

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
LAKE MICHIGAN SEWER UTILITY DISTRICT
SEWER UTILITY DISTRICT "D"
9915 39th Avenue
Pleasant Prairie, WI
November 6, 2006
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, November 6, 2006. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Alex Tiahnybok, Steve Kumorkiewicz, Jeff Lauer and Mike Serpe. Also present were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director, Kathy Goessl, Finance Director and Vesna Savic, Deputy Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - SEPTEMBER 25 AND OCTOBER 2, 2006**

Steve Kumorkiewicz:

Move to approve.

Alex Tiahnybok:

I second with a comment. Not an objection to what's in the minutes, but maybe I'm alone in this, but in just reviewing the minutes it seems like the quality of the transcription has gone down a little bit. A lot of misinterpretations of words stated. I mean a lot. Some of the sentences don't make any sense actually. So I just noticed that and I think we need to check into it and make sure that the--is it verbatim? Is that the name of the company?

Mike Pollocoff:

Verbatim is what they're supposed to be.

Alex Tiahnybok:

I thought that was the name of the company. It seems worse, that's all.

KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD MEETINGS OF SEPTEMBER 25 AND OCTOBER 2, 2006 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

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John Steinbrink:

Item K is being removed from your packets from the agenda this evening so that will not come up this evening. That is Ordinance 06-55.

5. PUBLIC HEARING

- A. Consider the request of Mary Kay Buratto, agent for Vintage Parc, LLC, for a Variance from Section 395-60 D of the Land Division and Development Control Ordinance to reduce the diameter of a temporary cul-de-sac to 100 feet from the required 120 feet at the east property line at 105th Street and at the south property line at 65th Avenue in the proposed Vintage Parc Condominium development.**

Jean Werbie:

President Steinbrink and members of the Board, this is a request by Mary Kay Buratto, agent for Vintage Parc, LLC. What they're requesting this evening is a variance from the Village's Land Division and Development Control Ordinance. Specifically, this variance relates to the temporary cul-de-sacs at the dead ended areas of their proposed development.

Specifically, this project includes 66 condominium units, three 6-unit buildings, twelve 4-unit buildings on 14.3 acres of land. It's located at the southeast corner of Highway 165 and Old Green Bay Road. 105th Street and 65th Avenue terminate in temporary turnaround cul-de-sacs. Each of the lots will be developed for condominium development on this particular property, but eventually these two roads on 105th Street and 65th Avenue could be extended further to the east and further to the south for future development as that land is vacant. The Lakewood Neighborhood Plan, which was approved by the Plan Commission and the Village Board, does identify the extensions of these future roads for future development.

The developer is requesting that the temporary cul-de-sacs, which require 120 foot diameter, he is requesting that that diameter be reduced to a 100 foot diameter due to the amount of space available and the fact that the sides of the cul-de-sac would be removed and then these streets would be extended both to the east and south with new development. The staff is recommending that if this item is approved that signs would be required to be installed at the developer's cost that indicate that these dead ended streets are temporary and that the streets are intended to serve additional vacant land, because sometimes as we develop in the Village there is some misunderstanding that when a cul-de-sac goes in that it's permanent and it is never to be extended. But in this particular case in order to develop lands off site these temporary cul-de-sacs would be put in and eventually the roads would be extended. With these temporary cul-de-sacs, there would be no cul-de-sac island; it would just be asphalt for the turnaround. It's my understanding that both the Fire Department as well as Public Works has taken a look at these cul-de-sacs and the radiuses and they do not object to the turnaround radius that's been identified on this project.

The staff has identified that this is a public hearing before the Village Board so I'd like to continue the public hearing at this time.

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John Steinbrink:

This being a public hearing I'll open it up to public comment or question. We ask that you give us your name and address for the record. Did we have a sign up sheet? Anybody wishing to speak on this item?

Paul Martins:

Yes, my name is Paul Martins. I'm from Jenkins Survey & Design for the project and I'd be available to answer any questions the Board may have.

John Steinbrink:

Thank you. Any questions for the gentleman from Jenkins. Hearing none, thank you. Anyone else wishing to speak on this item? Hearing none, I'll close the public hearing and open it up to Board comments or questions.

Mike Serpe:

I have no comments, Mr. Chairman. I move approval.

Steve Kumorkiewicz:

I want to second that. It was discussed.

SERPE MOVED TO APPROVE THE REQUEST OF MARY KAY BURATTO, AGENT FOR VINTAGE PARC, LLC, FOR A VARIANCE FROM SECTION 395-60 D OF THE LAND DIVISION AND DEVELOPMENT CONTROL ORDINANCE TO REDUCE THE DIAMETER OF A TEMPORARY CUL-DE-SAC TO 100 FEET FROM THE REQUIRED 120 FEET AT THE EAST PROPERTY LINE AT 105TH STREET AND AT THE SOUTH PROPERTY LINE AT 65TH AVENUE IN THE PROPOSED VINTAGE PARC CONDOMINIUM DEVELOPMENT, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

6. CITIZEN COMMENTS

John Steinbrink:

Once again we ask that you give us your name and address for the record.

Herbert Driscoll:

Good evening. My name is Herbert Driscoll. I live at 10733 122nd Street. The subject tonight for me is the recommendation to change the existing clean water fee structure. I'm sure that by now you are all well aware that some of us have been very active in telling you how unfair the

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clean water user fee that you have placed on our utility bills are but our complaints have fallen on deaf ears with little or no acknowledgment given to us by the President nor Village Administration.

I want to comment on the clean water user fees as they are now determined. First, I would like to point out what is wrong with the system, but unlike some people in government I would also like to recommend a solution to the problem that will not, and I repeat not, adversely affect the Village financially and will be so easy to implement that, as they say in the insurance commercial, even a cave man could do it.

What is wrong? It is unfair that only eight percent of homes are subsidizing 40 percent of the fees paid by Class A property owners. These are the very properties that do not now contribute to flooding problems that the Village must take care of. In fact, these properties are on County or State roads and/or drain directly to the Des Plaines River.

Number two, it is very complex mathematically so that the average person is unable to understand how it is calculated. The calculations needed to determine these fees require a mathematical spreadsheet of about 30 columns wide that include three complex formulas. Just how many taxpayers can take the time or even have the math capabilities to see if they are being overtaxed? I'd be willing to bet that neither Steinbrink nor Pollocoff have these abilities and are unable to see how unfair the system really is. On the other hand, if they do know their math then they are intentionally using it to deceive the taxpayers.

The three spreadsheet databases are labor intensive to maintain in that the total number of entries could amount to almost \$300,000. That would be 9,000 parcels times 30 columns. This method glosses over and minimizes the main cause of storm water runoff and that is the amount of impervious surfaces such as buildings, streets and parking lots that covers good old Mother Nature's water absorbent earth.

Number five, the system has produced the following ridiculous results. A) One 96 acre parcel with 9,000 square feet of imperv pays over \$71 per month, while a 45 acre parcel with almost 6,000 square feet of imperv pays only 1 cent per month. B) A Nature Conservancy Group, the Des Plaines wetlands, with only 25,000 square feet of imperv pays almost \$300 per month in runoff fees. And, guess what, all the runoff drains directly to the river with not a storm sewer in sight.

My third example puts a human face on the misery of this unfair rain tax. When I received my first bill I called my widowed neighbor who is on a fixed income and asked what she is paying. She has 19 acres of wetlands, ponds and trees. Since the property is zoned Nature Conservancy, she cannot farm it, she cannot subdivide it, nor can she do anything else to mitigate the huge fee. In fact, she receives little or no services from the Village in spite of her high property taxes. She does not have fresh water, sanitary nor storm water sewer services. Her street is plowed and maintained by the County. How much is she paying for these services, these non services? The answer is \$28 rain tax per month. While a wealthy farmer with two jobs has 40 acres and only pays \$5.75 per month.

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My proposed method of calculating user fees, charge fees based solely on the amount of impervious surface area for all parcels in the Village. I have tested this method out by using actual values supplied to us by the Village on the total of 992 Class A parcels, and fairly accurate estimates on additional 4,562 Class A parcels. I've also used actual data for the 3,342 Class B, C, D, X, O and condo parcels. I am very confident that Bob Martin could easily verify my results. I am supplying two tables which illustrate the existing fee structure in my proposed change. These tables are self-explanatory.

The advantage to this is, one, in simplicity. The spread sheet would require only three columns, a pin, total impervious area, and a multiplier of imperv times the dollar amount per thousand square feet. This could result in clerical man hour cost savings to one-tenth the existing cost. Two, the property owners could easily verify the accuracy of their fees. Number three, it's budget neutral, and I repeat that, it's budget neutral. The cost per thousand square feet of imperv could be set to generate the same amount of income as the existing system. Not only would ag property be exempt from user fees, but all property in its natural vegetation state such as woods, meadows, swamps and wetlands, etc., would also be exempt.

The down side. The 5,000 properties now paying 1 cent, 10 cents, 50 cents, etc., will scream bloody murder. Someone with a devious mind, not I of course, might think there's a lot more voters in that 5,000 group than there is in the 500 group. Five of you sitting up there are only paying 50 cents per month. With my proposal, you'll pay about \$1 to \$1.50 each. But be happy, Kenosha is planning about \$5 per month. As for John and myself-

Vesna Savic:

Sir, your time is up.

Herbert Driscoll:

One second more. We'll still pay about \$6 a month, and as for the widow she will only pay about \$2 per month but she still won't receive any services.

Diane Schoen:

I, too, am here to speak to you about the clean water fees tonight. I am Diane Schoen, 6320 109th Street. There are many methods of calculating runoff that will produce different results because, at best, they are just estimates due to the complexity of storm water runoff. Some of the methods are as follows: SCSC . . . formula found in TR-55 used by Pleasant Prairie. See the attached page describe the limitations and error factor or warnings contained in this document. DCIA, which stands for Directly Connected Impervious Area, this shows that impervious runoff that goes directly to the storm sewer creates more flooding and pollution than runoff filtered by pervious area. Rational Equation, which I found in a hydraulic engineering textbook, and another is called the Simple Method.

The problem with all of these methods is that they address only the volume, the quantity of estimated runoff not the quality. The quality of runoff, i.e., pollutant loads is the meat of the new

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federal mandate regarding runoff. None of the above methods addressed quality. Storm water utilities have been established in several Wisconsin communities because of the federal mandate for pollution abatement, the extra costs of treating polluted runoff to keep the pollution out of our waterways.

Included in my handout is an article entitled The Importance of Impervious. This article specifically addresses how impervious surfaces affect stream quality, and it encourages municipalities to adopt a uniform system of calculating runoff using impervious surfaces. I have read many more papers that conclude essentially the same thing. The impervious surfaces are what count with regard to flooding and pollutant loads. Also included is a listing of Wisconsin municipalities that charge a fee for storm water abatement to their residents. Most of these municipalities use their professional engineering service to establish the method of calculating fees, and as you can see most of them use impervious area only or establish a flat rate for their residential properties.

I would like to clarify that my research has focused on residential fees only. The average annual fee for the other Wisconsin municipalities is \$48 or about \$4 a month. The City of Kenosha is planning a fee of about \$5 a month. Pleasant Prairie, on the other hand, is basing their fees on land area, the exact opposite of the general consensus of other municipalities. People with larger amounts of land which actually absorbs water and pollutants and diminishes both before they ever reach a storm sewer are paying the highest fees.

Calculating runoff is not an exact science. It is one thing to use the runoff calculations to design storm water systems with an error factor of as much as 25 percent plus or minus. It is entirely another to charge a fee every single month to a resident with that large an error factor. Another error factor contained in TR-55 is that it is less accurate if the runoff factor is less than .50, and properties with a greater proportion of land are in this category. This is the reason the municipalities listed do not attempt to take every mitigating factor into their fee process by either charging a flat fee or a graduated fee for residential properties based on their impervious surfaces.

The Pleasant Prairie method does not offer any incentive to residents to use BMP or Best Management Practices which is one of the main objectives of the federal mandate. Some of those would include rain barrels, rain gardens, pointing down spouts away from impervious surfaces and limiting watering and chemical applications to lawns. Even Madison allows residents to get credits for using these practices and for lack of access to storm water conveyance systems. The Pleasant Prairie residents paying the highest fees have little or no access to a storm sewer. I will quote Larry D. Nelson, Madison City Engineer, who said, "It is expected that rate adjustment policies for storm water utilities will become uniform throughout Wisconsin as decisions are made by the courts and the regulatory agencies."

I hope Pleasant Prairie will consider the alternate method of calculation based on impervious surfaces presented here tonight by ordinary citizens based on extensive research and do not wait for standard regulations to be established. It is costing the 8 percent of the residents who pay 40 percent of the fees a lot of money in the meantime. Thank you.

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Marie Devito:

My name is Marie Devito and I live at 8608 Lakeshore Drive. Two issues that I'd like to address tonight. The first one is changing the times for the Board meetings. A lot of us work. To get here at 5:30 at night for a Village Board meeting is next to impossible. I really don't want to sound nasty, but if you guys don't have anything to hide why do you want to make the meeting when we can't make it? We're interested in what happens in our Village, and the only way we can stay on top of that is to come to meetings and now you want to make it once again impossible for us to get here. So I request that the Village meetings stay at 6:30.

My second thing that I'd like to address is a question to Mr. Pollocoff. I understand that at the last meeting you said if the referendum for the three items that the Village needs didn't go through then what the Village would just do is borrow the money and we'd just have to pay the interest?

John Steinbrink:

This is citizens' comments and questions will be answered later. There is no direct.

Marie Devito:

Okay, well then my statement or question is if you were going to do it anyway, why did you spend our money to put it on a referendum? You sent out newsletters, take out ads in the paper all at a cost to us when it's not going to make any difference. If we all vote no that we don't want that, and you're just going to go ahead and borrow the money and do it anyway, what was the point of the referendum. My statement. Thank you.

Dick Ginkowski:

Good evening, Dick Ginkowski, 7022 51st Avenue. Three quick hits tonight. First I want to compliment the Village Board for having on the agenda a moratorium on the spurge of the pay day loan stores. We don't need these establishments spilling over anymore from the City. And I think that Mr. Pollocoff and our Village staff and the Village Board acted appropriately to control nuisance businesses along the interstate. I believe it's time for that type of action here and it's good that that's being considered.

Secondly, I did read the *Kenosha News* article with regards to the salaries of Village officials, department heads. And, quite frankly, I think it's much ado about nothing because there are some things that are left out. This is not the school district. We do not have a bunch of assistants to the assistant to the assistant running around here. Our Village department heads may be at first blush compensated well for what they do, however they are the department head. There aren't a lot of other chiefs running around, and no one I think can say that our Village is flush with employees. We've operated perhaps sometimes too close to the bone. I don't see anything wrong with rewarding seniority and the hours that people put in, particularly when they work more than 40 hours and they don't have the staff that other communities may have. So it may seem higher in one respect but in others it's not. Our Village Planner is a good example, perhaps maybe even

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underpaid for what she does. In private industry that salary for someone with that type of experience certainly might be on the very moderate end.

