

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
LAKE MICHIGAN SEWER UTILITY DISTRICT
SEWER UTILITY DISTRICT "D"
9915 39th Avenue
Pleasant Prairie, WI
May 15, 2006
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, May 15, 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

John Steinbrink:

Before we do the pledge this evening may I ask for a moment of silence for a young man from Pleasant Prairie who gave his life in Iraq and lost it, Eric D. Clark of Pleasant Prairie in an accident in Iraq there was a bomb. Also I ask that you remember his family in your prayers. So if we could have a moment of silence. Thank you.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC HEARING

- A. Tabled Consideration of the request of Marvin Letven, agent for RLSR Enterprises LLP, for a Variance from Section 395-60 G (2) of the Land Division and Development Control Ordinance related to reducing the length of the tangent between reverse curves of the proposed realignment of 22nd Avenue. 22nd Avenue is proposed to be realigned with the future 22nd Avenue south of 116th Street in the proposed Lighthouse Pointe Subdivision.**

Jean Werbie:

Mr. President and members of the Board, pursuant to the conditionally approved conceptual plan and preliminary plat for the Lighthouse Pointe Subdivision, proposed 22nd Avenue south of 116th Street is required to be aligned with 22nd Avenue north of 116th Street. Specifically, the preliminary plat and the conditions require that the developer shall acquire any additional needed right of way from 22nd Avenue south, as well as on the north, in order to align the roadway at the intersection of 116th and 22nd Avenue. Specifically, the developer shall be financially responsible for the reconstruction of 22nd Avenue on both sides of 116th Street as required public improvements for the first phase of Lighthouse Pointe Subdivision. As you can see, this is a subdivision that's south of 116th Street and just to the east of 22nd Avenue. The easterly north/south road in this development is 18th Avenue.

The developer has acquired 33 feet of land from Mr. Stamm who lives at 2209 116th Street. He's proposing to realign the existing 22nd Avenue so the intersection aligns. The Lamothe property located at 2211 116th Street will have their driveway removed so they don't have a shared driveway with Mr. Stamm any longer, and their new driveway will also connect directly to 22nd Avenue just like Mr. Stamm's. The driveway for the Lamothe property will be relocated within Outlot 1 of the development. That Outlot 1 will be eventually transferred to the Lamothes. A new access to the vacant lot at the very end to the south for the Turner property will also access through an outlot to 22nd Avenue.

The 22nd Avenue access connection to 116th Street is required in order to provide for more efficient and dispersed traffic circulation, for the need of addressing multiple street access points and for more timely emergency vehicle access response and provision of services such as police patrol, road maintenance, snow removal, school bus routes, as well as fire/rescue. The engineering design for reducing the length of the tangent between the reverse curves to 36 feet rather than the required 100 feet for this portion of 22nd Avenue on the north side of 116th Street is due to the location of the existing homes on the south side of 116th Street.

As you can see on the slide how the right of way on the north side of 116th Street is going to be realigned so that both 22nd Avenue north and south align at 116th Street. It's not in the best interest for traffic circulation as well as traffic visibility to have jogged intersections on an arterial road. The curvature of the road will provide for traffic to slow down while entering and existing 116th Street. No additional right of way is required on the north side of 116th Street as it was dedicated previously. The granting of the variance from Section 395-60 G (2) of the Village Land Division and Development Control Ordinance will result in a portion of 22nd Avenue having a reduced length of tangent between reverse curves and this would be at 36 feet. The request would not be considered contrary to the public interest, public safety and public welfare.

This is a matter for public hearing. It comes with a positive recommendation from the Village staff as well as the Village engineering department. We did receive one piece of correspondence from an adjacent landowner at 116th and 22nd. I'm not sure if they're present this evening or not. They must not be. So I'd be happy to read their letter into the record:

We are the owners of property located at the corner of 116th Street and 22nd Avenue directly affected by this variance and we have several concerns as indicated below.

1. We are concerned that the relocation of 22nd Avenue north of 116th Street encroaches onto the property rights and it endangers our children who are always playing in the yard.
2. Further to Item 1 above, since 22nd Avenue north of 116th Street is such a low volume traffic street, we would ask that the proposed work north of 116th Street be put on hold and readdressed in the future if it becomes necessary to address proper traffic flow. We are aware of other streets in Pleasant Prairie where street offsets don't match up similar to the resultant situation of 22nd Avenue south of 116th Street and north of 116th Street.

Village Board Meeting
May 15, 2006

3. We have six children in our household along with a few other neighborhood children who are often playing in the yard, in the trees, and at the creek at the affected street corner and biking along 22nd Avenue dead end street. The proposed relocating of 22nd Avenue will directly affect their activities and may be a danger to them both during the construction process and once the road is completed.
4. Since the traffic volume on 22nd Avenue north of 116th Street is so low and it is such a quiet street, we see no need to widen the roadway by four feet nor widen the gravel shoulders as proposed. We request that this roadway and gravel shoulder width remain as presently established.
5. How will storm water drainage be directed with the proposed realignment? With the significant difference in elevation between the proposed roadway surface and our adjacent yard, all storm water will be diverted onto our property which will cause flooding and other concerns.
6. There are two large trees at the northeast corner of 116th Street and 22nd Avenue that would need to be cut down for the proposed relocation of 22nd Avenue. Since per a recent newsletter, the Village of Pleasant Prairie is now focusing on saving trees and preserving the environment, it makes no sense to cut these trees down for a road relocation that's not necessary.

And this is signed from Ed and Margaret Figueroa.

John Steinbrink:

That being read into the record, I will open the public hearing and ask that you give us your name and address for the record. Anybody wishing to speak on this item? Anybody wishing to speak on this item? Hearing none, I'll close the public hearing and open it up to Board comment or question.

Mike Serpe:

What is the proposed development that is going to take place north of 116th on 22nd?

Jean Werbie:

The Village has been working on various neighborhood plans in this particular area. And at some point 22nd Avenue will extend north and eventually make it's way through Mr. Stiles property and then wind to the west and then eventually make its way north to 104th. It does also go to the east. There's a part that branches off to the east as well.

Mike Serpe:

Village Board Meeting
May 15, 2006

And right now if this were to take place with the alignment of 22nd Avenue on both sides of 116th Street that's being paid for by Lighthouse Pointe Development, right?

Mike Pollocoff:

Correct.

Mike Serpe:

And if we don't do it now and it had to come in the future to widen this road for the future development, someone else is going to have to pay that possible. But right now we have a need to align that road for safety reasons and future development. I see no reason not to approve this variance.

Steve Kumorkiewicz:

I'm looking also at the reply from Jenkins Survey and Design to each one of the points that these people are complaining about. I think they make a fair explanation about each one of the points in the letter. So I see no reason not to approve this issue.

Alex Tiahnybok:

I was going to comment on that exact same response from JSD. Jean, you're okay with their statements? It sounds pretty consistent.

Jean Werbie:

Yes, it is true. I mean we have been looking at 22nd Avenue aligned to the south actually since 1994. The property owners in question purchased a spec home. The developer knew that was selling the home to the family of the plans for realignment. The neighbors knew about it. What they may not have known was additional right of way had been dedicated a number of years ago when a certified survey map was created. So the land that they may think that is theirs is actually part of the Village's road right of way. And all of the road improvements will be done within the right of way and there will be no drainage or improvements off site that directs water to their property.

Alex Tiahnybok:

It's just the two trees that are really in jeopardy here.

Jean Werbie:

In question.

Mike Pollocoff:

I might add, Mr. President, that offsetting intersections have been the most dangerous things that

Village Board Meeting
May 15, 2006

we've had. The one that's probably most famous is Cooper Road and Highway 50 where we had numerous accidents at that place. People when they're coming instead of looking at it they're looking to the side and the other side and it's been well documented in transportation engineering that if you can avoid these and eliminate them you're going to save accidents. As the traffic count picks up on 116th Street you'll have more cars coming in at both ends, from the south now more cars coming in from the south, but eventually from the north. It makes sense to correct a problem before we wait until we have some accidents to work off of.

Steve Kumorkiewicz:

There's another issue, too. Right now there's a developer paying for the project. That property in 22nd in the west side of 22nd is available as single individual lots. At different times it's going to be pretty hard to collect from anybody to do that project. So now that there is a developer willing to do that we have to go here and do it. Saving money with that.

Jeff Lauer:

The only question I had, Jean and maybe Bob, with the realignment do you see any problems with Mr. and Mrs. Figueroa when they say there could be water issues? Is the drainage pretty well worked out so it won't affect them?

Bob Martin:

The drainage swale on the property side in question is just being--there's going to be a new ditch so it's kind of moving over with that. And as Jean stated it's going to be within a right of way so it shouldn't have any impact. But it will be directed towards actually Tobin Creek at the rear of the property.

Jeff Lauer:

Okay, thanks.

Mike Serpe:

When it comes to the safety of the children when they're playing in the yards and in the street I think there's more of a danger to these kids if we don't align this intersection.

SERPE MOVED TO GRANT THE REQUEST OF MARVIN LETVEN, AGENT FOR RLSR ENTERPRISES LLP, FOR A VARIANCE FROM SECTION 395-60 G (2) OF THE LAND DIVISION AND DEVELOPMENT CONTROL ORDINANCE RELATED TO REDUCING THE LENGTH OF THE TANGENT BETWEEN REVERSE CURVES OF THE PROPOSED REALIGNMENT OF 22ND AVENUE. 22ND AVENUE IS PROPOSED TO BE REALIGNED WITH THE FUTURE 22ND AVENUE SOUTH OF 116TH STREET IN THE PROPOSED LIGHTHOUSE POINTE SUBDIVISION, SUBJECT TO STAFF COMMENTS; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

Village Board Meeting
May 15, 2006

B. Consider 2006-2007 Liquor and Cabaret License Renewals.

Jane Romanowski:

Mr. President and Board members, these are the renewals for the licenses that will be effective July 1, 2006 through June 30, 2007. I'll read them in the record as the trade name, the address and then the individual agent that's going to hold them and I'll do it by class of license.

