living areas. Each single-family residential unit constitutes one REU, whether located within a one-family, multifamily, condominium, cooperative, rental, or owner-occupied unit. According to the 2010 Federal Census reports, the average housing unit, or REU, in Williams Bay contains 2.35 persons. The number of REUs associated with the current population is 2,603 divided by 2.35 persons per home or 1,108.

2.3 Commercial and Other Equivalent Units

Commercial and other REUs are calculated based on their service needs (water meter size) compared to the single-family residential unit and includes nursing homes, community based residential care facilities, and residential care apartment complexes. See Table 1 for the REU Ratio based on flow rates for individual meter type and size and the American Water Works Association Standards. Please note that this is modified from previous versions due to current meter trends and accuracy. The larger meters are capable of reading a wider range of flow rates.

TABLE 1
REU Multiplier Based on Meter Size

Meter Size (inches)	Flow (gpm)	REU Ratio
3/4 or less	15	1.0
1	25	1.7
1-1/2	50	3.3
Larger than 1-1/2	By engineering analysis	

2.4 Future Residential Equivalent Units

According to the 2010 Williams Bay Comprehensive Plan, much of the future growth in the Village will be residential in nature. There are eight future residential land use categories along with business and institutional categories. There are no plans for industrial growth within the Village according to the Plan. This shows that the Village water system must accommodate mainly residential growth within the next 20 years.

3. NEEDS ASSESSMENT AND IMPACT FEE CALCULATION

3.1 General

This section determines the water supply and storage facilities needed for future growth, provides and opinion of probable cost, provides a summary of the needs assessment, and describes the impact fee calculations.

3.2 Existing Water Facilities

The Village of Williams Bay's water system consists of three wells, one centrally located water treatment plant, four elevated storage tanks, and over 30 miles of water main throughout two pressure zones. The water system currently provides approximately 0.33 MGD of water on an average day to nearly 2,600 residents. This volume of water supply increases to nearly 0.65 MGD during summer months. The recent Water System Master Plan Report provides the description of the existing facilities and the existing and future water demand projections.

3.3 Treatment Facility Expansion

In order to increase the capacity of the existing water plant, the Village would need to add a parallel lime reactor, an additional gravity filter, and additional clearwell storage; this assumes the Village is able to remove the water plant from the floodplain. This would increase the plant capacity by 400 gallons per minute during the allowable 16 hour run time for this manual batch process. This equates to an additional 0.384 MG of water production per day. Based on a per capita water demand of 70 gpcd and a maximum day to average day ratio of 2.62, this facility expansion provides the ability to serve an additional 2,100 people or an additional 894 REUs.

As part of this same expansion, the Village will likely replace the existing filter media, add ammonia treatment, replace the high service pumps, and make building repairs. The costs related to these changes should be paid by all customers, not just future customers, and should not be part of this impact fee calculation. See Table 2 for the estimated costs and the impact fee eligible costs.

3.4 Elevated Storage Improvements

The Village will need to add elevated storage to the system in order to store the additional water from the water plant during the 16 hour run time and to provide equalization storage for the additional customers. As described above, this equates to an additional 0.384 MGD.

The Village will likely construct a 0.50 MG elevated storage tank and retire a few of the smaller tanks as they begin to leak or need expensive repainting. New users should pay the cost difference between a 0.30 MG tank and a 0.50 MG tank. See Table 2 for the estimated costs and the impact fee eligible costs.

3.5 Needs Assessment

In order to serve additional customers from future annexations, the water treatment facility will need to be expanded and additional ground and elevated storage added to the system as outlined above. The needs of these improvements will be split between existing and future customers.

3.5.1 Opinion of Probable Capital Costs

The concept level opinion of probable capital costs for the recommended alternative is contained in Table 2. Approximately 35 percent is included for contingencies and engineering for budgeting purposes given the conceptual level of these estimates.

TABLE 2
Opinion of Probable Capital Costs

Description	Estimated Cost	Impact Fee Eligible Cost
<u>Treatment</u>		
Treatment Facility Upgrades	\$ 4,000,000	\$ 1,000,000
Engineering & Contingencies (35%)	\$1,400,000	\$350,000
Treatment Project Cost	\$5,400,000	\$1,350,000
<u>Storage</u>		
0.50 MG Water Tower	\$ 1,500,000	\$ 500,000
Decommission Existing Water Towers	\$ 500,000	-
Site Work and Miscellaneous	\$ 200,000	\$ 100,000
Engineering & Contingencies (35%)	\$770,000	\$210,000
Storage Project Cost	\$ 2,970,000	\$ 810,000
Total Costs	\$ 8,370,000	\$ 2,160,000

The recommended alternative provides additional treatment and storage capacity to meet the needs of future customers. The impact fee eligible costs for the recommended improvements break down to \$1,350,000 for treatment improvements and \$810,000 for storage improvements for a total impact fee eligible cost of \$2,160,000.

3.6 Impact Fee Calculation

Tables 3 shows the impact fee calculations for all future development in the Village. To determine the impact fee, the impact fee eligible capital costs calculated in Table 2 are divided by the total number of additional REUs calculated above.

TABLE 3
Treatment and Storage Impact Fee

Item	Cost
Impact Fee Eligible Improvements	\$2,160,000
Additional REUs	894
Calculation	$\$2,160,000 \div 894$
Impact Fee Per REU	\$2,416

This results in a treatment and storage impact fee of \$2,416 per REU for all future customers. Table 4 shows the effect of the new water impact fee on the availability of affordable housing within the Village as required by the State Statutes.

TABLE 4
Effect of Fees

New Home Cost	
Average Home Cost	\$292,300
Down Payment	20%
Mortgage	\$233,840
Term	30 Years
Interest Rate	5.00%
Amortization Factor	0.064418594
Mortgage (Annual)	Mortgage x Amortization Factor
	\$15,064
Mill Rate Average (2017)	0.0177
Property Tax (Annual)	Home Cost x Mill Rate
	\$5,174
Total Impact Fees	\$2,416
Amortized Fee (Annual)	Impact Fees x Amortization Factor
	\$155.64
Percent of Mortgage Payment	Amortized Fee / (Mortgage + Property Tax)
Going Toward Impact Fee	0.77%

The areas designated for future residential use have similar land value and similar building design requirements to existing residential areas. Since the existing residential areas are considered affordable, it is assumed that the future residential areas will also be considered affordable. The cumulative effect of the impact fees should have no effect on the availability of affordable housing. The cost of affordable housing should uniformly increase to match that shown for the average home cost.

APPENDIX A

**CURRENT LAW AND ORDINANCE
INFORMATION**

5. Persons who are subject to the tax under this subsection, if that tax is administered by the department of revenue, shall register with the department. Any person who is required to register, including any person authorized to act on behalf of a person who is required to register, who fails to do so is guilty of a misdemeanor.

(2) As a means of enforcing the collection of any room tax imposed by a municipality or a district under sub. (1m), the municipality or district may exchange audit and other information with the department of revenue and may do any of the following:

(a) If a municipality or district has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, inspect and audit the financial records of any person subject to sub. (1m) pertaining to the furnishing of accommodations to determine whether the correct amount of room tax is assessed and whether any room tax return is correct.

(b) Enact a schedule of forfeitures, not to exceed 5 percent of the tax under sub. (1m) or par. (c), to be imposed on any person subject to sub. (1m) who fails to comply with a request to inspect and audit the person's financial records under par. (a).

(c) Determine the tax under sub. (1m) according to its best judgment if a person required to make a return fails, neglects or refuses to do so for the amount, in the manner and form and within the time prescribed by the municipality or district.

(d) Require each person who is subject to par. (c) to pay an amount of taxes that the municipality or district determines to be due under par. (c) plus interest at the rate of 1 percent per month on the unpaid balance. No refund or modification of the payment determined may be granted until the person files a correct room tax return and permits the municipality or district to inspect and audit his or her financial records under par. (a).

(e) Enact a schedule of forfeitures, not to exceed 25 percent of the room tax due for the previous year under sub. (1m) or par. (c) or \$5,000, whichever is less, to be imposed for failure to pay the tax under sub. (1m).

