

**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
March 20, 2006
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, March 20, 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/Treasurer and Jane Romanowski, Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETING – FEBRUARY 20, 2006**

SERPE MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD MEETING OF FEBRUARY 20, 2006 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

5. CITIZEN COMMENTS

Gus Hauser:

Gus Hauser, 143 113th Street. It seems this election has brought the worst out of some people, especially from a political action group called KOPS. They are resorting to character assassination and downright lying. Even the *Kenosha News* condemned the lies and low down tactics in no uncertain terms and I commend the *Kenosha News* for it. To use small children to spread lies and fears about losing police protection is about as low as anyone can go. I attended the Sheriff's proposal to this Board and know what actually happened. I just hope nobody who sits on this podium or works for the Village is involved with this bunch of lowlifes. I condemn tactics like this and I urge Mike Serpe, Steve Kumorkiewicz, John Steinbrink and Mike Pollocoff to do the same and publicly state that you have nothing to do with them and also to distance yourselves from them. I urge everybody here to keep this election fair and don't use the protective services as a political football. Thank you.

Julie Santelli:

Hello, my name is Julie Santelli. I live at 12135 32nd Avenue. I want to address the Board meeting regarding my involvement on the long debated bike trail crossing issue at 122nd Street. I was made aware of this situation back in 2004 after many have debated this issue for years. I spoke at the April 26, 2004 Planning Commission meeting. I came and I listened during the May

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3, 2004 Board meeting. I heard this Board vote unanimously not to cross the bike trail. This was after hearing from eight residents for the crossing and three residents opposing the crossing.

On January 24, 2006, at 10:53 a.m., during my lunch break, I sent Jean Werbie an e-mail simply asking if the minutes from the 2004 meetings could be added to the Village website. I received a reply back from Jean and I replied back to her reply. Also on January 24, 2006, at 11:15 a.m., again during my lunch break I sent an e-mail to various people letting them know this thought to be over issue was quietly put back on the agenda. I did cc a couple Trustees and Jean Werbie.

On February 22nd I sent an e-mail to various people including people at the Village. This was in regards to Mr. Serpe's comments to the *Kenosha News* on February 21st. Mr. Serpe was quoted in the paper to say, quote, The Village wasn't fair to those people on 26th and 28th Avenue two years ago, end quote. In my e-mail I simply shared facts from the May 3, 2004 minute meetings. There were eight residents from 26th and 28th Avenue who spoke for the crossing and three opposing the crossing. In my opinion they were fairly heard. All three e-mails closed with my name, home address and my cell phone number.

The Village decided to e-mail a senior vice president of corporate human resources where I am employed. In that e-mail from the Village it states, quote, The individuals whom were addressed in the e-mail are considering them to be harassing in nature and are very concerned, end quote. And another quote was, Another concern is the quantity of e-mails that have come from these individuals. Whenever I spoke or wrote on this issue I never mentioned anyone by name, harassed or threatened anyone. I have maintained a profession manner whenever I addressed or wrote to anyone on this issue. Was your intent to shake my 15 year outstanding reputation with my employer? Or, maybe your intent was to see me terminated. Your intent was definitely to sit me down and to quiet me. If you ever felt harassed or threatened by me my apologies, but I do not think my e-mail harassed or threatened anyone. It seems to be a very vindictive response in order to try to intimidate. It is dirty politics at its finest and I am not even a politician.

I have always had great morals, values and integrity, but in my opinion you need to take a long hard look in the mirror and consider your morals, values and integrity. They have obviously diminished if you ever had any. Maybe it's time you checked your ego at the door and listened to your constituents on all issues. And, furthermore, as a government official if you can't handle three e-mails from a harmless constituent then maybe you should consider changing careers. I apologize to anybody who is not involved in this. Here is a copy of the Thank you.

Mike Renner:

My name is Mike Renner. I live at 3211 122nd Street. I'd like to add to Mrs. Santelli's comments. My company won't release the name of the complainant or the details of the complaint. I was surprised and shocked that after working on the bike trail issue for years as President of Prairie Trails West Homeowners Association that the Village would have issues with my e-mails. I have spoken at Village meetings and talked with Village Trustees about the bike trail issue over many years. I even spent hours at the Village Hall one evening reading through past meeting minutes and requesting copies of relevant documents to further try to understand all points of view so I could talk about the issue with some knowledge.

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I would think if the Village had issues with my e-mails that you would have contacted me directly. I didn't realize there was a quota on how many e-mails a citizen could send to their Village. Please let us know what the policies and procedures are for contacting the Village and we will gladly comply. Apparently my company says the Village made contact with my employer and commented on the number of e-mails and raised question that those e-mails might represent my company's views. If you had a problem with the number of e-mails containing my company's signature, then why didn't you contact me directly and just ask if I was reflecting my company's views.

I believe this was not the intent at all. Your intent was to suppress and hide pertinent information concerning your reversal of the bike trail decision. I resent your big brother tactics to put my family's future in jeopardy by trying to pressure my employer to take action. By the way, there was no action taken.

Ajay Kuttemperoor:

Ajay Kuttemperoor, 19275 West Capital Drive, Brookfield, Wisconsin. I'm here today representing VK Development in support of our proposed development that's going to come before you today, the Shoppes at Prairie Ridge. Over the past several months we've been working very hard with Target Corporation and with the Village staff to bring this development to where it is today. As you know, we came before you last year with a conceptual plan, and we were working with our brokers to find the right tenant to be an anchor in this development. We have since performed an alliance with Target Corporation who is going to be the anchor tenant in this development, and we feel they're going to bring a very high value to this development.

In addition to Target, we've been working very closely with Jean and her staff, and I want to personally thank them for the time and effort that they have given to this project. We are on a somewhat expedited schedule due to Target's anticipated opening date of March, 2007, so I would like to thank Jean and her staff for working with us to get this project to where it is today.

In addition to working with Jean and her staff, at their request, in addition to the normal public notices that go out, we did send notices out to the residents of Prairie Ridge, not only the single family homeowners but also the commercial residents and the institutional residents such as the hospital and the Grand Prairie as those are the developments that are adjacent to our proposed development today. The neighborhood meeting was held last Wednesday from five to seven, and we have roughly 30 people that were in attendance. In addition, two representatives from the St. Catherine's Hospital campus were there. We gathered their comments and they were all very positive comments. Everyone was very supportive about this development.

I'm here representing VK Development. As well with me is Fouad Saab, our Director of Architecture. Tom Carrico from Target Corporation is here, and in addition we have Bill Gutmeyer from Graef, Anhalt, Schloemer & Associates. They performed all the engineering services for this development, and we're all here to answer any questions that you may have.

Jane Romanowski:

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I didn't have any more sign ups.

John Steinbrink:

Anyone else wishing to speak? Anyone else wishing to speak?

Keith Kull:

Keith Kull, 3609 122nd Street. I just wanted to make comment to a couple of earlier speakers tonight, one regarding the e-mails, and would like to find out if this is, in fact, true how e-mails are handled down at the Village where there's some contact or some repercussion back to the employer of the individual who sent the e-mail. How that policy actually evolves down at the Village, who authorized it, and is it something that the Village Board is aware of and condones that type of action on suppression.

The other comment I wanted to make was relative to another speaker. I see a lot of signs peppered throughout the Village on spare the KOPS. I'd like to know if anyone here on the Village Board backs or supports any of the actions behind the KOPS process there. Thanks.

John Steinbrink:

Anyone else wishing to speak?

Howard Cooley:

I'm Howard Cooley, 8731 Lakeshore Drive. I'm retired, part-time fundraiser. I've never run for political office, and until October of 2005 have had little to say about politics in Kenosha County and Pleasant Prairie. I've served on nonprofit and charitable boards and fundraising committees and donated time and money to those I felt would serve the people well. I'm not a crony and I'm not evil. The proposal by the Sheriff to make significant reduction in our local police protection shocked me. Yes, it was voted down in October by three members of the Board. And now the Sheriff says it is off the table, and it takes approval of the County Board.

I don't think we can trust the Kenosha County Board of Supervisors to keep our police any more than we can trust the Sheriff. Here, in the November 15, 2005 issue of the *Kenosha News* is something that a number of us have read and we've heard the Sheriff say. I can present it after each election. The complete quote in the *Kenosha News* was, "I could present this every year, even when talks come up around budget time. I can present it after every election." Well, we have the Village Trustee Election on April 4th. Is that what he meant? Three votes by this vote could back then or at any time could accept this or any other contract that is proposed to the Village. This Board has the authority to approve contracts for garbage collection, snow removal, police protection, whatever, with three votes.

I want to believe, I really want to believe that no current member of this Board nor any candidate for this Board would vote for such a contract, but we live in a time when politicians will promise and say one thing and then do another. Our Village is not a school yard. The Sheriff and his

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political allies cannot just yell I take that back and everything they've said is forgiven and forgotten. The *Kenosha News* November 15, 2005. I think the Sheriff was speaking his mind at that time and nothing has changed. Thank you.

John Steinbrink:

We'll close citizen comments.

6. VILLAGE BOARD COMMENTS

Jeff Lauer:

I've got a couple comments. First of all, Mike, do you know who sent the e-mails to the employers of the residents who spoke?

Mike Pollocoff:

I'd have to look.

Jeff Lauer:

Because it doesn't take Board approval but it is open records because it was sent from Village staff. I'd like to find out at least by tomorrow who sent it and on what grounds and who approved the authorization of that. If they're being harassed it should have been brought to the Board's attention. I was not harassed. So if someone is being harassed that should have been brought to the Board not using what I would call scare tactics with someone's employer. So I'd like to find that out by tomorrow please.

John Steinbrink:

Let's maintain some order. Any other comments? Alex?

Alex Tiahnybok:

Just a follow up on what Jeff said. I find it also amazing that if it's not Mr. Pollocoff then who took it upon themselves to seek out apparently the VP of human resources of Abbott and I don't believe that's probably a name you could find on the Abbott website very easily, so somebody had to do some digging. Without a warning shot, without some sort of comment and reply saying, hey, folks, you're abusing this, I think it was also very inappropriate to be done.

