

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
LAKE MICHIGAN SEWER UTILITY DISTRICT
SEWER UTILITY DISTRICT "D"
Village Hall Auditorium
9915 39th Avenue
Pleasant Prairie, WI
May 1, 2006
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, May 1, 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 MEETINGS – MARCH 20, APRIL 3 AND 10, 2006**

KUMORKIEWICZ MOVED TO APPROVE THE VILLAGE BOARD MARCH 20, APRIL 3 AND APRIL 10, 2006 MINUTES AS PRESENTED; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

5. PUBLIC HEARING

John Steinbrink:

Item A has been withdrawn from the calendar at the request of the petitioner I believe?

Jean Werbie:

They requested for it to be tabled until May 15th.

John Steinbrink:

Okay, so if you're here for Item A it will be brought up on May 15th.

SERPE MOVED TO TABLE PUBLIC HEARING ITEM A AS REQUESTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

6. CITIZEN COMMENTS

Gus Hauser:

Gus Hauser, 143 113th Street. I would like to comment on Item K under New Business, the special assessment. I'm considered a benefiting party. I do not benefit from it. Neither does my neighbor. Neither does another one. Three of the so-called benefited parties don't have any houses on there. We don't use the street. Just because we are property owners does not mean we have to benefit from it. We don't use the roads. People in Carol Beach, other ones, use that road a lot more than we do. I don't every use the road. I just own the property but it abuts to my other property from 113th Street and that's where I access it from. I presented on 5/21 a petition to this Board through Trustee O'Toole at that time to exclude three properties from that proposal. Mr. O'Toole gave the petition to Ms. Jean Werbie at the end of the meeting and that was the last I ever heard. I always thought one of the fundamental rights of a citizen is that you can petition your government. I did that and I never heard from the Board and never got an answer from it yet. So when that item comes up I would please to have an answer. At that time I had questions when the calculation for the road was done. There are driveway extensions included for the eight properties that got split up between the eight properties. That should never have been done. If those extensions for driveways are done the benefited properties should be charged for it and not the other ones who don't even have any access or don't even use the road or don't benefit from the road.

Another item was the neighbor next to me has a nonconforming driveway. Our Village ordinance states that driveways cannot be wider than 24 feet wide. At that date during the hearing I brought that item up that the driveway should be conforming just like the driveways abutting directly onto my property. The Village ordinance says five feet from the property line. I would like to see that corrected. If that ever should come through at least the Village ordinances should be adhered to. Just because the neighbor is a friend of Mr. John Steinbrink, Jr. does not mean it goes automatically through. Thank you very much.

Diane Schoen:

Diane Schoen, 6320 109th Street. I am pleased to see you are revisiting the Clean Water Utility fee and hope that you'll come to the correct conclusions that the more land surrounding a single family home the less that property contributes to water runoff. I checked with several other municipalities that charge a clean water fee and absolutely none of them charge more to a home with a large lot. In fact, one even gives a credit to those homes because the scientific fact is that their land absorbs more of the runoff from the impervious surfaces.

I was also pleased that the newsletter listed some of the guidelines that the citizens can follow to reduce polluted runoff, and I hope you will continue to remind the residents of this. I think most people would do their part to reduce the polluted runoff once they know what to do. I believe they would much rather change their habits and help solve the problem than pay a fee to the Village to do it for them or pay a fine for noncompliance. After all, people are now recycling and turning in hazardous waste to collection sites because they have been informed of the necessity for it. As an example, I witnessed an automatic sprinkler system operating in my neighborhood on Saturday even though major rain beginning Sunday had been predicted. And the worst part is

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at least half of the water was falling on the road or directly into the ditch due to poor aiming of sprinkler heads.

As I mentioned in a previous speech, many neighbors also routinely trash their ditches with yard waste with no penalty. There should be fines charged to violators. That would lead to better environmental practices in a hurry and less maintenance costs to the Village.

In conclusion, if these clean water fees are actually necessary, I hope you have found a fairer way to assess them and will monitor for compliance to existing ordinances. Thank you.

John Steinbrink:

Anyone else wishing to speak under citizens' comments?

Vernon Gerth:

Good evening, President Steinbrink.

John Steinbrink:

We'll need your name and address for the record.

Vernon Gerth:

Sure. My name is Vernon Gerth. I reside in Mission Hills Subdivision at 4324 114th Street. I'm here to speak on an item under New Business. I didn't know if it was appropriate to speak now on that matter or withhold my comments until then. I would prefer to wait until some deliberation.

John Steinbrink:

You're at the microphone now. You can present your comments.

Vernon Gerth:

Okay. Maybe if I can give you a little bit of history of why myself and some of my neighbors are here this evening. A few weeks back there was a petition that some of the neighbors circulated regarding the installation of some stop signs. When my wife was approached with installing the stop sign she brought it to my attention and we didn't endorse the petition. I thought to myself having a little bit of knowledge of municipal government operations that when the matter appeared before yourselves, the Village Board, I would come as I am here and state my case and share my feelings with you. But to my surprise one day at work about a week later I got a call and said the stop signs are installed. I said, oh my gosh, they installed those signs just as fast as you plow snow, which is a good thing.

But in all seriousness, as a citizen and even as a government employee, I look for elected officials to do a couple of things and to uphold ordinances and laws first of all, and then to exercise good

judgment. And to me that shows integrity and it builds trust. I don't mean to open up a can of worms, but unfortunately when I looked at your ordinances under Section 348, I found that the traffic control signs, first of all, must be installed in accordance with the Wisconsin Department of Transportation manual regulations, and secondly must be approved by the Village Board. And in a little bit more research I found that only five traffic control signs have been actually approved and are by ordinance on record as the Village Board has approved them. So that's a little bit of history of what brings me here this evening.

Regarding some stop signs that were recently installed at some T intersections in our neighborhood, when you look at the Department of Transportation regulations there aren't the traffic counts or warrants that call for stop signs to be installed at a T intersection and there are several of them in my neighborhood. At best, without the traffic warrants, maybe a yield sign should be placed at the road that dead ends into the intersection, and that's according to the State Department of Transportation regulations as well as the federal guidelines.

But having said that, I know my neighbors I feel bad because they probably just called up Mike or Superintendent Steinbrink or Chief Wagner and asked how to get a stop sign put up and they were told to submit a petition and lo and behold it would be put up. But as a citizen I'm looking for, again, to uphold the ordinances and regulations because when I look for expertise, if I have a medical problem I see a doctor I see a doctor because I assume they have expertise. Accounting I would go to the CPA, and in traffic control there's an expectation that whether you're in Pleasant Prairie or Kenosha or somewhere in Illinois or anywhere that the traffic regulations are somewhat consistent throughout, and putting a stop sign at an intersection that isn't warranted, especially in a neighborhood where people know the neighborhood, are going to create more problems likely than it will prevent.

I know that one of the reasons people want to put in stop signs is because it will control speed. But I know from being involved in traffic control and neighborhoods that my neighbors don't speed in the neighborhood. It seems like they might, but I can tell you that since those stop signs have been put up it's interesting to see how many roll through the stop sign now. And what does that really do? Some might say that it protects our children because they need to ride their bikes on the street. But what message is that sending to them thinking that people are going to stop at the stop sign and they're seeing them roll through it because there are no cars coming. Since those signs went up a few weeks ago I think I came upon one intersection in the entire subdivision one time where there was another car.

So, what's the solution? I wouldn't stand up here before you unless I had a solution. I have a lot of faith in my neighbors, some of which are here tonight. And I would urge you to just install the signs as the Department of Transportation manual says they should be installed. I'd also ask you, and it's probably a good idea, and I hate this in government to set up another committee, but I don't think that as our community grows that you want to be faced with these types of questions, that you probably want some expertise on a committee to review that. In my community when

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residents want to put up stop signs, yes, we do the traffic study. In fact, we'll give them a radar gun to show that the residents aren't speeding and they support the study we have. But stop signs don't get installed.

Among a few things, first of all, it creates normal law abiding citizens to break laws as I mentioned. They roll through stop signs and that's not a good thing. Number two, with inflating gas prices stopping with no reason only burns more fuel, and with the escalating price of gasoline, while it may seem minimal, it's still a factor. You have emissions that go off and the noise that comes from stopping and starting, particularly motorcycles. So I ask you to look at the ordinance, your local ordinance. I ask you to take a look at the experts, which is the State Department of Transportation manual, and have the courage just to apply those. Yes, most of the time you're going to be in conflict with a group of residents that believe there should be a stop sign installed or some type of traffic control sign. But in this particular instance when you have laws and expertise in the State Department of Transportation, I think you're doing the right thing in demonstrating a high level of integrity and trust, particularly to me, a citizen of this community. Thank you.

John Steinbrink:

Thank you. Anyone else wishing to speak?

Jim Nelson:

Since you're dealing with the traffic signs I decided that I'd speak now. My name is Jim Nelson. I'm a resident of Mission Hills at 11257 42nd Avenue. I don't have any argument with what the gentleman just stated with the exception I live on the intersection of 42nd Avenue and 113th Street, and I can speak more to the stop sign at the intersection of 42nd and 113th. I believe that's the three way stop. The one statement that was made by the gentleman that preceded me was that most of the neighbors don't speed, and it's been my observation that most of the people that drive within our development do speed. They might not realize it, but I would say that probably no more than 20 percent of the people drive at or below 25 miles per hour.