The first class is the Class A fermented: BP Connect, 10477 120th Avenue, Brian Barter; Pantry 41 Citgo, 7511 118th Avenue, Surendra Singh; PDQ Store #352, 8800 75th Street, Kathy Loberger; Stateline Citgo, 12720 Sheridan Road, Michael McArdle; Truesdell Mini-Mart, 8531 75th Street, Steve Schuler; and U.S. Kenosha Truck Stop at 9017 120th Avenue, Parveen Bhardwaj; and note that Shawn's at 4417 75th Street is not on the agenda tonight because they have not filed their application yet. I've talked to him and he'll have it at a subsequent meeting.

The next class we have one Class B fermented beverage and that's for Big Oaks Golf Club at 6117 123rd Place and that's Jose Reyes. Then we have a fermented Class B and Class C wine for Honada Sushi & Hibachi at 8501 75th Street, Suite G and that's Lizhu Cao.

And our last class would be our combination licenses and that's for our Class B fermented and intoxicating liquor: Chancery Pub & Restaurant, 11900 108th Street, Brian Grabher; Chili's Bar and Grill, 6903 75th Street, Kevin Groth; 94/Texas Jays, 9001 120th Avenue, George Lyons; Earl's Club, 7529 88th Avenue, John Willkomm; Famous Dave's 9900 77th Street, Terry Meeks; Frosty's Tobin Creek, 10936 Sheridan Road, Michael Frost; Gordy's Prairie Pub, 3812 Springbrook Road, Linda DeBartolo; Halter Wildlife, 9626 113th Street, John Burke; Hawthorn Suites, 7887 94th Avenue, Patrick Palmer; Ray Radigan's, 11712 Sheridan Road, R. Michael Radigan.

And there are some delinquencies listed on the memo. Those would have to be paid obviously before the license is issued, Ruffolo's Special Pizza III, 11820 Sheridan Road, Frank Ruffolo, they have one outstanding sanitary sewer charge and that will be also be required to be paid before the license is issued. Starlite Club, 8936 24th Avenue, Lorraine Aker; the Village Supper Club at 10909 Sheridan Road, Susan Neahous; The Wooden Nickel at 11606 Sheridan Road, Joseph Nickel.

At the same time I'll read the cabaret licenses. We just have three of them. Those are for Texas Jays with George Lyons as the agent; Frosty's Tobin Creek, Michael Frost agent; and Lorraine Aker at the Starlite Club. All building, fire and zoning inspections have been completed and there are no outstanding violations. Chief Wagner has also looked at the applications and has approved them and the publication requirements have been met. I recommend approval of the licenses subject to the delinquencies and, of course, payment of license fees, publication fees. For the three cabaret licenses obviously those are subject to the liquor license approvals before those would meet approval and then they would also have to pay another license fee.

John Steinbrink:

Once again this being a public hearing, I'll open it up to public comment or question. Anybody

Village Board Meeting
May 15, 2006

wishing to speak on this item? Anybody wishing to speak on this item? Anybody wishing to speak? Hearing none I'll close the public hearing and open it up to Board comment or question.

SERPE MOVED TO APPROVE THE LIQUOR AND CABARET LICENSE RENEWALS FOR JULY 1, 2006 TO JUNE 30, 2007 AS SET FORTH AND SUBJECT TO STAFF CONDITIONS:

CLASS "A" FERMENTED MALT BEVERAGE

NAME & ADDRESS

TRADE NAME

BP Products North America, Inc.
Licenses, Fees and Permits
P.O. Box 3011
Naperville, IL 60566-7011

BP Connect
10477 - 120th Avenue
Pleasant Prairie, WI 53158

Roadside Petroleum, Inc.
Surendra Singh, Agent
c/o 7511 118th Avenue
Pleasant Prairie, WI 53158

Pantry 41 Citgo
7511 - 118th Avenue
Pleasant Prairie, WI 53158

PDQ Food Stores, Inc.
Kathy Loberger - Agent
8383 Greenway Blvd.
Middleton, WI 53562

PDQ Store #352
8800 - 75th Street
Kenosha, WI 53142

Marshall IGA, Inc.
Michael W. McArdle - Agent
C/O 12720 Sheridan Road
Pleasant Prairie, WI 53158

Stateline Citgo
12720 Sheridan Road
Pleasant Prairie, WI 53158

Truesdell Mini-Mart, Inc.
Steve Schuler - Agent
7831 45th Avenue
Kenosha, WI 53142

Truesdell Mini-Mart
8531 75th Street
Kenosha WI 53142

PAPV Corporation
Parveen K. Bhardwaj - Agent
c/o 9017 120th Avenue
Pleasant Prairie, WI 53158

U.S. Kenosha Truck Stop
9017 120th Avenue
Pleasant Prairie, WI 53158

CLASS "B" FERMENTED MALT BEVERAGE

NAME & ADDRESS

TRADE NAME

Village Board Meeting
May 15, 2006

Jose N. Reyes
6117 – 123rd Place
Pleasant Prairie, WI 53158

Big Oaks Golf Club
6117 123rd Place
Pleasant Prairie, WI 53158

**CLASS “C” WINE AND CLASS “B” FERMENTED
MALT BEVERAGE**

NAME & ADDRESS

TRADE NAME

Honada Pleasant Prairie LLC
Lizhu Cao, Agent
8501 75th Street, Suite G
Kenosha, WI 53142

Honada Sushi & Hibachi
8501 75th Street, Suite G
Kenosha, WI 53142

**CLASS "B" FERMENTED MALT BEVERAGE
& “CLASS B” INTOXICATING LIQUOR**

NAME & ADDRESS

TRADE NAME

Restaurant of Pleasant Prairie, Inc.
Brian Grabher - Agent
7613 W. State Street
Wauwatosa, WI 53213

Chancery Pub & Restaurant
11900 - 108th Street
Pleasant Prairie, WI 53158

Chili’s of Wisconsin, Inc.
Legal Department
6820 LBJ Freeway
Dallas, TX 75240-6515

Chili’s Grill & Bar
Kevin Groth, Agent
6903 – 75th Street
Kenosha, WI 53142

Texas Jay’s, Inc.
George R. Lyons - Agent
9001 120th Avenue
Pleasant Prairie, WI 53158

94/Texas Jays
9001 120th Avenue
Pleasant Prairie, WI 53158

Earl's Club, Inc.
John C. Willkomm - Agent
7510 88th Avenue
Pleasant Prairie, WI 53158

Earl's Club
7529 88th Avenue
Pleasant Prairie, WI 53158

Village Board Meeting
May 15, 2006

Terry Lee Meeks, Agent
Team R' n B Wisconsin LLC
35 Park Place, Ste. 300
Appleton, WI 54914

Frosty's Tobin Creek Bar LLC
Michael A. Frost - Agent
3395 - 116th Street
Pleasant Prairie, WI 53158

Prairie Pub LLC
Linda DeBartolo, Agent
3812 Springbrook Road
Pleasant Prairie, WI 53158

John F. Burke
9626 - 113th Street
Pleasant Prairie, WI 53158

Prairie Ridge Suites, LLC.
Patrick Palmer - Agent
19275 W. Capitol Drive
Brookfield, WI 53045

Ray Radigan's Inc.
R. Michael Radigan - Agent
10510 Lakeshore Drive
Pleasant Prairie, WI 53158

Frank J. Ruffolo
6218 - 31st Street
Kenosha, WI 53144

Lorraine Aker
8846 32nd Avenue
Kenosha WI 53142

PAS Village Inn
Susan Neahous - Agent
10909 Sheridan Road
Pleasant Prairie, WI 53158

Joseph A. Nickel
5813 43rd Avenue
Kenosha, WI 53144

Famous Dave's
9900 77th Street
Pleasant Prairie, WI 53158

Frosty's Tobin Creek
10936 Sheridan Road
Pleasant Prairie, WI 53158

Gordy's Prairie Pub
3812 Springbrook Road
Pleasant Prairie, WI 53158

Halter Wildlife
9626 - 113th Street
Pleasant Prairie, WI 53158

Holiday Inn Express
7887 - 94th Avenue
Pleasant Prairie, WI 53158

Ray Radigan's
11712 Sheridan Road
Pleasant Prairie, WI 53158

Ruffolo Special Pizza III
11820 Sheridan Road
Pleasant Prairie, WI 53143

Starlite Club
8936 24th Avenue
Kenosha, WI 53143

The Village Supper Club
10909 Sheridan Road
Pleasant Prairie, WI 53158

The Wooden Nickel
11606 Sheridan Road
Pleasant Prairie, WI 53158

CABARET LICENSES

Village Board Meeting
May 15, 2006

Texas Jay's, Inc.
George R. Lyons - agent
9001 120th Avenue
Pleasant Prairie, WI 53158

94 Texas Jays
9001 120th Avenue
Pleasant Prairie, WI 53158

Frosty's Tobin Creek Bar LLC
Michael A. Frost - agent
3395 - 116th Street
Pleasant Prairie, WI 53158

Frosty's Tobin Creek
10936 Sheridan Road
Pleasant Prairie, WI 53158

Lorraine Aker
8846 24th Avenue
Kenosha WI 53143

Starlite Club
8936 24th Avenue
Kenosha, WI 53143

SECONDED BY LAUER; MOTION CARRIED 5-0.

5. CITIZEN COMMENTS – None.

6. VILLAGE BOARD COMMENTS – None.

7. NEW BUSINESS

A. Consider Resolution #06-24 - Resolution Authorizing the Issuance and Sale of \$6,025,000 General Obligation Promissory Notes, Series 2006.

Kathy Goessl:

Mr. President, this Resolution is to issue \$6,025,000 in general obligation notes. The main purpose of this sale is for TID #2, \$5.6 million for road and storm projects in the area and some additional expense for the land that we're acquiring for use out there. We have some legal expenses left and some other little expenses left for that purpose. But the main purpose of that TID is for road and storm projects.

The second purpose of this borrowing is to refinance 2007 and 2008 maturity of the Village's 1998 note, the sewer portion only, on the redemption date of June 1st. We want to smooth out the sewer debt and push it out a little bit. As you can remember, during the budgeting process the sewer utility is tight in terms of their operating budget, so that's the second purpose of this note.