Moving onto the whole KOPS thing, the initial round of questions was asked of the Board members that voted against the contract back in October, but then a follow up question I guess opened it up to all of us. Of course, I have a lot to say about it, but I think the *Kenosha News* said it best over the course of the last few days that this has gone too far. Yeah, maybe there was a certain lacking of trust that developed as a result of the very limited debate that occurred back in September and October, but in my opinion that was a closed issue at that time. To respond to Mr. Cooley's comments about the Sheriff's authority and opportunity to make any comment, he can

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make any comment he wants at any time to any Board anywhere in the County as far as I know. So if he chooses to bring this up to this Board over and over again it's still not his decision.

I think I've spoken very loud and clear about my opinions of the proposal. I think at least speaking for myself I was elected last April to turn over the stones, to be an advocate for taxpayers, people that are hurting. I know there's people up and down the street I live on that are moving out of their houses because they can't afford their tax bills. And for me to ignore something and just to rubber stamp it out of existence without looking into it I think would have been a dereliction of my duty and I wouldn't deserve to sit here if I didn't want to look at things like that.

The in my opinion abuse of school children was over the top. I find it hard to believe that anyone that would abuse the parent/teacher relationship and even more the teacher/child trust relationship in that way, I've heard again some things are hard facts and other things are just suggestions and secondhand or thirdhand information. But I've heard comments that if these two new guys get elected to the Board that the police are going to get fired and there's not going to be anybody in the streets protecting us anymore. I wasn't there. I didn't hear it. But if that's the kind of stuff that is being said it's really, really gone over the top.

Again, getting back to my initial comment, there was clearly a wedge created in October, and this KOPS organization, and I target that organization specifically, has done everything possible to drive that wedge even further open and I resent that tremendously. I shouldn't--I came here to the Village last night to the hall to pick up some information, and there were two police officers parked in the parking lot. And I actually hesitated going up to them and saying hello. That to me is absurd that I should have to hesitate wondering what the reception would be like. Very fortunately it was positive and I was glad to see it was positive. But I think somebody elected by 50 percent of the residents or voters of Pleasant Prairie last year shouldn't have to hesitate going and saying hello to his own police force.

The speakers tonight you had one person being very positive about his experience with the Village, and I'm glad that he is, but you also have a lot of residents and citizens that are very unhappy. I sure would like to see this end.

John Steinbrink:

Other Board comments? I think there's a lot out there in perception and unfortunately come election time we hear from a lot of different candidates. Many of the facts about the Village are very much distorted. This has been an ongoing thing for many elections, one being budgets and finance and debt. It's unfortunate when people and maybe it's through ignorance that don't understand it or maybe it's through just trying to skewer the budget or skewer the Village. I'm not sure which one it is. I think it's up to us to make sure that the truth is known about the budgets and the services we provide and the costs of those services what the taxes really are in the Village and not what they're perceived to be. I think it's our obligation to make sure that fact is presented in an accurate manner. Sometimes that may require us to respond.

Unfortunately, we read a lot in the paper and many of these are unsigned by people, different venues of the media, people making accusations and claims very much unfounded, very without

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merit or understanding I have to believe. So I guess it will come from time to time be our job as Board members as those of us who understand what the budgets are or what the actual debts are, what the services are, what the cost of those services are and what the implications of things that have gone on in the Village. And I think it's accurate for us to respond to those in an accurate manner and to make sure that the citizens of the Village do understand and have the truth about what those costs are and what the debt is.

This Board has worked very hard. At the last meeting there was a gentleman who made a lot of those strange accusations, what do the good old boys do. Well, number one, if this was such an awful place and we did such an awful job why were we recognized for the WAME award by the rest of the State as one of the best run municipalities in the State of Wisconsin? I think when you look at our tax numbers and you look at a lot of the other actual real data that's out there without the spin being put on it by certain folks out there that may not understand, it's kind of a sad scenario.

If you look at what this Board has accomplished over the years and you look at the way the Village has been run and the quality of the Village, and you look at the jobs we've created and how we've taken upon ourselves to bring in more jobs even more recently with Abbott, to bring fine companies in such as Target into the Village, this is something I think all the citizens can be proud of. I know I'm proud of it as a Board member and I hope the rest of the Board and staff are proud, because we're very fortunate in this Village to be represented by people of great integrity and the knowledge to know how budgets are put together, what it takes to maintain a Village and the folks that work for us. I don't think I can say enough about the folks that work for us. The job they do is why we're recognized as such a great place to work and to live and to recreate.

When we have amenities like the RecPlex and the IcePlex and you look around the State and at other communities and what they offer, a lot of folks come up to us and say how were you able to do that? Well, we did it through a lot of hard work. We did it by working as a team so that we worked in the same direction, we came up with a good result, and we ended up with something we can be very proud of. It's unfortunate a lot of folks don't share that pride, but I think the majority of the folks in the Village share that pride. I want to thank them for their support and for their understanding. There are a lot of folks that move into the Village or new people and they pick up the paper and they read what's being said and they probably shake their heads and wonder what's going on. Once again, I think its imperative we get the real facts out to those people and let them know what exactly the Village is all about.

Alex Tiahnybok:

I don't think anyone would disagree that the Village has done tremendous things. I first bought property in Pleasant Prairie in '93 and I'm thrilled to live here. And I was motivated to run for this Board because I loved this place. Just a follow up on what John said, this current year's campaigns, election campaigns, are hijacked for lack of better words. One topic. And I don't think the citizens of the Village if we really are motivated to inform them and to keep them in the loop I don't think they're being served well. Again, as I stated, the more I've looked at the

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Sheriff's proposal the less I thought it made sense. And if it came down to \$200 a property I don't think it makes sense at all.

But there are issues that aren't being discussed and there are issues that really do merit some air time, things like people have come crying here about their Clean Water Utility bills and how that's been implemented. People are crying about impact fees and as to whether or not they're being implemented correctly. I realize some things are beyond our control, but in terms of impact fees for schools that could be a debate issue. The overall Village debt compared to similar communities isn't being discussed. The notion that was thrown out a few meetings ago about districting. I think that that should be the hottest debate of all in terms of whether or not the Village should move in that direction. This is something candidates should be talking about instead of defending what I believe are lies about us. So, yeah, I think the citizens should be served better and there should be open debate about things that really matter and not things that are dead.

John Steinbrink:

I'll close the comments with saying Alex you've had a voice in it and the record shows it.

Alex Tiahnybok:

That's true.

Mike Pollocoff:

I have an announcement from the State of Wisconsin from Kapour . . . who is the contracting engineer on the 165 project. They did an initial layout of 165 and they had a working session with both the Plan Commission and the Board. They've redrafted based on the comments they heard at that meeting. So we will be conducting another public information meeting, and the date for that meeting is going to be Wednesday, March 29th from 4:30 to 7:30 here in the Village Auditorium. It will be an informal open house. We encourage everyone to stop by anytime between 4:30 and 7:30. There's also going to be a video presentation of roundabouts at 5:30 and 6:30. If anybody has any special needs they need to contact the Village Hall and we'll work to accommodate those.

This next step in the process based on the input that's received at the public information meeting we're going to help them get farther along on their design process and help them come up with a project manual and a guide to implement the construction of that road at such times that's ready to go. So I'd encourage everyone to make some time in their schedule to attend that meeting.

7. NEW BUSINESS

- A. Receive Plan Commission Recommendation and Consider Ord #06-13 for a Zoning Text Amendment to amend Section 420-137 A and B, D E and J of the Village**

Zoning Ordinance related to Planned Unit Development Overlay.

Jean Werbie:

Members of the Board, Section 420-137 A, B, D, E and J are proposed to be amended through Ordinance #06-13. It relates to planned unit development overlays. Section 420-137 of the ordinance is intended to permit developments that will, over a period of time, be enhanced by the coordinated area site planning and diversified location of structures. The PUD overlay district allows for flexibility of overall development design with benefits from such design having flexibility intended to be derived by both the developer and the community, while at the same time maintaining, insofar as possible, the land use density and standards and requirements as set forth in the underlying basic zoning districts.

Currently there are no PUD districts in the Village for the agricultural districts A-1, 2, 3 and 4, or R-1, 2, R-6, R-12 and FPO. The purpose of the amendment this evening is to allow for a PUD or a planned unit development overlay to be permitted in the A-2, A-3, A-4, R-1, R-2 and FPO districts. What this would mean is you could create a large log agricultural subdivision, and if there was not specifically either 10 or 35 acres for each individual parcel, you could create some smaller parcels, maybe 5 or 10 acres, and still create a smaller subdivision but insofar as maintaining an agricultural use on the referenced property.

Back in 1983 when these provisions were drafted by the County and then when we took over as a Village in '89, no one really envisioned trying to create an equestrian type development or some type of development that involved agricultural property and still allow for sanitary sewer to service the properties. So the purpose of this PUD request is to identify that an agricultural PUD could be created or a PUD using the R-1 or R-2 district areas could be created.

The proposed ordinance sets forth the basis for the application approval in the agricultural district, and some of that criteria that would need to be provided, in addition to what's in the ordinance currently, is that developments would need to create an attractive agricultural environment of sustained desirability and economic stability and coordinate with the overall Village plans. Developments would need to be adequately provided with sanitary sewer service, and the development shall not impose any undue burden on public services and facilities such as fire and police protection, street maintenance and maintenance of public areas. Provisions for the installation of adequate public facilities and continuing maintenance of operation of those facilities. Provisions for fire, rescue and police. Adequate guarantees for any permanent preservation of open space as shown on the approved site plan either by private conservation easements for the preservation, protection and maintenance of open space or the dedication of open space areas to the public. There are a number of tools that are available, whether they're conservation easements or some type of dedications or actually through some overlays that would allow for basically the preservation of wetlands, floodplains, shorelands within an agricultural district so that those areas would be counted as acreage but they would be protected for residential development. Or, any other requirements as set forth by the Village.

So that is the request. This is a matter that was before the Village Plan Commission at their last meeting. There was a public hearing. There were no concerns or oppositions to that request but, again, what we're doing is we're amending the ordinance to set forth a provision so that they can

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be created if an application does come forward. I've had requests in the past with respect to individuals wanting to do something similar. I don't have a request on the table at this point, but there's an opportunity then to create this type of overlay. The staff and the Plan Commission recommend approval as presented in outline form.

Mike Serpe:

Jean, would these be like hobby farm type of things?

Jean Werbie:

They could be, yes.