(3) The municipality shall provide by ordinance and the district shall provide by resolution for the confidentiality of information obtained under sub. (2) but shall provide exceptions for persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of a court. The municipality or district may provide for the publishing of statistics classified so as not to disclose the identity of particular returns. The municipality or district shall provide that persons violating ordinances or resolutions enacted under this subsection may be required to forfeit not less than \$100 nor more than \$500.

(4) (a) Annually, on or before May 1, on a form created and provided by the department of revenue, every municipality that imposes a tax under sub. (1m) shall certify and report to the department, beginning in 2017, all of the following:

1. The amount of room tax revenue collected, and the room tax rate imposed, by the municipality in the previous year.

2. A detailed accounting of the amounts of such revenue that were forwarded in the previous year for tourism promotion and tourism development, specifying the commission or tourism entity that received the revenue. The detailed accounting shall include expenditures of at least \$1,000 made by a commission or a tourism entity.

3. A list of each member of the commission and each member of the governing body of a tourism entity to which the municipality forwarded room tax revenue in the previous year, and the name of the business entity the member owns, operates, or is employed by, if any.

(b) The department of revenue shall collect the reports described in par. (a) and shall make them available to the public.

(c) The department of revenue may impose a penalty of not more than \$3,000 on a municipality that does not submit to the department the reports described in par. (a). A municipality may

not use room tax revenue to pay a penalty imposed under this paragraph. The penalty shall be paid to the department of revenue.

(5) (a) A lodging marketplace shall register with the department of revenue, on forms prepared by the department, for a license to collect taxes imposed by the state related to a short-term rental and to collect room taxes imposed by a municipality. After a lodging marketplace applies for and receives such a license, it shall do all of the following:

1. If a short-term rental is rented through the lodging marketplace, collect sales and use taxes from the occupant and forward such amounts to the department of revenue.

2. If a short-term rental that is rented through the lodging marketplace is located in a municipality that imposes a room tax, collect the room tax from the occupant and forward it to the municipality.

3. Notify the owner of a short-term rental that the lodging marketplace has collected and forwarded the taxes described in subs. 1. and 2.

(b) A municipality may not impose and collect a room tax from the owner of a short-term rental if the municipality collects the room tax on the residential dwelling under par. (a) 2.

History: 1983 a. 189, 514; 1993 a. 263, 467, 491; 1999 a. 9; 1999 a. 150 ss. 565 to 567; Stats. 1999 s. 66.0615; 2003 a. 203; 2005 a. 135; 2007 a. 20; 2009 a. 2; 2011 a. 18, 32; 2013 a. 20; 2015 a. 55, 60, 301; 2017 a. 59.

A city was authorized to enact a room tax. The gross receipts method was a fair and reasonable way of calculating the tax. *Blue Top Motel, Inc. v. City of Stevens Point*, 107 Wis. 2d 392, 320 N.W.2d 172 (1982).

Under sub. (1m) (am), this section favors expenditures to construct or improve convention facilities. However, sub. (1m) (am), only addresses when a municipality may impose a room tax rate of greater than 8 percent and is irrelevant when the city has not exceeded that maximum. The only restrictions the rest of the statute places on the use of room tax monies are found in sub. (1m) (d), which directs a municipality to spend a certain percentage on "tourism promotion and development, which means the promotion and development of travel for recreational, business, or educational purposes. *English Manor Bed and Breakfast v. City of Sheboygan*, 2006 WI App 91, 292 Wis. 2d 762, 716 N.W.2d 531, 05–1358.

66.0617 Impact fees. (1) DEFINITIONS. In this section:

(a) "Capital costs" means the capital costs to construct, expand or improve public facilities, including the cost of land, and including legal, engineering and design costs to construct, expand or improve public facilities, except that not more than 10 percent of capital costs may consist of legal, engineering and design costs unless the municipality can demonstrate that its legal, engineering and design costs which relate directly to the public improvement for which the impact fees were imposed exceed 10 percent of capital costs. "Capital costs" does not include other noncapital costs to construct, expand or improve public facilities, vehicles; or the costs of equipment to construct, expand or improve public facilities.

(b) "Developer" means a person that constructs or creates a land development.

(c) "Impact fees" means cash contributions, contributions of land or interests in land or any other items of value that are imposed on a developer by a municipality under this section.

(d) "Land development" means the construction or modification of improvements to real property that creates additional residential dwelling units within a municipality or that results in non-residential uses that create a need for new, expanded or improved public facilities within a municipality.

(e) "Municipality" means a city, village, or town.

(f) "Public facilities" means all of the following:

1. Highways as defined in s. 340.01 (22), and other transportation facilities, traffic control devices, facilities for collecting and treating sewage, facilities for collecting and treating storm and surface waters, facilities for pumping, storing, and distributing water, parks, playgrounds, and land for athletic fields, solid waste and recycling facilities, fire protection facilities, law enforcement facilities, emergency medical facilities and libraries. "Public facilities" does not include facilities owned by a school district.

2. Notwithstanding subd. 1., with regard to impact fees that were first imposed before June 14, 2006, “public facilities” includes other recreational facilities that were substantially completed by June 14, 2006. This subdivision does not apply on or after January 1, 2018.

(g) “Service area” means a geographic area delineated by a municipality within which there are public facilities.

(h) “Service standard” means a certain quantity or quality of public facilities relative to a certain number of persons, parcels of land or other appropriate measure, as specified by the municipality.

(2) GENERAL. (a) A municipality may enact an ordinance under this section that imposes impact fees on developers to pay for the capital costs that are necessary to accommodate land development.

(b) Subject to par. (c), this section does not prohibit or limit the authority of a municipality to finance public facilities by any other means authorized by law, except that the amount of an impact fee imposed by a municipality shall be reduced, under sub. (6) (d), to compensate for any other costs of public facilities imposed by the municipality on developers to provide or pay for capital costs.

(c) Beginning on May 1, 1995, a municipality may impose and collect impact fees only under this section.

(3) PUBLIC HEARING; NOTICE. Before enacting an ordinance that imposes impact fees, or amending an existing ordinance that imposes impact fees, a municipality shall hold a public hearing on the proposed ordinance or amendment. Notice of the public hearing shall be published as a class 1 notice under ch. 985, and shall specify where a copy of the proposed ordinance or amendment and the public facilities needs assessment may be obtained.

(4) PUBLIC FACILITIES NEEDS ASSESSMENT. (a) Before enacting an ordinance that imposes impact fees or amending an ordinance that imposes impact fees by revising the amount of the fee or altering the public facilities for which impact fees may be imposed, a municipality shall prepare a needs assessment for the public facilities for which it is anticipated that impact fees may be imposed. The public facilities needs assessment shall include, but not be limited to, the following:

1. An inventory of existing public facilities, including an identification of any existing deficiencies in the quantity or quality of those public facilities, for which it is anticipated that an impact fee may be imposed.

2. An identification of the new public facilities, or improvements or expansions of existing public facilities, that will be required because of land development for which it is anticipated that impact fees may be imposed. This identification shall be based on explicitly identified service areas and service standards.

3. A detailed estimate of the capital costs of providing the new public facilities or the improvements or expansions in existing public facilities identified in subd. 2., including an estimate of the cumulative effect of all proposed and existing impact fees on the availability of affordable housing within the municipality.

(b) A public facilities needs assessment or revised public facilities needs assessment that is prepared under this subsection shall be available for public inspection and copying in the office of the clerk of the municipality at least 20 days before the hearing under sub. (3).

(5) DIFFERENTIAL FEES, IMPACT FEE ZONES. (a) An ordinance enacted under this section may impose different impact fees on different types of land development.

(b) An ordinance enacted under this section may delineate geographically defined zones within the municipality and may impose impact fees on land development in a zone that differ from impact fees imposed on land development in other zones within the municipality. The public facilities needs assessment that is required under sub. (4) shall explicitly identify the differences, such as land development or the need for those public facilities, which justify the differences between zones in the amount of impact fees imposed.