In this day and age I don't think 35 seems like it's very fast to most people, but it's a concern to me. It was a concern several years ago when I wrote to John Steinbrink, Jr. regarding stop signs at a different location. The one thing I took a look at the manual that's been cited here by the federal government, and while they say stop signs should not be used for speed control, they also indicate that stop signs should be used if engineering judgment indicates that one or more of the following conditions exist, and under d. it says high speeds. My feeling is if you're going 40 in a 25 that's a high speed. As I said, my observations I stay at home during the day so I have an opportunity to see most of the traffic that goes through and I'm outside a lot during the summer. Again, very few people go at 25 or below, so I think the stop signs are warranted.

There are a lot of young families in our community and our development and there are an awful lot of children especially in the summer since there are no sidewalks who use the street as their mode or their way of moving about the neighborhood. So I would speak in favor of keeping those stop signs. Thank you.

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John Steinbrink:

Thank you. Anyone else wishing to speak?

Henri Vanhende:

Henri Vanhende. I live at 4163 114th Street at 42nd Avenue. I am right at the house where the stop sign is in question. Let's talk about them. Are they convenient? No they're not. Do they control traffic flow? Yes. Do people run them? Yes. But the people that run the stop signs will run them on a consecutive basis. They will hit somebody else in their lifetime. Is it a good idea? Yes. Am I in favor of it? Yes. Because across the street from me we have the best sledding hill in Mission Hills. Also the best hill for kite flying. Is it used? Yes. Do the traffic signs control speed? Yes, but it doesn't all the way work, because right around the corner from me is the back half of Bristol speedway and you should see the people go down that way.

So before the Board really votes on this I invite all the members to come to my house, watch the circus act. I'll give you donuts and coffee. We got a restroom. You can put a squad right in my garage. I don't care. See what the citizens do. See what the law abiding citizens do. See who runs stop signs and who doesn't. Do we have accidents there? Yes we do. Nuisance. My definition of a nuisance is having a 89 year old father's car get hit in front of your house by a neighbor of mine that lives 400 feet from me and do \$3,000 worth of damage. How does that happen at 25 miles an hour? Do the engineering on that. That's a nuisance. I don't live a day or month or a year without hearing about that because I parked his car. Guilty me. Nuisance. Convenience? No, they're not. Necessity, yes. We have the Bristol speedway going through Mission Hills. If you don't believe me have the Police Captain put radar unit, but not at that intersection. Go all the way to the end of 114th and shoot down the curve. Watch how many people they've got. That's all I have to say on it. Keep the stop signs. They're good. Thank you.

John Steinbrink:

Thank you. Anyone else wishing to speak?

Kurt Betz:

Kurt Betz, 11281 44th Avenue, Mission Hills. I live on the corner where they installed some of the stop signs also, and there's probably 15 to 20 kids that live down our street down 44th Avenue. That's a nice hill for them with their bikes, skateboards, rollerblades, whatever. I tried a couple years ago to get stop signs there, ran into some problems. I'm very happy that they're there. So are many of my neighbors. In fact I believe all of them are happy that they're there. We think it's a very good idea. I don't know about the ordinances and all that stuff, all the legal stuff. We know that it's a good thing and we'd like to keep them there.

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John Steinbrink:

Thank you. Anyone else wishing to speak? Hearing none, I'll close citizens' comments.

7. VILLAGE BOARD COMMENTS

8. NEW BUSINESS

A. Consider Placement of Stop Signs in the Mission Hills Subdivision.

Mike Pollocoff:

Mr. President, in light of the comments that were made, I guess I want to make sure the Board understands the logic that was applied in placing these signs. I don't know if we have the map. You can put that one up there. As Mr. Gerth indicated, the ordinances do provide for the Board to approve the placement of stop signs. What's clear when you look at the list is we've applied that logic to arterial roads. Currently Cooper Road and 80th is under a study. We're doing traffic counts in evaluating what the impact of a three way stop sign would be there. Would the traffic back up to the extent that it would block a side street so the people in the side street couldn't get out?

We've installed stop signs in numerous subdivisions on residential interior subdivision roads, and we've done that basically through my authority and the ordinances that direct that these things be placed in areas where it's acceptable. We take a look at it from a public works standpoint. Is there anything by the nature of that intersection that would make a stop difficult? That's not the case here. The Police Chief evaluates it. Is it going to have a traffic calming effect? Will it serve to either bring cars down to a stop or slow them down as they depart from a stop sign? Chief Wagner felt that, in fact, that would be the case.

We've installed stop signs by petition in many subdivisions. And basically if a majority have wanted it and if it's met that initial test that we take a look at it, we'll do that. We've had far less success in experience with yield signs. Yield signs seem to mean something different to everybody. Stop signs clearly mean something that everybody understands. Yield signs in some of our subdivisions have basically been ignored and we have had accidents there where people haven't yielded.

I believe it's past practice and how we've evaluated stop signs is well within the ordinances on this. Maybe for clarity sake we might consider amending our ordinance which is to reflect what's been the case as we do a stop sign on our arterial roads, and we require a study be completed on that street if it's carrying significant traffic. And then based on the results of that study the engineer and the Chief will make a recommendation whether or not it's a signal or lights or whatever is needed would be put there.

Wherever you put these things, and I think the Board has sat through enough of the requests and a little bit of what we saw tonight where some people are against them and some people are for them, but I think in this area here in my mind it makes sense, especially on 42nd you've got a long run where people are going south and if they don't get out to 39th they can shoot down that street.

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On 113th Street those curves on that road push the limits on the kind of curves we'll allow on a road, and I can see where that's a difficult road. I frankly think that given the signs we placed in subdivisions before, the extent that people requested it, I don't find it to be out of compliance or typically unusual. I don't think it's a matter of integrity. I don't think anybody would do this for any lack of reason than the citizens want it, and for an interior residential street I don't think it's out of the question at all.

I do agree with Mr. Gerth's comments as it relates to an arterial road. My recommendation would be that the signs remain in place.

Mike Serpe:

When a neighborhood comes to the Board members with a petition as large as the one that came from Mission Hills, that's a pretty good indication that they mean business. The alternative to slowing down speeders is to put a squad car in that neighborhood on a regular basis and that is just cost prohibitive. So to get the people to slow down we take this action in installing stop signs. Although I have to agree with Mr. Gerth, I do believe that the stop signs have turned into yield signs because nobody really comes to a complete stop, but it does slow people down because nobody is going to go through that intersection at 25 or 30 miles an hour. At least they may slow down to 1 or 2 or 3 miles an hour and then go through. So they've succeeded in slowing that traffic down.

I've been a part of putting in stop signs in neighborhood where they've requested it and I agree with Mike 100 percent, if you're going to do it on a main road I think it takes more than just a petition and putting them in. It takes a study, a traffic count, accident count and everything else. Vern and I worked together for a lot of years in the City and I know where he's coming from.

But in the case where the subdivisions get together, neighborhood associations come together and get together from their meeting and make an approach or petition to the Board or to the Village for certain things, they're controlling their own neighborhood. And usually the fast majority of the violators in a neighborhood are the people that live there. Mostly the people that live away from the intersections that are mentioned here, but the violators are usually the ones that live in the neighborhood for the most part.

So I see a need for these stop signs. And, Vern, I know you don't want to hear that, but even if we did the studies and everything else the fact still remains that the people have petitioned us and you have to put some weight in their petition in their request. I know you may not like it, but I think you have to honor the request of the 26 or 22 or I can't remember how many people petitioned. Quite a few.

Mike Pollocoff:

Fifty.

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Mike Serpe:

A lot. That's considerable. So I have to agree with Mike. I think the stop signs they do a number. The alternative is putting a squad car in that neighborhood and I don't recommend we do that unless there's an absolutely necessity as far as enforcing the stop sign violations. I don't think it's going to come to that. So I would be in favor of leaving them.

Alex Tiahnybok:

I agree wholeheartedly with the concept of modifying the ordinance to delineate what applications the stop signs required Board approval and which ones should be determined by the Administrator. This way there's no gray area in the future as to what's what. So I'd like to see that come before the Board in the future.

On April 3rd, of course, we had a fun day coming up the day after, but on April 3rd in preparation for that meeting I had reviewed the petition that came from Mission Hills, and I was actually surprised at the April 3rd meeting to find out that those stop signs were installed. It was my interpretation of the ordinance that it was a Board approval type process also, so I was a little bit shocked by that myself. So, again, I think it's a good idea.

The fifty signatures, I just counted them, if we're going to use a homeowner's association majority being supportive of an idea, does fifty represent something close to a majority of voters in a community like that? I would guess. I'm just looking at that and guessing it's probably close to that. We should try to make sure that it does reflect that.

Mike Pollocoff:

We didn't evaluate the petitioners against the number of houses there. Again, I think it was a large petition and usually we'll get a couple people or three people that want it, but after we received it and looking at it, it seemed warranted.

Alex Tiahnybok:

Three of the four people that spoke tonight on this matter were petition signatures, and I am a strong believer in democracy and the majority of people. In Carol Beach we had a similar effort and the majority of the people that chose to respond were in opposition to a stop sign being installed so we halted the process at that point. I believe this is the way to go about it.

John Steinbrink:

I think we base it on several things and one of them is we look at the calls we get from the residents to the Police Department complaining about speeding in the neighborhood. And if there is a record of a great deal of those, it's eminent that we do something as quickly as possible with whatever resources we have to alleviate that problem. And with this case it's a stop sign and it does work. So there's a lot of criteria we look at when we honor these requests. The same with street lights. We go through a process on those. In this case we had quite a few residents and there have been complaints by it and accidents have happened and the results were a stop sign.