This is the schedule that was put together about a month ago estimate debt service payment and this is the schedule for the TID, the \$5.6 million. As you can see, there's no interest payments in the first three years. This debt is structured based on the cash flow projections that were put together estimating what type of construction and increments we're going to collect out there and looking at the debts that we already have out there with principal and interest payments and plotting this schedule into that schedule to make it work so that the TID stays at a positive cash

Village Board Meeting
May 15, 2006

flow and is able to pay their debt. So this is the schedule we put together. The actual interest now that it went out for sale today is higher than what this estimated schedule was.

This is our estimated schedule prior to sale for the sewer portion. As you can see we have a couple years of no principal again for this one. The actual sale, the 2009 \$25,000 portion was actually pushed into 2010 to give us a better interest rate on that portion of the debt, so we're spreading the debt over increasing interest payment to the sewer that is pretty much leveling off in terms of the next ten years so we don't have any spikes in that schedule for sewer. The interest rates, again, were based on a month ago and, as you know, interest rates have been going up.

So when we estimated this out a month ago our estimated coupon rate was 3.6 to a little over 4. But with the market the way it is the actual sale went with at coupon rates of 4.15 to 4.375. Actual yield is between 3.9 and 4.2; net interest rate of 3.8 on the whole issue. We again went out to the rating agencies to give them our ratings for this bond issue. They kept our ratings the same. Moody's at an A1 and Standard and Poors at an A+. So what I'm looking for is a roll call vote to approve this borrowing.

John Steinbrink:

Comments or questions from Board members? I know we have Gene Schultz here to answer any questions we have also.

Jeff Lauer:

One of my questions was answered that I had before we got the packet tonight showing the breakdown.

Kathy Goessl:

We sold the bonds just today. We actually went out for sale this morning and that's the earliest you can get it is the day of the sale.

Jeff Lauer:

So the bulk of the money is for the TID which who is responsible to pay that back? Is it strictly the WisPark?

Kathy Goessl:

It's the tax increment on the TID District's property that's built out in the area. There are also projections. We bought that land out along the Interstate. There are also projections for land sales in there going out in the next--there's a little bit this year and most of it is in 2008 I believe selling the land.

Jeff Lauer:

And do you know what the approximately total debt if this was approved tonight what the whole

Village Board Meeting
May 15, 2006

ballpark debt would be? The whole thing? We were close to \$93 million before, and I think a few meetings back the Board was told we were almost at 90 percent debt.

Kathy Goessl:

Currently with this debt issue at the end of the year we'll be at \$94 million. We're not at the top of our debt limit for the Village. Our actual capacity is \$112 million, so we still have \$18 million of debt capacity after this issue. And then there will be new valuations coming out and that's before the new valuations. We'd have \$18 million, so when the new valuations come out that will increase even more in terms of our debt capacity.

Jeff Lauer:

Okay. I know I've talked very being concerned about the debt here. From what you said if this was approved year end we'd be approximately \$94 million total.

Kathy Goessl:

Almost \$94 million.

Jeff Lauer:

And those who pay for this particular service obviously are the businesses who are out there?

Kathy Goessl:

Yes. Of this debt issue the majority of it is the Tax Incremental District.

Jeff Lauer:

Okay, thanks.

Mike Serpe:

Mike, I'm going to ask you to just briefly tell us the amount of indebtedness that the taxpayers would be responsible for if a worse case scenario came into play.

Mike Pollocoff:

We've structured our debt and Moody's has looked at our evaluation, and basically, let me find my place here.

Mike Serpe:

If I could while he's looking for that. The bonding that we're doing tonight is for the TIF District. There's no other way we can finance this other than borrowing. In order to keep this

Village Board Meeting
May 15, 2006

Village moving in the right direction and keeping the taxes where they're at, even possibly lower if that's even possible, something like this has to be undertaken. Because places like Abbott Laboratories and Jockey International would not be looking at property in TIF #2 if it were not for this Village to create that TIF District. So the benefit is going to be huge for the Village, all of Wisconsin and all of Kenosha County if this goes forward which I anticipate it will.

John Steinbrink:

This is one of the few tools that municipalities have in order to create the environment for businesses to attract businesses in the State of Wisconsin, so we are the economic engine that drives this. The work we do in creating this environment, and this is part of it, creating the land and the sewer and the water and the rest of the community in what we have to offer such as our recreation, schools, location, abundant source of power, abundant source of water. This is something you can't find in a lot of areas, but it's something we have here along with our location between Milwaukee and Chicago. So putting all these together we have something that's going to create the impetus to bring the businesses in.

Mike Serpe:

Mike, what I was getting to is the TIF District has a certain amount of a million dollars indebtedness, the utilities have a certain amount of indebtedness, the RecPlex has a certain amount of indebtedness, and all of those are paid by user fees or member fees or whatever. What I was looking for is the indebtedness that the Village has that the taxpayers would really have to worry about. I think that's somewhere around \$13 or \$14 million?

Mike Pollocoff:

With this issue we're at 13.3 percent of the Village's debt that's supported by just the general tax levy that the Board levies with the budget. As you indicated, the other debt that we issue we're structured our debt such that although it's general obligation debt, full faith and credit of the Village, we've issued debt premised on the fact that we're going to be able to develop increments or revenues that are coming out of the TIF District to retire the TIF District. Same thing with sewer and water debt. Those revenues from those bonds come from the user charges, people that pay their sewer and water bills, or if there's a special assessment where a new sewer main or water main is put in the special assessment retires the debt for the sewer and water utility. The notes for the RecPlex are retired by user fees at the RecPlex.

Without the TIF District, the TIF District is structured so and it has been in TIF #1 which was incredibly successful, we retired that District ten years early, it never came close to being something on the tax roll, and TIF District #2 is doing very well, especially if you look at the effort and the planning that's gone into creating TIF District #2, the work that the Community Development Authority has done in acquiring properties from moving blighted uses in that area and making that area ready for development. That alone, just given what the existing development is in Tax District #2 the capacity to pay the bonds is doing very well. You add into that a one and a half billion dollar project by Abbott, this thing sails and sails very well.

But using the TIF District is one way to ensure that the businesses and the corporations that are

Village Board Meeting
May 15, 2006

coming here are going to be the ones, in fact, who are paying for the improvements. Their taxes they pay every year go to retire the debt that built the roads, acquired the blighted lands, put the sewer and water in and it's paid for by their taxes. If we hadn't done that in that area we'd still have bookstores out there and still blighted uses or it would be farm field, and we'd be living with that tax base. I guess if that's what people want that would suffice it, but we're not giving anything less than what we had before, and once those bonds are paid off that money comes back to the Village.

If you think back to 1998 the Village actually rebated people property taxes based on the fact the TIF had closed out early in mid year and we had a surplus of funds that I think was roughly \$3 million. At that time the Village Board gave that money back to everybody in the Village based on what their value was and what the money was. So this is one way, really functionally it's the only way in Wisconsin that a community can grow its tax base which from my mind isn't what we're all here about. What it does is it improves the quality of life in our community. It diversified our economic base, it provided jobs for the community that didn't exist before, and as much as people cry and moan about property taxes and taxpayer rights, there's been more taxpayer dollars saved in Pleasant Prairie for what we've done to spread the cost of government to economic development than anyplace else. As it is now if we're hanging on by a string we're hanging on a string because Madison is fooling around with a municipality's ability to issue debt and structure debt for economic improvement. To me that's the biggest risk that we deal with right now.

Moody's if you read their report they indicated that the sound financial operations for the Village are supporting this debt, that the Village has managed our financial operations well. Our reserves are at 28 percent of our budget. With all the budgetary gains that have been going on in the State, the Village has been able to manage a frugal budget and not go into the red. So that's two independent agencies that are looking at how we do business and how we structure our debt, and they feel we're able to manage. If the whole sky falls in across the entire country, then I guess we're all going to be in a problem together. But Pleasant Prairie has ridden out two recessions with the TIF District, one with RecPlex and we've been able to sustain operations and pay our bills and actually put a little bit aside.

I'm confident in the Village's ability to retire this debt and I think this is good public policy. The alternative is to stop improvements out there and go back to where we were and I don't think that's in anyone's interest.

Mike Serpe:

When you consider the Village of Pleasant Prairie with 18,000 or 19,000 people, and we're the fourth largest manufacturing base in the State of Wisconsin that says a lot to me. It speaks a lot

for you, Mike, for your leadership and your planning. With that, I'd move approval of 06-24 and ask for a roll call vote.

Steve Kumorkiewicz:

I second.

Village Board Meeting
May 15, 2006

John Steinbrink:

We have a motion and a second. Any other discussion on this item?

Alex Tiahnybok:

Kathy, the schedule that you put up for repayment of principal and interest sounds, at least from my perspective, not overly aggressive. Is there anything planned in 2010 that's going to guarantee at least from a taxpayer's perspective the likelihood of us being able to meet that \$4 million bill that's coming?

Kathy Goessl:

2010 is when we're predicting the land sales to be the greatest. We have \$6.5 million of land sales in 2010. That's our greatest year. Our total land sale projections from 2007 to 2010 is \$13,600,000. That's why the debt was structured that way.

Alex Tiahnybok:

And the reason we're paying principal only for the interim three years is infrastructure development, putting in those roads, building the sewers, preparing the land for those commercial-

Kathy Goessl:

Basically we have a cash flow statement that shows us what increments are coming in, what debt payments we have already scheduled, and then we just slot the interest and principal payments in so that we stay at a positive cash flow with our current projections, and that was the best schedule we could put together according to our current projections of what we're looking at for tax incremental dollars coming in.

Mike Pollocoff:

It's not too much different than somebody building a home and they pick up a construction loan. As they're building they're home they're making payments and paying interest on that money. And then once the project is complete then as they go along they finance it long term with an issue. In this case the nature of the improvements are substantial and over a period of time.

Alex Tiahnybok:

I'm in obvious favor of additional commercial and industrial development in Pleasant Prairie. It sounds like a decent plan. I see no reason not to support it. I understand Trustee Lauer's concern because the Village does have a lot of debt, and if a national crisis occurred, as Mr. Pollocoff stated, I guess we'd all be in trouble. But this seems fairly reasonable to me.