So when we look at numbers, numbers alone don't tell the story. You have to compare apples to apples and not apples and oranges. And while I believe in fiscal restraint, I'm not going to be terribly critical of our salary structure because we aren't flush with staff.

Thirdly, on the issue of budgeting some cuts were suggested by Mr. Tiahnybok, and I think his heart is in the right place with regard to suggesting budget restraints, but I believe Mr. Steinbrink was correct to question what amounts to or at least appears to be micromanaging to try to reduce budgeting. If you are going to reduce spending, and that's always a good thing to do, then the department heads and the staff are the people who probably are the ones who know best where that might be accomplished.

In the concept of reinvented government, you move away from the old model of spend everything so that the next year they don't say, well, you didn't need it last year so we're going to take it away from you, to the idea that you have retained earnings like in business. If you haven't spent everything, if you're a creative department head, if you've had your ends meet, those are some of the things you can use to save for capital expenditures, things that you didn't plan for and didn't budget for. I would hope that if there are savings to be identified in the Village budget that that money would be used to build up a capital improvement fund so that we wouldn't need to go to the voters for referendum questions. I think that's only good common sense.

I think Mr. Steinbrink makes a very good point with regard to looking at small, individual expenditures. I think the department heads would be better off saying can we look at our departments, can we be more creative? If we need to adopt more flexible budgeting to allow that so be it. But I would rather the people who have the expertise make that call and not have the Village Board essentially sit as super department heads. I think it's more appropriate to allow the people who are closest to the situation to exercise that type of discretion. Thank you.

Clyde Allen:

Good evening. Clyde R. Allen, 8050 57th Avenue. Fifteen years ago I moved to the Village of Pleasant Prairie with my family. We chose Pleasant Prairie for a lot of real good reasons, the services, the taxes at the time. I had the opportunity to know in advance that the TID District here was a classic example of how it's supposed to work. Bonding was going to be paid early. We had a great infrastructure so we moved here. Some things have changed.

A lot of it recently is an attitude. We the people elected this Board of Trustees. We put our faith and trust in you. We expected everybody to act like a professional, get accomplished what we need to accomplish here for the best interest of the Village and its people. It isn't being done. The only one that appreciates some of the canon fodder that gets thrown around is the media. People don't like it. Outside the Village of Pleasant Prairie don't like it. We don't want to read about it. Meetings could be far more productive if we all acted as professionals.

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That doesn't mean we have to agree. We all have our point. We state our fact, back it up with our facts and figures, present it in a true professional manner and you have a chance of somebody else listening to our point of view and possibly changing their mind or listening to you or maybe coming to a common ground agreement. It's not being done.

What I ask you is to take a couple months, act professional, try to really get along, look at all the facts, look at what has to be done and where we need to go in this community. Pleasant Prairie is a great place to be and I see a great future. It's got great visions, I just wish everybody could act and get things done because you'd accomplish a whole lot more here in less time. Thank you very much.

Dale Van Vlissingen:

Dale Van Vlissingen, 10708 Lakeshore Drive. Just two quick comments. It's the night before an election and I would say it's an appropriate time to think about citizen participation in government. I want to encourage this Board to maintain the meeting times at 6:30 or later so that those of us that are currently working can come to the meetings.

Secondly, just to make a comment about the speaker two previous to myself, I would really encourage, again, the Board to take an activist role and to question all of the activities going on within the Village here so that we can have a representative government. Thank you.

Bob Babcock:

Bob Babcock, 11336 Lakeshore Drive. Just a couple of comments. When this country was formed people started moving west and they gathered together in little communities primarily for safety reasons. The statement safety in numbers is true. Animals use the same thing and that's why you have little herds of animals for safety reasons. And the communities needed some sort of a government. So they formed a little government to regulate how their community operates. One of the first things, the first people they hired was a lawman. They needed a sheriff or a lawman marshal of some sort to provide safety for the residents.

As the towns grew and times grew, a lot of different things were added to the budget, taxing the people to pay for them and always safety was the primary thing. Now, as we're really getting into this time of the century, the computers, we've got a lot of computer stuff in the budget, computer upgrades in the budget. There's a lot of stuff in the budget that probably could be trimmed off a little bit. We've got a TV channel now. Of course, we really can't count that because we're not going to get taxed for that. We're going to make that nasty old cable company charge us to have this TV channel.

And, by the way, if you are interested in safety then you've got to vote on a referendum to buy some safety equipment. That's not in the budget, but if you're interested at all in safety sign the referendum. The only thing you didn't put in the referendum, the beginning of it, it should have said for the children. That's usually what they say on stuff like that. I'm just a little upset that we have to have our safety equipment put on as a referendum item. I consider that to be a necessity. There are a lot of things, TV channels and so on and so forth that I wouldn't consider to be

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necessities. Of course, one other thing we could do is any of these adult bookstores that want to come in we could encourage them to donate a fire truck or something like that if they want to get a license.

One other quick thing, meeting times. I've been coming to some meetings for 15 years or something like that. A number of times it's been suggested that we change the meeting times. The residents here, and I don't work very hard, but a lot of people work and they don't get home in time to get to a meeting. Some of them have to work until 5:00. So we did change the meetings times and they went out to 7:30. That was complete overkill. Then all of a sudden they had long-winded discussions during these meetings and so some of them lasted two or three days maybe. I left before they were done. Then we further agreed to change the meeting times to 6:30 which I think is manageable for everybody and I would like to see them stay at 6:30, or at the very, very worst change it 6:00 which would give the majority of people time to get home from work and get to the meeting. Thank you.

Bob Babcock, Jr.:

Bob Babcock, 11253 3rd Avenue. I would like to address the Board tonight about a disturbing trend I've noticed the last several meetings I've attended. I don't want to name names, but this Board has treated one another with very little respect recently. I think it's fair to say that the citizens of Pleasant Prairie have elected a Board who has very different ideas about what is best for this Village. I also believe all of you truly have the best interest of the Village in mind. However, the way you treat each other is not only disrespectful to yourselves but also to every voted who elected you.

It's embarrassing to leave a Village meeting and the first thing people are talking about is the petty cat fights rather than the real issues this Village faces. The last meeting I went to regarding the Village budget was a great case in point. From what I could tell you voted to go ahead with the referendum and if that doesn't work you will borrow the money and the voters will wind up paying more. If I can quote George H. Bush, "Read my lips, no new taxes," lost him an election. History tells that if you decide to tax people when they voted no you're running on a slippery slope. Tax them for more than they voted no to and you might set a record for the fastest fall down said slope. Nobody is going to listen when you try to say that is what the State of Wisconsin has given us to work with.

I'm in agreement with the Board assertion that we enjoy many benefits for a small cost here in Pleasant Prairie, but you're still comparing apples to oranges. We don't have sidewalks or many street lights. Many of us don't have sewer and water. It's at least ten minutes farther to the nearest hospital for most of us. These are things that increase the cost for a City like Kenosha. And a more similar Village like Bristol or Silver Lake they have their own school district. It's a little deceiving to say that our taxes are low. It's the life of a rural village that makes the cost low and that's where we benefit.

So that doesn't mean we can't manage our money smarter. I look in this room and I see inefficient lighting. I listen to you talk about computers and servers that need to be purchased and I thought about leasing. I listen to somebody say that the server crashed and data from the court

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was nearly lost, and I think we could save money by switching to a managed service provider. At the very least critical data would be guaranteed safe.

There are many ways to save money which may or may not be feasible, reasonable or desirable. The point is that type of discussion is warranted at a meeting about the budget. Instead I heard two hours of bickering and very little problem solving. The meeting was an embarrassment to the Village Board and all the tax paying citizens of Pleasant Prairie.

Mr. Steinbrink, I said I wasn't going to name names, but as the Village President it is your job to lead this Board. On several occasions I have heard you talk about how well the past Village Boards have done to make Pleasant Prairie the great place it is today. I can't agree with you more. This Village is a great place. The great things past Boards have done I'm sure have played a large part in the growth of this Village. While everyone may be happy about these great accomplishments, it's the present and future they are concerned with today. I urge you to look at the present and into the future and lead this Board away from personal differences toward a working relationship of respect. Until this one I, for one, have no faith this Board can accomplish anything.

I have many arguments with friends about the value of voting. Their argument is it doesn't really matter if they vote or not, nothing one person can do can change anything. I always respond by telling them their voice does matter and every individual adds up. If the referendum fails and this Board resorts to plan B, I will be compelled to tell my friends they were right, at least in Pleasant Prairie your vote doesn't count unless you agree with the majority of the Village Board.

Also, I was late tonight so I would really like the meetings to stay at 6:30. 5:30 is too early for a lot of us to get here, and we care about this Village and we have the right to be heard.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? Hearing none, I'll close citizens' comments and move onto Item 7, Village Board comments.

7. VILLAGE BOARD COMMENTS

Jeff Lauer:

I have a few comments to make. I'm very thankful for everybody's comments here tonight. I know there are some folks, Herb and Di spoke about the Clean Water Utility. Obviously this is good reading that I shall be doing because you've got good handouts there. I was glancing over them while you were speaking so I thank you for that. I do know it's been talked about in the past. I do believe we need to do something with this clean water issue. I have a lot of reservations about it now. The more I learn about it you can take someone else's Clean Water Utility and repair a bridge. I don't understand what clean water has to do with repairing a bridge but that's the way they set it up in D.C. when they made it. So I hope the Board would take that up in serious consideration when we go over that.

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The second comment, Mr. Ginkowski, I agreed with some of your comments. Department heads submit their budgets and put their needs and what they need in there. However, from your comments it's like we should just automatically rubber stamp what they say and not review it. We're a Board up here and we're supposed to review it, just like . . . I can submit something and, guess what, the people who had the final say so have got to give the yes or no and, trust me, I've had a lot of no's in my department. So I think us as a Board we can't necessarily just sit down and say that's a good presentation and yes we'll give you everything. That's not why we're up here.

Other items, Mr. Allen, I appreciated your comments and Mr. Babcock, Jr. about your comments about the Board. I guess I could sum it up this way. If people have a heart of humility and service everything runs a lot smoother and that is the key. A heart of service, a heart of humility, nothing else, period. Those two things and things go better. Yes, they may disagree but, you know what, there won't be name calling, there won't be shouting, they won't say anything else. So that is what I would express. For some reason Item K was taken off about the meeting times and I don't know why. But if it comes up again we'll find out. Heart of service, heart of humility, what is it for?

And I think we'll also find out tonight if we do discuss it Item F, the analysis of Trustee Tiahnybok's proposal. We'll find out later if you folks stick around. I see the meeting started at 6:30 tonight and look at how many folks are here. I can guarantee almost everything I own which isn't a lot 5:30 meeting starts we wouldn't have this many people here. I can almost guarantee it. So I appreciate everybody's comment. And just keep in mind if I'm going to be quoted about anything about anybody a heart of humility and service goes a long way. Thank you.

Alex Tiahnybok:

I, too, want to thank everybody for taking time out of their schedules to come and make comments tonight. To the three folks that commented on the Clean Water Utility I'm clearly on record as being very concerned about the implementation of that federal mandate. And I completely understand your perspective that impervious surface is what drives this and not just the number of square acres of land. Most of the time land absorbs water. We talked about this a lot. One question I have of our administration is the Clean Water Utility will be a budget item to discuss here in the near future and I'd like to know when it's going to happen so that the people that are interested in this can prepare for it at that time.

I think some of the speakers were not aware of what Item K was this evening. So when we tabled that item the comments regarding the meeting time continued on. I still absolutely agree and appreciate the comments that were made about meeting times. This is a government of the people, and I understand that for anyone that's involved in the Village as an employee or an elected member we're all dedicating this time to and that's part of the job description. When I ran for this office I knew I'd be here on Monday nights a lot, and if I was not willing to do that then I didn't belong here. I have better things to do with my time also, but we need to recognize that government is for the people and Jeff said it, the evidence is here. It's 6:30 and we need to make this convenient. I don't know what motivation or who decided to put that item on the

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agenda. I'd like to know who did that and I'd like to know why it's been removed if it has been removed. It's an item that motivated a lot of people today, I guarantee you that.

Mr. Babcock, Jr. brought up some interesting points that frankly I missed in my review of the budget from a couple of weeks ago. There is an avenue that I think a lot of organizations, whether it's government or private industry use, when they're trying to solve a short-term problem in that instead of purchasing items they lease it, they rent it. They share it with other entities that would have similar interest in that kind of equipment. Frankly, I blew it. I didn't catch that notion at all. I think it's brilliant. I don't see any evidence of us looking at leasing an end loader so we can load our salt trucks.

Two weeks ago when my proposed budget adjustments were discussed I want to make it very clear that my recommendations included a freeze for all department heads and above. And in the course of my comments I never singled anyone out. I actually never brought up one person's salary. I discussed the process in aggregate, and I showed the savings that would go to the bottom line if those adjustments were made for everyone at department head and above level. I did not bring up Mr. Pollocoff's salary. Mike Serpe did, and there was no other individual salary discussed at all.

I think the reaction of the remainder of the Board to my recommendations spurred a further analysis of how the Village of Pleasant Prairie stacks up versus other municipalities. I personally was shocked that our numbers were basically off scale almost entirely. There were a couple of exceptions that weren't but most were. The reason I bring that up is I have no personal animosity towards any department head at all.

I received a letter and I'm not going to read all of it, but it's dated fall of 2003. I'll read some highlights. This is from a government entity. A reduction in expected State shared revenues in 2004 has forced us to reduce our operating costs. In an effort to survive, many companies are implementing cost savings measures, for example, employees now pay a greater portion of healthcare costs, and I give kudos to Carol Willke for bringing that topic up last year and now we're doing it. Employees now face pay cuts and even in many cases employees are laid off. Thankfully, I have not had to take such drastic action. One of my priorities for the 2004 operating budget was to ensure that operating costs would be reduced so that no employees would be laid off. I am pleased to tell you that in working hard for several months with our department heads we have achieved this goal. No employee will be laid off. A part of keeping our current staffing level, however, means that non represented employees, along with myself and all department heads will not receive a salary increase for 2004. The last comment is I appreciate your hard work throughout the year and look forward to continuing our work together.

I got this after I had my harebrained scheme of a commitment from department heads and every one of us sitting up here to contribute something back to account for the problem we have in the budget. And I'm not going to change my mind about a problem because it is a problem. If you have to go to the citizens to pay for those items that are on the referendum tomorrow it's a problem. Mr. Babcock, Sr., I believe, brought up the fact that these are public safety items. It's hard to say no to a defibrillator. And the point is it was a gesture on my part and I didn't have all the t's crossed and the i's dotted. There are employment benefit aspects of those

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recommendations that add some dollars. There are some other aspects that take away some dollars. My point was a recommendation. Reference was made to how well it was received.