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Steve Kumorkiewicz:

I'd like to comment in the petition here, number three, put up two slow, children playing signs. I checked with the superintendent of public works. The federal highway administration changed the signs that can be located in the communities. That particular sign, slow, children playing, has been eliminated from the books. It doesn't exist anymore. You cannot use that for signs any longer. So that's why the stop signs were important, because if we couldn't put the sign, slow, children playing, at least we slowed down the traffic with stop signs.

John Steinbrink:

Any other Board comments? If not?

Mike Serpe:

What do we need on this?

John Steinbrink:

A motion to concur with the recommendation of staff.

KUMORKIEWICZ MOVED TO CONCUR WITH STAFF'S RECOMMENDATION TO KEEP THE RECENTLY INSTALLED STOP SIGNS IN PLACE IN THE MISSION HILLS SUBDIVISION; SECONDED BY SERPE; MOTION CARRIED 5-0.

John Steinbrink:

I want to thank everybody for coming out tonight on the issue. You've got one of those neighborhoods where people do care and do address the issues and that's how you get results.

B. Receive Plan Commission Recommendation and Consider the request of Steven Brown, agent for Joel and Theresa Williams, owner of the property located at 1006 91st Place for approval of a Certified Survey Map to subdivide the property into two parcels.

Jean Werbie:

Mr. President and members of the Board, the petitioner is requesting to subdivide property located at 1006 91st Place. It's known as Lots 12, 13 and 14 in Block 2 of the Carol Beach Estates Unit #6 Subdivision. They're proposing to resubdivide the property into two parcels. Pursuant to the Village records these three properties were combined by the property owners back in 1995. The property is currently zoned R-6, Urban Single Family Residential District. This district requires that the lots be a minimum of 6,000 square feet in area and 60 feet in lot width.

Lot 1 as proposed on the Certified Survey Map would be 16,195 square feet with 120 feet of frontage on 91st Place. Lot 2 is approximately 8,100 square feet with 60 feet of frontage on 91st

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Place. Lot 1 has an existing home and a detached garage, and Lot 2 has an existing shed on it which would need to be removed within the next 60 days if a new single family home was not under construction as the zoning ordinance does not allow for detached accessory structures to exist on a property without a principal structure.

Additional right of way is proposed to be dedicated on 91st Place, and that means that additional right of way is being acquired for a possible future widening, and an addition eight foot easement is being required from We Energies.

This is a matter that was before the Village Plan Commission at their last meeting and they recommended approval of the Certified Survey Map subject to the comments and the conditions as outlined in the staff memorandum, and there were seven conditions of approval.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE THE REQUEST OF STEVEN BROWN, AGENT FOR JOEL AND THERESA WILLIAMS, OWNER OF THE PROPERTY LOCATED AT 1006 91ST PLACE FOR APPROVAL OF A CERTIFIED SURVEY MAP TO SUBDIVIDE THE PROPERTY INTO TWO PARCELS, SUBJECT TO STAFF COMMENTS; SECONDED BY LAUER; MOTION CARRIED 5-0.

C. Receive Plan Commission Recommendation and Consider the request of Dusica Cvorovic, agent for Creekside Hill LLC, owner of the property generally located east of 39th Avenue at 114th Place for approval of a Certified Survey Map, Development Agreement and related documents to dedicate and construct a cul-de-sac at 114th Place and create four (4) single family lots on said property.

Mike Pollocoff:

Mr. President, after this item if we could make a change in the agenda and move Item H to immediately follow this item since they're related. We don't have to hear them together. If the petitioner wants to sit through the whole meeting that's fine.

SERPE MOVED TO MOVED ITEM H FOR CONSIDERATION AFTER ITEM C AS REQUESTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

Jean Werbie:

Mr. President, as Item C, the petitioner is proposing to subdivide Outlot 5 of the Country Lane Subdivision. This property is generally located east of 39th Avenue at 114th Place, and they're requesting to subdivide it into four single family lots. Lot 1 is proposed to be .7 acre or 28,627 square feet; Lot 2 is proposed to be 607,208 square feet or 13.9 acres; lot 3 is proposed to be 53,995 square feet; and Lot 4 is proposed to be 28,024 square feet.

Population projections as a result of this four lot subdivision at its ultimate build out would be 11 persons which would result in 3 school age children and 2 public school age children. On the site

there are some environmental features and a tree survey was completed on the property. As a result, tree preservation easements were identified on portions of Lot 1 and Lot 2. There are no wetlands on the property, however there are wetlands adjacent to this property to the south, so the development does need to take that into account when doing any of the grading on the site insofar as there isn't any mass grading or impact to that adjacent wetland. The Tobin Creek, which is a navigable waterway and its associated shoreland is also located on the property, and then it runs basically from an east/west direction south of the property.

This development requires that a retention basin to handle storm water management on the site be provided. It is located on lot 2 within a storm water management easement. This development will have one access point onto 39th Avenue, and the new roadway that would serve as access for the four lot subdivision will be 114th Place. The access from 39th Avenue did require and they did obtain a copy of a right of way access permit from Kenosha County since Highway EZ is 39th Avenue. 114th Place will be constructed as an urban cul-de-sac with sewer, water, curb and gutter, storm sewer and will provide the access to the lots. No direct access as I had indicated.

This project did receive two variances that were granted by the Village Board on August 1, 2005 from the Village's Land Division and Development Control Ordinance. The first variance was to allow for the vertical curve of 114th Place to be greater than 1 percent due to the existing slope of the site. Again, our major concern is that there is a lot of topography relief and there were some trees on this property and we did not want to see all those trees to be cut down in order to address the concerns within the ordinance.

The second variance was to defer the submittal of the detailed grading and drainage plan and mass grading of the subdivision until building permits are submitted for each individual lot. A grading plan will be required to be submitted for approval on each lot as part of building the single family home. So it will be a requirement, but it will largely be based upon the style and size and location of the home that's being proposed. These variances were granted subject to compliance with conditions and grant documents 05-05 and 05-06.

A zoning map amendment was approved by the Village Board on January 17, 2005 through Ordinance 05-07. Lots 1, 3 and 4 were rezoned into the R-3, Urban Single Family Residential District, and the wooded area of Lot 2, which is actually the petitioner's lot, was rezoned into the C-2, Upland Resource Conservancy District. The non wooded area on the western portion of Lot 2 was rezoned into R-3, Urban Single Family Residential District, and then the balance of the property which is the east area of Lot 2 will remain in the A-2, General Agricultural District.

As part of this development, the petitioner is requesting the land division through a certified survey map since there are less than five lots being created. As I mentioned previously, Lot 1 is .7 acre; Lot 2 is 13.9 acres; lot 3 is 1.2 acres; and lot 4 is 1.6 acre.

This is a matter that was before the Village Plan Commission, and the Plan Commission does recommend approval subject to the adoption of the resolution that is before you. All of the items are in order with respect to the Certified Survey Map, development agreement, financial security, engineering plans and all the related approvals. And we have, in fact, scheduled a closing and a pre-construction meeting this week. The staff recommends approval as presented.

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LAUER MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER THE REQUEST OF DUSICA CVOROVIC, AGENT FOR CREEKSIDE HILL LLC, OWNER OF THE PROPERTY GENERALLY LOCATED EAST OF 39TH AVENUE AT 114TH PLACE FOR APPROVAL OF A CERTIFIED SURVEY MAP, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS TO DEDICATE AND CONSTRUCT A CUL-DE-SAC AT 114TH PLACE AND CREATE FOUR (4) SINGLE FAMILY LOTS ON SAID PROPERTY, SUBJECT TO STAFF COMMENTS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

It's a very unique subdivision with the contour of the land and the size of the lots. It's something that's unusual to see built in the Prairie. It's kind of refreshing. It's just going to be a lot of grass to mow on some of them. I look forward to see how this turns out.

Dusica Cvorovic:

Can I make a comment?

John Steinbrink:

Sure, we just need your name and address for the record.

Dusica Cvorovic:

Dusica Cvorovic, 4500 121st Street in Pleasant Prairie. This is a one-time development project for me. And although it was very frustrating at times, it was a great opportunity to gain insight into my local government and how the Village works. I realize the Village enforces consistently high standards for developers, and as an individual who plans to raise her family and retire in this community, I applaud and support their commitment to fostering responsible, well planned developments, preserving the trees per Jean Werbie, and the green space for our community, and also upholding the strictest quality standards throughout the process.

I worked closely with Jean, Dave Goth, Bob Martin, Peggy Herrick. Although we've had our disagreements at times they've always been professional, knowledgeable and friendly. And, lastly, Mike Pollocoff impressed me with his high degree of competency, but more so with his compassion and personal commitment to this community. Although this project is small relative to the many others that come before the Board, I wanted to acknowledge the Village's strong performance and to thank everyone for their help and support. Thank you.

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Mike Pollocoff:

Thank you.

H. Consider Construction Services Agreement for the Creekside Hill Development.

Mike Pollocoff:

Mr. President, we received bids for the construction inspection for Creekside Hill. That agreement is with Crispell-Snyder. I'm sorry, I'm on the wrong one. It's will Nielsen, Madsen and Barber to provide the construction staking, observation and administration at an estimated cost of \$21,167. This is an expense that the developer has acknowledged and had included in their agreement with the Village and letter of credit to pay for it. We've had good work with Nielsen, Madsen and Barber and I'd recommend that the Village Board adopt this contract.