Mike Serpe:

Livestock would be permitted?

Jean Werbie:

Livestock would be permitted. However, we have some underlying ordinance requirements that state, for example, horses would have to be penned, farmed or fenced at least 200 feet from any abutting residential home. So we have provisions like that. Pole barns or barns containing livestock would have to be kept 100 feet from the home on the property. So we do have other provisions that set forth some restrictions with respect to agricultural animals. Certainly we would need to look very closely as to where these agricultural areas are in the Village in so far as the fact that they don't negatively impact an existing residential development that immediately surrounding the area.

Mike Serpe:

And that would have been my next statement. Some livestock are a little bit more offensive than others, and there's no provisions to restrict or to specify which type of livestock is permitted, is that correct?

Jean Werbie:

That's correct.

Mike Serpe:

Something to think about.

Steve Kumorkiewicz:

Jean, I remember reading about the . . . part of the County using agricultural areas to do

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subdivisions of few houses . . . right here, but this is the first time I hear about livestock. They would like to have the farming in the backyard but I don't recall ever reading about having livestock and it would be a concern to the subdivision.

Jean Werbie:

An agricultural PUD would have to have a minimum of 15 acres as proposed by staff. All of the agricultural districts currently, whether you're in the A-1 or A-4, which require 35 acres, A-3 which is five acres and A-10 that's ten acres they all allow for livestock, poultry, any type of agricultural animal. They all allow for that now. Again, just because the Board is creating the provisions to allow for a PUD does not mean that you have to automatically grant a PUD if it's in an area that's not appropriate. Again, it's a legislative decision or rezoning of a property if, in fact, someone comes forward to make that request.

Steve Kumorkiewicz:

Okay, thank you.

John Steinbrink:

Other comments or questions?

SERPE MOVE TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORD #06-13 FOR A ZONING TEXT AMENDMENT TO AMEND SECTION 420-137 A AND B, D E AND J OF THE VILLAGE ZONING ORDINANCE RELATED TO PLANNED UNIT DEVELOPMENT OVERLAY; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

B. Receive Plan Commission Recommendation and Consider Res. #06-14 of support for amendments to the Village Comprehensive Plan related to updates to the Park and Open Space Plan and the Village Land Use Plan.

Jean Werbie:

Members of the Board, the Village's Comprehensive Plan was originally prepared with the assistance of SEWRPC back in 1995. It was identified as the Kenosha Urban Planning District Plan or the Comprehensive Plan for that area. In that Comprehensive Plan there were a number of different elements or sections of that plan and one of them was the Park and Open Space Plan for the area including the Village of Pleasant Prairie. That plan that was prepared back in 1996 was a five year planning effort with all of the area municipalities as well as Kenosha Unified School District. It did provide a lot of detailed information, but what it did envision is that eventually the Park and Open Space Plan was going to be updated by the Village of Pleasant Prairie.

Some other just general background information on the Comprehensive Plan, again, it was adopted by the Plan Commission in 1996. The Plan Commission is actually the official Board that was designated by the State Statutes as the Board to approve and modify any amendments to the Village's master plan. Because of the importance and significance of this Park and Open Space Plan to the Village of Pleasant Prairie, it's only fitting and appropriate that the Village Board also consider the adoption of this park plan as it will set forth a guide and framework for future development of parks and open space within the Village of Pleasant Prairie.

Also, the Village desires to maintain its eligibility for grant opportunities for acquiring and developing parks and recreational facilities. And this would be through the State Stewardship Program or through the federal LAWCON programs. The Wisconsin Department of Natural Resources requires that the Village update its comprehensive outdoor recreation plan or community wide Park and Open Space Plan every five years in order to maintain eligibility and to assure that our park planning goals, objectives and policies are current.

The Village Park Commission is proposing an amendment then to the Comprehensive Plan as an update for the Park and Open Space Plan element. The Park and Open Space Plan is identified as a five year plan, 2006 through 2011. At the Plan Commission meeting it was discussed that the park plan should be evaluated by the Park Commission at least every two years. The requirements by the State are that we have to take a look at it at least every five years. It really depends on the growth of the Village and what direction that the Village is heading.

The Park and Open Space Plan was prepared by Vandewalle and Associates and, again, the Park Commission has gone through this plan and has recommended it to the Plan Commission and now the Plan Commission is recommending it to the Village Board. On February 7, 2006, the Park Commission approved the Park and Open Space Plan.

I'd like to briefly go over the chapters within the Park and Open Space Plan that you have before you. It's my understanding that the Park and Open Space Plan is also on the Village's website so it can be viewed for any additional comments. The Village has planned for and developed a park and recreation system that is designed to meet the needs of the community and has also maintained a regional perspective by taking measures to preserve the ecosystems and watersheds and to provide park and recreational facilities that will provide park amenities not only for the Village but our surrounding communities.

The plan is intended to incorporate and refine previous findings that were presented in the Park and Open Space Plan for Kenosha County that was originally prepared in 1987 and amended in 1999, as well as the 1995 comprehensive plan. The update was prepared in accordance with the guidelines that will make it certifiable by the Wisconsin DNR and, again, will qualify the Village for matching grant opportunities with the Federal Land and Water Conservancy Fund, which is that LAWCON fund which I referred to, as well as the State of Wisconsin Stewardship Fund Program.

Chapter II of the Park and Open Space Plan discusses the background information. It covers various natural resources including information on climate, soils, water bodies and water sheds, vegetation, wildlife habitat and the Chiwaukee Prairie and Carol Beach. The chapter also

includes additional information on population, demographics, housing characteristics and review of the existing park plans.

Chapter III is the public participation element. A visioning workshop was held on September 28, 2005 to provide Village residents an early opportunity to share their perspectives on the existing park systems and its future. The results of the workshop contributed to the development of the goals, objectives and policies of the park plan, and they're also included as an appendix in the back of the Park and Open Space Plan.

As part of the park plan overview in Chapter IV, there is some detailed information on the existing park and recreational facilities in the Village of Pleasant Prairie, and some additional amenities or facilities in the Village have been identified as well that relate to not only school parks but community parks, the regional park as well as neighborhood parks.

The park plan overview, Chapter V, talks about regional opportunities. Future park, open space and recreational opportunities with the Village are influenced by its position in the region and its physical environmental and demographic characteristics. The opportunities available in the neighboring communities affect what is possible and desirable in the Village, and this map shows major recreational resources available in Southeastern Wisconsin and Northern Illinois. This covers a number of amenities including the Chiwaukee Prairie area of the Village in the southeast corner, the Des Plaines River Watershed, primarily environmental corridors and linkages and the Des Plaines River that runs through the Village.

Under regional opportunities continued, the recommendations in the plan are intended to enhance and contribute to the regional recreational experiences by taking into consideration the following activities and resources, utilizing Lake Michigan frontage for passive and active recreational uses, enhancing the Des Plaines River corridor, building connecting trails, build on the success of Prairie Springs Park, LakeView RecPlex, Village of Pleasant Prairie IcePlex, create more outdoor active recreational space as new development occurs, increase varieties of recreational experiences and use community growth to create great parks.

Chapter VI talks about the goals, objectives and policies. And they're based on information that has been previously presented in other chapters including citizen input, discussions among staff members as well as the Park Commission.

With respect to the goals that the Park Commission had come up with, one, to ensure the provision of a sufficient number of parks and recreational facilities and open space areas to enhance the health/ welfare of the Village residents and visitors, and they should accommodate special groups such as the elderly, handicapped and young children. The second goal to preserve the Village's natural resources and amenities for the benefit of current and future residents.

Some of the objectives include provide quality outdoor recreation sites and adequate open space lands; ensure that at least one park and recreational open space is within a safe and comfortable walking distance for all residents; increase the diversity of recreational opportunities; provide good pedestrian, bicycle and vehicular access to all parks and recreational facilities; balance a need to acquire and develop new park and recreation facilities and to upgrade some of the existing parks.

With respect to policies there are quite a few. I'm just going to highlight them for you. The citizens should be provided with an opportunity for engaging in all types of recreational experiences. They should continue to maintain and upgrade existing park and recreational facilities for the safety and convenience of the age groups that utilize them. Neighborhood parks should be sited and designed to enhance neighborhood cohesion and provide common neighborhood gathering places. Parks should be integrated into future neighborhood designs and linked by sidewalks, bike routes and open space corridors. The Village should explore opportunities to increase controlled public access to Lake Michigan including beach and swimming areas. The Village should take all possible measures to protect and enhance natural resource based elements. These are areas specifically in the Chiwaukee Prairie/Carol Beach area. To continue to acquire park and open space lands in advance of or in coordination with new development that's occurring within the Village. The Village should continue to develop a diversity of park sizes and types to meet individual characteristics and needs of the various neighborhoods.

Park impact fees are mandated through Village ordinances. An alternative means of reserving lands require open space should be explored to ensure that the lands are obtained at the lowest cost possible to the public. Some of these as I mentioned previously conservation easements, purchase of development rights, using nonprofit organizations. Park and recreational facilities should be combined with school facilities and we've done that with our neighborhood school park concepts. The policy includes the preservation of primary and secondary environmental corridors, isolated natural areas and all other types of natural resource based elements. All new residential development should meet the park and open space standards as outlined in the plan.

The Village should explore the need for special recreational areas. It came up considerably in the discussion to look at parks such as dog parks and skateboard parks through more detailed recreational planning following the adoption of this plan. The provision of safe and convenient bike and pedestrian connection and trails. Linking industrial and commercial areas through bike trails and pedestrian trails. The Village should encourage public awareness of park and open space outdoor recreational facilities by promoting them through maps, signage, internet and other types of materials. The Village should take measures to ensure that the facilities are upgraded to meet ADA design guidelines and new parks are designed to meet those guidelines to be barrier free. The Village should continue to plan for a park system that can accommodate the Village residents as well as a large number of people that commute into the Village for jobs on a daily basis. The Village should continue it's neighborhood planning process to identify future land uses, roads and lot layouts and locations for parks, open space corridors and trails.

Chapter VII discusses the park and recreational standards to guide the park planning process to enable the community to measure how well its existing facilities are meeting the needs of the residents and to assist in future facility development based on the population growth. SEWRPC has developed more localized park and recreation facility standards and we used those in developing the plan. And the chapter also discusses each park or open space type, specifies a standard related to the service area, size, basic facilities and activities and standards for outdoor recreational facilities.