By the way, that letter was from John Antaramian, Mayor of Kenosha, in preparation for the 2004 budget. Right next door, the Mayor. That was his solution and I was absolutely unaware of that kind of measure being taken to solve a short-term problem. I commend him for it, and anyone that says it's impossible and it's not done in the real world it was done two years ago in the City of Kenosha.

I have another letter of a very similar nature. I'm not going to read all of it. But this person says I've been in the business world for 15 years. I've seen cutbacks, frozen budgets, reduced budgets. Multiple initiatives are required for companies to remain competitive moving forward, etc., etc. Basically this kind of stuff happens every day and people need to live with it. And if you work for government you shouldn't be immune to it. Your salaries come from taxpayers who live these extremes every day.

Last question is I was inspired by something that Mike Serpe did a couple of weeks ago. I don't know if this is technically appropriate or accurate, and I know Jean Werbie has got a cold and there are a lot of Plan Commission items. I've said it before and I'll say it again, that's what the Plan Commission is for and they make the recommendations. It's very rare that anybody on this Board actually disagrees with Plan Commission recommendations because that's what they do. They vet these items out and they spend a lot of time doing it. So Mr. Serpe brought up this recommendation and I was kind of shocked by it at first and I thought it was brilliant about it afterwards because some people complain about how much time we spend here and efficiency and all that sort of stuff.

I reviewed the items and maybe today is not the right day to do it but I think it is. Towards the end of one of our long meetings Mr. Serpe said let's roll items whatever it was, F, G, H K and L into a consent agenda and I think it's a good idea. I've identified six items on today's agenda that I think we could that with and those are B, C, D, H and J. That's Plan Commission. You're on the Plan Commission and I challenge anyone here to have any objections to what the Plan Commission recommended. I believe in what they do. I wish I could make all their meetings at 5:00. So anyway that's my recommendation.

I don't know if you guys want to follow me on it or not, but that would be one way to make our Board meetings—again, there may be legal requirements of certain Plan Commission agenda items that get forwarded to the Board that must be addressed and I'm fine with those. But we found out a couple of weeks ago there's plenty of items we can just roll into the consent agenda. It would make Jean's life easier and citizens who come here for agenda items that are way back in the agenda won't have to sit around and wait for so long so I think it's a winner in most respects. I'm done.

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Mike Serpe:

Before we jump into that, Alex, I think we should discuss it a little bit between Mike and Jean as to why we may want to hear some of those items. I have no objection to doing what we did a couple weeks ago either.

Just a couple quick comments. In the last couple days the last few days, I got two phone calls on the referendum. Both people were against the referendum. And my first question to them was do you have any idea what your Pleasant Prairie portion of your tax bill is, the mill rate? Both gentlemen said no. I said, okay, I'm just taking credit for the Pleasant Prairie portion, not the entire tax bill, but your Pleasant Prairie portion this year was \$3.54 a thousand. And they were kind of shocked to hear that when I compared them to any other community in this area with the exception of Paris Township which has no police department, no paramedic service, no planning and zoning, no leaf pickup, no Public Works Department to speak of. So I tried to explain the services that we provide for \$3.54 a thousand and then we got into the referendum issues. I said even if the referendum were to pass, our mill rate would probably be somewhere in the area of \$3.27 a thousand and still be the cheapest and the lowest mill rate of any municipality in Kenosha County except Paris Township which we really don't compare to.

So you ask yourself how are you able to do that? I find myself feeling kind of bad that we kind of went after the department heads in the last meeting to freeze the budgets. I didn't agree with that but it was brought up. Alex brought it up. We're able to keep the mill rate where it's at because of the work of our department heads and our leader, Mr. Pollocoff.

Dick Ginkowski brought this up more than once in his public comments over the last few years, we should really evaluate where this Village needs to be with the mill rate that we don't have to go to the public when we need items, especially items of public safety. And we're way below where we need to be. The City of Kenosha is about \$6.00 a thousand higher than Pleasant Prairie. If you have a \$200,000 home \$6.00 per thousand is a lot of money that you're going to be paying in taxes. Again, I give the credit for the mill rate that we're enjoying to nobody else other than the department heads.

So if, and I know we're going to get into it later, if it comes out that they're getting a few dollars more than what maybe others may be receiving, what are the benefits that we're receiving from their efforts? I think they're huge. If you ask yourselves how many times we had to take ourselves into circuit court or federal court and defend actions that our department heads made, decisions that they made that may have gotten us into trouble we're not doing that. Because when somebody comes to that front counter and asks a question they're given the right answer.

There are municipalities across this country that are paying millions, millions in lawsuit settlements because of decisions that were made by department heads. I hope and pray that we never have to face that. Dick Ginkowski, Dick I don't mean to keep on picking on you tonight but you hit it right on the head. These people could probably do a lot better in the private sector but we're fortunate enough to have them here working for us and I'm thankful for that. Because whether you realize it or not, gentlemen, they are making us look good.

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As an aside, Mr. Allen you made some good points. I apologize for sometimes the way the Board has responded. We're human, we have feelings. I've been on the Board going on 19 years and I've never experienced it this way before until the last year and a half. I don't like it. I don't look forward to Board meetings anymore because of where they could go. It's not fun for me anymore, but I was elected to do the job and I'm going to continue to do that job.

We have to think of all the benefits that we enjoy, all the services that we have and the professional people in charge of giving us those services. And if \$3.54 now going to \$3.11 is too much to pay for all of that, I don't know what—then there's nothing more that I can do.

Steve Kumorkiewicz:

After Mike . . . which by the way I spent time with Mr. Pollocoff at his house one Sunday and one of the neighbors that came from Chicago was surprised that he was going to visit somebody in their house out of the office time. Dick, you're right about having quality, because the quality of the people that we've got working at the Village is excellent. Many times through the years Alex and Lauer can testify to that if they want to Kathy Goessl came to this Board requesting a change in bonds because the interest went down. So she was doing her job in looking for the benefit of the community. If we look at the money that we save in interest for those changes because we have staff working for our benefit.

This Village works as a team. Two members on this Board do not work as a team . . . I was in the Air Force and I was in the Navy . . . aboard a ship or aboard a plane you've got to work as a team or nothing is going to work. Everyone depends on each other. . . . we have to work as a team, but when I read in the newspaper a comments made - so how can we discuss that? We're talking about humility and working together. I've known Mr. Lauer for 30 years and one time he called me up and I took care of it and since he was in office, I've never spent time at his house

We all offer to help. Matter of fact in the last election it was in the newspaper but now we've got to work together. I don't know what happened but nothing happened after that nothing was accomplished. We trust in the ability of the people we've got working here. We've got one of the top administrators in the State . . . the Department of Transportation was here the other day on 165. The lady in charge says that Pleasant Prairie is a community ahead of the times. Last year when we were . . . the RecPlex when somebody from the Department of Administration was over there you were there the same as I was, she says that Pleasant Prairie is one of the most sophisticated communities in the State so we were doing something right. Suddenly everything changes. We've got to work for this community.

When I'm sitting on this Board, to me the Village comes first and the party comes second . . . four or five years ago . . . with Mr. Jeff Lauer for an issue Then we come up to the tax freeze. That was one of the reasons that probably now some people don't understand the problem we've got. I've been living in this Village for 43 years and I saw it grow from 6,000 to where we are today and it's the quality of the people that we've got working here and that's what we've got to keep, keep working as a team from the President to the last person hired in the Village working as a team.

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I spend a lot of time in my car going around and seeing people working and talk to them, public works, police officers, fire department . . . talk to some that are here and go home. It's more than that. Keep in touch with the community by keeping in touch with the people that are working in the Village because you don't buy respect, you earn respect. Maybe we have to start looking at how we're conducting ourselves in general. I think I said enough.

John Steinbrink:

Mike, did you have any response to the citizen comments? You want to cover those?

Mike Pollocoff:

I can do some of those now. I guess with respect to the Storm Water Utility we're looking at doing that I believe in two weeks, adopting that budget. I've directed the staff to consider some of the proposals that we've heard such as do a flat fee, come up with some other machinations that we've heard. I've heard everything from do TR-55 to don't do TR-55. I mean we'll kind of work through that and show the Board some alternatives.

I want to remind the Board, though, that you did receive a very detailed and thorough document and presentation after counsel had reviewed it. That's still there. There are some proposed changes I'm making, and there's some changes I'm proposing to make in how we allocate out some charges. That will be there, and it will be time to make some policy decisions as to how you want to treat storm water. But far be it, I don't want anybody leave thinking that as we put this together over almost the two year period before it was finally adopted, there was a significant amount of work done to come up with a system that addresses a very diverse community in terms of drainage patterns, nature of soils, development patterns, how we as a community have grown and we've grown in different ways over the last 150 years to take all that into account.

Some communities will fit inside the little nut bag pretty easy and some don't and we're one of those that don't. But that being said we'll give you some alternatives to look at and evaluate both on how rates are established and what's going to be funded, what's going to be funded in that utility for the coming year.

With respect to Ms. Devito's comments, I think I probably did say that borrowing is an option. I don't issue the notes. That would be something that the Board would do. Based on Board policy and that's a moving target at times, we've had a policy since 2002 not to issue any debt. I think issuing debt for rescue equipment, the dump truck or a snow plow I wouldn't have recommended it prior to this year. Typically we've tried in previous years to pay for that as we could and the Board would adjust the levy up in those years and we'd buy it, and then the Board would adjust the levy back down when we had made our purchase.

If the Board does decide to issue debt to pay for these things, you're going to pay between 3 and 4 percent in interest and you're going to pay 2 percent for an issuance expense. Getting a bond isn't like a homeowner going to the bank. It's a different process. Frankly, my recommendation if the referendum fails is that the people have told you they're not interested in a tax increase and that's whether you levy it as part of a referendum or if you levy it as part of the debt issue. Then

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you find something else to do and some things we won't do anymore. You go back to the alternatives and figure out what you're going to do. So I'm positive that I didn't recommend debt, but I do owe it to the Board to tell you that that is an alternative that you have if you decide that you need the stuff and there's no money to be had.

I think that there are some other comments that Trustees have made concerning the budget and maybe those items are better addressed as part of our budget discussion later on in the agenda. I'd be glad to go over.

The other thing I want to comment on is why don't we do a consent agenda of Plan Commission items. We have done that from time to time, but you need to evaluate what they are. If it's a certified survey map, if it's a smaller site and operational plan, or if it's something that is not going to be significantly involved in anything else, statutorily the Board cannot waive off your responsibility to the Plan Commission to consider ordinance amendments, to adopt resolutions, make plan amendments.

Even though the Plan Commission has a thorough hearing of that, in Wisconsin the public hearing is held at the Plan Commission level, and the purpose for having the public hearing at the Plan Commission is so that the Board does not or that consideration of that issue isn't unduly politically influenced. The Plan Commission not being elected is not supposed to be politically motivated or driven to make a decision. So that's why we encourage all Board members, it's not a matter that the Plan Commission is doing their job and you don't need to do it, but that's the one point where as Trustees you're able to hear what the public comment is because that's where the hearing is held. The hearing is held at Plan Commission and people are going to come up and fill the auditorium like they are tonight, make their comments, and then you as Trustees are going to take two things. You're going to take the staff report, you're going to take the petitioner's request, and you're going to take the results of what you heard at the hearing to help you formulate a decision when it does come to you before the Village Board.

When it does come before the Village Board meeting it's going to be citizen comments. You'll hear three minutes at citizen comments and it won't be opened up again. We don't send out a whole group of notices to people who are getting Plan Commission items under consideration saying come again to the Village Board and restate your case again. If you think back to some of the more controversial cases we've had there are citizens and petitioners that come and make their best effort to convince you one way or another on an issue at citizen comments. But we haven't opened that up because you haven't sent the notice out to somebody that you're opening it up to a public hearing. That happens at the Plan Commission.

Sometimes there are some things that come from Plan Commission that can be put on a consent docket, but there are significant ones where you guys are going to have to suffer through it and listen to the staff report and listen to the petition and make your decision. I think that Jean makes them as exciting as she can but they are what they are.

I think there's one other budgetary item that doesn't relate to what we'll be considering later on and that's a lot of times people say for what we pay in taxes I don't get any sewer, I don't get any water, I don't get any street lights, I don't receive these things. No one's property tax bill pays

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anything towards any of the enterprise funds. So when you get your property tax bill at the end of the year there's nothing on that tax bill that has a payment towards your sewer bill or your water or anybody else's sewer bill or water or anybody else's street lights. Those charges are all sent as bills to people who actually use those services and they're not on the property tax bill. The same thing for garbage. You get a garbage bill you don't pay for anybody's garbage on your property tax bill.

The Village a long time ago, and we started this in the last '80s and we followed through in the '90s is we've adopted a process of user fees so those things that can be where we can identify a specific benefit where somebody receives that benefit and there's a charge that we can place on it, that happens rather than loading it on the property tax bill. We don't do a lot of it. In the scheme of things it's not a lot, but those are not things that anybody in Pleasant Prairie pays any taxes for. So when you say I don't get any sewer or water, well, nobody else gets sewer or water on their property tax bill either. If you get sewer and water you paid for it and you have the monthly bill forever after that to pay for the cost of having that sewer and water. That's all I have for now, Mr. President.

John Steinbrink:

Alex asked the question who wanted Item K. Well, that's mine, Alex. We've had a numerous number of times. We've started at 5:00. We've started at 8:00. We've started at 7:30. We started at 6:30. We're now at 6:30. Last year's budget we did over 80 hours of budget presentations. The department heads came in, presented their budgets, and I looked from here out into the audience and count the people, I could have had a snow blower accident and counted them on one had yet. That's how many people showed up. Unfortunately, that required staff to be here very late.

The other bad point was most people leave by 9 or 9:30. They head for home. They want to get home. The press has to go home to print their story. I discussed this with John and we kind of like having the press here to hear what goes on so they can get the flavor of what happens at the meetings. It's important that people be here. Alex read the letter from the Mayor. The City starts their Planning Commission at 4:30 in the afternoon. I don't know what kind of games they're playing there or what they're pulling over the public's eye. I don't think it's much. It's a pretty credible place down there to have a lot of credible people on that Commission. Ours is at 5:00. The petitioners, participants, they're all there for the meeting. If somebody has a scheduling conflict we put their item later on the agenda so that they have the right to be there, to be heard and to present their item.

The comment was made that bad things happen when meetings are early. I think worse things happen when meetings are late and there's nobody there to hear, to see, to watch. But we try and look for a reasonable time. That's why I wanted to bring the item up again to look at the starting time for the Village meetings because tonight we have some people here. Apparently the time thing gets them stirred up they to show up. Once we vote on it nobody shows up again. When you present a budget like ours, you present 80 hours of presentation and nobody is here that's kind of sad. It's your tax dollars.