(6) STANDARDS FOR IMPACT FEES. Impact fees imposed by an ordinance enacted under this section:

(a) Shall bear a rational relationship to the need for new, expanded or improved public facilities that are required to serve land development.

(am) May not include amounts for an increase in service capacity greater than the capacity necessary to serve the development for which the fee is imposed.

(b) May not exceed the proportionate share of the capital costs that are required to serve land development, as compared to existing uses of land within the municipality.

(c) Shall be based upon actual capital costs or reasonable estimates of capital costs for new, expanded or improved public facilities.

(d) Shall be reduced to compensate for other capital costs imposed by the municipality with respect to land development to provide or pay for public facilities, including special assessments, special charges, land dedications or fees in lieu of land dedications under ch. 236 or any other items of value.

(e) Shall be reduced to compensate for moneys received from the federal or state government specifically to provide or pay for the public facilities for which the impact fees are imposed.

(f) May not include amounts necessary to address existing deficiencies in public facilities.

(fm) May not include expenses for operation or maintenance of a public facility.

(g) Except as provided under this paragraph, shall be payable by the developer or the property owner to the municipality in full upon the issuance of a building permit by the municipality. Except as provided in this paragraph, if the total amount of impact fees due for a development will be more than \$75,000, a developer may defer payment of the impact fees for a period of 4 years from the date of the issuance of the building permit or until 6 months before the municipality incurs the costs to construct, expand, or improve the public facilities related to the development for which the fee was imposed, whichever is earlier. If the developer elects to defer payment under this paragraph, the developer shall maintain in force a bond or irrevocable letter of credit in the amount of the unpaid fees executed in the name of the municipality. A developer may not defer payment of impact fees for projects that have been previously approved.

(7) LOW-COST HOUSING. An ordinance enacted under this section may provide for an exemption from, or a reduction in the amount of, impact fees on land development that provides low-cost housing, except that no amount of an impact fee for which an exemption or reduction is provided under this subsection may be shifted to any other development in the land development in which the low-cost housing is located or to any other land development in the municipality.

(7r) IMPACT FEE REPORTS. At the time that the municipality collects an impact fee, it shall provide to the developer from which it received the fee an accounting of how the fee will be spent.

(8) REQUIREMENTS FOR IMPACT FEE REVENUES. Revenues from each impact fee that is imposed shall be placed in a separate segregated interest-bearing account and shall be accounted for separately from the other funds of the municipality. Impact fee revenues and interest earned on impact fee revenues may be expended only for the particular capital costs for which the impact fee was imposed, unless the fee is refunded under sub. (9).

(9) REFUND OF IMPACT FEES. Except as provided in this subsection, impact fees that are not used within 8 years after they are collected to pay the capital costs for which they were imposed shall be refunded to the payer of fees for the property with respect to which the impact fees were imposed, along with any interest that has accumulated, as described in sub. (8). Impact fees that are collected for capital costs related to lift stations or collecting and treating sewage that are not used within 10 years after they are collected to pay the capital costs for which they were imposed, shall be refunded to the payer of fees for the property with respect to

which the impact fees were imposed, along with any interest that has accumulated, as described in sub. (8). The 10-year time limit for using impact fees that is specified under this subsection may be extended for 3 years if the municipality adopts a resolution stating that, due to extenuating circumstances or hardship in meeting the 10-year limit, it needs an additional 3 years to use the impact fees that were collected. The resolution shall include detailed written findings that specify the extenuating circumstances or hardship that led to the need to adopt a resolution under this subsection. For purposes of the time limits in this subsection, an impact fee is paid on the date a developer obtains a bond or irrevocable letter of credit in the amount of the unpaid fees executed in the name of the municipality under sub. (6) (g).

(10) APPEAL. A municipality that enacts an impact fee ordinance under this section shall, by ordinance, specify a procedure under which a developer upon whom an impact fee is imposed has the right to contest the amount, collection or use of the impact fee to the governing body of the municipality.

History: 1993 a. 305; 1997 a. 27; 1999 a. 150 s. 524; Stats. 1999 s. 66.0617; 2005 a. 203, 477; 2007 a. 44, 96; 2009 a. 180; 2017 a. 243.

An association of developers had standing to challenge the use of impact fees. As long as individual developers had a personal stake in the controversy, the association could contest the use of impact fees on their behalf. Further, individual developers subject to the impact fees do have the right to bring their own separate challenges. *Metropolitan Builders Association of Greater Milwaukee v. Village of Germantown*, 2005 WI App 103, 282 Wis. 2d 458, 698 N.W.2d 301, 04–1433.

Sub. (6) allows a municipality to impose impact fees for a general type of facility without committing itself to any particular proposal before charging the fees. The needs assessment must simply contain a good-faith and informed estimate of the sort of costs the municipality expects to incur for the kind of facility it plans to provide. Sub. (9) requires impact fees ordinances to specify only the type of facility for which fees are imposed. A municipality must be allowed flexibility to deal with the contingencies inherent in planning. *Metropolitan Builders Association of Greater Milwaukee v. Village of Germantown*, 2005 WI App 103, 282 Wis. 2d 458, 698 N.W.2d 301, 04–1433.

Subs. (2) and (6) (b) authorize municipalities to hold developers responsible only for the portion of capital costs whose necessity is attributable to their developments. A municipality cannot expect developers' money to subsidize the existing residents' proportionate share of the costs. If impact fees revenues exceed the developers' proportionate share of the capital costs of a project, the municipality must return those fees to the current owners of the properties for which developers paid the fees. *Metropolitan Builders Association of Greater Milwaukee v. Village of Germantown*, 2005 WI App 103, 282 Wis. 2d 458, 698 N.W.2d 301, 04–1433.

When the plaintiff home builders association alleged a town enacted an impact fee ordinance that disproportionately imposed the town's costs on development and the ordinance contained a mechanism for appealing these issues, but the association did not use it, the circuit court did not erroneously exercise its discretion when it concluded the association should have used the ordinance's appeal process before bringing its claims to court. *St. Croix Valley Home Builders Association, Inc. v. Township of Oak Grove*, 2010 WI App 96, 327 Wis. 2d 510, 787 N.W.2d 454, 09–2166.

The primary purpose of a tax is to obtain revenue for the government as opposed to covering the expense of providing certain services or regulation. A "fee" imposed purely for revenue purposes is invalid absent permission from the state to the municipality to exact such a fee. A "fee in lieu of room tax" that did not help the city recoup its investment in a development but rather was a revenue generator for the city that was collected from the owners of condominiums in a specific development who chose not rent their units to the public was imposed without legislative permission and was therefore an illegal tax. *Bentivenga v. City of Delavan*, 2014 WI App 118, 358 Wis. 2d 610, 856 N.W.2d 546, 14–0137.

Rough Proportionality and Wisconsin's New Impact Fee. Ishikawa. Wis. Law. March 1995.

66.0619 Public improvement bonds: issuance. (1) A municipality, in addition to any other authority to borrow money and issue its municipal obligations, may borrow money and issue its public improvement bonds to finance the cost of construction or acquisition, including site acquisition, of any revenue-producing public improvement of the municipality. In this section, unless the context or subject matter otherwise requires:

(a) "Debt service" means the amount of principal, interest and premium due and payable with respect to public improvement bonds.

(b) "Deficiency" means the amount by which debt service required to be paid in a calendar year exceeds the amount of revenues estimated to be derived from the ownership and operation of the public improvement for the calendar year, after first subtracting from the estimated revenues the estimated cost of paying the expenses of operating and maintaining the public improvement for the calendar year.

(c) "Municipality" means a county, sanitary district, public inland lake protection and rehabilitation district, town, city or village.

(d) "Public improvement" means any public improvement which a municipality may lawfully own and operate from which the municipality expects to derive revenues.