Village Board Meeting
May 15, 2006

SERPE MOVED TO ADOPT RESOLUTION #06-24 - RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$6,025,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2006; SECONDED BY KUMORKIEWICZ; ROLL CALL VOTE – STEINBRINK – YES; TIAHNYBOK – YES; KUMORKIEWICZ – YES; LAUER – YES; SERPE – YES.

- B. Receive Plan Commission Recommendation and Consider the request of Chad Navis, Director of Development of WisPark LLC, the property owner, for a Certified Survey Map to legally combine Tax Parcel Numbers 92-4-122-294-0303 and 92-4-122-294-0304 located at the southwest corner of 113th Street and 88th Avenue into two parcels to accommodate the expansion of the LakeView X Building.**

Jean Werbie:

Mr. President and members of the Board, on the slide we have the location map for the property in question. The property is for the combination of Tax Parcel Numbers 92-4-122-294-0303 and 92-4-122-292-0304. This is a request by WisPark LLC to combine the referenced properties where the at this time spec LakeView X building is located. The purpose of that is ULINE is looking to take up home in the first phase of this LakeView X building which is located at 11400 88th Avenue. They are also proposing an addition to double the size of the facility.

The combination of these tax parcel numbers will allow for a 301,650 square foot addition to the existing LakeView X building that would double the size that would accommodate ULINE which is going to be the tenant at that particular location. The combined site acreage for both properties would be 43.53 acres. Again, this is the ULINE project. This is a matter that came before the Plan Commission at their last meeting with respect to site and operational plan approval. The petitioner is looking to take all of the first phase and then sometime take occupancy this summer on the first phase, and then the second phase will be completed in July of '07.

The property is located within the M-2, Heavy Manufacturing District of the Village, and the project as proposed does meet and exceed the minimum requirements for the size and lot area for that particular location. So with these properties under the same ownership they can be legally combined and they can commence with obtaining a building permit to construct Phase II at this location.

This, again, is just an overview of the site plan of the current Phase I building and the Phase II area. There were a couple of questions that had come up at the Plan Commission meeting and all of those issues have been worked out with the developer today so there are no outstanding issues. They are going to make some minor revisions to the plans and those will be in for permit this week. The staff recommends approval of the request as presented subject to the comments and conditions as outlined in the staff memo.

Steve Kumorkiewicz:

We discussed it at the Plan commission meeting last week. Consequently I make a motion to approve the CSM.

Village Board Meeting
May 15, 2006

Alex Tiahnybok:

I second.

John Steinbrink:

We have a motion and a second by Alex. Further comments or questions? The company did give a very good explanation and presentation on it along with that, and it looks like a very good asset to the community to bring them into the community at this time. I didn't realize that company was as big as they are so they cover a lot of ground. We're very happy and fortunate to have them here. Other comments or questions?

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE THE REQUEST OF CHAD NAVIS, DIRECTOR OF DEVELOPMENT OF WISPARK LLC, THE PROPERTY OWNER, FOR A CERTIFIED SURVEY MAP TO LEGALLY COMBINE TAX PARCEL NUMBERS 92-4-122-294-0303 AND 92-4-122-294-0304 LOCATED AT THE SOUTHWEST CORNER OF 113TH STREET AND 88TH AVENUE INTO TWO PARCELS TO ACCOMMODATE THE EXPANSION OF THE LAKEVIEW X BUILDING, SUBJECT TO STAFF COMMENTS; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

- C. Receive Plan Commission Recommendation and Consider the request of Jamie Jacobs, Marketing Manager for WisPark LLC, the property owner, for a Certified Survey Map to divide the property located at the southeast corner of 104th Street (STH 165) and 72nd Avenue into two (2) parcels.**

Jean Werbie:

Mr. President and members of the Board, the petitioner, WisPark LLC, is requesting to divide Tax Parcel Number 92-4-122-281-0107. The property is located at the southeast corner of 104th Street which is Highway 165 and 72nd Avenue. They are proposing to subdivide the property into two parcels, Lot 105 and Lot 106. Again, this is a property that's located just east of the Pleasant Prairie Renaissance School and just to the west of Green Bay Road.

Again, the two parcels that are looking to be created, Lot 105, the size for that parcel is 174,240 square feet or four acres. The frontage on 104th Street is 270.30 feet and 628.21 feet of frontage on 72nd Avenue. The depth is approximately 270 feet. There will be no direct access from Lot 105 to Highway 165. They would need to get their access off of 72nd Avenue and there will be an access restriction placed on the certified survey map for that. Lot 106 is 82,111 square feet or 1.8850 acres. The frontage is just over 300 feet of frontage on 72nd Avenue. The depth of this lot is 272 feet and their access, again, is from 72nd Avenue.

One of the conditions that we did add at the Plan Commission is that since there are some adjacent properties that you can see between this property and Green Bay Road, and due to the access restrictions that are being placed on the eastern property not owned by WisPark but eastern properties, a detailed conceptual plan will need to be put together prior to any development

Village Board Meeting
May 15, 2006

occurring on these WisPark owned properties. The State right now has access restrictions on State Highway 31 and 165 so at some point when those properties to the east would like to develop they're going to need to get their access through the WisPark parcel to get to 72nd Avenue. So that was one of the conditions that was added at the Plan Commission meeting.

The staff and the Plan Commission recommended approval subject to the comments and conditions as outlined.

Mike Serpe:

There appears to be a lot of interest taking place lately in LakeView Corporate Park with WisPark, and that kind of reminds me a little bit of the late '80s and early '90s when everything started taking off. And all of a sudden we're seeing WisPark here at regular meetings and big buildings coming forward and that's kind of good. It's good for the Village. Another nice thing about all this that's taking place is many of the employees that work in the park don't live in the Village so they do their work and they go home to either Northern Illinois or Kenosha or elsewhere which is good because we're maintaining about a three percent residential growth and a higher than that at an industrial rate and that's good for the tax base. Residential usually costs taxpayers dollars and industrial and commercial can offset that substantial. That's good news Jamie and Chad wherever he is. I move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion on this item?

Alex Tiahnybok:

The point about the property immediately to the east, that 272-0475 property, since the State prohibits access to State Highway 165 and Green Bay Road, what's the access to that property now?

Jean Werbie:

165. It has an existing residential access point. But the long-range plan does identify for residential purposes but rather for an M-1 or some limited commercial purposes, a higher better use than presently shown. So at this point the State will continue to allow the residential AP, but in the future if that land use changes they will not grant a commercial access point at that location.

Alex Tiahnybok:

Village Board Meeting
May 15, 2006

It is currently residential?

Jean Werbie:

Correct.

Alex Tiahnybok:

Would that stipulate any sort of restrictions on what sort of--it's M-1, right?

Jean Werbie:

M-1 and that allows light limited manufacturing and some limited commercial.

Alex Tiahnybok:

Okay. And the Plan Commission required that some provision be allowed for access to that property?

Jean Werbie:

That a detailed concept plan be worked through with the staff and the Village in order to make sure that no landlocked pieces exist at major intersections. That's the policy of the Village anyway.

Alex Tiahnybok:

Okay. I agree with Mike. Some commercial development brings tax dollars and doesn't add to the load on the school district which is a good thing.

John Steinbrink:

Other comments or questions?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER THE REQUEST OF JAMIE JACOBS, MARKETING MANAGER FOR WISPARK LLC, THE PROPERTY OWNER, FOR A CERTIFIED SURVEY MAP TO DIVIDE THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 104TH STREET (STH 165) AND 72ND AVENUE INTO TWO (2) PARCELS; SUBJECT TO STAFF COMMENTS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

D. Receive Plan Commission Recommendation and Consider the request of Kari Kittermaster, agent for Regency Hills Creekside Crossing LLC for an Affidavit of Correction to correct incomplete legal descriptions on the Final Condominium Plat for Creekside Crossing.

Jean Werbie:

Village Board Meeting
May 15, 2006

Mr. President and members of the Board, you have before you an affidavit of correction for the Creekside Crossing Condominium. The petitioner is requesting approval of the attached affidavit for the condominium plat that was recorded at the Kenosha County Register of Deeds office on December 12, 2005. When the plat was recorded it was found by the Land Information Office that it had some incomplete legal descriptions. An affidavit of correction is prepared by Losik Engineering and it does provide the corrected and complete legal descriptions for the condominium plat. The details of those legal description corrections are in the packets before you. The staff and the Plan Commission recommend approval for this affidavit to be filed to correct the legals.

Steve Kumorkiewicz:

It was well discussed at the Plan Commission meeting.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER THE REQUEST OF KARI KITTERMASER, AGENT FOR REGENCY HILLS CREEKSIDE CROSSING LLC FOR AN AFFIDAVIT OF CORRECTION TO CORRECT INCOMPLETE LEGAL DESCRIPTIONS ON THE FINAL CONDOMINIUM PLAT FOR CREEKSIDE CROSSING; SECONDED BY LAUER; MOTION CARRIED 5-0.

E. Consider Resolution #06-22 - Preliminary Resolution declaring intent to exercise special assessment police powers, with respect to opening the public hearing due to higher bids received in the cost of the project, for the construction of paving on 1st Court from Lakeshore Drive West to include 11350 1st Court.

Mike Serpe:

Mr. President, we previously have been operating under a resolution prior to this for the paving of 1st Court. That paving was put on hold while the Village went through the process to evaluate storm water improvements in the Unit 2 area which we did over I think a two year period. It's been determined that there are going to be no storm water improvements in Carol Beach Unit #2, so we'd be proceeding with the paving.

We put this project out to bid again with the rest of the Village paving work in order to get the best price we could, but the bids still came in over what was assessed with the previous resolution. Therefore, to be fair to the property owners and, in fact, it's required by State statute we need to reopen the special assessment hearing and give everybody another kick at the cat at the new assessment rate and see if they still want to proceed with the project. So this resolution authorizes that public hearing for a special assessment to occur. We'd be looking at having that June 5th, the first meeting in June. It's my recommendation we adopt the resolution as presented.

Steve Kumorkiewicz:

Village Board Meeting
May 15, 2006

So moved.

Mike Serpe:

I'll second.

John Steinbrink:

Motion and a second by Mike. Further discussion?