The analysis of existing park and recreational facilities is outlined in Chapter VIII. It identifies various park types that we have in the Village, neighborhood parks, school parks, community, regional and special open space; what the standard is as presented by SEWRPC which relates to the required acreage, the total existing acreage and how many park acres that we need. The park facility needs was also broken down based on the various elements or park types, and the recreational amenities that were located within the parks. Again, all of this information is in the park document as well as on the website.

Then there's a continued analysis of existing park and recreational facilities based on the year 2030. Again, when we're in the process of updating our Comprehensive Plan, we look forward into the future to 2030. Even though this is only a five year park plan we need to look into the future as to what the facility needs will be based on the future population. And this sets forth the different park types and the standards and the existing acreages and park acres that would be needed. Figure 11 also identifies the park facility needs for 2030, and this is also contained within Chapter VIII.

The park plan overview Chapter VIII, this is a map of the analysis of existing and recreational facilities and existing park service areas. Based on the size of the park, if it's a smaller park with fewer amenities it serves a smaller geographical area and population. So on the small spaces a neighborhood park will serve the smallest number of people because people have a tendency to go from a certain distance from their house and their children to go play at a particular park. And so what we're saying is each neighborhood that has been identified and, again, that's about a mile and a half or so square mile area, that they would be serviced by a neighborhood park. And then you go to the next level which might be a school, neighborhood school park, and then a community park and then a regional park. In the Village we do have some special open space areas which are very unique and they can address and serve the needs Village wide as well as regional wide depending on the amenity. Park plan overview in Chapter VIII analysis of existing park and recreational facilities, existing park service areas is provided.

The park plan overview in Chapter IX there's recommended park and open space improvements. The recommendations are based on population growth as projected. The plan recommends that a total of 16 new parks are proposed and improvements should be made to nonexisting parks, and this is over the next 25 to 30 years. The timing of parkland acquisitions and development should coincide with the actual demand and need for those park amenities and recreational facilities in the Village. Maps 4 and 5 in the park plan indicate the areas of planned park and recreational facilities as well as future park facilities.

This map was modified slightly by the Plan Commission in that it identifies the recommended park and open place improvements, the planned park and recreational facilities and trails based on the neighborhood planning that the Plan Commission has been doing. There have been some areas that it looks like were missed with respect to some interconnecting trail systems, and so the purpose of this map is to amend that park plan and this is what was recommended by the Plan Commission in order to include these trail systems in the park plan.

There were also some areas in the recommended park and open space plan improvements that missed a neighborhood park with a neighborhood school. It's intended that the Village would continue to work with the Kenosha Unified School District to make sure there are park amenities

that the neighborhood could use even though the school was not in session. So whether it's a ball field, a soccer field, play equipment, the neighborhood school park concept has been a concept that has been around since the early 1960s in Southeast Wisconsin, and it's been one that's been embraced in Pleasant Prairie since the late 1960s with the first Comprehensive Plan and as late as 1996 with our latest Comprehensive Plan. So we will continue to work with the Unified School District on creating school and neighborhood parks together.

For the park plan overview, recommending park and open space improvements in the service areas. There are two that were missed off of the map and were amended by the Plan Commission. One is the possibility for a neighborhood park in Carol Beach Unit W area, and the second is where a possible community park would be associated with a possible future high school site which is north of Prairie Springs Park. So, typically again, parks go with school sites, and in this case it would be a community park with high school probably similar to Anderson Park being adjacent to Tremper High School. That's a typical community park high school site.

As part of the planning process four concept plans were prepared to further guide the development and enhancement of the Village's park and recreational system. The implementation of these concept plans should be the Village's priority in the next five years as recommended, again, by the Park Commission and the Plan Commission, the Village Green Park Concept Plan, Creekside Park Concept Plan, Pleasant Prairie Park Concept Plan and Momper's Woods.

Let me step back a minute. There was a fifth concept plan that was presented at the Plan Commission meeting and that was for Carol Beach Unit W. There were some residents that presented their concerns and comments at the Plan Commission meeting, and they were just not comfortable with creating a neighborhood park at the former Town Club property, and they wanted the neighborhood to have greater input and discussion with respect to that concept plan. They did not want to see it forwarded into the park plan and get adopted before they had an opportunity to discuss it further. So for that reason the Plan Commission did not approve that

particular concept plan and it was not forwarded onto the Village Board. So these were the four concept plans that the Park Commission had worked on and the Plan Commission had agreed to as part of the amendment to the Comprehensive Plan.

The first one is the Village Green Park Concept Plan. As you know, we adopted a neighborhood plan for a mile and a half square area surrounding this particular concept, and we have been working actually with five different developers in order to work on land donations and development of this park to be fully built out at the time that the subdivision surrounding this park is built. And there has been considerably input by the developers as well as the Village staff on this particular park.

The second is the Creekside Park Concept Plan. In this particular case these two parks and the interconnecting trail system are entirely within the Creekside Crossing development. This is another neighborhood park that we were proposing. The developer is dedicating the land and we'll be developing the park amenities within these two parks for the Village. They will be constructed at the same time that this development is under construction. And actually the initial

stages of this development are under way, and this will be completed when that development is completed in the next three to five years.

The next is the Pleasant Prairie Park Concept Plan. This particular concept plan takes the existing Pleasant Prairie ball park and really looks at all of the possible amenities that could be added to this park to benefit the greatest number of existing residents in proximity to the park. We did have a number of people discuss this particular park. It does provide for some new elements that we have not seen in Pleasant Prairie including a disk golf course as well as a dog park. So those were some of the things that were discussed, introducing a soccer field and enhancing the existing ball fields as well as introducing some tennis courts and some other amenities. Most of this land on the east side is all under the Village's ownership. Not all of it is under the Village ownership. At some point it would need to be acquired if this plan would be realized to its fullest potential.

Then the last one is the Momper's Woods Park Concept Plan. This is a little unique. It's more of a special interest or special area park for the Village. It was land that was acquired and donated by Nitto Americas to the Village. It contains a great number of larger oak trees and other types of walking trails and other types of significant historical elements within this particular area. The concept by the Park Commission was to create more of a nature center, educational type park here, not to have any real active park amenities at this particular location at this point. Again, the land is under the Village's ownership. The existing house that was there has been removed and not too much work other than some minor cleanup has taken place at this point in this park.

Park Plan Overview: The recommendation in the plan are proposed to be phased in over time. Phasing will be dictated by several factors including private landowner decisions to develop their property for residential use and by funding available to the Village to make necessary acquisitions or improvements. Appendix C outlines potential funding sources for park and open space facilities. Again, that Appendix C really addresses just the immediate four parks that concept plans were put together for. It does not address all of the parks for the next 30 or 35 years. As the area develops over time those will be decisions that the Village Board will ultimately make with recommendations from the Park and the Plan Commissions, but they will be based on decisions made by the Village Board as they proceed in budget deliberations each year.

Mike Pollocoff:

I might add there's been some discussion about, and I heard a little bit about it after the Plan Commission meeting, that maybe the Village can't afford this park plan or it's going to be too expensive or it's a lot of money. One of the things, whether it's the Plan Commission or the Village Board, needs to remain aware of is this is part of the Village's Comprehensive Land Use Plan. The Village doesn't identify where we want the parks in the future. As land develops the developers are going to tell us where they want the parks and how much of a park they want to give us, and we're going to live with that decision.

What this plan, dovetailed with the Land Division and Development Control Ordinance, is going to do is to say these are the areas we want parks developed. If someone is going to develop land in these areas two things are going to have to happen. One is they're going to need to make a dedication of land to the Village, or if their development isn't in that area where that dedication would be required they're going to need to make contributions so that land can be acquired so

you're not putting a new park solely on the backs of one developer who happens to have land where that park is going to be.

Secondly, the Board has adopted park impact fees, and the Board is going to use those park impact fees to pay for the developments of those new parks. So without the master park plan a lot of things don't happen. We don't have the ability to secure grants because we don't have an approved park plan. We're not able to tell developers with any certainty how much land they need to dedicate or how much land they need to set money aside for dedication to occur on abutting or adjoining property. There's no plan that has any validity so we really can't tell them to do anything.

This is a 2030 plan, and it gives the Village a tool whereby as we grow and develop in the future we're not going back and installing parks on the taxpayers' nickel down the road. Because if we don't require new development as it comes in to put that improvement in, it's no different than if we didn't require the developer to pave the road. We'd have to come back and pave that road sooner or later. What this does is enables us to have the legal basis to require new subdivisions as they go into the Village to make their fair contribution to park and recreation.

For the facilities that do need improvements because there is no developers involved, it's a perfect example why you're doing this. Right now we're looking at Pleasant Prairie Park, Unit W, even though that's not in here that's going to come back. We need to come up with a plan and then now we're going to have to either use a mix of whatever minor development occurs in an area to come up with the money to do it, or we come back in and do a tax levy to take and at some point in the future pay for those park improvements because the developers that developed around those parks didn't pay for any park improvements. Now if the neighbors in that area want parks and improvements and the things that make the park nice we have to pay for that ourselves. Those are decisions by the adoptions planned. You don't mandate that those expenditures are made, but you do mandate that as people develop they need to be cognizant of those and can't ignore them.

Not adopting a park plan under the guise that you're saving somebody money is the exact opposite of what you're doing. By not adopting the park plan you're ensuring that future residents of the Village are going to be paying for a park plan to be implemented on the fly and that's really what you end up doing. You kind of do it as it comes along and then you horse trade and try to negotiate for whatever you can get out of the guy, but there's no legal connection to make that developer pay for that park.

Whether or not we make improvements to Momper's Woods or Carol Beach Unit W, however that evolves, Pleasant Prairie ball park, if additional improvements are made there those are going to be budget decisions that future boards, this Board are going to have to consider and evaluate based on their spending priorities. But at least there's something that's been adopted and it's had significant community input. As Jean said, this thing has been rolling around since September as to what people want to have in the parks. I think this is a valuable component of our master plan. It's one of the pieces that comes into the smart growth planning requirements that we have to meet. So I think adoption is critical. And I think to tie it to something that the Village can't afford, I really don't believe the Village can't afford to protect itself by not being able to tell the developer what they're going to have to pay for when they do develop here.