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We touched on briefly what the Village mill rate is, what you pay on your home. Are we going to have a presentation and show what comparables are to other communities? That you can take what you pay to the Village and measure that to other communities, and at the same time I want you to measure the services you receive from the Village, your snowplowing, your fire protection, the paramedics, the amount of skill and training they have and the high level of service we provide in this Village for your tax dollar. I think we get a pretty good bargain here. You can disagree, but then you can also look at what you pay in another community and I think you'll come back to saying Pleasant Prairie is a pretty good place to live. We're pretty proud of it. We're proud of the people that work here. We're proud of the people that live here. This is a pretty united community. There are some people out there that say nothing is quite good enough, but I guess that's in every community. I think the people here are what make the community.

So I think at a later date we're going to look at the Village starting times again, probably put a little more together on it. This year we went through the same thing with the budget. Maybe not quite as many hours but it was still the same number of people unfortunately. People should be here to see the budget. If it's too early they can't make it. If it's too late they have to go home. What's the ideal time? I don't know. That's why we wanted to talk about it. If there are no further items we'll move on?

Steve Kumorkiewicz:

Just a short comment, John. Mike, the presentation from Mrs. Schoen and Mr. Driscoll we should take them into consideration, too. Maybe Bob Martin can go through the figures and take a look at those.

Mike Pollocoff:

Of course we'll look at it. I think that at that meeting we'll make sure everybody gets a copy of it. If you think that you prefer Mr. Driscoll's method to our engineers then you can direct staff to come up with Mr. Driscoll's method. As far as us rebuilding his method, I think that you've already received the Village's recommendation from our staff and our attorney as to what's going to be most advantageous and the method of charging that that's defensible. We'll refine that even further so that it is more specific. But, as an option if you guys want to go to a flat rate and take the Clean Water Utility and take away the utility status from it and just do it based on a per parcel basis then we'll give you that option. We'll show you what that one does as well.

Steve Kumorkiewicz:

And the second comment I've got here is when you talk about putting the Planning Commission agenda just in the consent agenda I don't think anybody here in the room in the meeting . . . we need to approve Plan Commission to the Village Board. If something is missed in the report it can be caught at the Village Board level. You remember the DOT 233 concerning the jug handle going from Highway 50 to Green Bay in the Chili issue that the City overlooked and you catch it. That was reopened again, corrected, approved and Chili's was built. Do you recall that? . . . we were supposed to pay for the piece of property and the State pay half and we pay half . . . Mr. Pollocoff caught that problem and saved the Village in the future a lot of money. That's why

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some of the issues have to be brought up to the Board and not on the consent agenda. That just gives you an example.

John Steinbrink:

We've got quite a few items on the agenda this evening. Alex?

Alex Tiahnybok:

Just two quick comments. I did specifically say that items are not legally required to be reviewed from the Plan Commission, non controversial items, items that we would all review in advance and we'd be satisfied that approving it would be okay. I think that at every meeting we should have a lineup of items that normally would be presented, optionally could be consent agenda items. That's what I'm recommending. I never said absolutely all the items. I said appropriate items.

John Steinbrink:

Okay, this not being an agenda item I'm going to close the comment on this. We will bring forward a discussion on it at a later time and the facts from Ms. Werbie and the attorney about the appropriateness and the requirements of presenting these things because we do have legal opinions on these. Your other comment?

Alex Tiahnybok:

My other comment is, and I was intrigued by Mike's comment about John Q's reaction to the impact of the referendum, the Village portion. If you take, say, a \$200,000 house with the current Pleasant Prairie environment, being in the other taxing authorities that we live in results in about a \$3,600 total tax bill. That's what people see. Just to parse out the Village part of that, if the total tax bill is about \$3,600 on a \$200,000 property, the Village part currently this year would be about \$700. We compare ourselves to other entities that we suggested we'd never want to be like but they can afford the items that are on the referendum now. A \$5 mill rate on \$200,000, simple math, is \$1,000. That's \$300 more for a \$200,000 property. A \$6 mill rate which was thrown out, too, is \$1,200. So it would take that total tax bill and it would either make it \$3,900 or it would make it \$4,100. So in terms of total tax bill the thing that this leads me to, though, is that's why, and I've been harping on this all along, that's why assessments, the evaluations, are so important. Our \$700 of that \$3,600 is a relatively small portion. We put it in our newsletters that we're less than 20 percent, 19 percent or something like that of the total tax bill. And yet those assessments, and that's what I keep talking about, are what drive the total tax bill.

Another factor that was brought up, and I don't know how this would impact the entire picture, but it's been said in previous meetings that a \$5 mill rate is the break point for where you start receiving more assistance from the State. We're sending \$20 million out and we're getting less than \$1 million back. So if you're at a \$5 mill rate how much cash would that bring back to Pleasant Prairie. So those are things I'd like to probe and just to put those differences into perspective the difference between—

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Anyway, I just want to finish my comments. That is when we compare ourselves let's say at \$3.50 rate resulting in \$700 to a \$5 rate which would result in \$1,000, I'm not saying I want my taxes raised, believe me, but that difference if we're really concerned happens to be the same amount that the retired widow that Mr. Driscoll and Diane Schoen and Sherri Chmielecki have been talking all along. That's the \$300 Clean Water Utility difference. That's why it matters so much to those people. It's the entire difference between a \$3.54 and a \$5. And at \$5 we get cash. And how much cash do we get? I want to know how much are we not getting because our mill rate is low?

Mike Pollocoff:

You're probably missing about \$60,000 in the first run. It increases as your mill rate goes up. I think the argument that the assessment is the problem at the end of the day it's the levy that's the issue. You can talk about assessment rates for any different community, but at the end of the day whether it's the Village or the County or the School District or Gateway it's the budget that they demand. That's what affects what you pay on your tax bill. If you live in a house that has higher value and it's increasing in value, you're going to pay proportionately more because your house has more value. If you live in a home that doesn't have that increasing value in it you're going to pay less. That's what it is. We've talked about that for quite a while now and I don't know that anybody changes that but that's how taxes are paid in Wisconsin. That's how the apportionment is done under the equity clause of the Constitution and that's where we're at.

I think to say the difference between our community and a community of five mills is the clean water fee that's a non starter. It might be for some people but it could be that way for somebody that uses a lot of water. If you have something that is typical on your parcel that's what's going to show up.

John Steinbrink:

Other comments or questions?

8. ADMINISTRATOR REPORT

(Speaker Noise/Recording Stopped/Resumed)

Mike Pollocoff:

. . . development will help those people go through retraining. We'll assist KABA and WisPark with whatever help they need. Deluxe didn't own that building. They leased it, so they'll get another tenant in there.

The other thing is as we come into the season here for campaigns, the one thing I'd like the Board to look at and I think mostly so that there's open information floating around with everybody is the department requests for information so that everybody has equal access to what's going on. From the staff's standpoint we're not serving anybody on the Board differently than we are

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anybody else. As an example, we received a request from Jeff to get an e-mail of all the impact fee funds that have been collected with the pool along with the person's names, address and phone numbers and how much they had paid towards the impact fee. We're going to have to assemble. We don't have a problem with doing it, but I'd like to make sure that everybody has access to it. I'd like to make sure that everybody has access to whatever comes in as a request so we're not in a position where we're doing anything that isn't above board.

We can give you probably an e-mail site where the Board can pick that stuff up. If you choose to use it, you choose to use it. If you choose not to use it, you choose not to use it. It's your call. I think from our standpoint it puts, one, if there's really valid information that needs to be out there that everybody should know everybody should have a shot at. If there isn't then that stands on its own as well. Nothing directed at Trustee Lauer's request, but it just brings up to mind that getting information out there to everybody is probably a good thing. That's all I have, Mr. President.

9. NEW BUSINESS

- A. Receive Plan Commission Recommendation and Consider a Zoning Map Amendment (Ord. #06-53) to correct the Zoning Map as a result of a wetland staking completed for the undeveloped property located at the approximate 9900 Block of Lakeshore Drive (west side of Lakeshore Drive) and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District and to rezone the portions of the property that are not wetlands into the R-5, Urban Single Family Residential District.**

Jean Werbie:

Mr. President and members of the Board, on August 15, 2006, the Village received an application from Robert Foster on behalf of the property owner, Lois Foster, for a wetland staking to be completed on the undeveloped property located at the approximately 9900 block of Lakeshore Drive. The property is further identified as Tax Parcel Number 934-123-203-0170 and also referred to as Lot 9 of Block 34 of the Carol Beach Estates Subdivision, Unit No. 4.

The received a letter dated September 7, 2006 from SEWRPC that indicated that the plat of survey correctly surveyed and identified the wetlands on the property as field staked on January 6, 2006. On September 25, 2006, the Plan Commission approved Resolution 06-18 to initiate the zoning map amendment to correct the zoning map as a result of the wetland being staked.

The Plan Commission held that hearing and recommended approval. Therefore, the field delineated wetlands that are on the property are being recommended to be placed into the C-1, Lowland Resource Conservancy District. The staff and the Plan Commission recommend approval of zoning map amendment Ordinance #06-53 then to correct the zoning map as a result of the wetland staking being completed.

I might just add that there was a question that had come up at the Plan Commission meeting as to where, if at all, that there was buildable land area on that property if, in fact, someone was

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attempting to place a house on that property. So we have identified the area in yellow on the slides that has referenced that area of the property that could place a single family home. We do have minimum requirements within the R-5 District, so the minimum first floor would have to be 900 but the minimum total square footage of a home placed on this property would have to be 1,200 per the R-5 zoning district. The staff recommends approval of Ordinance #06-53 as presented.

Mike Serpe:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion and a second. Further discussion?

Alex Tiahnybok:

Jean, this property sounds awfully, and I didn't bother comparing the parcel numbers before and I should have, but this parcel sounds an awful lot like the—

Jean Werbie:

I know what you're going to say. It does sound and it is across the street. It's almost identical. Its a few doors away from the other property that we had on the agenda the last time. So it's in the same general area or vicinity of the last wetland delineation.

Alex Tiahnybok:

And also similar to Ron Sierra's property, correct?

Jean Werbie:

That's correct.

Alex Tiahnybok:

In terms of encumbrances because of wetlands and all that sort of stuff?

Jean Werbie:

That's correct.

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Alex Tiahnybok:

Because this will enable them to use the property, right?

Jean Werbie:

This will, in fact, allow that.

Alex Tiahnybok:

And how is it different?

Jean Werbie:

And actually Mr. Sierra's item is going to be on the next Plan Commission agenda on November 13th and the Board meeting of November 20th. One of his wetlands has been down classified as interdunal swale by the Wisconsin DNR and the Corps of Engineers, so in that case he will only have one wetland left on his property, and this one actually has two locations or one location but it's actually impacting the front and the back.

Alex Tiahnybok:

The benefit is similar then?

Jean Werbie:

Yes.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #06-53 TO CORRECT THE ZONING MAP AS A RESULT OF A WETLAND STAKING COMPLETED FOR THE UNDEVELOPED PROPERTY LOCATED AT THE APPROXIMATE 9900 BLOCK OF LAKESHORE DRIVE (WEST SIDE OF LAKESHORE DRIVE) AND TO REZONE THE FIELD DELINEATED WETLANDS INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT AND TO REZONE THE PORTIONS OF THE PROPERTY THAT ARE NOT WETLANDS INTO THE R-5, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT, SUBJECT TO STAFF COMMENTS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

- B. Receive Plan Commission Recommendation and Consider Resolution #06-50 for the request of Mary Kay Buratto, agent for Vintage Parc, LLC for Preliminary Condominium Plat for Vintage Parc to be located on the 14.5 acre property located at the southeast corner of STH 165 (104th Street) and Old Green Bay Road.**

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Jean Werbie:

Mr. President, I would ask that item C be taken up at the same time. I will be making one presentation, and both the preliminary condo plat and the zoning map amendment relate to the same property.

LAUER MOVED TO CONSIDER ITEM B AND C AT THE SAME TIME; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

C. Receive Plan Commission Recommendation and Consider a Zoning Map Amendment (Ord. #06-54) for the request of Mary Kay Buratto, agent for Vintage Parc, LLC to rezone the property located at the southeast corner of STH 165 (104th Street) and Old Green Bay Road from the R-4, Urban Single Family Residential District to the R-10 Multifamily Residential District.

Jean Werbie:

Mr. President and members of the Board, the developer is requesting approval of the preliminary condominium plat and a zoning map amendment to the proposed Vintage Parc Condominiums. This project is located south of Highway 165 or 104th Street and to the east of Old Green Bay Road. Two public streets enter and traverse the property, 65th Avenue north/south and 105th Street east/west.

The second area of the slide identifies the proposed property to be rezoned from, again, the R-4, Urban Single Family Residential District with the UHO Overlay, to an R-10, which is a multifamily designation with a UHO overlay.

The previous approvals for this particular project have been granted by the Village and the Plan Commission in 2006. There were three, the first of which was a comprehensive plan amendment on March 27, 2006. The Plan Commission approved Resolution 06-06 to amend the Village's Land Use Plan by removing the Urban Reserve designation from the property.

The second approval was the neighborhood plan amendment, again, also on March 27, 2006. The Plan Commission approved the resolution 06-07 to amend a portion of the Lakewood Neighborhood Plan in order to incorporate the design and the layout of this condominium development.

Then next on April 3, 2006, the Village Board conditionally approved a conceptual plan for the proposed development. The Vintage Parc Condominiums is proposed to have three 6-unit buildings and twelve 4-unit buildings.

Under the preliminary plat which was the first item, the site is approximately 14.3 acres. 3.4 acres of land will be used for public road right of ways. The net density is 6.1 units per acre, and population projects at full build out of this development are 180 persons, 41 school age children or 28 public school age children. And this information has been forwarded to the Kenosha Unified School District to assist them with their long-range planning.

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With respect to open space on the site, there are no wetlands, floodplains or proposed public parks on this particular property. There is a 35 foot wide landscape easement along Highway 165 for berming and landscaping adjacent to the highway. And, in addition, trees along a portion of the eastern property line that abut up to another private property those areas will be preserved in a woodland preservation and protection easement.

Site access, as I mentioned, will be to the site from a north/south road of 65th Avenue from 165 and an east/west public road, 105th Street, from Old Green Bay road.

Earlier this evening the Village Board adopted the temporary cul-de-sac diameter as reduced from the Village's Land Division and Development Control Ordinance. As approved by the Board this evening, the diameter will be reduced from 120 feet to 100 feet for the two cul-de-sac islands at the end of 105th Street and 65th Avenue. Again, these are intended to be temporary cul-de-sacs without islands as those roads will eventually extend to the east and to the south.

Under public improvements, the entire site will be serviced by municipal sanitary sewer, water, storm sewer, curb and gutter, urban profile roadway system. All of this will be at the developer's cost. The Village does not subsidize any development. Any additional costs that would be needed for future improvements to 165 or the adjacent intersections will be borne by the developer and is spelled out in the staff comments.