Alex Tiahnybok:

In the process of discussing the entire flooding issue in Carol Beach, sort of a philosophy was explained that as long as these flooding issues continue to exist and obviously we're not making any changes, that the Village would not proceed with any paving projects. I guess my question at this point is what's uniquely different about that one block stretch that merits paving that stretch versus other areas of Carol Beach that arguably probably have just as bad conditions that aren't getting the same treatment?

Mike Pollocoff:

The only thing that makes this one different is before we started working on the storm sewer project this assessment had occurred and it's actually in the hopper. So it's caught in the switches. You won't get a recommendation from me for any future paving down in those areas where we know we have flooding problems. But in this one here the initial resolution as adopted in anticipation of storm water improvements being made. Now that those aren't being made we still need to act on this.

Now, if the Board decided that they don't want to pave it, you could deny the resolution. The hearing is not held if the project is dead. That's one option. The second option is to go ahead and proceed and let everybody know what it's going to cost and what the road is going to be. That road will not last as long as a regular road but that's kind of where we're at. This road is going to be significantly more challenged as far as the asphalt because it's going to be inundated at times and the ground water table there is high and you get all the classic problems that you're going to have. We have a lot of that in Carol Beach. It's an unimproved area with a modicum of improvements.

If the Board feels that they don't want to make improvements in that area, paving improvements because they aren't going to hold up as well, you could do that by denying the resolution and then the process stops. Or, if you want to have a hearing and have another resolution which is actually going to authorize the project to proceed and deny that resolution if you feel that the paving is not warranted. The only reason we're bringing it here is as we started the process it was in the basket to go.

Alex Tiahnybok:

This came before the Board on account of a majority of those residents asking for it a couple

Village Board Meeting
May 15, 2006

years ago?

Mike Pollocoff:

I don't think it was a majority. I think it was maybe one or two or three signatures. I can't remember. But we had the hearing and at that time the Board felt that there was a majority of the people that wanted it. Subsequently our friend, Mr. Hauser, presented a petition saying that they don't want it. The problem is the statutes don't give you any latitude to unwind a special assessment hearing. A police power special assessment hearing is a pretty powerful tool and once that's placed on the docket the only way you can get it off is at the following meeting call for a reconsideration of that resolution or, if some of the property owners feel that the project shouldn't occur, there's a process through circuit court where they file a bond with the Clerk and they take it to court and have it undone. So you can't really just unwind it. That's why that hearing is a significant event. It really does lock up. And all the notices we do we put everybody on notice that the Board is going to conduct a hearing and at the end of that hearing they could levy a special assessment that's going to be a lien on your property and we'll be off to the races.

Now, Mr. Hauser and his friends if they still don't want the project to proceed this is an opportunity that some people don't get to have another kick at the cat and say we don't want this. But based on the information at the hearing and the feedback that the Board had in the original hearing the majority of the people want it paved. It's one of those things where it's kind of who shows up to the Village and makes their mind known.

John Steinbrink:

This is all coming about because bids received were higher than anticipated.

Mike Pollocoff:

That's why we're doing this.

Steve Kumorkiewicz:

That was in 2003 or 2004 I believe.

Mike Serpe:

Just for the sake of argument, let's say we hold a hearing and we approve the paving request. With the way things are going with the State right now with the tax freeze and assuming the tax freeze continues for the next six years, and let's say this road for whatever reason comes into disrepair, the way things are going right now who is going to be responsible for repairing that road with the way the funds are sitting with the Village and the Village budget as we speak?

Mike Pollocoff:

Under current Village policy, the Village will be. If we continue to keep the levy frozen or keep the budget frozen, which cut you want to make, the amount of services we have to provide each

Village Board Meeting
May 15, 2006

year keep growing and our revenues stay fixed, the Village is probably going to be faced with some kind of policy changes like maybe we won't repair or do major road work again right now. Once we accept a road we maintain it in perpetuity. Maybe we have to go back and repave that road by special assessment if there's no more money coming into the Village coffers.

Mike Serpe:

That's what I'm getting to. And for that reason I think we should have the public hearing and hear what the people have to say after listening to this. I think we should take our time and explain the whole scenario to them. Say, hey look, maybe it's not worth the chance or worth the cost, and they may just still want to do it. But I think we should listen to them and see what they have to say.

Steve Kumorkiewicz:

The information to them, too . . . that the cost increase after the bid proposal was presented is larger than the original amount . . . we're going to call a second hearing . . . and that's exactly what we're doing now for this, the increase, give them a chance to come and put their opinions forward.

Mike Serpe:

The increases aren't that significant.

John Steinbrink:

Being petroleum driven the predictions for petroleum

Jeff Lauer:

I just had a couple comments. To me good road maintenance needs good drainage. In this area, Mike, is the drainage still a problem? They don't have the proper drainage, correct?

Mike Pollocoff:

Drainage is a problem in that entire area.

Jeff Lauer:

So if we were to put the road down, like you mentioned the possibility of it going bad is probably pretty—

Mike Pollocoff:

Greater than in other areas.

Village Board Meeting
May 15, 2006

Jeff Lauer:

Because of the drainage problem.

Mike Pollocoff:

The water table is high. It's difficult to put ditches in. We've spent thousands and thousands of dollars having engineers review this. The long and short of it is we can't come up with a plan that's acceptable for the residents to do based on cost. If you were to go down and look at some of the asphalt sections on the side roads in Carol Beach that aren't very old, they look ten years older than they really are. That's just what you got. In previous years we took a stand where we'd pave them and then we just figure those are going to get done sooner than others. As a policy we haven't paved any roads that are going to eventually be abandoned. But given the public finance the way it is I don't know if that's a prudent process to follow anymore.

John Steinbrink:

Albeit traffic plays a big part on this, so if we could regulate certain times of the year what goes down the roads we could extend the life of the road. But then again that's going to be a hardship for the residents because you're talking about school buses and garbage trucks.

Mike Pollocoff:

Holding tank trucks.

John Steinbrink:

Yes, holding tank trucks in the whole area. This is a State wide problem, satellite dumpsters for garbage. Holding trucks, tank trucks are being limited to a smaller size because of the roads in certain areas.

Alex Tiahnybok:

This is a 50/50 project or is this fully funded by the assessments?

Mike Pollocoff:

No paving is 100 percent funded by the assessments.

Alex Tiahnybok:

So in reality any--obviously there's other parts of Carol Beach that have expressed concern about the condition of their paving and we're basically saying we're going to do this and all bets are off in terms of guarantees, right?

Village Board Meeting
May 15, 2006

Mike Pollocoff:

No. The current policy of the Village is our guarantee is if the road needs to get repaved we'll go repave it. It's just that the Village has not incurred for general Village operations any debt over the last four years. And the money we've had set aside for paving has been \$80,000. That doesn't get you a lot of paving. So with the last budget this Board adopted there is zero capital improvement money. So the Board as they go forward and to meet the commitment two things will have to happen. We have a commitment to resurface roads when they get to that point where they need resurfacing, or reconstruction. If you think back to the presentation we made during budget there's all sorts of things that can happen during . . . roads. That money has either got to come from an increase in the levy that the Board would make, or it needs to come from a referendum that would allow us to make--the increase in the referendum under the levy limits will get us about \$30,000. That's not going to get us hardly any money. If we stay under the limits that are imposed by the State right now, it's nothing.

This next year at least we know we're not going to have a lot of revenue to work with. So the only money we've going to have for repaving is going to be by referendum, or the Village could issue debt to pave roads, and it's been the past practice of the Board not to issue debt to pave roads because paving has a 20 year life cycle. One of the reasons Moody's gives us a good rating is because we always strive to retire debt in ten years, and unless you're building a brand new year that the base has got a 50 year life on it, it just doesn't pay to issue debt. So we've tried to do that out of the budget. Well, as we've held the line the last four years the debt has been one of the first things to go.

One of the things the Board may look at in response to what you're saying is maybe we don't do that second paving based on money in our budget. That second paving gets paid for, third paving out of the taxes. You do what a lot of cities do and they just levy another special assessment just like you're going to have here if it's time to redo your road. Your roof lasts 15 years and the builder doesn't come back and do it for free. You've got to pay for a new roof. If your road only lasts 15 years, you've got to get another road.

Mike Serpe:

I think, Mike, maybe it's inappropriate but the time to look at what you're just talking about is in the next couple months during budget time as to whether or not we're going to redo the roads or put it out to assessment again or referendum or whatever. I think it's got to be addressed this year.

Alex Tiahnybok:

It seems like a very risky move to sanction paving a stretch of road that we're confident it's not going to last very long and we're basically guaranteeing it in perpetuity after that that we're going to repave it. So if we're not confident there's got to be a different way of handling the future. We all know about 3rd Avenue north of 90th Street. Those people are equally concerned about what they've got. I think if they understood that if they want their road repaved it's going to cost them and if it's going to happen again it's going to cost them again. At least we have a playing

Village Board Meeting
May 15, 2006

field that everyone can understand, because right now I think it's too ambiguous.

Mike Serpe:

I think these are the scenarios that we have to put out there when we have this hearing.

KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #06-22 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS, WITH RESPECT TO OPENING THE PUBLIC HEARING DUE TO HIGHER BIDS RECEIVED IN THE COST OF THE PROJECT, FOR THE CONSTRUCTION OF PAVING ON 1ST COURT FROM LAKESHORE DRIVE WEST TO INCLUDE 11350 1ST COURT; SECONDED BY SERPE; MOTION CARRIED 5-0.

F. Consider Ordinance #06-20 - Ordinance to Amend Chapter 18 of the Municipal Code relating to Board of Review Membership.

Mike Pollocoff:

Mr. Chairman, in 1998 Countywide assessing ended in Kenosha County, and each municipality was responsible for establishing their own office of assessing which we did. But the other thing that was part of that is each community needed to establish their own Board of Review because it was before the County Board of Adjustments or Board of Review that heard those petitions for a review of an assessment. So at that time we did do that, but it became obvious that one of the things we didn't do is establish a schedule of terms for the members in the ordinance. The ordinance tonight seeks to do that.