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The Plan Commission unanimously accepted this. The Park Commission unanimously accepted it. The Recreation Commission unanimously accepted it, and it's my recommendation that the Village Board go on record supporting this plan.

Mike Serpe:

I have to commend staff and the Park Commission and all the commissions that brought this forward. This is probably the most aggressive bit of information that's ever come out of the Park Commission that I can remember. And to plan for the future, as Mike said, is key. And to provide park and open space is as big a key as anything. Right now if I'm not mistaken I think 23 percent of the Village is dedicated to open space and that's big. I'm not casting anything against the City, but I think by comparison they're 3 percent, so we're 20 percent larger in open space that will remain in open space than some of our neighbors.

To fail to plan for the future, as Mike said, it would just be disastrous and it would all fall on the backs of the taxpayers and create all kinds of controversy. Developers are going to be paying for most of this and we're going to be paying for some. Impact fees are going to be paying for probably the largest portion of what we have to pay for. I think it's an excellent plan to at least move forward. It will be reviewed every two years by the Plan Commission as requested by the Plan Commission. I agree with that and I would move for adoption.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion and a second. Any further discussion?

Alex Tiahnybok:

Jean, the design plan for all the other parks if we approve this today are those designs set in stone or are they subject to review and changes, etc.?

Mike Pollocoff:

What other parks?

Jean Werbie:

The four concept parks?

Mike Pollocoff:

The conceptual ones or the future parks?

Alex Tiahnybok:

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The conceptual ones, the four we're talking about right now.

Mike Pollocoff:

Those would have to be--that's a conceptual design that kind of identifies the capital improvements that are going to be made for that. For those projects to proceed, depending on what they are like Village Green Heights, that's a developer driven park. We're going to require a developer to design that park and come up with some specific construction plans with quantities and units and prices so we can see what that is. Some of the plans like Unit W or Pleasant Prairie ball park, those are plans that the Village whenever we get ready to pull the trigger on and do it we would commission, again, a design, a landscape architect to come in and design that plan up to see what the real price on it's going to be.

So what they've done in here is they've taken a look at the standards that are set forth by SEWRPC as to given the area that it's serving what are the amenities that are needed in that park to make that park a neighborhood park or community park or whatever it is and that's what's in that conceptual plan.

Alex Tiahnybok:

Subject to changes? I mean the orientation of the, say in Pleasant Prairie Park, the tennis courts and soccer field and baseball field these are an idea that we'd like to implement them. They're not necessarily--

Mike Pollocoff:

Again, some of them are things like you don't want the batter hitting . . . or things like that. They're not designed. It's a conceptual drawing.

Alex Tiahnybok:

In that case my question is--I sit on the Parks Commission. All five of these plans were approved by the Park Commission. I attended the Plan Commission meeting last week when 80 percent of this plan was approved. I'm also President of the Carol Beach Property Owners Association. I know the gentleman that spoke here last Monday and I understand their concerns. They are key concerns where they don't want a softball field that's really not going to be a real softball field or a soccer field that's not going to be a real soccer field in their backyards with children and organized games and all that sort of stuff and I don't blame them because fly balls would go right through their rear windows.

What I didn't hear those people say is that they're against the idea of a plan. There's two Plan Commission members here and maybe they could chime in, but I didn't hear them say they were against the plan of a park. They were against the nature of a softball field and a soccer field being directly in their backyard. So removing--if it was going to be a battle of the majority I'm sure I could have found many more people in Carol Beach to come that are very much in favor of a park in that spot. So to remove it I think was not an appropriate move. As the Village Board I'd like to see it brought back into the plan.

There are some big benefits, too, as Mike just referred to. If you have a plan in terms of open land and conservation space, that existing Village land that people historically have thought would be the park, my understand if this plan moves through we would turn that into conservancy. Even one of the Plan Commission members suggested that the path that goes around the pond on this subject property actually be extended further north and connect with the Kenosha Dunes. I thought those were all very positive comments. And the net result was let's just pull it out of the plan altogether. I think people in that particular neighborhood have been crying for a park for a long time and to remove it and put it on the back burner I oppose that. I'd like to see us amend this to bring it back into plan form perhaps with the softball field and the soccer field removed for now and redesign that aspect.

We spent money on this plan. I think there were some Plan Commission members that were in favor of it, maybe not in its current presented form, and I would like the Board to bring it back into the plan as an equal partner.

Mike Serpe:

Alex, maybe I misunderstood last Monday night the intention. I don't think we're pulling this out of Unit W to never be visited again. I think we pulled it so when we're ready to do the improvements we want to get the neighborhood input and that's how I understood it. I mean the park is going to take place, it's just going to take place with more input from the neighbors. Unless I missed something last week I think that's where we're going, aren't we?

Mike Pollocoff:

I think that's true. That was my understanding of the Plan Commission's actions. They wanted to get the neighbors together and let them get another kick at the cat. This doesn't take the Carol Beach Park and there's still parkland there. That being said, the Board can't modify the plan. By statute the Plan Commission is the body that establishes the plan. You're going to support it--you can send a motion back to reject it back to the Plan Commission, but under law the Plan Commission is the one that approves it and has the final say on it and you make a supporting recommendation.

I received a call from a couple of those people that were at the Plan Commission, and they're going to get a group together of the neighbors who had concerns and they were going to set up a time to come in and visit and that's fine. I don't want you to think that this doesn't happen. What really doesn't happen is we don't know what that conceptual plan looks like. The fact that there's a park there doesn't go away. The parkland is there and, as I said, my recommendation was to move that way from 90th and get it pushed up towards the woods. Assuming that they think that--even if it's a passive park or whatever that park ends up looking like, I think it's still a win/win for everybody especially for obtaining some funding. But that park doesn't drop off the map altogether. What's really is on hold is what it's going to look like.

After the neighbors, and however big the neighbors end up being, if it's all of Unit W or just the people on 3rd I really don't care. When we come up with that then the Park Commission would amend the master park plan and come back and have the Planning Commission make an

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amendment to the land use plan to show this is what we want, and then it would come back to the Village Board for their recommendation of support or denial.

Alex Tiahnybok:

I think it's a good plan. So if we're just approving the plan as is without modifications of course I agree.

Steve Kumorkiewicz:

I think it was very well planned.

Mike Serpe:

We're okay now on this?

Alex Tiahnybok:

Oh, yeah.

John Steinbrink:

We have a motion and a second. Any further discussion?

Jeff Lauer:

To my understanding then for these parks that would be built it wouldn't cost--the main focus of the funds is impact fees and developers and not to the tax base?

Mike Pollocoff:

The purpose of the master plan is to provide the framework and the guidelines for what's going to be done. How it's going to be funded is the financial decisions the responsibility of the Village Board. If we have a framework of ordinances that identify impact fees, developer contributions, developer dedication, if you have a park budget albeit a not very big one, and you also have the ability to secure funds through grants. And typically those grants are going to require a match. So each and every year, just as the Village does every year, they're going to adopt a budget. The Park Commission, or the Park Department through the Park Commission, is going to bring forth this plan because the Plan Commission has indicated they want to go through this every two years. So every two years the Park Commission is going to say we're going to update this and here's what they want. Then it ends up being a fiscal matter that the Board is going to address in their budget deliberations.

If the Park Commission and the Plan Commission in their recommendations on the two year plan say we need to do a park in Unit W, it's got to happen and it's got to get done, then at that time

the Board is going to say how are we going to pay for it? How much is coming from impact fees, how much is coming from any other source if there's a shortfall or not funded? That happens with everything we buy. So there's always the opportunity if the Board decides to not wait for developers or not wait for a grant or not wait for some other contribution and fund it themselves. But without this document we can't even ask for the grants. We're not eligible to say here's our plan of what we're going to do and participate with us on this park or this trail or this open space acquisition. And there is no free grant money. I can't remember the last time I saw a 100 percent grant. Whatever grant is obtained is going to have some contribution, whether it's by the Village or somebody we talk into making a contribution. So I can't tell you that nobody will ever spend anything, but on the other hand the only way money is going to get spent is if this Board decides to do it.

**SERRPE MOVED TO CONCUR WITH THE PLAN COMMISSION
RECOMMENDATION AND ADOPT RES. #06-14 OF SUPPORT FOR AMENDMENTS TO
THE VILLAGE COMPREHENSIVE PLAN RELATED TO UPDATES TO THE PARK AND
OPEN SPACE PLAN AND THE VILLAGE LAND USE PLAN; SECONDED BY
KUMORKIEWICZ; MOTION CARRIED 5-0.**

- C. Receive Plan Commission Recommendation and Consider the request of the Bentz Estates Homeowner's Association for an amendment to the Restrictions and Covenants for the Bentz Estates Subdivision.**

Jean Werbie:

Members of the Board, we have received a request to amend the declaration of restrictions, covenants and easements for the Bentz Estates Subdivision as it relates to detached garages and sheds. As part of their amendment, they are requesting to allow for sheds and other types of detached structures to be allowed in the rear yard of properties. They have identified some criteria that the structures would have the same roof pitch as the home. They have the same roofing and siding materials and colors as the existing home. This amendment has already been approved by the Bentz Estates architectural control committee. All other regulations relating to the location size, setback for detached accessory buildings would need to comply with Village ordinances, and the association would be responsible for recording the amendment at the Kenosha County Register of Deeds Office.

This Bentz Estates subdivision is located on the west side of 60th Avenue just north of 85th Street. It's a rather small subdivision of 11 lots, but any modifications to homeowners' covenants that were originally approved by the Village do need to be approved again by the Village. The staff and the Plan Commission recommend approval as presented.

Steve Kumorkiewicz:

That was discussed in the Planning Commission. Consequently I move for approval.