An on-street bike trail on Old Green Bay Road, pursuant to the Village's Park and Open Space Plan that was adopted on March 13, 2006 will address a future on-street bike trail on Old Green Bay Road adjacent to the development. This will be constructed at the same time that the roadway is widened. There will be some improvements as part of the Highway 165 project. A roundabout is proposed at the northwest corner of this project at 165 and Old Green Bay Road. So an adjacent commercial development and this development, the timing of those two, will determine exactly when that first roundabout on 165 is placed at the developer's cost.

Off-street bike trail on Highway 165, again, the Park and Open Space Plan which was adopted on March 13, 2006 identified a future off street bike trail. The Highway 165 plans, I'm not sure who was all at the hearing that was held this past week, we had a third public informational meeting held by the Wisconsin DOT that identified through their cross-section where and how the bike trail would be constructed. You can't really see it right now, but behind the voting booths when they're no longer there after tomorrow residents can come in or any interested party can come in and take a look at what the proposed cross-section is for the bike trail along 165.

With respect to a right of recovery for this project, a ten year right of recovery could be afforded to the developer for off site water improvements that he installs in Old Green Bay Road. The developer has requested that the Village Board host a public assessment hearing to consider this right of recovery which will be in the near future. The actual costs for the improvements shall be provided at the time the final engineering is completed.

What a right of recovery means is that property owners on the west side of Old Green Bay Road would be required to pay the water special assessment cost, their fair share, only if that owner

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chooses to connect to the municipal water main or if any new homes or new future commercial development is constructed or any new lots are created. The situation with the ten year right of recovery is that if it's after the tenth year there will be no obligation to reimburse or repay the developer for his initial cost that he paid up front for the municipal water improvements in Old Green Bay Road.

The zoning map amendment this evening then is to rezone the property from R-4 (UHO) to the R-10 (UHO). When we have the very specific detailed planned unit development language completed, when we finalize all of the colors and the materials, as you can see when working on the board over there, we were working with the developer this past week, we didn't agree on all the color samples that they had initially presented. And so we only have one shown right there and we need to work through those final colors and those details and bring those back before the Plan Commission and the Board. We'll be doing that with them over the next several weeks. Those are some of the details that need to be included in the planned unit development which is that zoning overlay for this particular property.

The developer then this evening is requesting conditional approval of preliminary condominium plat and a zoning map amendment for the proposed Vintage Parc Condominiums. These approvals would be subject to the comments and conditions as attached in your packets. And these include the condominium declarations as well as all of the engineer's and the fire departments and all the other comments and conditions as we have in the packet. The Plan Commission recommends approval subject to the conditions and comments as outlined in the staff memorandum.

Mike Serpe:

Jean, you brought up about putting signage in the cul-de-sac that's going to be created to remind people that that road will eventually go through. When this whole project is turned over to the homeowners association, condo fees are going to be collected, is that correct, for maintenance fees? And a packet is going to be handed out to all the homeowners that are going to be living there?

Mary Kay Buratto:

My name is Mary Kay Buratto. My address is 234 East Reservoir Avenue, Suite 402, Milwaukee, Wisconsin, 53212. And I'm here representing the Vintage Parc Development. And, yes, the declaration bylaws are typically given to the owner both at the closing but also presented when they first put their earnest money down so that they are aware of what is going to happen there. I've lived in a condominium, I've lived in several actually over my lifetime, and not everybody always reads them but they're provided. We will be doing the same thing and we will be making sure they have a copy of it.

Mike Serpe:

The reason I'm bringing this up is the last couple years the Board and one of the neighborhoods in this Village had an unfortunate disagreement going on that caused a lot of problems. To avoid

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something like that in the future I'm wondering if that would be possible to put that notice in each packet that the people are going to receive that that road will eventually go through so we don't have to experience what we did the last couple years with Prairie Trails West. That way everybody knows. They can't say they didn't know. Because you're right the cul-de-sac will look like a finished product and all of a sudden you punch it through and they say what are you doing. This way if it's up front in the beginning there can't be that much problem. It would only take a piece of paper that they would be made aware of if that's possible.

Mary Kay Buratto:

We would have no objection to that. It depends on how your staff and the Village Board feels. We have no objection to that at all. We'd be more than happy to do that.

Mike Serpe:

Thank you.

John Steinbrink:

Other questions?

Jeff Lauer:

Jean, for the bike trail do you know about how far off 165 that is? Is it far enough if cars going down we don't have to worry about somebody getting—. Just so the Board knows, and the reason I'm asking, I just want to make sure if we as a Board are okay with it, because obviously 165 is kind of a speed issue at times. I just don't know how close bikes will be to that traffic especially if you have kids on them.

Jean Werbie:

Depending where you are on 165, there might be a 12 foot lane, a 12 foot lane, and then a 4 foot bike lane next to that. And then in another location there's a 12 foot lane and then an auxiliary lane and then the 4 foot bike lane is within the auxiliary lane. So either way it's on 165 and will be marked and striped on 165.

Jeff Lauer:

Okay, thank you.

John Steinbrink:

Other comments or questions for the petitioner? Thank you.

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SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #06-50 FOR THE REQUEST OF MARY KAY BURATTO, AGENT FOR VINTAGE PARC, LLC FOR PRELIMINARY CONDOMINIUM PLAT FOR VINTAGE PARC TO BE LOCATED ON THE 14.5 ACRE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF STH 165 (104TH STREET) AND OLD GREEN BAY ROAD; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

TIAHNYBOK MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #06-54 APPROVING A ZONING MAP AMENDMENT FOR THE REQUEST OF MARY KAY BURATTO, AGENT FOR VINTAGE PARC, LLC TO REZONE THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF STH 165 (104TH STREET) AND OLD GREEN BAY ROAD FROM THE R-4, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT TO THE R-10 MULTIFAMILY RESIDENTIAL DISTRICT; SECONDED BY LAUER; MOTION CARRIED 5-0.

John Steinbrink:

Before we move on to Item D, I wonder if I could indulge the Board to move back to Item 7, Village Board Comments. There was something I wanted to bring up that was brought up to a previous meeting and I wanted to bring it forward.

KUMORKIEWICZ MOVED TO RETURN TO VILLAGE BOARD COMMENTS; SECONDED BY SERPE; MOTION CARRIED 5-0.

7. VILLAGE BOARD COMMENTS

John Steinbrink:

A couple or a meeting or two ago it was brought up about honoring veterans and a lady in the audience brought that up. And doing that by the naming or placing of some memorial somewhere in the Village. And we had looked at it at one time looking at a veterans area in the park. I think there were some dollars left available for that. I think I'd like to have that brought forward to the Park Commission. Would that be the appropriate ones to look at that?

Mike Pollocoff:

Right.

John Steinbrink:

And we could look at the ball park pavilion. I think we talked about that at one time, and doing some sort of memorial or area there. We have certain areas we like to designate throughout the park and this may be an appropriate area. So, Mike, if you could direct the question to the Park Commission.

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Mike Pollocoff:

Sure. As you recall Ed Kauffman when he died left us with some money to do that and there were some donations made to create a veterans memorial, and there is a plaza at the ball field pavilion, as well as the ball fields that could be suitable. I'll definitely bring that up with the Park Commission. I think they're meeting Wednesday so we probably even have time to amend their agenda and get that out.

John Steinbrink:

I think with keeping Ed in mind and what was brought forward it may be a timely thing to do. I apologize for bringing that up. Usually at the end of the agenda we used to have such other matters as authorized by law but that's no longer there. So we'll move back to Item D.

9. NEW BUSINESS

D. Receive Plan Commission Recommendation and Consider approval of Conceptual Plan for the request of Phil Godin, agent for Sunny Prairie, LLC owner of a 4.7 acre property generally located between 45th and 47th Avenues at 109th Street for the proposed 5 single family lots to be known as Sunny Prairie.

Jean Werbie:

Mr. President and members of the Board, the petitioner is requesting to subdivide the 4.7 acre property generally located between 45th and 47th Avenues at about 109th Street for a proposed five single family lot subdivision to be known as Sunny Prairie. This proposed subdivision is just to the west and south of Whispering Knolls subdivision, and it's also kind of kitty corner to the north/northwest from the Mission Hills development.

Pursuant to the Village's Comprehensive Plan, Sunny Prairie is located in the Prairie Lane neighborhood. It's classified as low density residential, and the lots are an average of 19,000 square feet or more per dwelling unit. And this development does comply with that requirement.

The Sunny Prairie conceptual plan has five single family lots and one outlot. The lot sizes range from 23,003 square feet to 40,403 square feet. So from about a half acre to an acre in size. The average lot is 31,357 square feet.

There is a small area in the very south central portion of this development that the developer is going to be transferring some property to the adjacent landowner. It's an area where there's a stand of trees and some additional open space that that adjacent landowner had some interest in, so the developer is transferring that land to the property owner to the south.

The net density for this development is 1.27 units per net acre. With respect to open space, the site has approximately one acre or 25 percent of the entire site proposed to remain in open space. There is a large wetland in the north central portion of the site which is approximately 25,760 square feet. The site was field delineated by SEWRPC on August 3, 2006. This wetland is

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intended to remain in conservancy with the proposed conservancy zoning. There are some woodlands and trees that were greater than ten inches in size identified on the property. Some of these are located along 47th Avenue and, again, there are a few of them along the south end of the property which actually is going to be boundary adjusted to the land to the south.

Under other open space, .39 acre of other open space will be included within Outlot 1. There's going to be a retention basin also in Outlot 1. Outlot 1 is to be used for storm water retention as well as open space.

The zoning map amendment requested for this property will be from an A-2, General Agricultural District, and they are proposing to go into the R-3, Urban Single Family Residential District. That district requires that the minimum size lot be one-half acre or approximately 20,000 square feet with 100 feet of road frontage.

The area that was field delineated as wetlands would be placed into the C-1, Lowland Resource Conservancy District. That area of the non wetland portion of Outlot 1 would be placed into the PR-1, Park and Recreational District. The only change to that, again, is that small strip of land that's proposed to be detached and attached to the property to the south. We're recommending that that be zoned R-4 to be consistent with the attachment of the parcel just to the south.

For public improvement and construction access, no additional right of way will be required to be dedicated on 47th Avenue, and because Whispering Knolls, an existing development, is actually just completing their second phase of improvement, a small eyebrow extension at the intersection of 45th Avenue and 109th Street will allow for two lots to be created at that location. The entire development shall be serviced by municipal sanitary sewer, water and storm sewer. Again, the developer is responsible for all those costs associated with that construction.

Construction access for the public improvements and house construction will be from 47th Avenue for the homes on 47th, and for the two that are off of 45th Avenue, they will come in off of 47th Avenue at 108th and then go south on 45th to access the site for those two lots. The Sunny Prairie conceptual plan then, again, will consist of five single family lots and one outlot.

The Plan Commission and the staff recommend approval of the conceptual plan subject to all the comments and conditions as outlined in the staff memorandum.

Steve Kumorkiewicz:

It was discussed thoroughly by the Plan Commission.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CONCEPTUAL PLAN FOR THE REQUEST OF PHIL GODIN, AGENT FOR SUNNY PRAIRIE, LLC OWNER OF A 4.7 ACRE PROPERTY GENERALLY LOCATED BETWEEN 45TH AND 47TH AVENUES AT 109TH STREET FOR THE PROPOSED 5 SINGLE FAMILY LOTS TO BE KNOWN AS SUNNY PRAIRIE, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY LAUER; MOTION CARRIED 5-0.

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- E. Consider the request of Warren Hansen, P.E. of Farris, Hansen & Associates Inc. agent, for Country Corner LLC, owner of the property generally located on the east of 88th Avenue at 72nd Street for an extension of the Conceptual Plan approval for the proposed 8 lot single-family subdivision to be known as the Edgewood Subdivision.**

Jean Werbie:

Mr. President and members of the Board, the proposed Edgewood Subdivision would be located on the east side of 88th Avenue at 72nd Street. This is just north of Highway 50 and east of 88th Avenue. This is a project that has been before the Plan Commission and Board a number of times with respect to extensions for approval. The Edgewood conceptual plan identifies eight single family lots and one outlot. The one outlot is in the southeast corner of the development. It shares a wetland and a retention basin. The site is 4.62 acres. Approximately .79 acre is open space. The lots range in size from just over one-third acre to just under a half acre. The average lot size is 15,778 square feet. The net density is 2.43 units per net acre. Under population projections, 22 persons would likely come at full build out of this development along with 5 school age children or 3 public school age children.

You will remember this is a project that was before you a couple of years ago. A couple of things had happened with respect to the developer of this particular project. He actually died, and his wife actually put the project on hold for a couple of years. She now wants to resurrect the project and move it forward and submit the preliminary plat before the end of the year. Up until this point we had just renewed as requested the conceptual plan because typically a conceptual plan is valid for one year at a time, and within that one year you need to submit your preliminary plat and move to the next stage or the next step.

The staff recommends approval of their request. It's up to the Board how long of a time period that they would like to request the extension for. What they have indicated in their letter to us is that they would like to be submitting the preliminary plat for this project sometime before the end of the year, so if the Board would like to grant a six month extension I think that that would be fine. The developer just needs to understand that any ordinance changes or modifications or rule changes that have been applicable to other conceptual plans in this intervening year and a half year period, that they would be applicable and we would bring those conditions in with the preliminary plat consideration.

Staff recommends approval of a six month extension to submit the preliminary plat subject to the comments and conditions as outlined in the staff memo for the conceptual plan as well as any new items that have come to light in the last year from the Village Board.

Mike Serpe:

So moved.

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Steve Kumorkiewicz:

I'll second with a question. One question for Jean. Jean, the cul-de-sac that's over there that's at the end of the dead end street right now, that's where we have the dead end street . . . that's 72nd, right, or is that 73rd?

Jean Werbie:

This would be a dead ended cul-de-sac. It cannot extend further to the east. We run into floodplain and conservancy and then we hit into the City of Kenosha.

Steve Kumorkiewicz:

That street is right there

Jean Werbie:

This is all we could do. We've looked at it and the City of Kenosha kind of developed up to the north and around it. They did not provide any provisions to extend any road connections. In fact, we've got wetlands and floodplain that would prohibit any extension on this property anyway.

Steve Kumorkiewicz:

Thank you.

SERPE MOVED TO GRANT THE REQUEST OF WARREN HANSEN, P.E. OF FARRIS, HANSEN & ASSOCIATES INC. AGENT, FOR COUNTRY CORNER LLC, OWNER OF THE PROPERTY GENERALLY LOCATED ON THE EAST OF 88TH AVENUE AT 72ND STREET FOR A SIX MONTH EXTENSION OF THE CONCEPTUAL PLAN APPROVAL FOR THE PROPOSED 8 LOT SINGLE-FAMILY SUBDIVISION TO BE KNOWN AS THE EDGEWOOD SUBDIVISION; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

F. Present analysis of Trustee Tiahnybok's proposal to reduce the Village levy by \$196,000.

Mike Pollocoff:

Mr. President, at our last Village Board meeting, Trustee Tiahnybok made a verbal presentation of proposed cuts in the FY 2007 general fund budget to reduce the property tax levy or build a fund balance in the Village's capital improvement fund. The staff was unable to analyze or provide comment on the proposals at that meeting since we had no spread sheet or information presented prior to that meeting or during the meeting. I've attached an analysis of my review of Trustee Tiahnybok's proposals and some modifications and recommendations on the proposed cuts that are being made.