SERPE MOVED TO APPROVE A CONSTRUCTION SERVICES AGREEMENT FOR THE CREEKSIDE HILL DEVELOPMENT AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

D. Receive Plan Commission Recommendation and Consider Resolution #06-19 and approval of the Final Plat, Development Agreement and related documents for the request of Woodfield Estates LLC, owner of the properties located south of 110th Street at 40th Avenue for the proposed 7 single family lot subdivision to be known as Woodfield Estates Subdivision.

Jean Werbie:

Mr. President and members of the Board, the Woodfield Estates Subdivision is being proposed this evening. It is a seven lot single family subdivision that contains one outlot for storm water management facilities. Specifically, the Woodfield Estates Subdivision is located just east of Mission Hills between 39th Avenue in Mission Hills just south of 110th Street. One single public road, 40th Avenue, extends down into the development. Lot sizes range from 20,092 square feet to 29, 929 square feet, just under half acre to approaching two thirds of an acre. The lots are zoned R-3, Urban Single Family Residential District, which means that all lots needed to be a minimum of 100 feet in width and 20,000 square feet in area.

A small portion, approximately 33 feet by 66 feet contained within this development or adjacent to this development is proposed to be transferred to an adjacent property owner located at 11109 42nd Avenue which is Lot 30 of the Mission Hills Addition #1 Subdivision prior to recording the plat. At one point there was a public road connection that was thought during some early stages of planning that would have brought a public road from 39th Avenue into the Mission Hills Development. Since Mission Hills was developed and some additional planning was done, this right of way or road or area was never actually made part of a public dedication, so there are a few pieces here that jut into adjacent land development which are now being transferred to some adjacent lots that were developed as part of the Mission Hills Development.

Population projections, at full build out these seven lots would generate 19 persons or three public school age children. The retention area, as I mentioned, is on the northeast corner of the site just south of 110th Street and adjacent to 39th Avenue. Site access for all seven lots, again, would be off of 40th Avenue. There would be no direct access to 110th Street and no direct access to the County Trunk Highway 39th Avenue.

The single family lots and adjacent right of way were rezoned by the Village Board into the R-3, Urban Single Family Residential District, and the outlot, Outlot 1, was placed into the PR-1, Park and Recreational District. Again, that small segment of land, that 33 by 66 foot wide area, was rezoned into the R-3 District which is the same as the adjacent Mission Hills. That was done so that the adjacent property owner did not need to rezone it at the time of the lot line adjustment. Again, the lot line adjustment document was a separate document that was drafted by the developer in order to transfer that small segment of property to the adjacent landowner.

The Village Plan Commission held a public hearing for the final plat at their last meeting. The final plat, development agreement and all the related documents are in order, and we have scheduled a closing and a pre-construction meeting for this development tomorrow. And all of the documents are in order, and I have been in constant conversation with the developer's representatives, the banks and others, and all of the documents are now in our possession for the closing. The staff recommends approval as presented subject to the conditions as outlined in Resolution 06-19.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER RESOLUTION #06-19 AND APPROVAL OF THE FINAL PLAT, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR THE REQUEST OF WOODFIELD ESTATES LLC, OWNER OF THE PROPERTIES LOCATED SOUTH OF 110TH STREET AT 40TH AVENUE FOR THE PROPOSED 7 SINGLE FAMILY LOT SUBDIVISION TO BE KNOWN AS WOODFIELD ESTATES SUBDIVISION, SUBJECT TO STAFF COMMENTS; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

- E. Consider Resolution #06-20 and re-approval of the Final Plat, Development Agreement and related documents for the request of Ajay Kuttemperoor, agent for Crestwood Development LLC owners of the property generally located west of 39th Avenue at 97th Street for the proposed 41 single family lot development to be known as Meadowdale Estates Addition #1 Subdivision.**

Jean Werbie:

Mr. President and members of the Board, this is a final plat and development agreement and related documents that were considered by the Village Board at their April 10, 2006 meeting. At that time all of the documents were in order with the exception of the final plat which needed to come back from the State that week. We were planning on having the plat back from the State, however they ran into a delay and the staff member at the State was not able to review the plat in a timely manner. I was then on vacation for ten days so I was not able to meet the time frame to complete the closing as well as to complete the process of the pre-construction meeting and record the proper documents.

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So the staff has spoken with the State and they indicated to me that they had a delay but the plat will be back to the Village within the week, so the staff is recommending re-approval of Resolution 06-18 subject to the staff comments with respect to having all of the documents in order prior to the closing. Again, this is not typical, but sometimes things like this happen.

Alex Tiahnybok:

Move approval.

Mike Serpe:

Second.

John Steinbrink:

Motion and a second. Any further discussion? One of those transitional ones, right Jean, that blends into the Village Green area?

Jean Werbie:

This is actually the completion of the Meadowdale Estates Subdivision, and it completes that northeast quadrant of the Village Green neighborhood. You are correct. This is one of those projects that we are completing the build out of the neighborhood. We are working actually with developers in all of the quadrants at this time as shown in the red ring on this particular plan. This is a project that we had started probably about six years ago with VK, and right now it's been very good for him and it's been very successful with respect to its build out. Their intention is to complete the construction this year so that homes will be under construction in the spring.

Mike Serpe:

Jean, has this caused any problem with VK as far as scheduling, monetary or anything else?

Jean Werbie:

There are some tentative construction schedule dates that needed to be pushed back, but they needed to wait for the State to reply to the second review. The State has a period of time. They typically don't use that much time to review a plat on its second go around, but they needed the opportunity to use the full time frame, so we have tentatively scheduled I believe the closing and the pre-construction meeting not this week but the week after next.

Mike Serpe:

So it's about a five week delay here?

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Jean Werbie:

Correct.

TIAHNYBOK MOVED TO ADOPT RESOLUTION #06-20 AND RE-APPROVE THE FINAL PLAT, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR THE REQUEST OF AJAY KUTTEMPEROOR, AGENT FOR CRESTWOOD DEVELOPMENT LLC OWNERS OF THE PROPERTY GENERALLY LOCATED WEST OF 39TH AVENUE AT 97TH STREET FOR THE PROPOSED 41 SINGLE FAMILY LOT DEVELOPMENT TO BE KNOWN AS MEADOWDALE ESTATES ADDITION #1 SUBDIVISION, SUBJECT TO STAFF COMMENTS; SECONDED BY SERPE; MOTION CARRIED 5-0.

F. Review Clean Water Utility charges.

Mike Pollocoff:

Mr. President, a few meetings back we received a request from a couple Trustees, Trustee Tiahnybok and Lauer, concerning the Clean Water Utility charges that had been introduced and levied. I submitted in your packet the copies again of our study that shows how we came up with the charges and the ordinance that governs them. We have definitely received some complaints. Not anything near what you think it would be, but just kind of I guess I'd like to hear some of your comments and see if Bob and I can address them tonight.

From a historical perspective, one of the things that as we looked at how we were going to deal with the new Clean Water Standards, and we've been working on this probably a couple years, was to find a way that would rather than putting on the tax roll as part of a property tax look at where the impacts are lying. We went away from the property tax method for a couple reasons. One is a larger or wealthier home might not be a good indicator of storm water runoff as a home that might not be as wealthy, so value could have a disproportionate weight on the impact of impervious area or drainage.

The other thing that basing it on the tax roll does, especially in a community like Pleasant Prairie where we have so much non taxable properties, some of the properties that do tend to generate significant runoff aren't taxed. Some significant examples would be United Hospital with the building and all the parking lots they would pay nothing since they're tax exempt. We Energies, the most impervious area of any facility in the Village, they would pay nothing. All Saints Cemetery is another significant area that drains quite a bit but they would pay nothing. So the intent of the utility charge was to address all the parcels in the Village regardless of the person's individual income or wealth, but based on as a utility basis charge whether it's sanitary sewer or water, based on their impact or how much consideration should be taken as to how they're generating storm water.

If you look through the reports it's difficult in the Village in one sense, and Mrs. Schoen said there's some other communities that do it differently, the Village from a property standpoint is very diverse. We have lots that are 60 feet wide, 6,000 square foot lots; we have lots that are an acre and a half wide; we have some agribusiness; we have industrial; we have big institutional

properties. If this was a community where almost every lot was the same size and we're on a grid, it would be pretty easy to do it on even a unit basis. But if we're going to address some of the equity issues that come up, we needed to really be able to stratify what type of parcels we have in the Village and account for that.

Bob can go into this in more detail, but he did a pretty good job of identifying. There's a bell chart in the report that shows and kind of identifies where the clustering is of most of those parcels and trying to get this to a point where you're treating everybody equally but most of the people are being treated fairly. There are some people on either end of the spectrum where you get some issues, but not unlike what we deal with in sewer or water. It's based on use. It's not based on whether somebody thinks they should pay or not pay or whether or not it's equal. Now, we have a provision in the ordinance that if there's something we don't know about or we're wrong about the nature of the parcel, people can petition for an appeal of it and have us relook at it again.

In a way we're blessed in we're able to use the latest ortho photography and computerized mapping system to get these things tied out and be able to look at the parcels and we've also looked at the soils. You just can't say that somebody has a lot of grass and they don't have runoff because some of the soils in the Village are very tight soils.

The other thing about the Clean Water Utility is that it's going to help us--it's the only way right now we're going to be able to meet the Clean Water Requirements to pay the Village for the work we have to do. The second thing that the Board addressed in the budget process is that a Clean Water Utility is that vehicle that's going to help us finance storm water improvements because the two were so integrally related that we won't finance those through general property tax dollars. We're going to finance those through the utility fees. The budget that was adopted basically doesn't provide for any of that, very little in fact, but at some point in the future if the Board wants to do that, that's the vehicle to do it because there really is no other money to handle that from.