This is a Commission or Board of five citizen members appointed to five year terms by the Village President and approval of the Village Board. What we're going to do, like we do with all of our Commissions, is set up that alternate members may be appointed to serve on the Board of Review when standing members are removed or are unable to serve for any reason. We need to have alternate members because it's a group of business people and they might have a conflict or feel uncomfortable reviewing a case of a business associate or a neighbor, so it's good to have an alternate there so somebody can jump in and do that. The initial appointment shall be for one, two, three, four and five years and annually thereafter with the terms effective May 1st.

On the next item for the Board of review terms. what we've done is we've taken the members that are currently on the Board, so the ones who have been on the Board the longest are going to get the shortest term renewal, and as you move forward with the more recent ones they get the longer term. And then the two appointments would have five year terms and that would get this Board back on cycle. The Board of Review meets every year, but typically we've been revaling every two years and that's been the time when the most significant activity takes place with this Board.

So it would be my recommendation that the Ordinance #06-20 relating to terms of the Board of Review membership be adopted as presented.

Mike Serpe:

Village Board Meeting
May 15, 2006

Move approval of Ordinance 06-20.

Steve Kumorkiewicz:

I second that.

John Steinbrink:

Motion by Mike and second by Steve. Further discussion?

Alex Tiahnybok:

The logic of five year terms. Are other Commissions four years, is that the longest?

Mike Pollocoff:

No. The Police and Fire Commission is five years, Plan Commission is three years. Typically a board that has been established with five members has been a five year term. And for the Board of Review there's definitely value in continuity on that Board on the thought and training, and there's a significant amount of training that needs to take place with the Board of Review members. So that's a standard that we follow that's established by the League as well as the length of term. Maybe Rocco has some concept but that's the standard through the State.

Rocco Vita:

Rocco Vita, Village Assessor, 9915 39th Avenue. We chose five years for this term here specifically because with the revaluations occurring every couple of years there's generally a season let's say of a couple of Board of Review hearing days, and then the next year there's two hours because that's the mandatory time frame. And then the next year there's a couple of days and the next year two hours. This Board doesn't meet a great deal. It may be over a two year period three days. There's not a lot of time for experience. If you have a short term and people get on they might get bored. They might beg off anyways. But there is a certain amount of experience that isn't experienced by this kind of a Board because it meets so infrequently.

Alex Tiahnybok:

Five years is typical in the State of Wisconsin for Board of Reviews?

Rocco Vita:

I don't know what's typical. It's not statutory, is it?

Jane Romanowski:

I researched it. We researched ordinances, I did, a while back and three to five year terms were standard and I saw quite a few five year commitments. Statutorily you do have to have training

Village Board Meeting
May 15, 2006

and that training is only good for two years. And Rocco said you have one year on and one year off and if you're bumping them every two years and they do have to go through a three hour training course. It made a lot of sense when I was reviewing the other ordinances. It seems like everybody had the same concept.

**SERPE MOVED TO ADOPT ORDINANCE #06-20 - ORDINANCE TO AMEND
CHAPTER 18 OF THE MUNICIPAL CODE RELATING TO BOARD OF REVIEW
MEMBERSHIP; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

G. Consider Board of Review term assignments and appointments.

Mike Pollocoff:

The recommendations from the Village President in reaction to the previous ordinance amendment was Mark Riley for a four year term to end May 1, 2010; John Braig for a three year term to end May 1, 2009; Lena Schlater a two year term to end 2008; and John Burke a one year term to end May 1, 2007. In addition, new appointments we put out on Channel 25 and the newsletter the fact that we're looking for new members to the Board of Review.

We interviewed applicants, Jill Sikorski being recommended. Jill is a BA from the Illinois State University. She's currently Assistant Vice President at CIB Marine Bank Shares. She manages loan processing and approval of closing, consumer and consumer related portfolios for 41 branches of Marine Bank Shares. She has 28 years banking and mortgage experience which relates very well to the Board of Review task.

As an alternate James Kennedy. He has his MBA from Loyola. He's retired and currently self-employed as Senior Citizen Services and assists seniors with financial matters that they may have. He has 30 years banking experience as well. His last bank when he retired was Chase or Bank One bought out by Chase. Those are the recommendations. I might had that Ms. Sikorski lives at 4040 110th Street in the Village. Mr. Kennedy lives at 4515 Beverly Lane in Pleasant prairie.

Mike Serpe:

Move approval of the nominations.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion and a second. Any further discussion? Any questions for Rocco?

Alex Tiahnybok:

At the last meeting when all of the Commissions where either current members were extended or

Village Board Meeting
May 15, 2006

some potential candidates for open seats were discussed, I respect that it's the privilege of the Village President to nominate people, but even our ordinance says that the Village Board approves things, and it sounds like the process of selecting Jill Sikorski and James Kennedy sounds like it went perfectly fine. But there are five of us elected here and our job is to make sure that these Boards and Commissions are staffed by people we can approve. Frankly, I don't know these people. I really would like to see them come before the Board and at least be visible in the future. I don't like the way this is done.

Steve Kumorkiewicz:

There are members of the Commissions that they don't show up to the meetings.

John Steinbrink:

We have an interview process that's very complete and are very competent people. I think we go into great depth to make sure we get the proper people. These people will meet that obligation of what they're asked to do. As I said before, as Board members we're asked to be here for Board meetings and we would like people to be here for Planning Commission meetings because that's when we have the public hearings and other information is found.

I know it is difficult for some members to make it so I would guess it's probably equally difficult for members to make it when we do the interview process because we do it usually at the times that are convenient for the applicants. But I feel very confident with the Board members selected and the process used to select.

Alex Tiahnybok:

Are you suggesting that we were invited to some of these conversations with Jill Sikorski and James Kennedy?

John Steinbrink:

I'm suggesting that we meet our obligations as Board members as they currently stand and that's to attend Board meetings and hopefully make Planning Commission meetings so we can be up to date and current on the issues that come before us at the Board meeting. And if we have time beyond that I guess then we could look at other things. But my understanding is it's difficult for Board members to meet all of their obligations at this time.

Alex Tiahnybok:

I still would like to be invited to the conversation. Naturally you can't make it to everything but being aware of it will be nice.

John Steinbrink:

Village Board Meeting
May 15, 2006

We'll take that into consideration.

SERPE MOVED TO APPROVE THE BOARD OF REVIEW TERMS FOR CURRENT MEMBERS AS RECOMMENDED AND APPOINTING JILL SIKORSKI AS A REGULAR MEMBER AND JAMES KENNEDY AS AN ALTERNATE MEMBER EACH FOR FIVE YEAR TERMS TO MAY 1, 2011; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

These folks will be notified then, Mike?

Mike Pollocoff:

We'll notify them in writing.

John Steinbrink:

Thank you very much.

H. Consider Approving Naming Rights for IcePlex rinks.

Cathi Klaver:

Good evening Mr. President and members of the Board. The following presentation highlights proposals that were given to area businesses outlining sponsorship opportunities at the Ice Arena or the IcePlex, specifically naming rights agreements. These presentations were made starting in December of '05. After weeks of dialogue and negotiation we proudly present to the Village two naming right agreements for your consideration and approval. Please reference your Board packets for a staff memo, a copy of each agreement, a sample press release and a graphic rendering of the exterior signage that's being proposed. Should the Village Board vote tonight to approve these agreements, the press release will be used to make this announcement.

Again, this is a sample of the presentations that were used and were tailored graphically for each organization. I'd like to explain a little bit about our strategy that was used in targeting area businesses. We, as the Village Administration as well as the RecPlex staff, tried to identify local businesses that would be interested in tapping into our consumer demographic. With that we identified financial institutions and car or auto dealerships as being a potential fit for this sponsorship opportunity. We were also prepared to target local grocery stores. Three banks were identified those of which were First Banking Center, Johnson Bank and Chase. Also identified were three auto dealerships locally being Palmen, Lemay and Carmax all of which have supported the Village and the recreation department in the past. Four presentations were given with two businesses expressing immediate interest in moving forward with this sponsorship opportunity and ultimately a long-term agreement.

Again, this is a sample of the presentation that was given to our potential sponsors. We outlined specifically the location of our facility. The reason why we started with this graphic

representation about our location was just in case some of the decision makers ultimately were unsure about where our location was in relation to major metropolitan areas. We also identified and outlined our service area demographics. As you can see the bullet points list 3.8 million people live within 30 minutes of Pleasant Prairie. Over 530,000 reside within 15 minutes of Prairie Springs Park, IcePlex and RecPlex. And we also identified that the Village consists of 34 square miles, approximately 18,000 residents and has a day population of 30,000.

We next wanted to start with explaining a little bit more and bringing forward the RecPlex. As the sponsorship agreements were tailored specific for IcePlex, it's also important to understand the basis for our consumer out there starting with the RecPlex. So, again, the RecPlex is the crown jewel of Pleasant Prairie since October of 2000. It's a \$16 million family recreation facility, a focal point for family and community activity. We have approximately 1,500 plus programs and classes that are offered year round, and we also offer a regional variety of special events and we've listed those.

We next went on to identifying our consumer base which starts with our RecPlex membership. At the time of the presentation we have over, and I believe we're approximately at this membership base, of 12,700 members sat the RecPlex. Over 4,300 households are served with the median household income in our service area being \$56,754. Our RecPlex members consist of 29 percent Pleasant Prairie residents, 51 Kenosha County, 9 percent Illinois and 11 percent are corporate members. As you can see the age groups served, we listed our visits to the facility which we have 1.2 million approximate visits annually to RecPlex and this also includes IcePlex. And then when you expand from our RecPlex and IcePlex user groups and the traffic that is frequented there, we add approximately 300,000 visits to Prairie Springs Park which bring the whole entire complex out there to approximately 1.5 million visits annually.

Next we went on to identify the facility features for the IcePlex specifically, it being a \$10 million community based ice arena and the sister facility the RecPlex. It lists the facility amenities as you can all see, and we've all gone through this before I guess. We also have identified our programs which include hockey, figure skating, recreational skating and special events. We wanted to identify that IcePlex and RecPlex have a truly complementary relationship being that both facilities operate as one. It is truly a comprehensive community recreation and fitness facility based out of Prairie Springs Park managed by a qualified group of administrative professionals from the recreation field, and the facility shares support services which keep operational costs low specifically in the areas of marketing, guest services, facility maintenance and custodian as well as administration.