Alex Tiahnybok:

Second.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE THE REQUEST OF THE BENTZ ESTATES HOMEOWNER'S ASSOCIATION FOR AN AMENDMENT TO THE RESTRICTIONS AND COVENANTS FOR THE BENTZ ESTATES SUBDIVISION; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

- D. Receive Plan Commission Recommendation and Consider the request of VK Development, property owner, for a Certified Survey Map to subdivide Tax Parcel Number 91-4-122-182-0134, located within the Prairie Ridge commercial area, into three (3) lots and one (1) outlot.**

- E. Receive Plan Commission Recommendation and Consider Ord #06-14 for a Zoning Map Amendment for the request of VK Development, property owner, to correct the Village Zoning Map as a result of a wetland re-delineation for a wetland located at the southeast corner of 77th Street and 104th Avenue (Outlot 1 of a proposed CSM). The re-delineated wetland area is proposed to be rezoned into the C-1, Lowland Resource Conservancy District and the non-wetland area of the proposed CSM Outlot 1 is proposed to be rezoned to the PR-1, Park-Recreational District.**

- F. Receive Plan Commission Recommendation and Consider Ord #06-15 for a Zoning Text Amendment for the request of VK Development, property owner, to amend the Village Zoning Ordinance pursuant to Chapter 420-137 of the Village Zoning ordinance to prescribe the specific zoning regulations applicable to create a Planned Unit Development (PUD) Overlay District designation over a portion of Tax Parcel Number 91-4-122-082-0134 (Lot 1, Lot 2, Lot 3 and Outlot 1 of a proposed CSM), generally located at south of 76th/77th Streets, north of Prairie Ridge Boulevard, east of 104th Avenue and west of St. Catherine's Hospital (does not include the Grande Prairie Health & Rehabilitation Center and Hospice sites) to prescribe the specific zoning regulations applicable to the PUD Overlay District for The Shoppes at Prairie Ridge, a proposed commercial retail development.**

Jean Werbie:

The first request is for a proposed certified survey map. The developer, VK Development, is proposing to create three lots, lots 1, 2 and 3, lot 1 being 20.14 acres to be developed with a 188,294 square foot multi tenant commercial structure; lot 2 to be developed with 12.32 acres with a 126,842 square foot Target Store; and lot 3 to be developed with 8.65 acres into three separate two story office buildings the size of which is yet to be determined based on parking. On outlot 1, which is 1.91 acres, it contains a 38,403 square foot wetland.

As I go through the comments with respect to this project, you can either refer to the slides on the wall or the boards over across the hall that identify the site plan as well as the building elevations, landscaping plans, architectural renderings and some of the signage that were previously presented to the Plan Commission.

The current zoning of the property is currently B-2, Community Business District with a planned unit development overlay, so the PUD currently exists as a result of a signage PUD that was done back in 2000 for the Prairie Ridge Development. The PUD does need to be amended as it relates to the text pursuant to this development that's being proposed this evening. There is a few small areas of C-1, Lowland Resource Conservancy District, that are reflected on the current zoning map. These areas were field delineated and were just recently re-field delineated back in February of 2006.

Other existing zoning surrounding the property, I-1 lies to the east and that is the site of the St. Catherine's Hospital. To the north we've got some additional B-2 where the Famous Dave's is located. To the south we've got I-1 where Grande Prairie and Hospice Alliance are, and there's residential further to the south across Prairie Ridge Boulevard and to the west of 104th Avenue.

The first zoning map amendment then would be to rezone the C-1, Lowland Resource Conservancy District, in conformance with the February 7, 2006 wetland delineation that was completed by Graef, Anhalt &, Schloemer back in February. Specifically they identify precise limits of the wetland boundaries and the purpose of the rezoning would be to match that C-1 to those wetland boundary areas. The additional open space that surrounds the wetland within the outlot would be rezoned to the PR-1, Park and Recreational District. So, again, it will go from B-

2 to PR-1, and the C-1 would remain on the property where the wetlands are located. Again, this is south of 77th Street and east of 104th Avenue. The PUD remains on the outlot.

With respect to the referenced property, environmental restrictions there are no 100 year floodplains, shorelands or primary environmental corridor on the property. The only environmental feature is the one wetland at the southeast corner of 77th Street and 104th Avenue. There is an existing sanitary sewer main that runs right through the center of the property approximately at where 100th Avenue is located if you would extend that to the north and then extends west to 104th Avenue. It's an 18 inch sanitary sewer within a 30 foot wide easement. The sanitary sewer as part of this project would need to be relocated by the developer and placed into a new easement, and the new proposed relocated sewer line would run south of 77th on the west side of the building, the multi tenant building, and then run along the rear of the building and then connect back into the existing sanitary line. The sanitary sewer easement actually will remain at 30 feet, but at those locations where it's combined with water it will need to be 35 feet wide.

There is a proposed public water main that will be running on the site at these various locations from east to west along the fronts of the building, from east to west along the rear, from north to south along the east side of Target Store, from 76th Street to Prairie Ridge Boulevard, and from north to south along the west side of the westernmost tenant. So the site is completely serviced by municipal sanitary sewer and water.

The proposed certified survey map which is, again, the first item that's on the agenda identifies a lot 1, lot 2, lot 3 and then outlot 1. Lot 2 is the location of the proposed Target. Lot 1 is where we have the location of the balance of the multi tenant, and lot 3 is where the proposed office building would be located. I'm going to keep going.

I apologize. I probably should have put this one up first to put everything in perspective for you. The project is to be referred to as the Shops at Prairie Ridge. The development is bounded by Highway 50 on the north, 104th Avenue on the west, Prairie Ridge Boulevard on the south and St. Catherine's Hospital on the east. Again, the multi tenant portion of this building area is 188,294 square feet proposed, and the proposed target area is 126,842 square feet. The light brown buildings at the south end of this slide are the office buildings, and the buildings north of 76th and 77th Street are all proposed with the exception of the Famous Dave's which is located on the west side of 99th Avenue just south of Highway 50.

The existing wetlands that are located on the west side of the property just east of 104th Avenue those areas will be preserved and protected and put into that C-1, Lowland Resource Conservancy District, classification. We talked about the zoning of the property and the wetlands that are proposed to be rezoned. This is just a brief rezoning summary of the wetland areas and the nonwetland areas that will go into the various zoning classifications in outlot 1 and the total acreage. Again, we're not filling in any wetlands and we're not creating detention or retention out of the wetlands. They will stay in their natural state on the site.

The PUD, which is proposed for this project, is similar to another project that we did, and that was the Prime Outlets in that what we are trying to do is create some flexibility of the zoning ordinance and to allow for this unified business development to be created in Pleasant Prairie. If

we went strictly by the rules within the ordinance it would make it very difficult in order to create developments that allowed for contiguous buildings, for example. The Target site is going to be purchased by them in the next 90 days, and once they close they're going to begin construction on their building. Without the flexibility of the PUD, they would have to maintain a 45 foot side yard setback and would not allow for the buildings to be touching one another. The same thing with respect to the parking and being able to share access, to be able to share parking, to be able to have sewer, water and storm sewer facilities that are cross-shared, to be able to establish monument signage that has multiple names of tenants. So the Village is proposing a PUD to be modified for this particular project in order to develop a certain look or a certain development for the community.

Some background information, Prairie Ridge is a 400 acre mixed use development. The staff and the Village have been working with VK's family on this particular project since 1996. It's hard to believe it's been ten years, but we have been working on the project for that long. The project is a mixed use residential institutional commercial development bounded by the streets I referenced. The existing commercial developments on the site include the Prairie Ridge Marketplace on the east end, M & I Bank, as well as the Holiday Inn Express Hotel formerly the Hawthorne Suites.

Existing institutional developments on this site include St. Anne Catholic Church, The Extended Love Daycare, Pleasant Prairie Elementary School, St. Catherine's Hospital, the Grande Prairie Nursing Home as well as Hospice Alliance.

Existing residential developments include the single family to the south which is 216 homes, the Prairie Ridge Senior Complex which is 120 units, and actually the next phase of the senior apartment development is going to be presented to the Plan Commission I believe next month to the Board, so that's the next phase of the Senior Development that's going to be coming to the Village as well.

The whole development was based on a neighborhood plan that we had prepared with the developer for this area. It's about a mile and a half square area extending from the railroad tracks to 104th, from Bain Station up to Highway 50. And, again, I can't emphasize enough the importance of neighborhood planning in trying to lay out a portion of the community to interconnect the roadway systems, interconnect the sewer and water and storm sewer and to make provisions so that there is access and a balance of land uses within the community. We did that, and so this is actually a build out of part of that neighborhood plan. The area that's identified for the Shoppes at Prairie Ridge site is in the very northwest corner of this particular neighborhood plan.

The master conceptual plan for the Prairie Ridge commercial area was approved last year by the Plan Commission and the Board. Again, we've got a planning process that once the comp plan and the neighborhood plan are approved we moved onto the conceptual plan which is refinement even further, and now we're refining it even more so with the site and operational plans. At that

time we did present these concepts to give everyone an early opportunity to evaluate and look at the policy issues of the Village and how we could service this site and what it would look like

when it was built out.

What I'd like to do is go over some of the perspectives and information as it relates to the anchor tenant of this development which is the Target Store. The Target project, which is just over 126,000 square feet, will be located on the east end of this retail development. This is a relocation from the site in the City of Kenosha on Highway 50. The site in the City of Kenosha I believe is around 80,000 or 86,000 square feet in size, and this target is proposed to be about 126,000 square feet. They will be expanding some of the opportunities for shopping at this location including a variety of product type. I think there's a 5,000 to 7,000 square foot grocery element. They are possibly looking at requesting a Class A liquor license from the Board to be able to accommodate wine sales and I think beer. That's a possibility but that would come back at a later date once the facility is there.

They are looking to create a bigger visibility and presence in the community, and so they have chosen Pleasant Prairie. We have been working with them for quite some time to put together a rather unique look to the Target facility and building at this location. This slide shows you a front elevation on both just from two different angles. This slide shows you front building elevations. The top side is the elevation facing the north. The next is facing east or the hospital. The third elevation is facing west. The blank white area is where it will be connected to the adjacent buildings, and then the last elevation is the rear of the building.

In order to carry through a common theme between both buildings, and I'll refer to them as F and G, but it's really Target and the multi tenant section, the staff worked with the developer and Target to develop a varied building scale, appearance of a two story structure. Building scale and bulk have been broken down with varied building materials, roof heights, cornice heights, styles, building jogs, articulation. They are trying to put some aesthetically interesting architectural elements on all sides of the building. There is use of decorative pergolas especially on Target's front elevation there. There's two of those. Street level building recesses, the use of decorative faux windows, the use of multiple and durable exterior building materials, brick, stone, masonry unit, glass. It uses some of the same exterior building materials on both Target store and the balance of the multi tenant building.