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With respect to salaries, there's definitely a component in salaries that's more than just pay. In Trustee Tiahnybok's proposal he excluded those benefits that related to pay directly which is Social Security, Wisconsin Retirement, life insurance, Worker's Comp. Consequently, the savings that he had indicated where possible need to be increased by \$5,823 to true those up to actual expense.

The Village general fund allocates expenses of various fiduciary funds and revenues that are off tax roll. So under this freeze the Director of Community Development, the Village Engineer, the Superintendent of Building Inspections compensation are funded from fees and charges for services that they render to specific users. They are not supported by property taxes. This overstates the savings by \$9,116.

Alex Tiahnybok:

Mr. President, point of order. What's the purpose of this. We already voted. We voted on the budget. I'm trying to honor Mr. Babcock, Jr.'s and Mr. Clyde's recommendation that we try to get along. What's the point of this? Are we bringing any new items—are these new recommendations or are we just rehashing what we already discussed last week and we voted three to two to further the process of the referendum? What's the point of this? I'm not going to sit here and have every recommendation I made nitpicked.

John Steinbrink:

The last meeting you provided no information to the Board or to the staff on this. Presented it out there as if it was gospel. Not to nitpick you, but there were quite a few errors in that.

Alex Tiahnybok:

It was voted down.

John Steinbrink:

And it was reported as the Village could have done this much more to lower the budget. And this is simply clarifying those points for our information and for yours so that we get an accurate accounting of those numbers and what the effect would be and what they actually total up to. So, Mr. Pollocoff, you will continue.

Alex Tiahnybok:

Is this an actionable item? Are we going to do anything with this or are we going to sit for an hour and listen to—we voted it down. Let's move on.

Steve Kumorkiewicz:

I'd like to know what it's all about.

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Mike Serpe:

Alex, yes, it was voted down. But the fact of the matter is it made the paper the next day in detail. I called Mike and said where did that come from? And he called the paper and found out that you had given your analysis to the *Kenosha News* but not to any of us. That was printed and since then I've been doing a lot of answering of concerns from people that what's going on, you're paying your department heads all this money. So you really hit us between the eyes and gave us no opportunity to defend ourselves and that's what Mike is doing tonight.

Alex Tiahnybok:

Should we talk about opportunities where there was no information provided before a meeting? Do we want to go down that road?

John Steinbrink:

I'm going to cut this discussion here.

Mike Serpe:

Just one other last comment. I'm not getting in your face on this or anything. But this is a perfect example of before you brought this forward two weeks ago you should have met with Mike prior to and discussed this with him. That's what we've been recommending to you for the last year and a half that you don't come in and discuss these things with the department heads or with Mike. You come in and kind of sort of shoot from the hip and this is what happens. Now you're upset because we're going over this. We were upset because you brought it forward and you created a headline for yourself and now we're responding and you're upset again. Come on, you can't do that to us.

Alex Tiahnybok:

I provided Mr. Pollocoff a copy of my spreadsheet the day after because he requested it through another channel. I gave it to him directly. The data was there. Again, there's a precedent established for information not being shared before a meeting. If we want to go down this road let's continue on. I advise we stop. But if you want to go down this road I can provide examples. Again, I don't see the point. We're not going to accomplish anything. But if you want to do it.

Jeff Lauer:

Motion to take this item off, the item like Item K.

Alex Tiahnybok:

It's not actionable. What are we doing? Call the question? What question?

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John Steinbrink:

The budget we voted on was based on the numbers presented. And in your report you stated those numbers weren't looked at carefully and there was more room for cuts. This is to address your statement, comments and presentation. I think it's fair that we address those to prove the legitimacy of the budget and it's presentation.

Alex Tiahnybok:

Does this piece of paper look familiar to anyone?

John Steinbrink:

Mike, do you want to continue?

Alex Tiahnybok:

You remember when we got this?

Mike Pollocoff:

Yes.

Alex Tiahnybok:

Advance notice, time to peruse and analyze. Go ahead, keep going.

Steve Kumorkiewicz:

Why do you have to be so . . . Alex.

John Steinbrink:

Okay, this about the budget. This is what we voted on.

(Inaudible)

Mike Pollocoff:

Point of order.

John Steinbrink:

Sir, you had your chance to speak during citizens' comments. If you want a true representation of the budget we're going to listen to the Administrator and let him present it. This is what we spent many, many hours on. To say we didn't have time to respond when we gave you an extra week,

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an extra week I think is inaccurate and unfair. So, Mr. Pollocoff, I would ask that you continue to give the Board a review of these items so that we can have an accounting and actually get a true perspective. And this may help in the future to show you what we do as part of the budget and where these things go. Because apparently there were questions out there and unanswered questions. But, Mike, if you could continue.

Mike Pollocoff:

I might add, Mr. President, I think in going through this there still may be some reductions that Mr. Tiahnybok proposed that the Board may want to consider. The budget is a collaborative effort. That's why we have all the meetings we have on it. At the meeting to not even have the document in front of you to respond to or look at it makes it difficult for the staff to, one, provide any meaningful feedback to the Board or to anybody else that's at the meeting. The fact that we're here is because we didn't see what the proposal was until the next day.

It's indicated that the salary savings is overstated by \$9,116. The Village Assessor is compensated both by the tax roll and by the assessing consortium, so the salary savings in that account were overstated by \$1,082. The Village Administrator contract is not subject to unilateral adjustments. Salary by the Village Board that claim is overstated by \$3,844. The IT Director, HR Director, Finance Director, Street Superintendent and park Superintendent are all funded by other fiduciary funds which would be anything ranging from RecPlex, the TIF District, Sewer and Water, Clean Water, those funds take salaries off the tax roll and that overstates the savings by \$4,573. The total overstatement of savings by freezing department head salaries is \$16,421, so the net savings would be \$13,272.

With respect to reduction of telephone expenses, Trustee Tiahnybok proposed using the 2006 budget for 2007, and in his presentation he had pulled those numbers off the year to date column rather than the budget column so consequently savings were understated by \$1,066. The proposal to reduce telephone service would involve downsizing the trunk telephone capacity at the Roger Prange Center and consequently to both fire stations. Right now we haven't added any more telephones to the Village network. We don't have any more work stations. We don't have any more people that are answering phones, but what we do have is more people calling us. We had a situation where people were getting a fast busy signal because their call couldn't even get into dispatch to get queued into the answering system to they would be calling for something and they couldn't even get in. So that's why that cut really can't be taken. We can't adjust the telephone rates. That's set by the Public Service Commission.

The other area Trustee Tiahnybok indicated there was room for savings was to reduce cell phones. We have over the last year provided staff that have pagers or hand-held two-way radios with telephones because we find them to be more efficient. But we could save under the Trustee's plan \$1,620 if we reissue pagers and have the personnel run to a phone when somebody needs them to see what's going on. I don't think that's very efficient, but that is a cut in service or a measurable cut you could take.

Reducing consulting services in the finance department, the Trustee proposed eliminating consulting services for the finance department. Where we contracted out every two years to have

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a specialist do an insurance analysis of our property and liability proposals, our last one based on being able to clean up the proposals we were able to save 15 percent on nearly \$350,000 in expenditures. We can do that in house. I'd recommend taking that cut, the \$3,500. We might not do it with the panache that a consultant would, but we could probably get the job done.

Reduce conferences and training, Trustee Tiahnybok's verbal presentation included proposals to freeze fire and rescue training or conferences and training to the previous year's expenditure. Under the Wisconsin Department of Revenue Chart of Accounts, conferences and training isn't really conferences as much as it is training and the savings of \$18,925 would eliminate paramedic training and recertification of our paramedic staff. If we want to do that we would need to as a Board make a decision as policy that we want to downgrade to EMT from paramedic because we wouldn't be able to maintain our certification with the State or with medical control to operate as paramedics without going through refresher and training.

The reduction of IT Department contracts and maintenance contracts, and the Trustee's proposal with the free software maintenance and eliminate software/hardware licenses for the IT Department. That puts us in a position where we're operating our software illegally or ending a computerized work environment in some areas. The proposed reduction would eliminate the Village's Microsoft license which is critical to the operation our LAN, which is the wide area network, our internet, Outlook and our other operational needs. We cannot legally operate these software programs without paying for the licenses. That overstates the savings by \$40,257.

The other cut would be elimination of hardware maintenances on the Village's EMC which serves as our SAN. All of our other data goes onto the EMC. Any repairs would be a time and materials and not a guaranteed response time. So we could take a look at a two day or three day response time if we don't have an existing contract. Consequently it overstates savings by \$4,500.

Channel 25 reductions, this is the item that has been cut more times in our budget than any other item. It's already been eliminated from the budget as a levy item. It's been placed as a service to be covered by a user fee. Trustee Tiahnybok recommends eliminating a channel and eliminating the user fee, and I guess that's another item the Board can consider again. The Board has voted on it once, but you don't save it twice. Right now it's already off the books for the general fund as a levy item. The expenditures are there. If you want to eliminate the expenditure and eliminate the fee that's one option you have.

Elimination of server replacement. The elimination of server replacement would put some of our mission critical hardware such as police and fire services at risk for failure. Those are two key systems we need to have in place so I wouldn't recommend eliminating them, and that's an overstatement of savings by \$6,000. We could put off replacing the finance server which is a \$3,000 expense. Our exposure is not that great on it. It's payroll and accounts payable and receivable, the functions that would be the only things that are in jeopardy there, so there is a \$3,000 savings there.

Elimination of pickup trucks. Trustee Tiahnybok's presentation included a proposal not to replace two pickups from parks and DPW. The trucks that are being replaced are a 1977 Park

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Department pickup truck and a 1985 DPW pickup truck. Both vehicles need to come off the road because they're not in driveable condition. Pickup trucks aren't really jazzy things to talk about getting. When we do buy pickups we buy used pickups. But as you look at everything that ties together, what pickup trucks enable us to do when we provide service is we can take, and this is what we do, is we hire a college student or a number of college students during the spring, summer and fall and we pay them \$8 an hour. In the case of the Parks Department they pull a mower on a trailer around and they've got everything they need to mow and do what they have to do.

To get all of our parks mowed with the equipment we have we mow every day of the week. We have crews doing 10 hour four-day weeks. If we take these pickups out and replace them with the dump trucks then we're putting a driver with a CDL on the truck who is paid at a significantly higher rate, and we've taken that guy off the summer work details for the things that they could do so that they can save this. So we've either got to quit mowing grass or identify areas that we're not going to mow anymore, or we redefine what our public works schedule is. When you take a look at what we do and on the DPW side, the pickup trucks take care of cleaning intersections, putting the signs in, cleaning up ditch lines, things that we can, again, take a younger worker out that doesn't need anything and have him do it. We're not going to allow summer students, one, they don't have a CDL license typically, and as we know from our referendum it's a \$140,000 piece of equipment that we're putting out with our least experienced driver. I really can't recommend that.

So by doing this we'd be taking our DPW staff of five truck drivers and reducing them by two for operations and leave the rest for the road repairs, shouldering, ditch cleaning, storm sewer installation and crack filling and doing potholes. The savings are overstated by \$21,964. The direct savings of not purchasing the pickup trucks would be \$20,036.

Eliminate replacements of IT Department PCs. The Trustee recommended that we don't replace half our PCs. We did that last year. We try to do them every four years. Last year we didn't replace any so now they'll be at six years old when we get ready to replace them if they all make it that long. We'll have increased maintenance on those and there will be some that might not make it. I think the realistic number would probably be closer to \$5,425. Again, you're deferring a replacement that you're going to have eventually.

The result of the actual savings is \$46,853 and that's assuming that you do impose a salary freeze. We are willing to have our employees that are remote carry pagers instead of telephones and have them use the phones where they can find them. Eliminating consulting in finance, eliminating the servers. We do need the pickup trucks and the PC replacements.

I think where we don't want to be in this, and I think this is a discussion that would have been good to have at the last Board meeting was to say do we really want to forestall some of the capital that we need to spend and then build a structural deficit into the next budget, because whatever we don't fund that we need to fund this year we're going to have to address that first in the coming year. I think there are some cuts that can be made. And if the referendum fails we're going to be faced with having to make some of these cuts. We have the other list of program reductions that we evaluated and we may have to go back to those.

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I think what is somewhat troubling, and Trustee Tiahnybok read a letter from the Mayor, I kind of remember when that happened, because at that same time in 2003 this Board looked at finding ways to get the tax rates down low, as low as everybody wanted to stay within that freeze, we had a modest levy increase in 2004, the budget that was adopted in 2003. We had eliminated ten people from our payroll, eliminated ten jobs and management took a pay freeze for a period of time. I can't remember what that was, it was three months or six months, until we were able to secure a lower cost health plan with higher deductibles which everybody signed on to do that. And knowing the group of people that we have here, there hasn't been any hesitancy to make a sacrifice for the Village and they've done that year in and year out.

What I do find objectionable is that, and it was the reason I heard that night, was that there was some responsibility of the department heads for this budget problem and that they're the ones who are spending the money and they are and I am, too. We're spending funds that were allocated in the budget that was approved by this Board last year. Compound that with the story that I really think was inflammatory and nonrepresentative in the *Kenosha News* where department staff in our community was compared to the communities of differing natures, and when I say differing natures, different makeup. Not typically suburban communities. Not communities with the makeup we have. Not communities that are in our economic area in Southeast Wisconsin. I think what's disturbing is that was used as an opportunity to say that our department heads here are overpaid.

But in that same article, and I told the editor of the *Kenosha News* the same thing, and I wish they would have exercised a little curiosity in their own reporting, in every single community that we were compared to where we had higher salaries we had a lower budget. This community delivered an actual operating budget. Not the tax levy or not what the mill rate is or anything like that, but what we actually delivered services for was far less than any other community. The department heads that serve this community they work as a team. They work in an environment that's very demanding. There's a lot of development going on. They are functioning and providing services at a levy that exceeds what other communities do and I'm familiar with a lot of other communities. And I think you don't have to go very far. You don't even have to go outside the County to be able to compare the staff that works for you and delivers police service, fire and rescue, planning and zoning, assessing. We have public works, streets, here at the office finance. We're one of the few communities with two CPAs that are working for us. We were the first community to meet GASB standards.