So the utility charges are what they are. My recommendation would not be to tinker with the exceptions because you create an area where you say to larger residential users, okay, we'll only make you pay a residential fee or fixed fee, and you've pretty much opened your door to an industrial user that says, wait a minute, why should I pay more because I have a large parcel, too, why should I have to pay if someone else isn't paying based on their impervious area and land space I should be treated the same.

I think that we and our attorney and Bob and I are very secure in the fact that if somebody wants to challenge this and take it to the PSC, we've gone farther than any community that we've had experience with in being able to evaluate the diverse and different nature of parcels and try to make this as equitable as possible. Not everybody is the same, but not everybody has the same lot. Especially in a community like Pleasant Prairie we're not a structure, uniform subdivision community. That's why we really had to come up with a system that would account for these vast differences. Otherwise if we just say we're going to charge \$2 per unit, I have a half acre lot and Steve has a six acre lot, Mike has a half acre lot, things aren't the same. If we're all paying the same thing, pretty soon you're really not basing it on your impact which a utility by statute has to be. It has to be based on your use or your impact to the system. So the system we've come

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up with addressed that. If you have any questions?

John Steinbrink:

I think you've covered it, Mike. This is a topic for communities all around the State because we're all faced with the challenge of how we're going to finance this mandate on us. And it is a responsibility for us to meet, too. We have to do our part. As you said, each has a different issue to address. Everybody has different soils and that determines runoff, the topography, everybody has different drainage issues whether you have old development, new development, whether work was done or not, whether drainage basins exist. And the big question comes to how you fairly assess. Some are higher than Pleasant Prairie and some are lower looking at the charts. We're not the highest, we're not the lowest, but as you said everybody has a different set of needs there as to what they have to cover and what they have to provide for. We talk about grassy area. I've heard experts say that there's more runoff or as much runoff off a grassy area as a blacktopped area. I found that hard to believe, but these are people with far more education and training than I in the subject and that was their-

Mike Pollocoff:

If you've got the right soils.

John Steinbrink:

We discussed this in the WisPark area and other areas with runoff . . . and they had the documentation to prove it which was hard to believe. But it does exist. So it's a difficult issue. We set some goals and we had some things we needed to take care of with drainage issues in Alex's area and other areas around the community, and this was the vehicle to raise those funds and to meet the Village's costs for taking care of the mandate put upon us. Any further discussion?

Alex Tiahnybok:

I was one of the Trustees that Mike referred to as bringing up the topic. I tried to champion the cause for one case in particular and then, of course, in looking into this further I learned that the particular case I was informed about was not unique. I recognize the need to do this. The comments that Mrs. Schoen made about other communities not doing this on the basis of land square footage, if we could comment on that further, Mike, I'd appreciate it. What other systems are out there in terms of accomplishing the same job.

And I still have a problem with the notion that we can't make a distinction between commercial and residential in terms of impact. John, I agree and I'm not going to claim that I know more about soil ability to absorb water than asphalt, but from a purely logical perspective if you had a 20 acre parcel, I think that 20 acre parcel results in a \$28 a month ERU, which for a residential

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property with a small home seems like a lot of money to me. That's larger than probably this person's water bill and cable bill and all sorts of bills, and this is something that's kind of not tangible.

But to compare a 20 acre residential site with a small house and a lot of grass with a 20 acre industrial site with a large building and all kinds of parking lots, I have a hard time believing those are the same situations. And if I understand this correctly it sounds like both of them are getting charged the same way. It just seems difficult to accept for me.

Mike Pollocoff:

Bob, why don't you address what Alex just brought up as well as how we compare with other communities.

Bob Martin:

If I could refer you to page 7 of the report, I want to reiterate a little bit what was previously said. If you look at the distribution of residential lot sizes, for example, that really brought I think to focus the diversity of property sizes and how do you treat them all equitably and fairly? The core of what this tried to do to address that particular issue and the methodology is a standard practice. It's a TR-55 methodology by the Soil Conservation Service that's used pretty much universally. It's adopted by ordinances for design of subdivision storm sewer infrastructure. And this took that concept and looked at the runoff of a standard unit that represents I would say probably the vast majority of properties, and that's a third of an acre lot with around 2,000 square foot improvements. We added 750 square feet for driveways. So that tried to bring the unit into perspective. So the vast majority of those being charged would be charged on the basis of that impervious surface and the lot size.

Now, beyond that if you can recall the presentation that was given during the budget, we looked at the larger lots, we looked at brush areas, forest. If there were wetland or a pond on a larger parcel, that was taken out of the gross. So the net result would be the land looked at excluded those things because a wetland and pond we didn't want to be splitting hairs with whether it could run off or not, because some do and some don't. You can have a very small pond that's full all the time and all the rain that goes in there is 100 percent runoff in some situations. In others that's not true. So we didn't want to get in that position. So they were taken out.

The woodlands, what we call runoff curve numbers, can be addressed for every one of those and they were taken out of that publication. So if they say a 100 acre lot and 20 acres were brush, that received a value and that's one of the lower values of runoff. If they had some forested area that was given a CN value and there again we did not want to get into argument. There's typically three values for each one of those runoff curve numbers for any number of things. Good grass, bad grass, bare dirt and bare ground and that sort of thing. Same thing with woods. You could have good woods or not such good woods and so on. Those numbers we took the conservative approach so that we would give everybody the benefit of the doubt and they had the best condition for not having more runoff.

So all those conditions are wrapped up into the program that looks at everybody's individual

property. And if you have a residential house of 2,000 square feet on 20 acres of property, it's not going to be the impervious surface that's the same as a third of an acre lot with a 2,000 square foot home. All those factors are taken into consideration so they're weighed enormously there generally speaking throughout the Village as a class C soil. Along Carol Beach there's a class B. That's more impervious and I think that's common knowledge. We were able to put that into the model. It has another impact on runoff, it reduces it, so those charges all reflect all the conditions that are in a publication for everyone to see.

Mr. Steinbrink's comment about runoff given that you have frozen ground it all acts like impervious surface and those conditions can happen. Those weren't taken into any kind of consideration. Every parcel was looked at pretty much--well, they were all looked at individually. But the vast majority received an ERU charge of \$1 per ERU based on that third of an acre lot 2,000 square foot home essentially, or whatever it was. So everything else is still based on a two inch rain running off and becomes a multiple of that ERU so you could have more or less.

There's an opposite side to the higher charge. There are people that live with very small properties, small lots, small impervious surfaces, they get treated on the other side of that equation also, so they don't get the higher charge that Mike may get or I may get on my property. So everybody is treated individually. Every charge could theoretically be totally different within a penny or two. But it's the multiples of that so that people with very large properties--I would argue the point that people at the bottom of the hill always get more water and why is that? It's because there's more water being contributed to that low point. People at the top of the hill don't need storm sewers but are they part of the issue? Yes, they are.

So as a whole the Storm Sewer Utility is meant to do multiple things, address environmental concerns that become impacts on a Village to look at infrastructure. And if you had gone through the report and looked we are adding a huge amount of new infrastructure annually that we have to over time take care of that. We have a large number of projects that were listed as capital improvements that need to be addressed also. So the utility is meant to address a number of those issues also. So it's not targeted at--it's targeted as any other utility would be similar to water, similar to sewer where you have a lot of infrastructure. In our case we have a lot of water mains, a lot of sewer mains, a lot of storm sewers coming in annually that they're in time going to take a lot of resources to maintain and keep up.

Looking at the charges - let me get onto that. If you would look on page 14 there was a comparison of a number of cities that had utilities at the time this report was done, and you notice that the Village has probably the smoothest transitions through there, and that's because it tries to treat a number of situations on an equal basis. You'll notice that Appleton, since it's in yellow, you can see the vast jumps up and down there that it's not very sensitive. Under four different situations, under four different scenarios, they had two prices for the four situations for example. And you'll notice that some of the other trends of some of those other communities Eau Claire had a very similar trend.

What I might point out that's interesting about this curve is I assumed a \$4 per ERU to even put it on the scale with these other utilities because most of them were at \$4 per ERU at that point. We're at \$1 so that curve actually isn't that high. It's way way lower than that. But that was for illustrative purposes and it says so on a previous page so to point out that point. So there are a

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number of examples and comparisons within a report. I looked at a number of those, and I think when it's all said and done probably we had the fair system. As Mike pointed out, probably because we had a lot of capability. Once we had the ability with the GIF where we could get to the refinement of this thing that really opened up a lot of doors for us to be that fair. A lot of them don't have so they've got to take shortcuts and they've got to do things that they have the capability to do.

John Steinbrink:

I think you hit it on the head, Bob, when you said winter around here when you've got frozen ground there isn't much difference between that and asphalt or concrete. It's pretty much all hard. And that creates our biggest challenge when we come into spring we get the fast melting snow, we get the heavy rains and it's all runoff. And at that same time we're flushing all the winter contaminants that have built up in the dirt and salts. That's what we're trying to plan for is infrastructure to handle that and thus the Clean Water Act where we're going to clean that stuff up before it reaches the tributaries and the lakes and everything else so we get that stuff out of the environment. Much less trying to stop the flooding that happens in different areas when this happens with the frozen ground. We're now trying to purify that water and make it is so that is not harming the environment.