(2) The governing body of the municipality proposing to issue public improvement bonds shall adopt a resolution authorizing their issuance. The resolution shall set forth the amount of bonds authorized, or a sum not to exceed a stated amount, and the purpose for which the bonds are to be issued. The resolution shall prescribe the terms, form and contents of the bonds and other matters that the governing body considers necessary or advisable. The bonds may be in any denomination of not less than \$1,000, shall bear interest payable annually or semiannually, shall be payable not later than 20 years from the date of the bonds, at times and places that the governing body determines, and may be subject to redemption prior to maturity on terms and conditions that the governing body determines. The bonds may be issued either payable to bearer with interest coupons attached to the bonds or may be registered under s. 67.09. The bonds may be sold at public competitive sale or by private negotiation. Sections 67.08 and 67.10 apply to public improvement bonds, except insofar as they are in conflict with this section, in which case this section controls.

(2m) (a) A resolution, adopted under sub. (2) by the governing body of a municipality, need not be submitted to the electors of the municipality for approval, unless within 30 days after the resolution is adopted there is filed with the clerk of the municipality a petition, conforming to the requirements of s. 8.40 and requesting a referendum on the resolution, signed by electors numbering at least 10 percent of the votes cast in the municipality for governor at the last general election. A resolution, adopted under sub. (2), may be submitted by the governing body of the municipality to the electors without waiting for the filing of a petition.

(b) If a referendum is to be held on a resolution, the municipal governing body shall file the resolution as provided in s. 8.37 and shall direct the municipal clerk to call a special election for the purpose of submitting the resolution to the electors for a referendum on approval or rejection. In lieu of a special election, the municipal governing body may specify that the election be held at the next succeeding spring primary or election or partisan primary or general election.

(c) The municipal clerk shall publish a class 2 notice, under ch. 985, containing a statement of the purpose of the referendum, giving the amount of the bonds proposed to be issued and the purpose for which they will be issued, and stating the time and places of holding the election and the hours during which the polls will be open.

(d) The referendum shall be held and conducted and the votes cast shall be canvassed as at regular municipal elections and the results certified to the municipal clerk. A majority of all votes cast in the municipality decides the question.

(3) The reasonable cost and value of any services rendered by the public improvement to the municipality shall be charged against the municipality and shall be paid by it in monthly installments.

(4) (a) Gross revenues derived from the ownership and operation of the public improvement shall be first pledged to debt service on issued public improvement bonds. When in excess of debt service, the revenues are subject to all of the following requirements set by resolution or ordinance of the governing body fixing:

1. The proportion of revenues of the public improvement necessary for the reasonable and proper operation and maintenance of the public improvement.

2. The proportion of revenues necessary for the payment of debt service on the public improvement bonds. The revenues shall

CHAPTER 25 - IMPACT FEE ORDINANCE (Adopted 6-17-1996)

Table of Contents

25.01 ESTABLISHMENT OF SERVICE ZONES2

25.02 STANDARD FOR IMPACT FEES2

25.03 AMOUNT2

25.04 PAYMENT OF IMPACT FEES2

25.05 LOW-COST HOUSING3

25.06 SEPARATE FUNDS ESTABLISHED.....3

25.07 REFUND OF IMPACT FEES3

25.08 APPEAL.....3

(Click any entry in the table of contents to jump to the indicated page)

25.01 ESTABLISHMENT OF SERVICE ZONES

There is hereby established geographically defined zones. These zones shall be known as service areas within which it will be necessary to install new public facilities or expand existing public facilities as a result of land development. The service areas which are to be served by public water facility improvements are shown in Exhibit A (not included herein).

25.02 STANDARD FOR IMPACT FEES

In accordance with State Statutes, the Village of Williams Bay does adopt the following standards for impact fees imposed under this ordinance. Impact fees adopted by the Village of Williams Bay:

- (1) Shall bear a rational relationship to the need for new, expanded or improved public facilities that are required to serve land development.
- (2) May not exceed the proportionate share of the capital costs that are required to serve land development, as compared to existing uses of land within the political subdivision.
- (3) Shall be based upon actual capital costs or reasonable estimates of capital costs for new, expanded or improved public facilities.
- (4) Shall be reduced to compensate for other capital costs imposed by the political subdivision with respect to land development to provide or pay for public facilities, including special assessments, special charges, land dedications or fees in lieu of land dedications under chapter 236 or any other items of value.
- (5) Shall be reduced to compensate for moneys received from the federal or state government specifically to provide for payment of the public facilities for which the impact fees are imposed.
- (6) May not include amounts necessary to address existing deficiencies in public facilities.
- (7) Shall be payable by the developer to the political subdivision, in full, before a building permit may be issued or other required approval may be given by the political subdivision.
- (8) Impact fees shall be determined upon a Residential Unit basis with a single family residence being a unit of one (1). The number of Residential Units for all properties shall be assigned in accordance with the schedule contained in Exhibit B.

25.03 AMOUNT

Based on the foregoing zones and standards, the impact fees are adopted in the following amounts:

(1) Water Supply and Storage	\$635 per Residential Unit- Zone 1 and 2
(2) Water Main Oversizing	\$129 per Residential Unit- Zone 2 only

These fees are to be adjusted annually and approved by the Village Auditor, effective each January 1, based on the lesser of the actual cost of the improvements or updated estimates thereof. In updated such estimates the Village may use its prior year's average investment rate less 2% as an escalator in lieu of new engineering estimates.

25.04 PAYMENT OF IMPACT FEES

Impact fees shall come due and payable either in full or in installment payments as approved by the Village Board before a building permit may be issued.

25.05 LOW-COST HOUSING

No exemption or a reduction in the amount of said fee shall be made on land development that provides for low-cost housing.

25.06 SEPARATE FUNDS ESTABLISHED

There are hereby established impact fee funds for each of the categories of impact fees. Revenues from said funds shall be placed in segregated, interest bearing accounts and shall be accounted for separately from all other funds of the Village. Revenues from said funds, including impact fee revenues and interest earned on impact fee revenues may be expended only for capital costs for which the impact fees were imposed.

25.07 REFUND OF IMPACT FEES

Impact fees that are imposed and collected by the Village of Williams Bay but not used within a reasonable time period after which they are collected, shall be refunded to the current owner of property with respect to which the impact fees were imposed. The Village hereby determines that a reasonable time period for improvements shall be considered as 20 years.

25.08 APPEAL

A developer upon whom an impact fee is imposed has the right to contest the amount, collection, or use of the impact fee to the Village Board of the Village of Williams Bay. The appeal process shall be as follows:

(1) REVIEW OF INITIAL DETERMINATION. Any developer wishing to contest the amount, collection, or use of the impact fee imposed upon him or her as a condition of obtaining a building permit shall, within 30 days of the imposition of the impact fee upon the developer by the Village of Williams Bay, file with the Building Inspector a request for review of such impact fee imposition. The request for review shall state the ground or grounds upon which the developer contends that the imposition of the impact fee in amount, in collection, or in use is improper. The Building Inspector shall review the initial determination to impose the impact fee that is the subject of contest within 30 days of receipt of a request for review. The Building Inspector shall ascertain and determine whether the initial imposition of the impact fee in amount, collection, or use thereof was made in accordance with this ordinance and shall mail or deliver to the person contesting the said impact fee a copy of the Building Inspector's determination.

The Building Inspector shall also file a copy of his determination with the Village Board. If the Building Inspector determines the imposition of the impact fee was not made in accordance with this ordinance, he shall correct the imposition of the impact fee as necessary to conform to this ordinance. The determination shall advise the person aggrieved of the right to appeal the determination. Appeal from a determination on review under this subsection shall be taken within 30 days of notice of such determination.

(2) APPEAL TO VILLAGE BOARD. An appeal of the amount, collection or use of the impact fee and the review of the initial determination made by the Building Inspector and the Building Inspector's determination to the Village Board may be taken by filing with or mailing to the office of the Village Clerk within 30 days of notice of the Building Inspector's determination a written notice of appeal. The building builder or developer contesting the amount, collection or use of the impact fee may file with the notice of appeal written evidence and argument in support of the builder's or developer's position with regard to the imposition of the impact fee. The Village shall provide the appellant a hearing before the Village Board within 30 days of receipt of the notice of appeal filed or made in accordance with the requirements of this subsection and shall serve the appellant with notice of such hearing by mail or personal service at least 10 days before such hearing.