Up and down the work that's been accomplished in this community is at a high level. That's one of the reasons that that sticker is on the wall. It's not because you've got a bunch of people here making a lot of money not getting anything done. And then when you take it a little farther, where are we? How does Pleasant Prairie compare to cities, towns and villages that are comparable to us? Look at the populations on the Board above there. Pleasant Prairie is at 18,606. You can go Sun Prairie, Middleton, Germantown, Fitchburg, Caledonia is in Southeast Wisconsin, Mt. Pleasant is. Middleton is I think one of the best managed cities in the State. They've done a lot of really good things there. But look at their values. This isn't a matter of us playing games with our TIF District or that we have a big industrial base which we do. All these

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communities have an equalized value that's similar to ours, whether they got assessed high, whether they got assessed low, what the revalue is, that's their value.

And then take a look at what the municipal levy is. How much money do we need to operate as a community? In Pleasant Prairie just under \$7 million. The next closest one to us in our area is Caledonia at \$10,700,000. Mt. Pleasant \$12 million. And you look at the municipal rate of \$3.31 and the average is \$5. We're \$2 below average almost, almost \$2 below average. All these communities have full-time fire departments, fire rescue, police, public works, planning, zoning, assessing. All those departments we have that are funded by the general levy is where we are. That's what's comparable. In the *Kenosha News* article they compared us to Allouez. They compared us to the Village of Howard that was recently a town. Those communities are not comparable to us.

If you look here the municipalities included in the Howard survey, again, they don't compare. I guess that's the biggest thing I can tell you. When you look at equalized values and look at the populations there's nothing common among those communities. *Kenosha News* took a survey that was out there and available and didn't true it up to see whether or not it really met whether the communities in there were comparable. You tell me how we relate to Brown Deer in either value or population. You tell me how we relate to Allouez in value or population. We don't relate to them in taxes. Whitefish Bay, how do we relate to Whitefish Bay in their population, value or taxes? We don't.

If you're going to compare Pleasant Prairie to another community, you need to compare it to somebody that's like Pleasant Prairie at least in this area. And regretfully the *Kenosha News* didn't do that, and I think it's based on the premise that what we heard at that Monday night meeting was the department heads should take a freeze and have their salaries cut. And, worse I think on top of that was that it's because they spend money. We get a lot done here and at the end of the day we get a lot done here. When you look at where we are, we accomplish things that all these cities do, even more so. Most of these cities, the only one that has received any awards that I can think of is Middleton. And none of these have the bond rating we have. None of these cities have the financial—even though we're tight, everything gets paid and we have reserves to take care of any future needs.

Pleasant Prairie has done a really good job. The thought process is, and it governs our budgeting to a certain extent, and now the State affects that even more, but what I hear some people say is you haven't planned for the future and now you're paying the price for it. Well, we haven't taxed prior to this date. Rather than taking the money out of peoples' pockets for one, two, three, four years, and we were asking for when we need it. If the people say no, we don't want to pay it, then it's not out of their pockets then and then we make decisions on what services we cut. But over the last three years we haven't gone to the people for anything more than three percent. We've been basically covering operations. So is it that we're taxing you now rather than taxing you before, or should we have incurred debt in taking care of this? Should we have taken money out of your pockets in incremental increase each year and then maybe you'd like it better? But at the end of the day no matter how you cut it, whether you ask for money in a tax increase this year or you ask for it over four years you're asking for taking money out of somebody's pocket.

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The decision that was made four years ago is that we're not going to be playing with peoples' money and when we have to get it we'll go get it and that's where we're at. Pleasant Prairie is not high. We're already there. I've asked this question before is how low is it that the Board wants to go? How much lower do you want the levy to be? We can start whittling away at activities. We looked at whittling away the police department. That will take some money off your budget. But at some point this Board has to be vested in what it is they want to provide the community and what their responsibilities are and we're about there.

I think the other thing that people ask is what do you get for your money? I think that's one of the questions I heard President Steinbrink bring up. If you bring this back to home locally, where in Kenosha County are you going to have a full service municipality to provide you the level of services that you want for a \$100,000 at \$331 and this is equalized so the numbers look at little different, but it's fair to compare us to Twin Lakes, Silver Lake, Paddock Lake, Kenosha if these numbers are equalized. So a \$100,000 house in the City is \$852. What more are you getting in the City than you get here? You pay sewer bills there. You pay water bills there. Your garbage is on the tax bill. Paddock Lake or Silver Lake, what more do you receive in Silver Lake than you receive here? Silver Lake doesn't have a planner. They don't have an engineer. They're not able to provide economic development the way we do. The Town of Somers is unincorporated and theirs is higher than ours.

So the real question I think people need to ask themselves is if I take my house, whether it's a \$1 million house or a \$200,000 house, I'm assuming if you've got a style of life that you're used to living and you like your house and the square footage in the house and you plant it in another community, what is your tax rate going to be? This chart shows you there are five places you can go to, and not all of them provide the same level of services you receive in Pleasant Prairie, and you're going to pay more. And, yeah, your department heads make more than the department heads in Somers and Twin Lakes and Silver Lake and Paddock Lake. And in Kenosha I don't think that's the case but maybe it is.

I defy anybody to find department heads that deliver the same level of service, same quality of service and get as much done as we do. One of the cuts that was proposed by Trustee Tiahnybok was to basically eliminate a lot of our IT service. Well, that's one of the things that makes us productive. The things that we can get things done that some places can't get done. We brought in somebody from the private sector who knew way more about IT than anybody from the government side I've seen and we got a lot done. We got a lot done for a small community. We can roll that backwards and try these cheap gimmicks where we say, okay, we won't pay our license fees or we won't pay our licenses for our computers, but sooner or later that stuff catches up with you.

This is where we're at. That's what it costs if you're going to live in Pleasant Prairie compared to anybody else. The staff has already frozen salaries once. To be honest with you, and I told them at a department head meeting today we're going to be doing it again. We're in this freeze for five years whether we like it or not. And at some point we're going to be doing the same things that this Village Board did before, laying people off and freezing salaries. Now, if we're going to do it now just to do something symbolic or gesture maybe we could have them have a bake sale and give us the money to do it. But at the end of the day how much lower do you want the levy to be?

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There are some cuts that can be made from Trustee Tiahnybok's proposal. And there's some that I think just aren't warranted. Is it worth talking about this? It was worth talking about last Monday night, Trustee Tiahnybok, and if we would have the information we would have talked about it then. And even if we hadn't decided then, we still could have talked about it some more.

One other question here that was brought up by both a Trustee and I think Mr. Babcock. Why don't you lease, look at leasing some things? A lease is debt. When you get a lease you're incurring debt no matter how you cut it. You're paying points on that lease. You're paying carrying costs and you're paying principal and you don't have an asset that you can use. I'll tell you what, I haven't seen too many people who want to lease equipment, heavy equipment construction equipment, to communities. We can people to lease a fire truck, but there they've got at least half a chance they know that truck is going to sit in the garage for a good number of years. But if you want to get a lease on something where John, Jr. uses a front end loader or a dump truck when it gets uses, it's not like it's just driving around, you're loading it up to the max. You're using it in cold weather conditions. They're not giving you those leases for nothing. You're incurring debt.

We haven't incurred any debt and my recommendation is we don't incur any more debt. The public is telling us they don't want taxes to go up, and the worse thing this community can do is start borrowing because that's all we're going to do. That's the worse kind of borrowing to do. We've borrowed to create economic development. We've borrowed to create jobs. We've borrowed to enhance our community so that things like that work, but just to borrow it because our operations are weak I don't see that. If there's any questions, or if the Board wants us to include any or all of the reductions that I've pointed out that's fine. But I think it's important to remember that the Board has already made a significant number of cuts in the budget and we can still make some more, but to make cuts or carve out items and line items that have direct impacts on operations I don't think that's where we want to be when it comes right down to it.

John Steinbrink:

Comments or questions?

Jeff Lauer:

My comment, obviously they say it's not a tax so it's fine you moved channel 25 off. From the numbers off the top of my head, round figures, it costs \$42,000 a year for channel 25. We want to tax people 1 percent of their total cable bill to raise, approximately round figures here from my math, \$39,000. That means we're \$3,000 short. I am a stone advocate of getting rid of channel 25. Because what it's come down to is a want. Because I have cable the Village wants to tax me 1 percent of my bill to pay for something else. Dang it, I want my mortgage paid off, but I can't go to the people and say give me the money to pay off my mortgage because it's a benefit to me. It's a want. It's not necessarily a need. It's a want. We should not go down the road because if we're talking money is tight the residents' pockets are tight, too. Mine are tight.

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So if we're going to show fiscal responsibility, we have to show, you know what guys, we're not going to go to the taxpayers because we want something on channel 25 and because it's coming in your household you've got to pay for it. That's not right. It's not something that's a need for the Village residents. So I think the Board should reconsider that. And, you know what, I don't know if a lot of citizens know about it, but if you're going to keep it in there and you're not going to take it off, guess what, when they get their bill—look at Time Warner. They're offering all these specials for \$129. Well, guess what, when they get that 1 percent taxed onto it again it's just not right to do that. I'd love to hear the explanation of why we should keep it but we shouldn't. It's not a right thing to do. It's not a good thing to do. It is a want. That's what it comes down to. It's not a need for this Village to head down. It's up to the Board. If they decide—Mike said there's a couple of items that's possible to take down the levy then I'd like to hear comments from the other members what they think.

Mike Pollocoff:

I also might ask, just for direction of staff, do you want to reduce the levy or do you want to dedicate those funds to capital? It's two different things.

Jeff Lauer:

Thank you, you brought up another point I marked down I forgot to bring. Capital, I think another thing we need to do is somehow have a capital fund for future things. Yes, we're going to need a lot of capital costs down the road, but you know what, it has to start somewhere. We just did it a few weeks. I forget off the top of my head. Someone help me where we charged an extra 50 cents a month now.

Mike Pollocoff:

Solid waste.

Jeff Lauer:

Why did we do that? Planning for the future. So I think somehow we have to have some sort of capital fund. I don't have a problem if we put it in the capital fund issue. As I said many times that's where the huge cost of any government is in the big ticket items.

Alex Tiahnybok:

Jeff is bringing up a good point and that is in the solid waste budget we do save for the future, where I think the cost of the equipment in 2011 is going to be about \$1 million, and if we weren't saving for that we'd have a big problem there. So we have the practice of saving forward.

If you could go back to the slide showing the summary of my proposal. The day after our meeting I got you a copy of my spreadsheet. And the grand total of my spreadsheet is \$190,000, so I suppose I should be happy that you were generous enough to elevate my proposal up to \$243,000. But this is a, in my opinion, a perfect example of fuzzy math. A comment was made

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that Mr. Pollocoff spends 90 hours a week at the office, and I look at this and I'm like, well, now I understand where he spends his time.

The one part that really troubles me, and I guess it's just a matter of I think it's so incredibly indicative, and Jeff already touched on this, on I guess the general philosophy of how you view government assets, revenues, taxes and the whole works. You're showing channel 25 as an adjustment according to you about what I said of \$81,000. If you look at my spreadsheet, and I don't know if you copied the rest of the Board members on this, I showed a savings of \$42,000 from the elimination of channel 25 because that was our expected cost for 2006. But I'm showing adding back in, not saving an additional \$39,000 as you suggested I'm double dipping. Actually, I'm saying in order to be fair you have to take that \$39,000 that we were talking about taxing in the form of a franchise fee every subscriber to channel 25, I added that back in, so my spreadsheet only shows a net difference of \$2,500 when you take that franchise fee and give it back or not take it in this case. So the \$81,000 is an extreme exaggeration of what I was saying. I'm actually surprised that the Administrator viewed it that way. When you take those two items I have \$39,000 plus and I have \$42,000 minus. To me that adds up to \$2,500 minus, not \$81,000, so I'm actually kind of surprised by that apparent miscalculation.

Channel 25, since we're talking about it, one of the criticisms of my recommendations, and I called them recommendations two weeks ago. I didn't say this is the way it has to be or else. Going back one year, 2005 when we went through this budget process, frankly, and I'll admit it, I didn't contribute much to the process. What did I know? I was relatively new on this Board. Certainly not familiar with municipal financing, and I deferred for lack of better words to those of you that had been here for a long time and felt as though things were being managed properly. And after not sticking my foot in my mouth or whatever it is you think I did with this, we were criticized. How dare you complain about the Village after all this, and I'll quote, bitching and moaning, you guys didn't provide anything, nothing, no recommendations. Amazing. How could you do that?

Here we are a year later. I recommended \$190,000 and we spent the last half an hour or 45 minutes item by item criticizing everything I did. So it's kind of like you're damned if you do and you're damned if you don't. I went on record as trying to foster an environment of cooperation, but it's got to be a two way street. This to me is a blatant exaggeration of what I was talking about. A couple of the items that brought up, and this is the spreadsheet and I forwarded it to Mr. Pollocoff on the day after our last meeting. There's a couple of items missing. If this chart was the result of only a verbal exchange I can say okay, well, things were missed and all that kind of stuff, but it was followed up. Two weeks passed and we have this rendition of what I talked about which I think is inaccurate. And that's why I was saying why are we going here because I will have some critical comments to make if we continue on and I'm making them now.

Again, my comments were a recommendation. I didn't say this has to be. The one item that I withdrew my recommendation on immediately after it was explained to me what the conferences were about, the \$19,000 additional for conferences and seminars for fire and rescue. The very moment I found out that that was to train our paid-on-call personnel I said okay let's remove that item. I have no issues with that. I think it's good.

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Getting back to channel 25, the argument was, well, you know, why should the taxpayer, and I'm all in favor of shifting burden to user fees and away from taxes, but why should channel 25 subscribers get the benefit of channel 25 exclusively? They should pay for it. It kind of makes sense on the surface. But then in the very same meeting a comment was brought up that channel 25 has been so beneficial for us. It's been a great recruiting tool for paid-on-call. Excellent. How is that uniquely beneficial to the cable subscriber? Is the cable subscriber the one that benefits specifically and not a non cable subscriber? So really it is a benefit to the Village and not to the cable subscriber paying a franchise fee. The other benefit was the orientation of our recycle bins. Very good. Very important. Well, again, is that the cable subscriber's burden to make sure that everyone's informed about how the garbage bins should be oriented?

Again, my point was all recommendations and I was willing to discuss this. But we had a need, and I recognized the need was the referendum, the budget as is had to be locked in to a certain extent so the referendum could go forward and I said okay, I'm not going to argue. These are my recommendations, points to ponder. I certainly didn't expect it to be reviewed item by item like everything else I've submitted to this Board so far. The Carol Beach letter was nitpicked line by line. It's just amazing. Again, if that's our best effort to fostering a cooperative environment I'm surprised.

I'm grateful that Mr. Pollocoff identified that his contract doesn't allow for an adjustment in his salary. His salary is automatic. The Village could be falling apart and he's going to get a raise. I think that's interesting and you recognized that and I'm glad you did.