Maybe it just doesn't jump out on this particular slide, but the brick samples, the stone samples, the cornice, the window treatments, the elements within the windows, a lot of those can be carried back and forth between both elements of this retail center. This is a side-by-side look at some of the Target versus the multi tenant. Again, when this slid was done we didn't have all the colors down pat so the colors are a little bit different on both, but those are all the details we are going to continue to work with the developer and Target over the next 30 days to get those things refined.

The zoning text amendment as it relates to the Shoppes at Prairie Ridge PUD requires and reinforces that it will provide for development and uses on the site in conformity with the comprehensive plan and compliance with the underlying basic use district which is the B-2, Community Business District. The other districts, C-1 and PR-1, will remain on the property. Our goal is to facilitate the development in a fashion that will not be contrary to the general health, safety and economic prosperity and welfare of the Village with the additional goals of encouraging proper maintenance of the structures, landscaping, parking areas, lighting, signage, site development and to promote attractive and harmonious retail development. The intend to be

par of a commercial retail association for this property which will monitor and verify that the site is being adequately maintained throughout the life of the center. Everything from landscaping to snow removal to outside lighting all of these elements will be contained within their covenants or their restrictive provisions.

The PUD ordinance as I mentioned previously allows for flexibility with respect to some of the zoning requirements. The Village acknowledges that larger commercial office developments are somewhat unique, and as it relates to the construction of these developments it doesn't always facilitate following every single requirement of the zoning ordinance. And so we take a look at the ordinance and the development that they are proposing and see how both the developer and the Village can work together to accommodate and to achieve an end goal of a great project.

The Shoppes at Prairie Ridge PUD will allow for the flexibility with some of the dimensional requirements, and the staff and the Plan Commission both supported the dimension requirements as outlined in the PUD before you.

One of the things that's required by the ordinance is for the developer to set forth some very specific community benefits that would be associated with the PUD. The ones that were developed include increased quality of future surrounding development, increased retail shopping options for community residents, increased spending in Pleasant Prairie as more individuals come into the Village to shop, spur of additional commercial developments surrounding this development including restaurant, retail and office development, increasing the options available for the community residents and increasing the employment base within the Village, increase of the unified harmonious architecturally and aesthetically pleasing high quality commercial development, creation of a public gathering space and I'll need to talk about that, I haven't talked about that yet, increased property values of surrounding lands, increased employment opportunities within the Village, increased tourism and tourism-related spending, increased sales tax revenues for Kenosha County and the State of Wisconsin.

One of the things that I didn't mentioned is right in front of the Target and the--kitty corner to the Target right here adjacent to the multi tenant building we asked the developer to create a gathering space or a spot where people can talk, gather, wait for people who are busy shopping. It will include a sitting area, landscaped area a fountain and now some sculpture that would be unique to Pleasant Prairie. But we thought it would be very important to have this gathering spot for some people if they're meeting someone to say we'll meet you here as opposed to getting lost in any one of the stores. So they accommodated us and have also identified a public walkway system that runs across the front of Target, around the system, around this landscaped area and then it continues across the front of the stores. So it creates more of a pedestrian feel or look and it gives a little bit more of an opportunity for the residents to gather at a special space within the development.

The Shoppes at Prairie Ridge PUD ordinance addresses the following. I'm not going to read through the entire ordinance for you, but I will just highlight some of them. The architectural uniformity between Target and the multi tenant building including exterior building and parking lot lighting. Again, these are all addressed in the PUD. Pedestrian/vehicular driveway parking cross-access easements agreements between properties, maintenance, conditional use permit for

alcohol sales, truck parking, storage units, security, commercial communications structures, monument signage, pedestrian walkways, building connectedness, detached accessory buildings and structures, outdoor seasonal display and product sales area. They're not allowed actually but I just wanted to reference that. Two story building appearance, hours of operation, hours of deliveries, public art, open space, gross floor area, building height, setbacks, number of principal structures per lot, construction design standards, roofline construction, design standards and exterior walls, construction design standards pertaining to decorative accents of exterior walls, construction design standards pertaining to roofing materials, lighting plan standards, setbacks for parking spaces and parking lots, off street parking spaces required, nonresidential development identification signs, primary monument signs, wall signs, aggregate permitted background commercial advertising signs and Plan Commission review authority of site and operational plans.

So that is an overview of the three items on the agenda as it relates to the Target and multi tenant development as proposed by VK Development and Target. I'm not sure if there are any other questions or issues that you want to still have addressed. There are representatives from both VK and Target here. The one thing I wanted to just reiterate is we did also have a public open house or informational meeting that the Village attended but it was hosted by the developers at the Holiday Inn that afforded the opportunity for all the neighbors in that area to come and view all this information ahead of the meeting and if they had any questions or concerns to address those with the developer.

One thing that comes to mind that was brought up at the Plan Commission meeting had to do with lighting, parking lot lighting, and its ability to cause a distraction or glare for any adjacent or nearby residential properties. We did take a look at that in between the break, and I wanted to point out to you that at the top of these buildings it's going to be a little over 30 to 35 feet in height at the top of the buildings. The parking light standards will be north of the building and they're at a height of about 20 feet. So even if there are cut off fixtures or fixtures that point down but allow for light to radiate off to the sides, it should not create an issue or a problem for any of the residential development to the south or to the southwest or even to the hospital, because it can't spill--I mean you'll see light in the sky but it can't jump over the building and then go to the residents south of Prairie Ridge. So because of that I don't think that there's going to be concern with respect to the parking lot lighting.

We will continue to work and discuss any other architectural issues with the developer and get all the final elements within the PUD refined over the next 30 or so days. It's their intention to close with Target as quickly as possible so that construction can start in the late spring.

Mike Serpe:

Tom, I'm going to go back to the Plan Commission and what I mentioned about the fire lane and the pick up area. I just want staff and yourself just to consider something. This is going to be a much larger store than what's in Kenosha. When this whole commercial site develops it's going to be quite busy which is good. I'm not complaining about that. That's great. Great for business,

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great for everything. But you're still selling some big ticket items that are going to need to be loaded to either on pickup trucks or in trunks of cars or whatever. And to have a car pull up in that fire lane I just don't think that's the best place to do that. I would offer a suggestion that maybe you consider right across the road from the front doors in the parking lot maybe a couple spots designated as loading zones. Instruct the people pull up into the loading zone, our people will come out there, we'll load you up and you're on your way.

I can't say enough when I go out to Southport out there because I have to tell you I shop at Target and I've loaded up my truck from Target. I don't feel good parking in the fire zone even though I know I'm loading and it's okay. But the amount of traffic out there and the width of that road I don't feel safe doing that. I'm just trying to offer a safety factor that could benefit you and everybody and keep the police from taking unnecessary reports.

Tom Carrico:

My name is Tom Carrico. I'm with Target Corporation, 1000 Nicolet Mall, Minneapolis. I thought about that in between the break as well. This is the front door here and there's a bull's-eye that's into the sidewalk. The road actually bumps out along this bull's-eye and we call that our traffic calming effect. This is all at the same level because this is where the accessible stalls are for accessible guests. So that when you come through this way there will be a recessed area as well in this area here, but we can certainly look at how to do something like that as you suggest.

Mike Serpe:

Just give it some thought and if somebody can be made a little bit better for the safety of everybody.

Tom Carrico:

Absolutely, no question.

John Steinbrink:

Thank you.

Steve Kumorkiewicz:

One last comment . . . concern about the PUD or anything like that is finally we're getting business that are a good tax base for our Village. A lot of those properties are institutions, churches, schools, hospital, tax exempt. Now I like to see Target coming in.

Tom Carrico:

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(Inaudible)

Steve Kumorkiewicz:

So I like to see that our tax base is going to go up and that's what we need. Thank you for coming.

Mike Pollocoff:

You might take note that under the new Taxpayer Protection Act you'll receive 60 percent of the value of this. Don't get excited, 40 percent you won't get.

Steve Kumorkiewicz:

Better than nothing.

John Steinbrink:

That's the reason a lot of people can agree on this.

Mike Serpe:

John, if nobody has any other suggestions I would move approval of the certified survey map.

Steve Kumorkiewicz:

Second.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER THE REQUEST OF VK DEVELOPMENT, PROPERTY OWNER, FOR A CERTIFIED SURVEY MAP TO SUBDIVIDE TAX PARCEL NUMBER 91-4-122-182- 0134, LOCATED WITHIN THE PRAIRIE RIDGE COMMERCIAL AREA, INTO THREE (3) LOTS AND ONE (1) OUTLOT, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORD #06-14 FOR A ZONING MAP AMENDMENT FOR THE REQUEST OF VK DEVELOPMENT, PROPERTY OWNER, TO CORRECT THE VILLAGE ZONING MAP AS A RESULT OF A WETLAND RE-DELINEATION FOR A WETLAND LOCATED AT THE SOUTHEAST CORNER OF 77TH STREET AND 104TH AVENUE (OUTLOT 1 OF A PROPOSED CSM). THE RE-DELINEATED WETLAND AREA IS PROPOSED TO BE REZONED INTO THE C-1, LOWLAND RESOURCE CONSERVANCY

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DISTRICT AND THE NON-WETLAND AREA OF THE PROPOSED CSM OUTLOT 1 IS PROPOSED TO BE REZONED TO THE PR-1, PARK-RECREATIONAL DISTRICT, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

TIAHNYBOK MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER ORD #06-15 FOR A ZONING TEXT AMENDMENT FOR THE REQUEST OF VK DEVELOPMENT, PROPERTY OWNER, TO AMEND THE VILLAGE ZONING ORDINANCE PURSUANT TO CHAPTER 420-137 OF THE VILLAGE ZONING ORDINANCE TO PRESCRIBE THE SPECIFIC ZONING REGULATIONS APPLICABLE TO CREATE A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT DESIGNATION OVER A PORTION OF TAX PARCEL NUMBER 91-4-122-082-0134 (LOT 1, LOT 2, LOT 3 AND OUTLOT 1 OF A PROPOSED CSM), GENERALLY LOCATED AT SOUTH OF 76TH/77TH STREETS, NORTH OF PRAIRIE RIDGE BOULEVARD, EAST OF 104TH AVENUE AND WEST OF ST. CATHERINE'S HOSPITAL (DOES NOT INCLUDE THE GRANDE PRAIRIE HEALTH & REHABILITATION CENTER AND HOSPICE SITES) TO PRESCRIBE THE SPECIFIC ZONING REGULATIONS APPLICABLE TO THE PUD OVERLAY DISTRICT FOR THE SHOPPES AT PRAIRIE RIDGE, A PROPOSED COMMERCIAL RETAIL DEVELOPMENT, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY SERPE; MOTION CARRIED 5-0.