With that we moved onto explaining to our potential sponsors what would a partnership with an ice arena mean ultimately? We've used one of the slides that we created for our sponsorship presentation for, as you can see, First Banking Center. We started with showcasing marketing opportunities and exposure in the exterior of the facility, specifically to the championship arena naming rights which would offer exterior signage on the building facing east on Terwall Terrace. We include inside signage on the blue or green rink, signage inside both the rinks in various different areas such as above the players' bench, as well as center ice logo placement for both blue or the green rinks specific to each agreement.

The next slide shows just a graphic depiction of the center ice logo for First Banking Center

placed in the center of the championship arena. We also offered as part of that package exposure via, and we certainly offered this up as an opportunity and it's not that it was necessarily taken, but we did offer an on site bank location if that was of interest to a financial institution, an ability to include ATMs as a visibility for the organization, and interactive kiosk or literature placement within RecPlex and/or IcePlex lobby. We also offered exposure or promotional opportunities via our dasher board or rink boards as well as signage within our RecPlex field house. We offered up an ability to leverage our internal television environment which as we all know is our 13 monitor television environment that we leverage for internal promotion but we also offered up that opportunity to our advertising partners as well.

And, finally, this is really the core of both agreements. I've included two slides that summarize the sponsorship agreements first of which is our financial partnership for the championship arena. I'll just go through the bullet points. The Village will provide First Banking Center with premium advertising space on center ice of the championship arena which is our blue arena. The Village will provide First Banking Center with building signage on IcePlex facing east along Terwall Terrace as well as inside the championship arena. The Village will provide First Banking Center with space for an on site literature rack or kiosk. We also had originally an on site banking location but they chose to go with a literature rack or kiosk within RecPlex and IcePlex lobby. We're offering up year round signage on an IcePlex dasher board, as well as a RecPlex field house signage which is a banner signage program we have located on the field house elevated track railing. We are also offering up year round daily commercial spots on our 13 monitor television network. Premium logo placement on the RecPlex and IcePlex website offering up exposure via the Internet and our website, as well as other marketing opportunities.

In exchange, First Banking Center will provide the Village and IcePlex with \$50,000 annually for five years.

Moving onto the financial partnership that was offered for the green rink or the north rink, it was stated that the Village would provide Palmen Motors with the following. Naming rights and signage or logo placement on the exterior of the building much like that was shown in the graphic using First Banking Center's logo. Naming rights signage and logo placement inside the lobby of the green rink or at the green rink, and the green rink is actually adjacent to the IcePlex lobby. Prominent logo placement on center ice at the green area. Tailored promotional program opportunities within the RecPlex and IcePlex. Premium logo placement on the RecPlex and IcePlex website. Year round signage on the IcePlex dasher board as well as RecPlex field house banners. Year round daily commercial spots leveraging the 13 monitor television environment, and other marketing opportunities which we negotiated.

In exchange Palmen Motors will provide to the Village and IcePlex annually a donation or sponsorship allocation of \$35,000 annually for five years.

That's a brief summary of the presentation. We ended it with obviously a thank you. With that, the administrative offices of the Village as well as the recreation department are seeking Village Board approval to accept the naming rights for the arena agreements with First Banking Center and Palmen Motors.

Village Board Meeting
May 15, 2006

Mike Pollocoff:

Thank you, Cathi. I might add that this has been really enjoyable. First Banking Center has long been an active sponsor for Village activities. If you drive down 165 you see their name on the ball fields. They've promoted New Year's Eve, many youth teams. You see a lot of kids walking around with RecPlex T-shirts and there's a fair number of them that say First Banking Center on the back of them and the same for Palmen. So they're both real good corporate citizens in the Village and both of them jumped in quick to be able to do this.

This is a business relationship in the sense that they're getting access to our market and we want to be able to provide that to them. \$85,000 a year helps with some of the operational expenses at IcePlex. Cathi was successful in getting this negotiated. That's what we had budgeted to receive and we're there. This also gets coupled with the \$800,000 sponsorship by Time Warner and the \$225,000 over a five year period with Pepsi for it to be the beverage sponsor. Am I wrong on that? I should have wrote that down.

Kathy Goessl:

\$20,000 a year for five years for Pepsi.

Cathi Klaver:

But there's in-kind value added to that.

Mike Pollocoff:

Yes, there's a lot of things going on. But that's another good one. Cathi has done a good job getting these sponsorships lined up and that's good for the members at RecPlex and it's a good source of revenue. And we believe it's a good business opportunity for the businesses that choose to partner with us out there. So my recommendation is that the Village Board authorize the Village President and Clerk to execute the sponsorship agreements with both First Banking Center and Palmen. I know there's representatives here from First Banking Center. I'd like to again openly thank them. If they've got any comments or sore arms from Cathi twisting them.

John Steinbrink:

First I'd like to thank the gentlemen for your sponsorship and over the years you've done a lot for us. I think one of the activities we have going on now, and because of you and other people in the community that sponsor, if you look at Friday night at the IcePlex the activities we have for the youth now where we have a place for them to go, their parents drop them off and they know they're safe, they know they're in good hands and they're doing something that's actually good out there when you can see that kind of activity. That's something we never had throughout the Village for years and years and years.

When I was younger we used to get dropped at the roller rink or somewhere and a lot of different things happen. But this is a good supervised activity. I give a lot of credit to Ken out there who is really taking the lead on working with the community and providing this kind of activity. With

Village Board Meeting
May 15, 2006

the help of our sponsors we're able to do that. It's surprising to see the number of youth out there taking advantage of it. I think there's a lot of happy parents out there, too, because I hear a lot of positive comments from those parents on the activity and the kids just love it. So it's the kind of thing we want in the community and I think it's what Mike and the others envisioned and every envisioned with this that IcePlex and RecPlex would provide for the community. Not just a healthy place to work out but a place where we could recreate and a place for kids to go at night. So often people say there's nothing to do in Kenosha or Pleasant Prairie. Well, there are things to do and this is one of them.

Alex Tiahnybok:

I'd like to follow up on that. I welcome the cooperation with First Banking Center and Palmen Motors. I think this is great. From a matter of perspective, though, the banners that hang around the field house on the track, what kind of revenues do we get from those kind of placements?

Cathi Klaver:

Just sold individually?

Alex Tiahnybok:

I suppose, yes.

Cathi Klaver:

They're sold at a value right now of about \$1,200 a year.

Alex Tiahnybok:

Because this sounds like a lot for the money, frankly. So those are \$1,200.

Cathi Klaver:

It's a long-term commitment and they should get a great deal of value out of this.

Alex Tiahnybok:

Good. Sounds great.

Jeff Lauer:

Cathi, I compliment you on this. When I read it over the weekend I did a cartwheel so I congratulate you and the staff who did this.

Cathi Klaver:

It was a group effort. Again, Palmen Motors and First Banking Center were very enthusiastic and

Village Board Meeting
May 15, 2006

showed interest right away. It's been really nice working with both of them.

Jeff Lauer:

I think it's a win/win for everybody, the Village, Palmen, First Banking Center, their employees because documents were read and they're part of it as well so it's a win/win for them. It's a win/win for everybody, the advertising for you folks.

Cathi Klaver:

I'd like to add in that same sentiment I shared a little bit of this with our consultant who manages a three rink facility in Colorado, and he was completely impressed with the fact that we have so quickly been able to come up with two partners within the community that were willing to come and put their support and certainly at this level. So he was very impressed and thinks this is really impressive that we've been able to do this. Not a lot of arenas are able to develop this type of long-term relationship and community support.

Jeff Lauer:

Again, that's great and with that I'd like to make approval for the naming rights.

Mike Serpe:

Second. I have a comment. It's nice to see the representative, Wes Ricchio from First Banking Center and Andy Palmen. Both of these guys are home grown, been here all their life, and now they're committing back into the community. With that I can't say enough. John, what you were saying about all the activity you just wonder what all these kids were doing prior to the RecPlex and even to the YMCA for that matter. They're doing a good job out there, too. Just a lot of activities for the kids in this community. Maybe it speaks well as to why the crime rate is where it's at which is not very high because you're keeping kids busy and that's important, believe me.

Steve Kumorkiewicz:

Just a question for Mike. Who is sponsoring the Zamboni's?

Mike Pollocoff:

Those are next. Actually First Banking Center is sponsoring one of them in their first year and we'll give them a chance to do it again after that. Cathi is going to go out and we've identified and had some discussions with somebody to sponsor those. We've been fairly particular about the sponsorships. We want people who will have a good working relationship with us. We could probably get sponsors if we'd get all the taverns. They'd gladly buy a sponsor board but for the family environment we're looking for we're very particular about the people that we're going to be doing business with. There's still some more sponsorship opportunities out there that Cathi and the marketing department is working on. They'll be next.

Village Board Meeting
May 15, 2006

I might add, too, I want to make sure everybody is invited to come out to IcePlex this weekend. On Friday night, Saturday and Sunday is the annual ice show, and we're going to be able to announce at the show that the First Banking Center on the championship rink is the new sponsor of that. I encourage the Board to come out and see the next generation of young skaters coming out of this area. It's something we haven't had for quite a while but there's quite a few of them, a lot of little squirts out there but they all get older. It's a good show and it's this weekend and I'd encourage your attendance. Hopefully we'll have some people from First Banking Center and Palmen out there, too.

Cathi Klaver:

Just a little number, we have 120 skaters in the ice show, our second annual Pleasant Prairie IcePlex Ice Show.

John Steinbrink:

So will the folks from First Banking Center attend the Mario Andretti Zamboni training school and then they can operate it around the rink.

Mike Pollocoff:

That's one of the silent parts of the agreement is they all get a spin in the Zamboni to warm up.

Cathi Klaver:

Over the next probably two and three months we'll be working on fulfillment which will mean specifically getting the exterior sign erected hopefully before Prairie Family Days, that's our goal, as well as the center ice logos which this will be the first time for our staff to be able to change out a logo from the Pleasant Prairie IcePlex logo which is in there now to our sponsor logos. That will be kind of a fun and interesting process. So we invite anybody and we'll try to get the word out if anybody is interested in understanding how you melt a center ice and then you scrape it and re-insert a mesh logo and you paint and then put the logo down and then rebuild up the ice. We'll be doing a little bit of that and that will be a nice--when that First Banking Center logo goes in I think you guys should be there.