(3) CONDUCT OF HEARING. At the hearing, the Appellant and the Village may be represented by an attorney and may present evidence and call and examine witnesses and cross examine witnesses of the other party. Such witnesses shall be sworn by the Village Clerk. The hearing will be

held before the Village Board who shall make the decision on appeal. The Village Board may issue subpoenas. An Appellant's attorney of record may issue a subpoena to compel the attendance of a witness or the production of evidence. The proceedings shall be taken by a recording device, the expense thereof to be paid by the Village.

(4) **FINAL DETERMINATION.** Within 30 days of completion of the hearing and the filing of briefs, if any, the Village Board shall mail or deliver to the Appellant its written determination stating the reasons therefore. Such determination shall be a final determination.

(5) **JUDICIAL REVIEW.** Any party to a proceeding resulting in a final determination may seek review thereof by certiorari to the Circuit Court within 30 days of receipt of the final determination. The Court may affirm or reverse the final determination, or remand to the Village Board for further proceedings consistent with the court's decisions. If review is sought of a final determination, the record of the proceedings shall be transcribed at the expense of the person seeking review. By stipulation, the Court may order a synopsis of the proceedings in lieu of a transcript. The Court may otherwise limit the requirement for a transcript.

EXHIBIT B
NUMBER OF RESIDENTIAL UNITS AND RELATED IMPACT FEES
FOR THE VARIOUS WATER METER SIZES IN THE VILLAGE

Meter Size (inches)	Residential Units	Supply and Storage Impact Fee	Main Oversizing Impact Fee
5/8	1.0	\$ 635	\$ 129
3/4	1.0	\$ 635	\$ 129
1	2.5	\$ 1,588	\$ 323
1 1/4	3.7	\$ 2,350	\$ 477
1 1/2	5.0	\$ 3,175	\$ 645
2	8.0	\$ 5,080	\$1,032
3	15.0	\$ 9,525	\$1,935
4	25.0	\$15,875	\$3,225
6	50.0	\$31,750	\$6,450



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org
Phone: 262-245-2700 | Fax: 262-245-2705

UNOFFICIAL MINUTES PROTECTIVE SERVICES COMMITTEE WEDNESDAY, AUGUST 11, 2021 AT 6:30 PM VIA TELECONFERENCE

Call to Order

Meeting was called to order by Chairman Vlach at 7:36pm

Roll Call

Trustees Vlach, D'Alessandro and Umans

Also Present: President Duncan, Trustees Parker, Stanek and Wright, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards, Police Chief Timm, Rich Gluth, Dale Vavra and Sean McKean; Williams Bay Rescue and Steve Fettig.

Meeting Minutes

Umans/D'Alessandro motion to approve meeting minutes of July 14, 2021 and August 4, 2021. Unanimously carried.

Williams Bay Lions Club Temporary Class "B" and "Class B" Retailer's Alcohol License Request for October 9, 2021

Vlach/D'Alessandro motion to recommend Village Board approval of the Williams Bay Lions Club Temporary Class "B" and "Class B" Retailer's Alcohol License Request for October 9, 2021. Unanimously carried.

Emergency Medical Services

Discussion was held regarding the Rescue Department regarding concerns about response times and staffing shortages. Gluth stated that they currently have 12 members with only 2 members available during the day. Vlach discussed the documentation that was received by the Walworth County Sheriff's office detailing the calls and what department has been responding to them. Discussion was held regarding starting discussions with Delavan about contracting with them to provide services. It was the consensus of the Committee to have the Administrator meet with the Delavan Administrator to start the discussion.

Liechty Drive Stop Sign Request

Timm stated that we are waiting for SEWRPC to provide the results of the traffic study. Discussion was held regarding homes that have bushes that obstruct the view of the intersection and have the Code Enforcement look at that area for possible enforcement.

Fontana Triathlon

Steve Fettig discussed the Fontana Triathlon scheduled for September 18, 2021. Fettig stated that part of the route will be in Williams Bay along Hwy 67 and was requesting assistance with traffic control on that portion

These are not official minutes until approved by the Protective Services Committee

of the race. Fettig stated that payment will be made for the Police personnel assisting with the race. Umans/D'Alessandro motion to recommend Village Board approval of the request to have a portion of the race go through Williams Bay and provide traffic control in that area. Unanimously carried.

Privato Gate Lock/Alarm

Vlach stated that Privato has installed the gate lock on their outdoor seating area.

Speed Sign Application

Timm stated that a request for a speed sign in front of the high school was made by the Lions Club. Since it is out of the Village's jurisdiction an application needs to be submitted to the State. Vlach/D'Alessandro motion to recommend Village Board approval of submitting the application. Unanimously carried.

Hiring Process – Option to Sponsor New Officer

Vlach/D'Alessandro motion to recommend Village Board approval of offering Academy sponsorship to potential applicants for current open positions. Unanimously carried.

Hazard Mitigation Plan Review and Approval

Vlach/Umans motion to recommend Village Board approval of the Walworth County Hazard Mitigation Plan. Unanimously carried.

Monthly Police Activity Report

Chief Timm presented the monthly report and answered any questions.

Police Chief's Report

Chief Timm provided an update on current activities including commemorative 9/11 badges that the Police Department will have on their uniforms. The Fire Department will have custom t-shirts made. Officer Erickson will be celebrating 20 years with the Village, a celebration to honor him later in the year. Chief Timm and Lieutenant Kostock completed the FBI-LEEDA Trilogy training and received a plaque of recognition.

Adjourn

D'Alessandro/Umans motion to adjourn at 9:18pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 •

TELEPHONE (262) 547-6721
FAX (262) 547-1103

Serving the Counties of:

KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



SEWRPC Staff Memorandum

EVALUATION OF THE NEED FOR A NEW STOP SIGN FOR EASTBOUND TRAFFIC APPROACHING THE INTERSECTION OF S. WALWORTH AVENUE AND LIECHTY DRIVE IN THE VILLAGE OF WILLIAMS BAY

August 27, 2021

The Village of Williams Bay requested that Commission staff evaluate the potential addition of a stop sign for eastbound traffic approaching the intersection of S. Walworth Avenue and Liechty Drive (as shown on Map 1). The intersection of S. Walworth Avenue and Liechty Drive is a tee intersection that essentially operates as a four-way intersection, given the proximity of a private driveway south of the intersection. While there are stop signs for the southbound, westbound, and northbound approaching traffic, traffic travelling eastbound on Liechty Drive currently does not need to stop at the intersection.

The installation of stop signs—particularly installing stop signs on all legs of an intersection—should not be done indiscriminately, without an apparent need. Placing of a stop sign without some justification may result in: 1) motorists driving at higher speeds to make up for the time stopped; 2) motorists disregarding the traffic control; or 3) increased congestion and intersection delay. The failure to obey stop signs can increase the risks of crashes, and harm to motorists, bicyclist, and pedestrians. Thus, the determination of the need for stop signs should be done through engineering analysis of the quantity and turning movements of the traffic volumes approaching the intersection, the number of crashes that can occur, and other relevant criteria. The rest of this memorandum describes the results of an evaluation of adding a stop sign for eastbound traffic at the intersection of S. Walworth Avenue and Liechty Drive conducted by Commission staff.

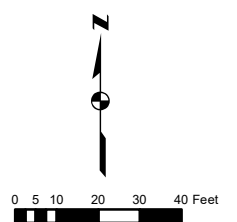
INVENTORY

This section documents the existing conditions at and near the intersection of S. Walworth Avenue and Liechty Drive, including existing land uses adjacent to the intersection, existing physical characteristics of the intersection and roadways, current traffic volumes entering the intersection, current vehicle turning movements within the intersection, and vehicle crashes. This inventory of data will assist in the determination of the need for the stop sign for eastbound traffic at the intersection.