Mike Serpe:

I see the amount of work that went into creating this utility. And at the same time if somebody in the Village feels they're not being fairly treated, I think the ordinance clearly states the appeal process is there. I don't know how else or what more we can ask Bob or Mike to make this any more fair. I think it is very fair when you consider that we're charging everybody including the exempt properties which almost equals the taxable properties in value.

When we set this up we opted for a dollar. And right now, Alex, I'm glad we did that. The ordinance clearly states if somebody has a feeling that they are not being fairly treated what is the process today? Is it to the Board?

Mike Pollocoff:

It's to me.

Mike Serpe:

To you, okay. So unless somebody else has any other comments I can't see us changing this thing right now. I would ask one question of Ms. Schoen. Which cities did you contact if I could ask you that?

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Diane Schoen:

I looked at cities nationally like St. Paul, Minnesota.

Mike Serpe:

I'd rather keep this local if we can.

Diane Schoen:

Do you want me to stay in my seat?

Mike Serpe:

I don't want to get into dialogue. Do you have a list of-

Diane Schoen:

I'm not going to make a long speech.

Mike Serpe:

Do you have a list of cities?

Diane Schoen:

St. Paul, Minnesota; I looked at Appleton, Wisconsin; I looked at at least 12 around the U.S. just trying to get a general sampling. None of them charge more for a single family home on a larger piece of property. Most of them I found charged all single family homes alike. They didn't try to make this differentiation. They just said single family home so much. But what I wanted to say is the original meeting when these utility clean water fees were discussed, it was stated that they were based on the ratio of impervious to pervious. So this is what I was basing my thoughts on. And, incidentally, there are several people upset about this. Not everybody comes to meetings or can take the time during the day to make phone calls to the Village. But I've talked to a lot of people who are upset about this. They feel it's unfair.

I just think most people would think it was fair if all single family homes were paying the same amount. You suddenly changed the criteria between what was originally stated and what I did my research on the ratio of impervious to pervious. Thanks for giving me a chance.

Mike Serpe:

Thank you.

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John Steinbrink:

Bob, do you want to comment on that?

Bob Martin:

I think some of the communities, even in my examples in the report, because I looked at similar ones, that becomes part of the problem with some of the methodologies with the other communities. I think that's why you get these real highs and lows with some of those rates. If you look at the example, I took basically two lot sizes and two impervious areas and I compared them and you can just really see it's pretty dramatic how their rates vary.

In the third example just raising one of those things should increase the fee, but it went back where raising one or the other had a dramatic impact, and it just doesn't take all the things that we take into account as fairly. I think the graph illustrates that fairly well. It's pretty smooth going through. You can have any number of conditions and, again, it just goes back to trying to be fair with all the diverse areas and all the diverse impervious surfaces. How do you really treat that? I think we did the best job that--I have not seen one that has been--we didn't try to make it complicated. We just want to make it fair. That's the bottom line. I think that's where we had the ability so it turned out that way. I think that's a good thing in our favor.

John Steinbrink:

It's a lot like when you compare taxes around the country and other places. Everybody has a reason why they want to be like some other states but then again we don't want to charge what they charge for something else for taxes, whether it's a higher sales tax, a higher vehicle administration fees and all those different things. So you have to look at the whole criteria of what every community is doing and how they're raising those funds to be on an equal playing field. I think your layout here of it really shows how it's done and how we compare.

Bob Martin:

I might add that I came here from Minnesota, and Rosemont probably did one of the first storm water utilities in the '80s. It was probably the model for not only the communities in Minnesota because it was one of the front runners, but a lot of them adopted the same methodology. This is just an extension of what they had done there. But St. Paul I'm sure if it didn't adopt Rosemont's it was comparable, but St. Paul is an older community with what Mike had mentioned earlier if you've gotten nothing but lots and blocks and you've got all the same sized lots, you can throw a dollar per unit pretty easily on it because you're not going to be off very far. That wasn't our issue here. I'd be repeating myself, but I think that since there's such a huge diversity of lot size in particular, let alone the impervious area, that really led to the method.

Mike Pollocoff:

President Steinbrink, this has been a long process. We knew we were going to come under the mandate a couple years ago and how we were going to address it. Ms. Schoen makes a point that you should treat all the residential parcels the same, but either way you go on this I guess if we

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wanted to make it equitable if someone is on a five acre parcel should they pay the same as somebody that's on a quarter acre parcel or a half acre parcel? In essence since we've been able to identify each individual lot, the characteristics of all the lots individually, assign a CN to it so that we could evaluate what was going on with that parcel to place the charges adequately, from a storm water standpoint it's almost like treating it like a water utility customer where you have a meter and you charge that person based on what they've used.

What we've done here is basically taking the physical characteristics of a property, assign it against methods that the Village ordinance requires us to use, the TRS-55 method for evaluating storm water it's what the Army Corps uses, it's what the State uses, it's a recognized standard. In storm water we're applying that same principle on run off as we do to water consumption. Whatever you use and generate that's what your charge is going to be based on.

If someone were to appeal to me saying that the charges weren't accurate or weren't comparable, that would be the first thing we do is look at how we evaluated that parcel, the physical nature of it, and then see if that's really what it is. If there's something that's happened on that parcel where it's not that way we'd go from there. But at the end of the day what somebody has, the nature of their parcel or how they've improved it and to what extent and what's on there is really what's going to determine the run off.

John Steinbrink:

I don't know if Channel 25 covered it or not. In the *Village Times* we did some articles on it. Maybe we need to do a little more explanation and maybe some comparisons of some of the other communities that you did in the report here to show folks how we compare with other communities and exactly what our methodology is. But one thing I know is when it comes to drainage and runoff and water issues I think Bob Martin is probably the foremost authority on that. I don't think there's very few people that could compare to his expertise of that field.

Mike Pollocoff:

I agree.

John Steinbrink:

So I feel very comfortable, and he comes from an area that they really know what drainage issues are and dealing with it in that area especially in Minnesota. So I feel very comfortable with what you've put together here.

Mike Serpe:

In winding this up I think the question before the Board is do we think or feel that the method in place is fair. And if we do, we leave it as is. If we don't think it's fair, then either we come to a

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consensus of what we think it's fair, and if we do think it's fair and there are people out there that think they are being not fairly dealt with have the appeal process then they should exercise that right as well.

Steve Kumorkiewicz:

I was comparing with my clean water bill with Alex. Yours and mine is about 22 cents difference and we have pretty much the same size property

Alex Tiahnybok:

I think the factor that was brought up today which, frankly, I never considered was frozen ground. That certainly is a factor. When I think about the roof of a house I think of impervious surface. When I think of grass or soil I think of pervious. But when all those things are frozen then I imagine they're all very close to impervious. So that's a factor that I'm willing to recognize and I think we need to take into account.

The chart, Bob, the one on page 14, I appreciate sort of the lack of logic behind what appears to be happening with the charges that would come from locations like the City of Eau Claire, Madison, Appleton, Fitchburg, they all seem like they're following the same strange pattern. But Mrs. Schoen brought up a point and I'd like to touch back on that again. That is that a residential parcel they all experience, and I have no way of knowing if that's correct or not, but they all have a similar cost per month. Of course, this chart doesn't suggest that at all. On a material basis there's a difference of opinion.

My question, though, is if you took the same chart and you expanded it out to 20 acres or 100 acres, where would the cost per month be for locations like, and I realize there is probably not a 100 acre residential parcel in the City of Appleton, but where would these charts be? Because the Pleasant Prairie chart as we know you get to 20 acres and you're looking at a \$30 a month bill. Where would these charts be for these other locations?

Bob Martin:

Everyone varied. In that example there's kind of a description. Fitchburg for example, had a city wide charge of \$1.50 per month. So that was across the board. They had an urban service area base rate of \$2.10 per month and then the service area intensity rate of .75. So they all vary and I think a lot of them have wrestled with the same issue probably because they couldn't get their hands on it like we could. What's an average residential unit and how do you expand on that? I think a lot of them couldn't get at it very easily as we could and still apply all the credits in a sense to those larger properties that had brush on them or if they had forest on them. That's a pretty rigorous demand when you've got--we're a small community by comparison to some of the larger cities. That's a pretty large task. So some of them, Madison they charged pervious charge of .315 per thousand square foot and impervious charge of \$4.75 per thousand square foot. So those would go up accordingly. So they're all different.

Again, I don't think they had the ability or the wherewithal that we have because it kind of shows

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in our rate structure also. But Madison, the last one I just commented on, that's going to go up for the size. I would say that, again, if you're an older community, and St. Paul is probably a good example where it's a fairly old community, and it's pretty uniform so you don't have that big an issue and it is because St. Paul has been surrounded by other communities for a number of years and that's what really has been an issue for them tax wise. But for them it's a lot simpler than it was for us I can tell you because of the diversity of the property sizes.

Alex Tiahnybok:

But it sounds like there are two components in the charge. There's an actual impervious area charge and then there's a pervious area component, and it sounds like a smaller number. My concern is our simpler method of just basing it on square acres the number escalates a lot more quickly. I guess my question is if we brought our ERU charge down to \$1 and we were thinking about something like \$4 initially, does that mean that somebody with a 20 acre parcel in Appleton has a \$100 ERU charge?

Bob Martin:

Again, if you go back to that chart on 14, I put in a \$4 ERU charge and it kind of mixed in the middle or thereabouts throughout those scenarios . . . give me an example. But, again, I don't think that when you look at those examples they don't make sense from a runoff standpoint. That's obvious and ours does. I think that's the difference. And it still takes into account those factors that are so relevant to this community in that we have got a lot of properties with any number of issues, wetlands, ponds, forests, any number of those things.