Mike Pollocoff:

Painting ice is a real trip.

LAUER MOVED TO APPROVE THE NAMING RIGHT CONTRACTS FOR THE TWO ICE PLEX RINKS WITH PALMEN MOTORS AND FIRST BANKING CENTER; SECONDED BY SERPE; MOTION CARRIED 5-0.

John Steinbrink:

Village Board Meeting
May 15, 2006

Congratulations and thank you, gentlemen, for contributing to the community the way you do.

I. Consider Access Agreement between the Village and Wisconsin Electric Power Company to conduct an environmental investigation in Prairie Springs Park.

Mike Pollocoff:

Mr. President, we received a request from We Energies to be able to have access into Prairie Springs Park to sink a monitoring well in compliance with a request from the Department of Natural Resources who is looking to monitor subsoil or ground water contamination from sulfates from the power plant. They could go to anybody and we're kind of glad that they're coming to us. It gives us an opportunity to see if that is an issue out there. We test our water at the lake as it is. Sulfur is a naturally occurring substance, and anybody who has a well in Pleasant Prairie is going to know that there's sulfur occurring in this area. This would be a leachate that would be coming from the power plant.

Prairie Springs Park is fed by springs that are charged by the wetlands and floodplain that surround the lake. If there's sulfates in there if you've ever been to Yellowstone or Jackson Hole or whatever, they'll kill and it's tough on plant life. It will kill it. We haven't ever seen any evidence of that, but nonetheless they'd like to be able to drill the test hole and do four tests over the coming year. All we've asked in this access agreement is they work around our events that we have at the park because this will be at a confluence where the trails are meeting up by the parking lot. We want to make sure the drill rig is out of there. When they're done there will just be a plastic cap about that size on the ground. They'll pull their samples and, of course, share the results with us. If there's a problem they're going to have to take care of it. Again, I'd be surprised if there is one.

This agreement defines the nature of how they're going to access it and they're going to have to do restoration as necessary once they're done. So my recommendation is that the Village Clerk and President be authorized to execute this access agreement with We Energies.

Steve Kumorkiewicz:

A question for Mike. Mike, how many wells, only one well?

Mike Pollocoff:

Just one.

Steve Kumorkiewicz:

Located close to Wisconsin Electric or in that area?

Mike Pollocoff:

Just north of the ice arena. At the parking lot and where the trail heads up to the hills just in that triangle right there, it's in the grass area, is where they're going to drill it.

Village Board Meeting
May 15, 2006

Steve Kumorkiewicz:

By Terwall Terrace over there?

Mike Pollocoff:

Yes.

LAUER MOVED TO APPROVE AN ACCESS AGREEMENT BETWEEN THE VILLAGE AND WISCONSIN ELECTRIC POWER COMPANY TO CONDUCT AN ENVIRONMENTAL INVESTIGATION IN PRAIRIE SPRINGS PARK; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

Village Board Meeting
May 15, 2006

J. Consider Resolution #06-23 - Resolution Authorizing Kenosha County to Purchase Accessible Voting Equipment as required by federal law on behalf of the Village.

Jane Romanowski:

Mr. President and Board members, as we have discussed in the past, numerous federal mandates have been imposed on municipalities all across the United States and in Wisconsin as well due to the Help America Vote Act of 2002. We are currently on a Statewide Voter Registration System. We've had mandatory chief inspector training. We've had provisional voting, more postings of information at the polling places, additional accessibility regulations, new registration standards and forms and those are just to name a few that we've been dealing with in the last few years.

One of the major components of HAVA is that each polling place in a municipality by September of 2006 has to have an accessible voting machine. This has been pushed back a few times because the companies needed to certify their machines with the State Elections Board. So we're at that point where machines are certified and we need to have these machines in each polling place by the September primary.

As the resolution states, for cost savings, efficiency and system compatibility, Kenosha County through the Kenosha County Clerk's office, has agreed to purchase the touch screen devices for the entire County. I've been working with Edna Highland and she's been working with all clerks closely, and this is going to be a good deal for the Village because it's going to save us money. She's getting a better price by purchasing all of the equipment rather than just going out and purchasing five machines.

So this TSX machine through Diebold has been certified by the State Elections Board. There are federal funds in the amount of \$6,000 per polling place to purchase the machines and equipment. Those are only the polling places that were in effect as of January. So any polling places we add from now on that's going to be our cost and they're roughly about \$6,000. The Kenosha County Clerk's office has agreed to expend the funds and purchase the machines and submit all the required paperwork and that has to be done by September 1st. Obviously we're going to have that done quite a bit earlier because we're going to have to do a lot of training on these.

They're a little complex compared to the machines we have now. But they are compatible with our mark sense machines. Diebold has given us an estimate of \$5,800 for each machine. That would include all the equipment and training. Any funds remaining out of that \$5,800 per polling place I'm going to use for training our poll workers. I'm estimating that at about \$700 so we should have plenty of money to do that. I recommend the Village enter into an agreement with Kenosha County to purchase five machines from Diebold and submit the necessary paperwork. This is something we have to do. We work well with the County Clerk's office and we've known about this for quite a while. We've seen a demonstration. We know they're compatible and it's the best route for the Village.

Village Board Meeting
May 15, 2006

Mike Pollocoff:

Jane, before any Board member comments maybe you could describe-- we made a conscious decision to amend the memorandum of understanding between the Village and the County where under the County's understanding once the machine was bought then any surplus money would go back to Kenosha County for use. We're recommending in the agreement or the memorandum of understanding we're taking that out. It's X'd out under paragraph 5. That's what that said, and as Jane indicated we feel that to comply with the federal mandate that the Village shouldn't have to pay for the training. It's going to go along with those machines that if there's any money left after we train the co-workers that that money would go to Kenosha County.

Jane Romanowski:

I've talked to Edna about this, and I don't have \$700 in the budget to train for the poll workers. We do have some extra money in addition to training as I always budget an extra election. So there are funds there. But in addition to training on the touch screen we're going to have to have additional training again for all the changes. We've had so many changes. We just went through a three hour training just before the April election, and we'll probably have at least another three to four to five hours of training before September because then we go back to provisional voting. The fall brings federal elections and these machines are a little complex, and we have a lot of wonderful older ladies that really are going to need a lot of attention in learning how to run these machines. We've seen the demonstrations. There are only I believe three machines that have been certified, but these will work well with our machines now to get a total tally of the machines together. But it's going to require some work.

I've talked to Edna about taking that line out and x-ing that out about the purchase. We have a good working relationship. Any funds remaining that I want to use for training would obviously help offset the training that she'll have to pay for.

Alex Tiahnybok:

Jane, does the data that comes out of that machine get downloaded to the master machine and it's all combined at the end or is it counted separately?

Jane Romanowski:

We saw a 15 minute demonstration and they were pulling out so many different things to do so many different things I really couldn't tell you right now. I think if I remember correctly the card from the current machine downloads into the other machine through a little computer. It all gets into one spot and then I modem it to the County. I don't even know if they've made changes. That was about four or five months ago we saw a demonstration and they didn't get certified right away so they might have had to make some changes. But it's touch screen, the head phones, the Braille pad. It's a very comprehensive machine that we would gladly welcome in our polling places. We'll just have to get there through Edna and she's been great to work with. I definitely support the resolution and we've talked about the agreement and we should be okay.

Village Board Meeting
May 15, 2006

Steve Kumorkiewicz:

Just a question for Jane. This one is going to replace the handicapped voting machine that we've got?

Jane Romanowski:

We don't have a handicap voting machine. All we have is a handicap booth.

Steve Kumorkiewicz:

Yes, the small ones. It will replace those?

Jane Romanowski:

They can still use that. This is just a machine that's separate. Actually anybody can use the machine.

Steve Kumorkiewicz:

So you can use one or the other?

Jane Romanowski:

We're going to have two machines. The touch screen one you can have the print go different colors, larger, smaller, headphones, Braille pad. It's very complex but it's an excellent machine and it's needed in the voting places. We'll still have all the other equipment.

Mike Serpe:

I see Florida coming all over again.

Jane Romanowski:

This is the result of Florida with the Help America Vote Act. That's why all this is coming. That's why all this started. That's why we've got HAVA.

Mike Serpe:

When you get a bunch of politicians telling a bunch of other politicians what to do you're going to have problems.

Village Board Meeting
May 15, 2006

TIAHNYBOK MOVED TO ADOPT RESOLUTION #06-23 - RESOLUTION AUTHORIZING KENOSHA COUNTY TO PURCHASE ACCESSIBLE VOTING EQUIPMENT AS REQUIRED BY FEDERAL LAW ON BEHALF OF THE VILLAGE; SECONDED BY LAUER; MOTION CARRIED 5-0.

K. Election of President Pro-Tem.

Mike Pollocoff:

Mr. President, last year Trustee Serpe served as President Pro-Tem. The President Pro-Tem conducts the meeting in the absence of the Village President. It's a one year term.

John Steinbrink:

I make a motion--do we go by motion?

Jane Romanowski:

It's a motion.

John Steinbrink:

I make a motion Mike Serpe retain that position.

Steve Kumorkiewicz:

I second that.

STEINBRINK MOVED TO APPOINT MIKE SERPE AS PRESIDENT PRO-TEM FOR ONE YEAR; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

Mike Serpe:

Thank you, John.

L. Consent Agenda

- (1) Approve Bartender License Applications on file.**
- (2) Approve Letter of Credit Reduction for the Westfield Development.**

KUMORKIEWICZ; MOVED TO APPROVE CONSENT AGENDA ITEMS 1 & 2 AS PRESENTED; SECONDED BY LAUER; MOTION CARRIED 5-0.

Village Board Meeting
May 15, 2006

8. ADJOURNMENT

**KUMORKIEWICZ MOVED TO ADJOURN THE MEETING; SECONDED BY LAUER;
MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 8:15 P.M.**