Again, last year we were criticized for bitching and moaning and not having any recommendations. This year I spent a lot of time, again not claiming perfection, but looking for things and I get ripped for suggesting items that don't make sense. Some don't and I'm willing to accept that. But, again, the franchise fee that to me revealed a lot about mentality and philosophy. If it's not the government's money, if it's not money that we have already, if we're taking it out of somebody else's pocket then we're really not spending it. I don't see that either. Again, I was hoping we weren't going to down this road but I guess it was important for us to do that.

The one budget item that we haven't discussed interestingly enough, and I don't know if this is still intended to happen or not, but in our analysis of our debt, one of the items is an accounting for the TIF 2 fund. This is scary. Maybe I'm misreading it. Maybe I'm ignorant, but for 2006 the expected total revenue of TIF 2 is \$2.7 million. The total expenditures are expected to be \$3.7 million. That's going to result in a deficiency of \$1.027 million. It's going to exhaust our fund balance at the beginning of the year which is \$1 million. So we're going to go from \$1 million in the black at the beginning of this year to being \$25,000 in the hole. These are the kind of things that I think we need to talk about. I don't know if we're intending to talk about it still but it was never addressed in the budget.

John Steinbrink:

Mike, do you have a clarification of Mr. Tiahnybok's allegation?

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Mike Pollocoff:

On the TIF?

John Steinbrink:

Yes.

Mike Pollocoff:

Well, we haven't done that yet. The TIF District isn't done. It isn't fully funded out. We still have issuances left to go. There's still tax dollars that are going to be coming in there. We haven't completed our projects yet. You probably could have seen that in any number of years and had the same question. And as we move through our budgets we'll go through the TIF budget. Frankly, the TIF is doing as far as what we're doing and performing at we're doing fine. You've got to remember, and you don't have to remember, but this last year, the last two years, has been a significant year in expenditures for the TIF. The project plan reflects that. We knew that we were going to be peaking at a point when we were acquiring bookstores and other entities and putting sewer and water in and we still have more to do next year and we'll be borrowing next year.

Or, if the Board wants to decide to stop and have the TIF District stay the way it is then we'll need to go that way and capitalize the interest and stop and see what we get without finishing it off. But the TIF District goes on over a 14 year period. We're about five years into it. We're not done yet.

I guess when I read your notes on Channel 25, to be honest with you I wasn't sure. I saw your number and I saw what you were saying and I just thought you were trying to take it twice. If you weren't, you weren't. None of this was intended to be critical, but to be honest, Trustee Tiahnybok, I think that back and forth discussion on these things could have happened that night. But you didn't even give us anything to look at during the meeting. Some of these decisions happen in a void or you're looking at it in a void, and even if we would have had a piece of paper to look at that night, we would have probably been a lot farther ahead. Instead, we're doing it here.

Mike Serpe:

Alex, I'm going to recommend again, as I have numerous times in the last year and half, that you take more time in talking to Mike and others before you come into the Village Hall. Two times in the last year I've been called a name in the paper by you. I don't appreciate that very well. I've never called another Board member a name in the 19 years I've been on this Board and I never will. I don't think Mike Pollocoff deserves to be called a Super Trustee as well. I think in his 22 years he's been in this Village he has demonstrated over and over again just how valuable he is to this community and this area. That's the Lombardi trophy up there. That's the equivalent of the Lombardi trophy and he has assembled a Super Bowl team. And all of us are benefiting by that.

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I have never--you talk about spirit of cooperation, I used to look forward to coming to Board meetings, had a good time creating a Village that all of us could be proud of. We had some disagreements. We put things in place that were contentious. I live in this Village as well. Every time I vote for a fee increase or a tax increase I have to pay that just like everybody else. It's not easy. But the spirit of cooperation doesn't start by going to the *Kenosha News* and calling the Board members names.

John Steinbrink:

Tomorrow is the referendum for the essential equipment for the Village. I hope that Item F has cleared up some of the questions about the Village finances and budget and hopefully demonstrated what the taxpayers pay, what they receive, and even if you figure in the referendum items you can do the math on where that puts us in comparison with other communities.

Mike Serpe:

I have one other comment. Mike, I don't know what the referendum is going to do tomorrow. I'm somewhat reluctant. I'm not overly optimistic that it's going to do real well. I hope it does. In the event that it doesn't, I think it would probably be wise that we look at ways financially how we're going to handle if this referendum fails. Maybe you've thought about that already, I don't know, but if you haven't maybe it would be a good idea that we probably put that in the next Board meeting or two.

Mike Pollocoff:

Okay.

John Steinbrink:

I think we need to move on to this now the hour being 9:40.

G. Consider Weights and Measures Assessments from 7/1/05 - 6/30/06.

Mike Pollocoff:

Mr. President, the State requires the Village to evaluate weights and measurements from those facilities that use scales or measuring devices in the Village. The fee that the State charges us for doing this is \$4,000, and they allow us to come up with a method of apportionment. That spreadsheet is in your packet for you to review. It really depends on the number of tests that are required at a facility. A gas station is going to require quite a few. Some of them are pretty minor.

Steve Kumorkiewicz:

Good night.

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John Steinbrink:

Continue, Mike.

Larry Matson:

You want to chit chat?

John Steinbrink:

Sir, Steve.

Steve Kumorkiewicz:

I said good night.

Larry Matson:

You want to chit chat?

Steve Kumorkiewicz:

I said good night.

John Steinbrink:

Sir, you're out of order.

Larry Matson:

Can you . . . open . . . citizens to speak. Is that what you want to do? You know you guys are great at taking shots and people can't respond to that.

John Steinbrink:

Chief, do you want to put the meeting in order?

Larry Matson:

. . . sit there smug . . . Mr. Kumorkiewicz.

John Steinbrink:

Steve, I'll ask you to refrain your comments.

Steve Kumorkiewicz:

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Thank you, I will.

Larry Matson:

That's uncalled for. I'll see you at the next citizens' meeting.

(Mr. Matson was escorted from the meeting room by Police Chief Wagner)

John Steinbrink:

Mike, would you please continue.

Mike Pollocoff:

So with this I'd recommend that the Board adopt the chart of charges for those businesses subject to the Department of Agriculture's rules on weights and measures.

Mike Serpe:

What's the recommendation here?

Mike Pollocoff:

To approve the schedule of assessments for charges to be levied against those businesses that have weights and measurement requirements from the State.

SERPE MOVED TO APPROVE THE WEIGHTS AND MEASURES ASSESSMENTS FROM 7/1/05 - 6/30/06; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

H. Consider Amendment to Wireless Communications Options Agreement with SprintCom, Inc.

Mike Pollocoff:

Mr. President, this amendment is between SprintCom, Inc. And the Village of Pleasant Prairie. Currently they have wireless equipment located on our tower at the Roger Prange Center. They're wishing to modify that agreement to put up a dish. So, consequently, we need to amend our agreement with them that does this. This amends their ability to put that added equipment on there. It also places an additional rent on the site of \$500 per month, and they've cleaned up their site description as the additional equipment does modify the site somewhat. I recommend that the Village President and Clerk be authorized to enter into the agreement with Sprint/Nextel.

Steve Kumorkiewicz:

So moved.

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Mike Serpe:

Second.

John Steinbrink:

Motion and a second. Further discussion on this item?

Jeff Lauer:

Just one questions if I could. It says the amount will increase to \$500. So what is the total amount that Spring would be paying?

Mike Pollocoff:

I think they're at \$1,750 right now so this would be \$500 in addition to that.

Jeff Lauer:

Does that go to the Village?

Mike Pollocoff:

General fund.

Jeff Lauer:

Okay, thanks.

KUMORKIEWICZ MOVED TO APPROVE AN AMENDMENT TO WIRELESS COMMUNICATIONS OPTIONS AGREEMENT WITH SPRINTCOM, INC.; SECONDED BY SERPE; MOTION CARRIED 5-0.

I. Consider Resolution#06-51 - Resolution for a Temporary Moratorium to prohibit the issuance of a zoning or building permit for convenient-cash businesses in the Village of Pleasant Prairie.

Jean Werbie:

Mr. President, at one of the last Board meetings the staff was given the direction to do some research with respect to possibly bringing forth a temporary moratorium to prohibit the issuance of permits for convenient-cash station businesses in the Village of Pleasant Prairie. In working with our Village Attorneys we found a number of examples of moratoriums and we have one for you this evening, Resolution #06-51, for your consideration. I'll read some of the portions into the record.

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Whereas, the City of Kenosha and the Village of Pleasant Prairie have experienced a proliferation of convenient-cash business and other similar businesses such as check-cashing businesses and payday loan stores that make non-traditional, short-term consumer loans; and

Whereas, the Village and the City's municipal boundaries are intermingled along major arterials it is difficult to distinguish the differences between our property boundaries;

Whereas, usury is an unconscionable and exorbitant rate or amount of interest, and the presence of these high rates makes a loan agreement unethical and sometimes illegal in whole and in part;

Whereas, instead of offering a product that enables a borrow to escape emergencies, payday lenders flip borrowers, renewing their loans repeatedly for high fees without extending further credit, which traps borrowers into paying back many times the amount of the original loan and an annual interest rate that is typically 400 percent or higher;

Whereas, the clustering of these payday loan agencies in and around economically challenged neighborhoods causes significant financial problems for the residents of these areas;

Whereas, research has shown that such businesses target lower income neighbors;

Whereas, convenient-cash businesses, because of the frequency of the cash transactions and the amount of money exchanged, are attractive to criminals seeking to commit robberies;

Whereas, the health, safety and welfare of Pleasant prairie residents should be protected by legislation limiting the geographic concentration of these convenient-cash businesses and similar establishments and the proximity of such establishments to residentially zoned areas.

Now, therefore, be it resolved that the Village Board of Trustees of the Village of Pleasant Prairie hereby imposes a 180 day moratorium upon the granting of any zoning or building permit for a convenient-cash business or similar establishment to provide time for the Village Board to develop and implement ordinances containing appropriate restrictions for the establishment of these businesses. In those circumstances where zoning and building permits which have been issued by the Village prior to the effective date of this resolution shall be valid and these existing uses may continue.

The Village staff is working with our Village Attorney on drafting this ordinance, but we are seeking a six month moratorium for us to do that. As you know, there are two of these types of businesses, one that just recently received approval from this Village in Pleasant Prairie, both located along Highway 50 in proximity to the City's borders. We would like the opportunity to evaluate exactly where it's appropriate and how many of these it is appropriate to locate in the Village based on time, place and manner restrictions.

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Mike Serpe:

Nobody likes to see government get involved in regulation of businesses, but this is the perfect example of why it almost has to happen. And it's going to come down to the local level that we're going to try and address this. But if there was every a violation of the free market so to speak where the government doesn't regulate any more this is it. Thanks for bringing that forward and pushing us a little bit. I appreciate it. I move to adopt Resolution 06-51.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion and second. Any further discussion?

Jeff Lauer:

Just out of curiosity, I don't know if any know this and I'm sure it's an attorney thing, but legally do they have to be in here I guess the question is. Are we going to be checking with the attorneys for these cash places?

Jean Werbie:

I did ask that question. He said that we cannot outright prohibit the use in the Village.

KUMORKIEWICZ MOVED TO ADOPT RESOLUTION#06-51 - RESOLUTION FOR A TEMPORARY MORATORIUM TO PROHIBIT THE ISSUANCE OF A ZONING OR BUILDING PERMIT FOR CONVENIENT-CASH BUSINESSES IN THE VILLAGE OF PLEASANT PRAIRIE; SECONDED BY SERPE; MOTION CARRIED 5-0.

J. Consider Resolution #06-52 – Resolution approving appointment of Special Registration Deputies.

Mike Pollocoff:

Mr. President, this resolution authorizes the Village Clerk to appoint special registration deputies as required. This is necessary at times if we have people who don't show up, and this would be solely for the purpose of registering people who would come to vote that day of the election. One of the things that we're discovering with the new election laws and the requirements are coming up, when we bring in the poll workers, one, they're not as excited about doing it anymore. It's a whole different animal now and you'll see this as you come to the polls in the coming elections. But it does give the clerk to the latitude to pull the same people out of the front office who register people to come and vote at any other time other than the election and be able to bring them in and have them help out if the poll workers are getting overwhelmed. In Wisconsin you can register the day you vote and that really gets to be a burdensome thing from just a

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management standpoint and managing the voter count. So that's what this resolution authorizes the Clerk to do.

One of the things we haven't done, I think there's always a lot more value in having the citizen poll workers be the people that deal with the voters rather than the government here on that day of the election, so when people start trading accusations of impropriety or anything else the Village employees aren't involved in it. But given the number of people we have available we need to be able to rely on this. So it would be my recommendation we adopt Resolution 06-52.

Alex Tiahnybok:

Move approval.

Steve Kumorkiewicz:

Second.

Jeff Lauer:

The question I have does that mean in our case the Village Clerk can get whoever they want with no oversight? I'm not picking on her but she can go out and get anybody and just go it's you, two, or how exactly does that work?

Mike Pollocoff:

I don't have the authority by statute to do that. It's the Village Clerk. She's the one who has the authority to do that.

Jeff Lauer:

To get whoever she wants?

Mike Pollocoff:

She's going to get someone who knows how to do it. It wouldn't be in her interest to get somebody that doesn't know what they're doing.

Jeff Lauer:

That's what I mean, someone who has done it before.

Mike Pollocoff:

Our reference would be the ladies that work at the front desk because they all know how to register people 350 days out of the year as it is anyway.

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John Steinbrink:

With the law changes it makes good sense to have people available that understand the new changes if it becomes taxing at the polls. The people get a little excited when the lines back up. So hopefully we'll get everybody registered and in. The machines have made life a little simpler but a lot of changes to make it a little difficult yet. Jane is probably one of the leaders in vote knowledge because of her participation in seminars, conferences and task force on the voting issue up in Madison. She's worked with everybody up there on it. She's been a part of structuring the new system. We have a motion and a second.

TIAHNYBOK MOVED TO ADOPT RESOLUTION #06-52 – RESOLUTION APPROVING APPOINTMENT OF SPECIAL REGISTRATION DEPUTIES; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

Item K has been removed.

L. Consent Agenda

- 1) **Approve Bartender License on file.**
- 2) **Approve Letter of Credit Reduction for Meadowdale Estates Addition #1.**
- 3) **Approve Letter of Credit Reduction for Kings Cove Subdivision.**
- 4) **Approve Letter of Credit Reduction for Stanich – 47th Avenue Development.**
- 5) **Approve Letter of Credit Reduction for Stummer – 114th Street Extension.**
- 6) **Approve Letter of Credit Reduction for Hideaway Homes.**
- 7) **Approve Letter of Credit Reduction for the Westfield Development.**
- 8) **Approve Christmas Tree License for Ace Hardware.**

SERPE MOVED TO APPROVE CONSENT AGENDA ITEMS 1-8 AS PRESENTED; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

10. ADJOURNMENT.

LAUER MOVED TO ADJOURN THE MEETING; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 9:50 P.M.