Alex Tiahnybok:

I'm sorry for beating up on this. But that particular property, 20 acres with a \$28 a month charge, would you mind and it doesn't have to be in the next meeting but sometime in the near future just plug the variables that that property provides in terms of acreage, impervious area and pervious area, would you just plug it into the formula that sounds like you have it for these other municipalities and see what kind of number that results in?

Bob Martin:

Sure.

Alex Tiahnybok:

I think it's just important to be able to tell somebody that, hey, with your 20 acres in the City of Appleton or Eau Claire you'd have a similar charge and we're not doing anything different. And if we are doing something different I think we've got to look at it because it just seems like a lot.

Mike Serpe:

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So are we done with this for now?

John Steinbrink:

Any other comments or questions?

Mike Pollocoff:

I guess I'd encourage, and I don't know who it is and maybe I don't need to know, but if they feel that their 20 acres that they're not being treated equitably I'd encourage them to come in and file an appeal. Maybe there's something we missed? Maybe they have some woods or wetland or whatever. But if they do have a 20 acres developed parcel that's improved then I don't know.

John Steinbrink:

If you want to compare it to Minneapolis and divide it up into the same sized lots as Minneapolis and apply those ERU's to it and see what your numbers are there.

Alex Tiahnybok:

Exactly. I think somebody with a 20 acre parcel has to recognize they own a 20 acre parcel and there's some issues that go with that. I'm not arguing that. I just want to make sure it's at least comparable. Our line on that chart on page 14 it just continues to escalate. Does that mean if it we took it out to 20, the horizontal axis of house and lot sizes, does that mean if you took it out to 20 would you be at \$30 and where would the City of Appleton line be? I think to be responsible to the citizens that are concerned about this we need to be able to answer that question.

Mike Serpe:

We don't need any action on this?

Mike Pollocoff:

We'll address Trustee Tiahnybok's sample question, and if somebody brings a petition to me for an appeal I'll consider that. I don't want anybody to leave here thinking that the goal here--I mean you want some sort of reasonable nexus between what Pleasant Prairie charges for something and the rest of the world. But, again, the diversity of how communities have come up with these charges, it's apples and oranges. If everybody came to how their charges are differently and every community is different, and maybe just the basic policy question is, is the Board more comfortable saying this is our flat charge for residential and that's it and everybody is going to get treated equally. Then those comparisons between us and other cities kind of make sense.

We started this in the beginning to say we wanted to be able to look somebody in the eye and say you've got this much grass, the CN value is this because of what you have on your property, the trees and the soils, so that we could justify our charges to somebody. I think that's really maybe

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the policy question and we'll run those things. If we're at odds over the fact that we want to treat people equally I think you're not treating people equally when they have bigger properties and you're saying your charge is the same as somebody with a small property.

Alex Tiahnybok:

And I think the frozen ground argument is very valid. You can't ignore that aspect and I'm not asking that we do.

John Steinbrink:

We've heard about it so I guess we need to look at it. If it remains a mystery we can't look at it.

G. Consider Agreement for Professional Construction Related Services for the Lighthouse Pointe Development.

Mike Pollocoff:

Mr. President, this is a contract that I introduced by error earlier. This is construction related services for Lighthouse Pointe. I'm recommending that we award this contract to Crispell-Snyder. They're a larger firm and this is a larger development in order to handle the project there. Again, all these are estimates and they've quoted their fees as estimates of \$91,000 for professional services for up to \$170,000 for inspection. So I'd recommend that the Village President and Clerk be authorized to enter into the contract with Crispell-Snyder.

SERPE MOVED TO APPROVE AN AGREEMENT FOR PROFESSIONAL CONSTRUCTION RELATED SERVICES FOR THE LIGHTHOUSE POINTE DEVELOPMENT AS PRESENTED; SECONDED BY SERPE; MOTION CARRIED 5-0.

I. Consider Resolution #06-21 - Preliminary Resolution declaring intent to exercise special assessment police powers in connection with the construction of Storm Sewer Improvements to Chateau Eau Plaines Subdivision in the Vicinity of the East side of 112th Avenue North of 80th Street.

Mike Pollocoff:

Mr. President, we've been working with some residents as identified on the map on this project. We have in places a large ditch, it's flat grade. Chateau was the next to last subdivision that was build without storm water design, engineering, improvements to speak of, and so over the last 25 years we've been kind of here and there working ways to make the water drain in that subdivision. Part of our policy is if somebody wants to have storm sewers installed we'll pay half if they pay half. And everybody from our observation that's on this side of the street would benefit from the elimination of the ditch and construction of a storm sewer. As you get to 7923 it's a little bit east. It's kind of hard to see on the map but there's a bigger ditch that that would empty into, and there's a storm sewer on the west side of that road that eventually finds its way down to the Des Plaines.

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If everybody agrees on these projects, we'll do what we call waivers of notice of special assessment. They sign that and say I agree to it, you don't have to have a hearing, we're fine. In this case three want it and three don't want it so it's going to come to you for a hearing so that the people who don't want it their rights are protected. It's a relatively small project, about \$12,000.

John Steinbrink:

This is an area we've looked at how many years ago?

Mike Pollocoff:

The first big look we took at it was in '88, and then in '90 and then in '93, and I think we looked at it in '95.

John Steinbrink:

It was pretty much you live on the top of the hill and I live on the bottom of the hill scenario?

Mike Pollocoff:

Right.

Mike Serpe:

Just a question. Is this only one side of the street, Mike?

Mike Pollocoff:

Right.

Mike Serpe:

How come not the other side?

Mike Pollocoff:

They drain back away to the west. If you look at the major drainage area you could go up 80th Street somewhat. But what happens is everything kind of bottoms out here and that's why the ditch gets deep. Everybody's got trees in their front yard, so if we taper the ditch back and tried

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to do that you're taking good chunks of their front yard away. In new subdivisions, of course, this isn't a problem because we won't allow them to build with ditches and this is a classic reason why. You need too much room to work with.

Mike Serpe:

If the public hearing were held and the project were to proceed when would this take place?

Mike Pollocoff:

We'd do it this summer.

Mike Serpe:

On a 50/50?

Mike Pollocoff:

Right. We'd do it with our own crews.

Alex Tiahnybok:

So about \$12,000?

Mike Pollocoff:

Yes, which we pay half and they pay half.

SERPE MOVED TO ADOPT RESOLUTION #06-21 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS IN CONNECTION WITH THE CONSTRUCTION OF STORM SEWER IMPROVEMENTS TO CHATEAU EAU PLAINES SUBDIVISION IN THE VICINITY OF THE EAST SIDE OF 112TH AVENUE NORTH OF 80TH STREET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

J. Consider Award of Contract for 2006 Miscellaneous Paving Projects.

Mike Pollocoff:

Mr. President, too many years ago we rejected bids for paving because we knew we had a couple. Another project we rejected the River Oaks projects, but we knew we had one that needed to be done in Pleasant Homes, one little project up in Carol Beach Unit 6 where utilities were installed, and then we had the project in Unit 2. The Unit 2 project was 2004 price. We had the hearing then and we deferred that until we addressed the storm sewer project. Since that project is not going to proceed, we had indicated that we had proceeded with the paving. But we wanted to get the Unit 2 project in with these because we want to be able to put as much asphalt out to bid at

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the same time for the best price as possible.

All these projects with the exception of Unit 2 are going to be paid for by utilities, or in one case the developer where the utilities or rehab have destroyed a road and that's at the cost of the utility to compensate the general fund back for the construction of that road. Payne and Dolan was the lowest bidder on this at \$79,310.80. You can see the units for the sections that they bid it by. The section on Unit 2 came in at 11,368. My recommendation is that we award the contract to Payne and Dolan, all the work, with the contingency on 1st Court and Lakeshore Drive since the amount we'd be charging those people is greater than what we had our hearing for. We owe it to them to come back and tell them it's more and give them another kick at the cat. In fact, by statute we're obligated to do that. If we weren't going to do that then the Village would have to make a conscious decision to subsidize a paving project for an area and we haven't done that.

I will say we have another item that's a memorandum on doing 1st Court. Mr. Hauser made a comment that he had presented a petition and that the Village hadn't acted on it in response to the special assessment that was levied on the property. Statutes don't permit the Board to take a petition and even if everybody in the subdivision wanted to say no to it. Once that lien has been levied and you've taken that official action to unwind it isn't done by petition. If people feel that the project is unwarranted or the costs aren't appropriately right or what have you, then there's an appeal process that you go through. You can't just say here's another position so undo it or have another position to make it bigger. Once that notice of determination has been made, by statute we're done.

What we're doing tonight actually gives Mr. Hauser what he wants in the sense he'd be getting another hearing with a chance to rally his neighbors to kill the project if that's still a point. But it gives the people who wanted the project an opportunity to come up and say I'm in support of it, I don't want to pay more or whatever it is they want to say, but it opens the whole process for consideration again. But we can't just take a petition after a hearing has been held and that resolution has been adopted where people protest it that doesn't make it go away. They have a statutory process for appeal they have to use. That petition process doesn't work.

So on this first item with that caveat or that rider on 1st Court I'd recommend the contract be approved.

Steve Kumorkiewicz:

So we'll have a public hearing on that.

Mike Pollocoff:

Yes.

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Alex Tiahnybok:

Has Payne and Dolan agreed to honor these prices if the Section 3 project doesn't proceed?

Mike Pollocoff:

Yes.