Existing Land Uses

The type of land uses adjacent to an intersection can provide an indication of the type and purpose of travel that utilizes the intersection. The land uses immediately adjacent to the intersection of S. Walworth Avenue and Liechty Drive are predominately single-family residential, with some multi-family residential along the east side of S. Walworth Avenue between Liechty Drive and Congress Street. The area south and east of the intersection is predominately operated by a private outdoor recreational/commercial business located adjacent to Lake Geneva that includes boat sales and services, public/private boat tours, and a restaurant.

Map 1
Intersection of S. Walworth Avenue and Liechty Drive in the Village of Williams Bay



Source: SEWRPC.

I:\Tran\WORK\Traf Eng Studies\Williams Bay\WalworthLiechty Study\Map 1 - Study Area.mxd

While the business is open year-round, much of the outdoor boating activities on Lake Geneva are not available during the colder months of the year. Given the nature of the business, any traffic generated from this area would be expected to peak during the summer months and on weekends. Similarly, Commission staff were informed that a portion of the residential properties in the area are not occupied during the non-recreational times of the year.

Existing Roadway and Intersection Characteristics

Figure 1 shows the existing roadway and intersection configuration for the intersection of S. Walworth Avenue and Liechty Drive. S. Walworth Avenue north of the intersection is a two-lane urban local roadway¹, about 40 feet wide between curb faces. The speed limit on this roadway is 25 miles per hour. Parking is generally permitted on both sides of the street. However, due to the close spacing of many driveways and the presence of hydrants on the east side of the roadway, the ability to legally park on that side of the roadway is limited near the intersection. While a sidewalk exists on the east side of S. Walworth Avenue, it stops about 180 feet north of its intersection with Liechty Drive.

Liechty Drive west of the intersection is a two-lane urban local roadway, about 26 feet wide between curb faces. The speed limit on this roadway is 25 miles per hour. Sidewalk does not exist along this segment of roadway and parking is not permitted along this roadway.

The east leg of the intersection is a two-way private roadway, 19 feet wide, without curb and gutter. This east-west roadway serves as the main entrance to the outdoor recreational/commercial business. Parking is not permitted and no sidewalk exists along this segment of roadway.

While offset about 35 feet west of S. Walworth Avenue, the private driveway south of the intersection essentially operates as the south leg of the intersection of S. Walworth Avenue and Liechty Drive. This north-south driveway is identified as an exit for the outdoor recreational/commercial business. Parking spaces are provided along the driveway, with parallel parking provided on the west side and angle parking on the east side. The angle parking is orientated counter-flow to the northbound traffic. It appears that during non-business or non-peak hours this driveway is signed as exit only. No sidewalk exists along the private driveway.

As previously indicated, the intersection of S. Walworth Avenue and Liechty Drive is a tee intersection that essentially operates as a four-legged intersection, with an offset driveway serving as the south leg of the intersection. As shown on Figure 1, stop signs are located on the north, south, and east legs of the intersection. There is no traffic control for vehicles approaching the intersection from the west leg of the intersection.

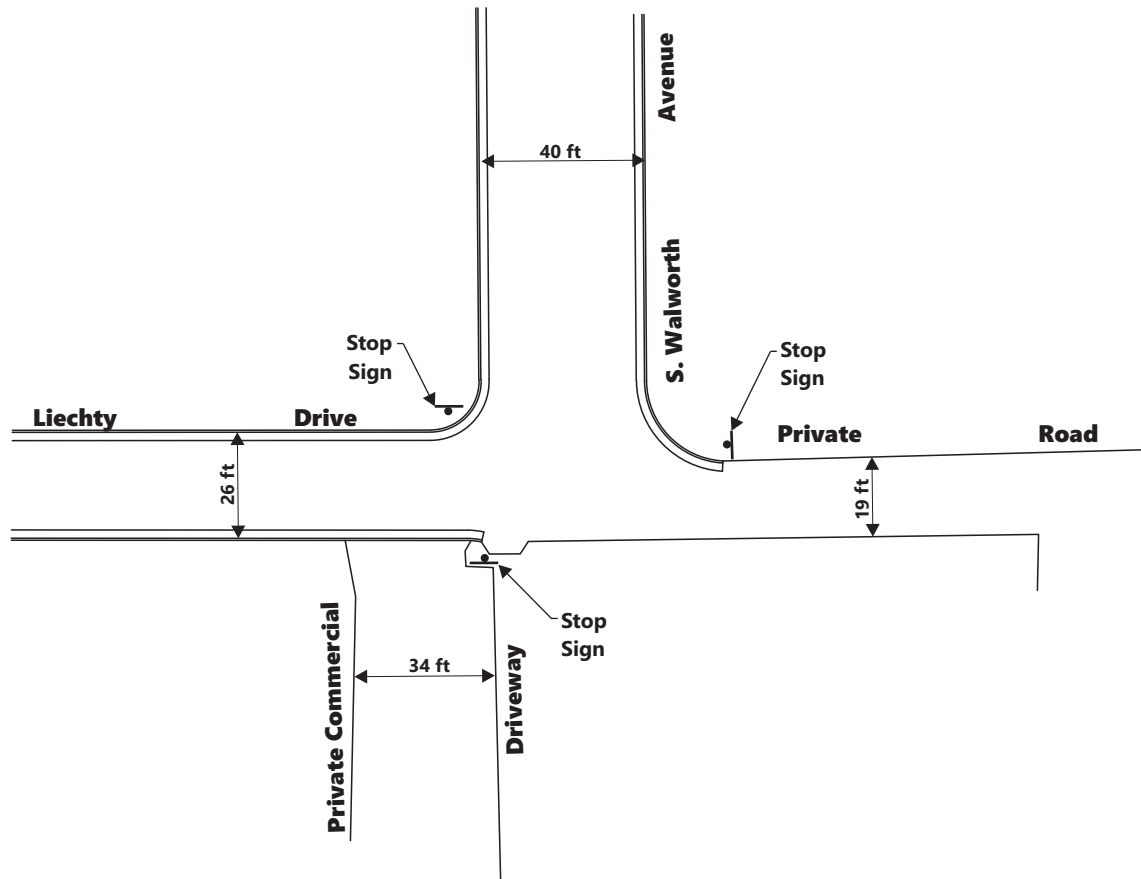
In terms of sight distances, existing trees and brush located on the southwest corner of the intersection could obstruct views of northbound vehicles stopped in the south leg of the intersection. In addition, a shrub located at the northwest corner appears to partially obstruct view for southbound vehicles stopped in the north leg of the intersection. It is likely that visibility through these obstructions would improve during the times of year when leaves are off the trees and brush.

Intersection Operational Characteristics

Traffic count data were collected via a video traffic monitoring device at the intersection of S. Walworth Avenue and Liechty Drive on Saturday, August 22, 2020, and Sunday, August 23, 2020. Traffic was collected during the summer and on a weekend in an attempt to capture the peak yearly use of the intersection. In

¹ Urban local roadways are typically lower volume and speed roadways that have the primary purpose of providing direct access to homes and businesses.

Figure 1
Existing Roadway and Intersection Configuration for the Intersection of
S. Walworth Avenue and Liechty Drive in the Village of Williams Bay



addition, the operation of traffic was observed by Commission staff during on-site visits on Thursday, July 29, 2021, and Tuesday, August 10, 2021.

Approaching Vehicles

Figure 2 shows the total average daily weekend approaching vehicles and the turning movements based on the data collected over the two-day period in 2020. An average of about 1,996 daily vehicles approached the intersection over the two-day period. From the data collected, about 878 vehicles on S. Walworth Avenue approached the intersection, which represented the highest percentage of traffic approaching the intersection (about 44 percent). The east and south legs of the intersection had 399 vehicles and 414 vehicles approach the intersection, respectively. While the west leg of the intersection is the only without a stop sign, the 306 vehicles (or about 15 percent of the total approaching traffic) were measured approaching from this leg of the intersection, which represents the lowest approaching volumes of all of the intersection legs. During the non-peak recreational times of the year, it would be expected that most traffic would approach the intersection from S. Walworth Avenue and Liechty Drive, rather than the two private roadways/driveways.