Jean Werbie:

John, it's my understanding then that if all three of these are approved that if there are any details, color samples, materials, lighting, details, numbers and things that we need to get into this ordinance that you're leaving that to the staff's discretion to get those into this document in its final form, because we're still picking out numbers and things like that with respect to the materials and some other things.

Mike Serpe:

That's what the Plan Commission recommended and I think we also feel the same about that.

Steve Kumorkiewicz:

Yes, subject to.

Jeff Lauer:

I just had one question. Jean, does this shopping area include any cameras that the Board passed last year as far as sizes?

Jean Werbie:

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They are required to comply with the security ordinance, and they will be required to work with the police department to provide room as well as to provide security on the site for the ordinance.

Jeff Lauer:

Okay, thanks.

John Steinbrink:

And you did cover the security issues at the Planning Commission.

Jean Werbie:

I did.

John Steinbrink:

I just want to say we're very proud of our corporate residents in the Village and we're very pleased to add Target as one of our new corporate members to our community so we welcome you and we thank you for choosing Pleasant Prairie. I think this is the direction we've always wanted to go and to have you locate over at VK's to us is a very big plus to the Village and to the community. Thank you.

G. Consider Professional Construction Related Services Agreement with Crispell-Snyder, Inc. for Meadowdale Estates Addition No. 1.

Mike Pollocoff:

Mr. President, VK Development is proceeding ahead with the Meadowdale Estates No. 1. Part of the development agreement is they're required to provide the Village with the expenses for engineering related services that are required for the construction of improvements in that development. This is an agreement whereby Crispell-Snyder works on behalf of the Village's interest and the cost of that is borne by the developer. Crispell-Snyder is proposing to provide professional services on the basis of \$40,600 for the phase 1, \$47,800 on phase 2 and \$71,000 for professional services under Item 4.

My recommendation is that the Village President and Clerk be authorized to enter into an agreement with Crispell-Snyder for engineer services in Meadowdale.

SERPE MOVED TO APPROVE A PROFESSIONAL CONSTRUCTION RELATED SERVICES AGREEMENT WITH CRISPELL-SNYDER, INC. FOR MEADOWDALE ESTATES ADDITION NO. 1; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

H. Consider Animal Control Agreement with Clawz and Pawz.

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Mike Pollocoff:

Mr. President, we have an agreement here, a proposed agreement submitted by Clawz and Pawz, it's really Robert Melby. Mr. Melby currently provide a service whereby he chases down, collects and secures dogs that are at large. This is not a contract for the typical Humane Society services. This is to go get them and get them there. He's proposing to maintain all the existing prices in the contract as they were in the previous year with the exception that we had two separate breakout prices for pickups from Safe Harbor Monday through Friday at \$25 and after hours/holiday pickups at Safe Harbor at \$30. Those prices now go to \$50 and \$60 respectively.

These are not getting the dog there. These are when the dog is there and we're taking them someplace else. So this isn't a frequent occurrence. This is once the dog has gotten there so I don't see that as a big stumbling block. We'll be getting another contract proposal from Safe Harbor as time goes on. One of the issues in the area is there really isn't centralized animal control. Typically that's a County function but in Kenosha it's not. So you have a nonprofit and a nonprofit association which is Safe Harbor providing the service, and you have an a profit or for profit service that's collecting the animals. We don't really have anybody else to bid with. My recommendation is the contract with Clawz and Pawz be renewed as amended.

Mike Serpe:

As I understand it the Village derives no money from this, is that correct?

Mike Pollocoff:

We charge back for whatever our expenses are. When someone's dog is gone and they let it loose and it's collected then the costs for that work is charged to the pet owner and we receive that back.

Mike Serpe:

Who collects that?

Mike Pollocoff:

They collect it and return it to us.

Mike Serpe:

Clawz and Pawz?

Mike Pollocoff:

No, Safe Harbor does.

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Steve Kumorkiewicz:

So we only take the dog to Safe Harbor and that's it, they take care of it. Only capture it and take it over there?

Mike Pollocoff:

Right.

Steve Kumorkiewicz:

They don't dispose of the animal?

Mike Pollocoff:

Right.

Jeff Lauer:

I move to approve.

Mike Serpe:

Second.

John Steinbrink:

Motion and a second. Further discussion?

Steve Kumorkiewicz:

Yeah, I've got a question here. In the agreement number 2A, Domestic Canine Control, Contractor shall provide domestic animal control services within the Village, consisting of capture and disposal of detained canines. They may dispose it or Safe Harbor may dispose?

Mike Pollocoff:

Safe Harbor doesn't dispose anymore. Clawz and Pawz picks them up and takes them to the vet where they're disposed.

Steve Kumorkiewicz:

Okay, thank you.

LAUER MOVED TO APPROVE AN ANIMAL CONTROL AGREEMENT WITH CLAWZ AND PAWZ; SECONDED BY SERPE; MOTION CARRIED 5-0.

I. Consider Property and Liability Insurance Proposals.

Kathy Goessl:

April 1st is our insurance renewal date for both our liability insurance and also our property insurance. Currently we have insurance with Community Insurance for our liability coverage which includes Workman's Comp. and also with the Local Government Property Insurance Fund which covers our buildings and equipment and motor vehicles. This chart up on the overhead shows our premium currently this year for these policies as well as the proposed premiums for the upcoming 2006/07 year. Together our current insurance carriers are proposing a one percent increase over last year's premium of \$400,000. This is the same percent increase as we had last year, so over two years our premiums have gone up only two percent on our insurance programs.

Currently we have Community Insurance for our general liability and Workman's Comp. insurance. This will be our third year with them. They cover--the obtain insurance for us for also our Boiler and machinery from Hartford Steam Boiler Inspection and Insurance Company. They also obtain the insurance for our commercial crime, and they also insure us for automobile liability and general liability.

As you can see, those two policies, automobile and general liability, are going up nine percent. The reason for that increase there is those insurance premiums are based on our expenditures. And what they look at right now they're still back a couple years. They had to look at audited financial statements, so the 2005/06 premium was based on the 2003 audit, and our current proposed premium for 2006/07 are actually based on our 2004 audit. The different categories they base that on have increased overall at nine percent and that's why those two categories are increasing nine percent.

Workman's Comp. is actually going down. Workman's Comp. is based on estimated payroll dollars. In 2005/06 it was based on budgeted payroll dollars similar to at that point we were still using . . . estimate in terms of giving communities their estimated payroll dollars. When we had the audit in our first year with Community we actually overestimated our payroll dollars at that point and we received back almost \$30,000 back after the audit. Plus also not included in these

premiums is a dividend that Community has given over the years. It can't be guaranteed but they historically have always given it, so we also received another \$21,000 back for our 2004/05 premium year.

For this year we estimated payroll a little bit lighter. We took the actual payroll dollars that we were audited on in 2004/05, and we estimated three percent growth per year to get our current payroll dollars and that's what gave us the decrease there.

Our Local Government Insurance is giving us a premium about \$69,000. We actually went out for bid on the property portion of our insurance. We decided not to go out for bid on the liability

coverage. Liability is a very extensive bidding process. In December we inquired with Community Insurance on what their increase would be and they said it would stay level except for your expenditure increases. Based on that we decided not to go out for bid. This would be the third year that we continue with Community since their initial bid. Next year I am recommending that we do go out for bid to see how the other carriers, basically Wausau and the League Program how they compare to Community three years later. But at this point over the year only a two percent increase I recommended staying with Community. But we did go out for bid for property. Property is a lot easier to bid on. So this is the three companies that actually bid on our buildings and equipment and motor vehicles. There's different components within these categories that they bid on. The first column is Local Government; the second is Driver Alliant which is a proposal brought forward by Wausau; and Chubb was a proposal brought forward by a representative of Community.

The highest bidder is Driver Alliant. They have good coverage including flood insurance of \$5 million in allocations, replacement costs on all vehicles. Currently we only have replacement cost on the fire vehicles, but they had a higher deductible for motor vehicle comprehensive. So they do have a good product but they cost about \$10,000 more than what we currently are paying for our property insurance.

The lowest bid was Chubb but they did not offer replacement cost for our fire trucks. That was one of the big sticklers on them in terms of we want to have replacement cost for our fire trucks, and they do not offer animal coverage for our police dog. They are the lowest bidder but because they did not offer replacement cost we decided not to proceed with that bid.

Local Government premium actually went up slightly, it increased about five percent, but we actually are increasing the value we are ensuring 11 percent, so actually their rates per coverage dollar has actually decreased from last year. Our value that we're currently insuring under the property and motor vehicle coverage is \$135 million worth of property and vehicles.

Based on this I am recommending Community Insurance for our liability coverage at a premium of a little short of \$340,000, and also to renew with the Local Government Property Insurance Fund for the Village's property coverage at a little less than \$70,000 per year. Are there any questions? I'm looking for approval to proceed with these renewals.

Mike Serpe:

How did we do on the estimate for the budget?

Kathy Goessl:

We pretty much budgeted a slight increase based on some talks in the fall with Community so pretty much the budget is covered with this.

TIAHNYBOK MOVED TO APPROVE THE RENEWAL OF THE 2006/2007 LIABILITY AND PROPERTY INSURANCE POLICIES FOR THE VILLAGE AS PRESENTED;

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SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

J. Consider Bartender License Applications on file.

SERPE MOVED TO APPROVE THE BARTENDER LICENSE APPLICATION FOR BRIAN BARTER; MARY CERRETTI; BRENDAY KENNEDY AND THERESA PATTERSON; SECONDED BY LAUER; MOTION CARRIED 5-0.

8. ADJOURNMENT.

LAUER MOVED TO ADJOURN THE MEETING; SECONDED BY SERPE; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 8:40 P.M.