Jeff Lauer:

Just one question, Mike. For out where Steve lives, 122nd Street and 125th Street, going east and west 125th Street would that be blacktopped going all the way to the field where the apartments are over in that area?

Mike Pollocoff:

No, just where the utility work occurred.

Jeff Lauer:

So just where it abuts up against it. The south one because I know I drive down that road sometimes and it's quite . . . so I was hoping we could get that done.

Mike Pollocoff:

That needs to be done. I don't believe that water main is looped on that street. I was thinking at some point that main gets relayed but I don't think it loops. We tore up the approaches a little bit on 125th and 122nd. Those are going to get redone. But in fairness to the rate payers, we only replace what we rip up.

Jeff Lauer:

Okay, thanks.

TIAHNYBOK MOVED TO APPROVE AN AWARD OF CONTRACT TO PAYNE AND DOLAN FOR THE 2006 MISCELLANEOUS PAVING PROJECTS AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

K. Consider Authorization to Reopen the Special Assessment Hearing for paving 1st Court from Lakeshore Drive to 11350 1st Court.

Mike Pollocoff:

Mr. President, I request that staff be directed to present a resolution authorizing us to conduct another hearing for special assessments to reflect the bid price for paving on 1st Court located from Lakeshore Drive to 11350 1st Court and have that hearing probably the first meeting in July.

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Steve Kumorkiewicz:

So moved.

Jeff Lauer:

I'll second.

John Steinbrink:

Further discussion?

Alex Tiahnybok:

Mr. Hauser brought up in his perspective that of the eight assessable properties the contention is that only five of them actually benefit from this change. He also indicated that a petition was delivered to Trustee O'Toole back in '04. What is the process to reassess which properties are benefited?

Mike Pollocoff:

If we weren't going to be doing this hearing, they would have to file an appeal with the Village and they'd have to post a bond for the amount equal to their assessment for that appeal to be conducted. We would review it, it would go to Circuit Court and that's where once the lien has been levied that's where the determination comes. The fact that we're reopening this brings them back to what he wanted. Just by having a petition, and I believe we stated that at the time as well, that that can't unwind the process. There's an appeal process that you have to follow statutorily.

As far as whether or not he feels he benefits from the paving, paving is one of those things where if the lot has--if you want access to the lot and it's paved, that access is improved. That's part of the--I mean that's a basis for consideration. The last assessment was done on a front foot basis not on a unit basis. We're cautious about our paving in Carol Beach in the sense we don't want to pave areas that are in the ultimate acquisition area where the roads are going to be abandoned. Any other roads if there's a petition for paving we've done--with respect to aprons, if the Board decides to exclude aprons from the project that's a convenience for the people who have the--really it's an improvement to everybody's property especially if they already have a paved or concrete driveway. But if you want to take those out and let the people pay for those individually rather than based on the unit prices that we're getting that's fine, too. Typically no one is going to be able to get that apron paved any cheaper than under a public bid as many square yards of asphalt that we're buying.

Alex Tiahnybok:

Is it reasonable and customary for us to do the aprons when we do a project like this?

Mike Pollocoff:

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Yes.

Alex Tiahnybok:

It is.

Mike Pollocoff:

It helps us, too, because if we don't do the aprons, there's been times we haven't done it and we've regretted it because you get a lot of different contractors out there, and I hate to say it but some of the asphalt contractors aren't very reputable and people get some black paint aprons and they don't get asphalt so you end up having all these different contractors working in the right of way and trying to match up with the asphalt. Where if you do it at the same time you've got a seamless application. There's no seam at the joint where the pavement goes. It's a nicer end product. But if the people in Carol Beach Unit 2 there want gravel right up to the road then that's one of those things, again, I would defer to the deference of the people. If they want gravel that would be fine.

KUMORKIEWICZ MOVED TO REOPEN THE SPECIAL ASSESSMENT HEARING FOR PAVING 1ST COURT FROM LAKESHORE DRIVE TO 11350 1ST COURT; SECONDED BY LAUER; MOTION CARRIED 5-0.

L. Consider Commission Appointments.

Mike Pollocoff:

I have the appointments here from President Steinbrink. The Plan Commission Andrea Rode does not show up there. She's on your package. She had a critical illness in her family and we're not sure if she's going to be able to accept that position. So my recommendation is we let that health situation over the next week or so kind of clear itself up and see whether or not that can occur. The other change is that Alex's position really became permanent last year when he took Trustee O'Toole's spot. We just had it as alternate and we never did increase that Commission so that's really a permanent position.

John Steinbrink:

So the pay scale stays the same.

Mike Pollocoff:

That's right.

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Mike Serpe:

Board of Appeals is the alternates Berner and Hildreth should be 2009 instead of 2007?

Jane Romanowski:

Jean just indicated that's not a one year, it's a three year alternate so we'll change that.

Jean Werbie:

And I guess we need to further clarify that when we converted it from one year to three year they should be staggered terms. So in order to do that we really need to set the first alternate for the three year term and the second alternate for a two year term. And then when the terms come up, then there will be three year renewals for each of them if that's what you choose to. And you also need to specifically state whether or not Sheryl Berner is the first alternate and David Hildreth is the second alternate as they serve currently.

Mike Serpe:

Who is second and who's first, Jean?

Jean Werbie:

Sheryl is first and David is second. So I'm recommending Sheryl go to May 1, 2009 and so that we have staggered terms for David Hildreth May 1, 2008 per the revision to the code that we had made.

Mike Serpe:

Are we square? We need a motion to approve the appointments?

John Steinbrink:

We need a motion, yes.

Mike Serpe:

I'll so moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Any discussion?

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Alex Tiahnybok:

Scanning the list and comparing them to people that are on Commissions currently, these are basically all extensions of current appointments. The only exception to that would have been Andrea Rode and I'll reserve my comments considering her situation, but shortly after taking office last year I did make a statement and I really hope there's some way we can find to accommodate me, but I think one of our key responsibilities on this Board is to make sure that people that are on our various Commissions are there for good reasons. I assume this is one of the privileges of the position of Village President to make these appointments, but I think obviously the Board is voting on it for a reason. I really would like to see in the future, considering these are all extensions, I'm not going to mess with anybody that's on these Board currently, but anyone new I would really appreciate them coming before the Board and just telling us what they have to offer. These are important spots. I'd like to see that happen in the future.

John Steinbrink:

I as President do review these people and do go through their qualifications. The one thing we looked at is their ability to attend the meetings if they're able to make the five o'clock meetings and that's proven to be a problem for certain people. We try to get people if you're going to have a meeting at least have them show up. So certain people their schedules don't allow it and we do the best we can.

Alex Tiahnybok:

We had obvious issues last year about meeting times, so I think it's critical to have a cross-section of our community on these Commissions.

John Steinbrink:

And I think we have a real good cross-section when you get to know these people and you talk to them and you attend the meetings and you look at their input into the topic and how thoroughly they go through it if you look at Planning Commission involvement. They take into each project, they go out and inspect each project and go through every detail. I think we've got folks that count every tree on every site to make sure we're not disturbing them and different things like that. So the involvement of the folks here is very, very extensive. And they're on these Commission because they want to be on them and they want to serve the community. We've gone through the process to and talked to them. And when we've had different appointments to different Commissions we've interviewed quite a few people and opened it up to the public and picked the ones we felt were the best, had background, had knowledge, had something they could add to each and every Commission. I feel very confident in the group of people we have representing us on the Commission as far as their knowledge their cross-section and the work they do on each of these Commissions.

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Alex Tiahnybok:

As happens in our federal government the President does make nominations for things like Supreme Court Justice and nominees do come before the legislative body so to speak for interviews and all that sort of stuff.

John Steinbrink:

The approval is right now before the body. So if you have a problem with any of them now is the time to speak up.

Alex Tiahnybok:

Not anymore.

SERPE MOVED TO APPROVE THE FOLLOWING APPOINTMENTS TO COMMISSIONS AS RECOMMENDED BY THE VILLAGE PRESIDENT:

Plan Commission

Donald Hackbarth	Term – May 1, 2009
Judith A. Juliana (Alt #1)	Term – May 1, 2007

Park Commission

Rita Christiansen	Term – May 1, 2008
Kathy Burns	Term - May 1, 2008
Mike Russert	Term - May 1, 2008

Recreation Commission

Steve Kumorkiewicz	Term - May 1, 2008
James A. Becker, Jr	Term – May 1, 2008
Robert C. Marfechuk	Term – May 1, 2008
Travis S. Laib (Alt)	Term – May 1, 2007

Police & Fire Commission

Robert Ramsdell	Term – May 1, 2011
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Board of Appeals

Jennie Holman	Term – May 1, 2009
Sheryl Berner (Alt. #1)	Term - May 1, 2009
David Hildreth (Alt. #2)	Term – May 1, 2008

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School Commission

Steve Kumorkiewicz	Term – May 1, 2008
Linda Chiapetta	Term – May 1, 2008
Carolyn Budwick	Term – May 1, 2008
Jeff Lauer	Term – May 1, 2008

SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

M. Consent Agenda

- (1) Approve Bartender License Applications on file.**
- (2) Approve Letter of Credit Reduction for King's Cove.**
- (3) Approve Letter of Credit Reduction for Westfield Development.**

**LAUER MOVED TO APPROVE CONSENT AGENDA ITEMS 1-3 AS PRESENTED;
SECONDED BY LAUER; MOTION CARRIED 5-0.**

9. ADJOURNMENT.

**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KUMORKIEWICZ;
MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 8:30 P.M.**