Turning Movements

Figure 2 also shows the total average daily weekend turning movements based on the data collected over the two-day period. The predominate movement of vehicles was between S. Walworth Avenue and the private driveways/roadways, with an average of around 600 vehicles entering and leaving the outdoor recreational/commercial business in this manner. About 80 percent of the vehicles entering the recreational/commercial business from S. Walworth Avenue turn left onto the east-west private roadway, with the remaining entering the north-south driveway. In terms of exiting onto S. Walworth Avenue, the split between the exiting from east-west private roadway and the north-south driveway is about the same. Because the center of the driveway is offset by about 35 feet west of the center of S. Walworth Avenue, the traffic entering and exiting the north-south driveway via S. Walworth Avenue are required to adjust their path to navigate the through movements.

About 200-250 vehicles moved between S. Walworth Avenue and Liechty Drive. From on-site observation and a review of the video recordings of the operation of the intersection, it was observed that traffic turning left from Liechty Drive onto S. Walworth Avenue often encroached into the southbound lane of S. Walworth Avenue.

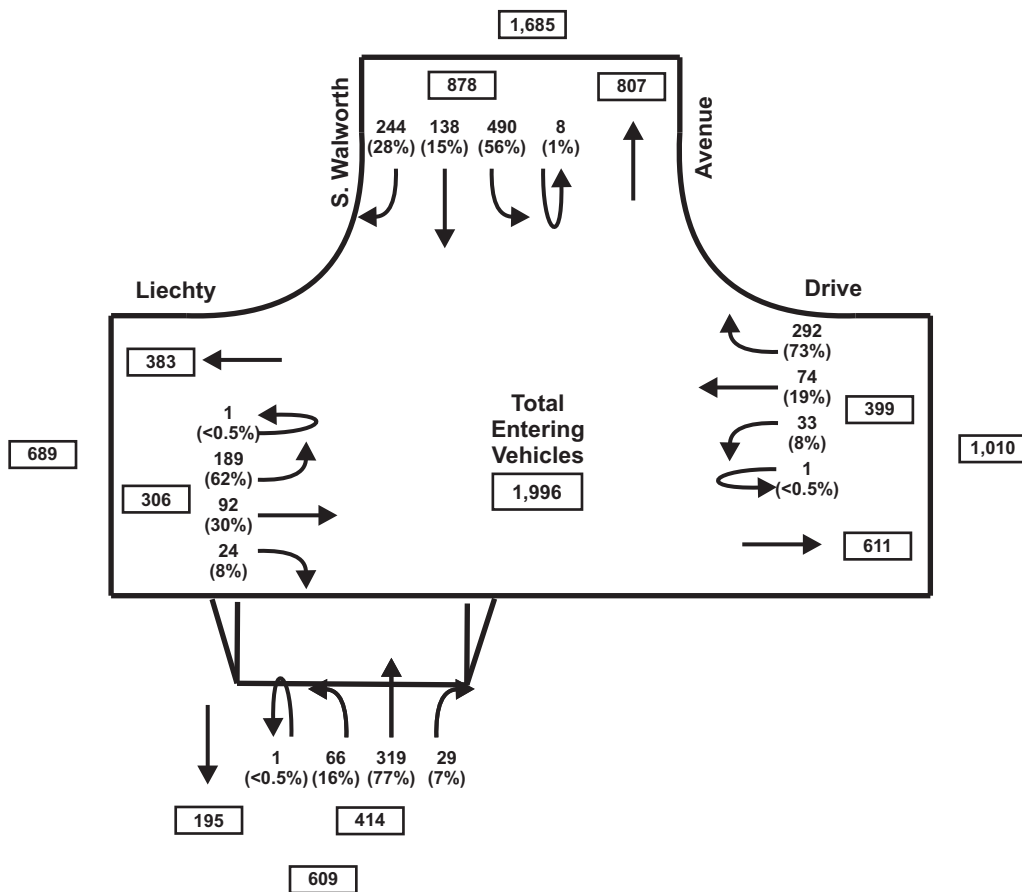
Pedestrians

While not counted separately, pedestrians were identified as utilizing the intersection of S. Walworth Avenue and Liechty Drive from observations of Commission staff reviewing the videos recordings of the collected traffic data and from the in-person visits. Specifically, pedestrians were observed walking within the roadway between the west and north legs of the intersection and the private driveways/roadways for the outdoor recreational/commercial business. It appeared that pedestrians were walking to and from the neighborhoods north and west of the intersection or from parked cars located along the north leg of S. Walworth Avenue. In at least one instance, pedestrians were identified to be waiting within the intersection to be picked up from an approaching vehicle.

Stop Sign Compliance

In terms of compliance with the existing stop signs, from a review of the video recordings of the intersection operation, it appears that there is general compliance of vehicles stopping at the stop signs in the north and south legs of the intersection. This was likely due to the obstructions of view from the trees and brush in the northwest and southwest corners of the intersection. However, it was not uncommon for vehicles to "roll through" the stop sign in the east leg of the intersection, regardless of whether they were turning or continuing straight. As such, this sign was treated more like a yield sign, rather than a stop sign.

Figure 2
Total Average Daily Weekend Approaching Traffic and Turning Movements in the
Intersection of S. Walworth Avenue and Liechty Drive: August 22 and 23, 2020



Traffic Crashes

A total of two crashes occurred within the intersection over a five-year period of 2016 through 2020, as shown on Table 1. Based on an evaluation of the crash reports for these crashes, it was determined that none of the crashes would have had the potential to have been prevented by the presence of a stop sign on the west leg of the intersection.

EVALUATION OF ADDING STOP SIGN ON THE WEST LEG OF THE INTERSECTION OF S. WALWORTH AVENUE AND LIECHTY DRIVE

The Manual on Uniform Traffic Control Devices (MUTCD) contains specific criteria related to the provision of multi-way stop control for an intersection, as would be provided by adding a stop sign to the west leg of the intersection on Liechty Drive. The section of the MUTCD containing the multi-way stop criteria is provided in Attachment 1 of this memorandum. The remainder of this section provides a summary of a review of the application of the MUTCD multi-way stop criteria.

There are four main criteria to be considered in the analysis of providing a multi-way stop application—one related to the temporary signing of a signalized intersection (Criteria A), one related to the number of correctable crashes occurring at the intersection (Criteria B), one related to the vehicular volumes entering the intersection (Criteria C), and one that combines the criteria related to crashes and entering vehicles, but at reduced thresholds (Criteria D).

- Criteria A – This criterion is related to installing stop signs temporarily at an intersection during the installation of traffic signals. This criterion was considered not satisfied based on traffic signals not being proposed for the intersection.
- Criteria B – This criterion is related to 5 or more crashes within a 12-month period that would have the potential to be corrected by a multi-way stop installation. This criterion was considered not satisfied based on the recent history of the number and type of crashes that occurred at the intersection, as shown on Table 1.
- Criteria C – This criterion relates to minimum thresholds being met for approaching traffic volumes on both the major and minor streets. For major streets, the threshold is at least an average of 300 vehicles per hour over for any 8-hour period. For minor streets, the threshold is at least an average of 200 vehicles, pedestrians, and bicyclists per hour for the same 8-hour period. For purposes of evaluating this criterion, the north-south legs of the intersection (including S. Walworth Avenue) was considered the major street and the east-west legs of the intersection (including Liechty Drive) was considered the minor street. The average hourly traffic volumes for both the major and minor streets are shown on Table 2. Based on a comparison of the number of approaching vehicles to the thresholds, this criterion was not considered satisfied.

There is an option to utilize thresholds that are 70 percent of the values previously indicated for both the major and minor streets, if the 85th percentile of the approaching speed of the major street is 40 miles per hour. However, since the major street is stopped controlled already in both the north and south legs of the intersection, Commission staff determined (without any need for considering travel speeds on S. Walworth Avenue) that this option would not apply for this intersection.

- Criteria D – If none of the previous three criteria are satisfied, then a fourth criterion can be used that involves meeting both Criteria B and C, with thresholds that are at 80 percent of the original thresholds. Based on the number of crashes and approaching vehicles, this criterion was not considered satisfied.

Table 1
Total Vehicular Crashes at the Intersection of Walworth Street
and Liechty Drive in the Village of Williams Bay: 2016-2020

Date	Time	Type	Severity	Crash Summary
7/15/2017	2:20 am	Fixed-Object Crash	Property Damage Only	Southbound vehicle on S. Walworth Avenue failed to maintain control of the vehicle, travelled through the stop sign, and struck a sign on the opposite side of the intersection. Driver was suspected to be under the influence of alcohol.
5/28/2018	4:34 pm	Rear-End Crash	Property Damage Only	Westbound vehicle on the private roadway stopped behind a stalled vehicle at S. Walworth Avenue, then attempted to back up to go around and struck the vehicle stopped behind it.

Source: University of Wisconsin-Madison, Traffic Operations and Safety Laboratory (TOPSLAB) and SEWRPC

Table 2
Directional Average Weekend Hourly Volumes
Measured for the Intersection of S. Walworth Avenue and
Liechty Drive in the Village of Williams Bay

Hour	Major Street VPH (Both Directions)	Minor Street VPH (Both Direction)
6:00 AM to 7:00 AM	4	4
7:00 AM to 8:00 AM	6	6
8:00 AM to 9:00 AM	31	20
9:00 AM to 10:00 AM	54	33
10:00 AM to 11:00 AM	69	49
11:00 Am to 12:00 PM	88	54
12:00 PM to 1:00 PM	115	51
1:00 PM to 2:00 PM	122	49
2:00 PM to 3:00 PM	126	59
3:00 PM to 4:00 PM	110	56
4:00 PM to 5:00 PM	113	62
5:00 PM to 6:00 PM	119	59
6:00 PM to 7:00 PM	89	52
7:00 PM to 8:00 PM	89	43
8:00 PM to 9:00 PM	71	41
9:00 PM to 10:00 PM	36	27
10:00 PM to 11:00 PM	25	19
11:00 PM to 12:00 AM	13	12

Source: SEWRPC

While none of the four main criteria for multi-way stop installation were satisfied, the MUTCD includes four optional criteria that could also be considered as part of evaluating the need for a multi-way stop installation, as shown in Attachment 1. The optional criteria involve controlling left-turn conflicts, controlling vehicle/pedestrian conflicts, aiding stopped traffic that have difficulty seeing crossing traffic, and improving the traffic operation at the intersection of two residential collector roadways.² Table 3 shows a summary of the results of the analysis of the optional multi-stop criteria.

- Optional Criteria A – This criterion relates to the need to implement stop signs on all legs of the intersection to control left-turn conflicts. As all of the other legs of the intersection are stop-controlled and there is not a crash history involving left-turning vehicles from Liechty Drive, this criterion was not considered satisfied.
- Optional Criteria B – This criterion relates to the need to implement stop signs on all legs of an intersection, based on the prevalence of pedestrians. While not measured specifically with the vehicular traffic, a number of pedestrians were observed travelling through the intersection from Commission staff on-site visits and from the video recorded of the traffic utilizing the intersection. Based on the prevalence of pedestrians and the lack of sidewalk on all legs of the intersection, this criterion was considered satisfied.
- Optional Criteria C – This criterion relates to the providing multi-way stop control on intersections where a motorist upon stopping would need the crossing traffic to stop in order to negotiate the intersection. While there are some sight limitations at the northwest and southwest corners of the intersection, they do not appear to significantly affect the operation of the intersection, based on a lack of history of crashes. However, Commission staff believes, based on observation of the traffic flow, that the lack of crashes is mostly due to there generally being sufficient gaps between vehicles travelling on the road, and the slower travel speeds on the roadway. As sight distance is generally considered an important element of intersection design, the mere presence of the sight obstructions are considered sufficient by Commission staff for this criterion to be satisfied.
- Optional Criteria D – This criterion relates to providing multi-way stop control to improve the operational characteristics of intersections of two similar collector roadways. While this criterion specifically identifies collector roadways, research reviewed by Commission staff indicates that intersections of two roadways of the same function can be considered as an appropriate location for multi-way stop control. As previously indicated, S. Walworth Avenue and Liechty Drive both function as urban local roadways. With respect to improving the operational characteristics of the intersection, a stop sign on the west leg of the intersection would be expected to better facilitate the movement of left turning vehicles from Liechty Drive onto S. Walworth Avenue and the movement of north-south travelling vehicles between the two offset legs of the intersection. As such, this criterion was considered satisfied.

As shown on Table 3, while the four main criteria were not considered satisfied, three of the four optional criteria were considered satisfied for purposes of providing a stop sign on all four legs of the intersection of S. Walworth Avenue and Liechty Drive.

CONCLUSIONS AND RECOMMENDATIONS

While level of traffic volume and crashes may not indicate the need for all-way stop at the intersection of S. Walworth Avenue and Liechty Drive, given the existing layout of the intersection, the presence of pedestrians travelling within the intersection, and the potential obstructions of view, the Commission staff recommend the addition of a stop sign at the west leg of the intersection. While traffic patterns may change

² *Collector roadways primarily function of connecting local roadways to arterial roadways, with the latter having the primary function of moving people and goods.*

Table 3
Multi-Way Stop Control Criteria Analysis Summary
for the Intersection of S. Walworth Avenue and
Liechty Drive in the Village of Williams Bay

	Criteria	Description	Result
Main	A	Traffic Signal Installation	Not Satisfied
	B	Crashes	Not Satisfied
	C	Minimum Volumes	Not Satisfied
	D	Eighty Percent of Minimum Volumes	Not Satisfied
Optional	A	Controlling Left-Turn Conflicts	Not Satisfied
	B	Controlling Vehicle/Pedestrian Conflicts	Satisfied
	C	Aiding Stopped Traffic Having Difficulty Seeing Crossing Traffic	Satisfied
	D	Improving Traffic Operation of Intersections of Two Residential Collector Roadways	Satisfied

Source: SEWRPC

under non-peak recreational times of the year, given that the eastbound on Liechty Drive carried the lowest approaching traffic volume of the four legs of the intersection, it seems appropriate that this leg of the intersection have stop-control like the other legs.

Because of the relatively lower volumes of the two local roadways and the two private roadway and driveway, it is not expected that providing a stop sign on the west leg of the intersection would cause traffic flow issues at the intersection, such as excessive delays and queuing. However, some future traffic turning left from Liechty Drive onto S. Walworth Avenue may increase their speed slightly to make up for having to stop at the intersection. In addition, there may be eastbound motorists that fail to comply with the new stop sign, as was observed for westbound traffic.

In terms of locating the stop sign, Commission staff recommends placing the stop sign just west of the north-south private driveway. Placing a stop sign before the western edge of the driveway should provide adequate sightlines for eastbound motorists to see cars stopped on the north-south driveway and S. Walworth Avenue. To assist in ensuring compliance of the new stop sign, it is important that should a stop sign be added, that it be kept visible. In addition, it may also be desirable to place a warning sign in advance of the intersection, and to consider adding orange flags to the new stop sign as part of its initial installation. It is also recommended to improve sight distances at the intersection by removing or trimming the trees and brush at the northwest and southwest corners of the intersection.

* * *

#258533
8/26/2021
KJM/RWH/rwh

Attachment 1

Excerpt of Manual on Traffic Control Devices (MUTCD) Related to the Provision of Multi-Way Stop Control

Section 2B.07 Multi-Way Stop Applications

Support:

01 Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

02 The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications.

Guidance:

03 *The decision to install multi-way stop control should be based on an engineering study.*

04 *The following criteria should be considered in the engineering study for a multi-way STOP sign installation:*

- A. *Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.*
- B. *Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.*
- C. *Minimum volumes:*
 - 1. *The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and*
 - 2. *The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but*
 - 3. *If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.*
- D. *Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.*

Option:

05 Other criteria that may be considered in an engineering study include:

- A. The need to control left-turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.