

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
LAKE MICHIGAN SEWER UTILITY DISTRICT
SEWER UTILITY DISTRICT "D"
9915 39th Avenue
Pleasant Prairie, WI
March 17, 2008
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, March 17, 2008. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Clyde Allen and Mike Serpe. Steve Kumorkiewicz was excused. Also present were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; and Jane Romanowski, Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CITIZEN COMMENTS**

John Roscioli:

John Roscioli, 11545 14th Avenue. I'm here to—I've applied for the Kenosha Area Convention and Visitors Bureau Board, and I just wanted to let you know I'm trying to get more involved with the community since I've been here. This will be my third year and I'm planning on staying a lot longer, and this is just the first step and I hope you guys approve. Thank you.

John Braig:

Ms. Yuhas, gentlemen. I'm sure you're all aware that the City of Kenosha has established or enacted a moratorium on placement of utility equipment on City right of way. I don't know what the ordinances or the statutes are for the Village here, but I think we're approaching a little different situation and something you may want to review or look at. I asked that it be put on the agenda for the Plan Commission at our next meeting.

Something I learned just today, I've mentioned before an installation on Cooper Road just north of 85th Street. I spoke to the crew today; they got kicked off of the job site because the resident has not been paid for the easement to place that equipment there yet. So they came down to our corner. They're on Phil Godin's property. I spoke to Phil this morning. On Friday he received a request that he grant an easement to AT&T. He hasn't acted on it yet and yet the installation is going in. His yard and my yard are already muddy messes. The street is a muddy mess. We're talking about large boxes of equipment which apparently the telephone company wants to place more just off of the road right of way than on rear lot lines as we're accustomed to most utility equipment being. But these are big boxes. I think they're ugly. I can recognize they've got to be somewhere, but I think it wouldn't hurt to review what the ordinances are on that.

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Another thing which has frustrated me on a number of occasions is generally the utilities contract with contractors to make the installation. They're gone. You complain about the site and they say we did everything. We cleaned it up, we put topsoil on, we got seed. I want to tell you what they really did. They added about four inches of pure clay to what was good sod, good growing grass, sprinkled just a little bit of black dirt over it so it at least looks dark and they throw grass seed at it. Some of that stuff is a couple years old and there still isn't grass growing there. When you call up and complain to the utility they say it's not your property. It's on municipal right of way.

So I think another thing you want to look at is if the site isn't restored decently, and by decently I mean sod, not grass. Who waters the lawn out on the corner of the road especially if you're trying to nurture or start fresh grass seed? It's one thing when grass is established. But to get fresh grass seed growing it takes almost daily attention. So I think these are things you're going to want to look at. Thank you.

Bob Babcock, Sr.:

Bob Babcock, 11336 Lakeshore Drive. I assume we've got a couple of people that are Irish up here. At the last Board meeting the subject of televising the Village meeting was on the agenda and I'd like to thank Ms. Yuhas for arranging to have that done. And I would also like to thank Mr. Pollocoff and his staff for the preparation they did on the reply. He referred to his staff as professionals and I most certainly agree with that statement. There's not been anybody at the Village that I've had to deal with that I wouldn't consider to be a professional.

I'm glad to see that you also said the subject is going to be addressed during the next budget session. And to assist you in your budget discussions another one of the communities that is considered comparable to Pleasant Prairie is Germantown . . . more Planning Commission meetings. And last year they spent a grand total of \$4,736 to do it. Also I requested Representative Kreuser's views on televising and he's still not responded to it.

During the Board conversation it was brought up that the Village needs cameras in their squad cars much more than televising meetings. That police officers are being shot and killed in our area and that squad cameras are necessary and they may even be a deterrent for that type of behavior. I completely agree with that position, and I would think that most every citizen in Pleasant Prairie would also agree. I'm sure the Board thought that all the new items and the increases that they put in the 2008 budget were important, but for the 2009 budget meetings I certainly hope that this important officer safety item is included and passed.

At the end of the discussion Mr. Steinbrink voiced his opinion regarding having the same comments come up over and over again. That Mr. Pollocoff and his staff had to spend a lot of time and money preparing a response to this televising comment, and it appears that your comments were aimed at me. So also it appears that I owe the Board an apology, the entire Board. So I apologize for all these dumb, stupid comments that I make over and over again. I've wasted the Board's time that could have been spent on important items and also cost a lot of time and money for Mr. Pollocoff and his staff to provide the Village response.

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When I first commented on televising if this would have been turned around where Mr. Steinbrink was standing here and I had been sitting up there I would have just told him that because of the cost involved televising would have to be a budget item, that he was welcome to make any comments at budget hearings and that any information that he could provide at that time to assist the Board in making their decision would be greatly appreciated. It would probably have cost him a solid dime to do that.

Finally I'd like to make another one of my dumb, stupid citizen comments that I seem to bring up time and time again, and that would be to thank John Steinbrink, Jr. and his great snowplow crews for the fantastic job they had done again this year. They've always greatly outperformed the neighboring communities, but when faced with record or near record amount of storms . . . probably outperformed the entire State. Mother Nature put them to the test and they aced it and I think they deserve a hand for a job well done. Thank you.

Bob Babcock, Jr.:

Bob Babcock, 11253 3rd Avenue. At the last Board meeting I said I would wait until after the Administrator's report and Board comments before commenting on the agenda item regarding videotaping Board meetings. I guess at this point there really isn't much need to argue about whether we need live video or taped. Also, as Mr. Steinbrink pointed out at the last meeting I'm completely wasting your time by being here. The extreme comments regarding this issue make it obvious the Board really doesn't want the meetings on TV anyway. At the last meeting you made it fairly clear you really don't even want the few who come to the Board meetings to be here so why on earth would you want the meetings more accessible to other people.

What truly disturbs me, though, are the comments made by the Board regarding police video cams. How dare you use the police department, especially you, Mr. Serpe, as a political tool. I looked at the approved budget which was unanimously approved by this Board. You put enough improvements to our parks to put five police video cams in each car. You tell us about how two slain officers' killers were put behind bars because of police cams but we couldn't afford it in this year's budget. All this just to kill televising these Board meetings. This Board has shown a complete lack of respect for our police department and they deserve an apology. Out of principle I will not bring up videotaping these meetings until the Board does allow the police department to purchase video cams. However, we all know that had nothing to do with it.

Jane Romanowski:

There are no more sign ups.

John Steinbrink:

Anybody else wishing to speak under citizens' comments? Hearing none, I'll close citizen comments.

5. ADMINISTRATOR'S REPORT – None.

6. NEW BUSINESS

- A. Receive Plan Commission Recommendation and consider Ordinance #08-19 for a Zoning Text Amendment to amend Section 420-119 K(4) of the Village Zoning Ordinance related to Operational Standards and to Section 420-119 D(1)(c) of the Village Zoning Ordinance related to Conditional Uses in the B-2, Community Business District.**

Jean Werbie:

Mr. President and members of the Board, the zoning text amendments that you have this evening before you come as a result of an April 23, 2007 Village Plan Commission approved resolution to initiate zoning text amendments to re-examine certain types of outdoor storage for gasoline stations in the B-2, Community Business District.

The Plan Commission last year on May 14th and May 29th held some public hearings to discuss the possible amendments to the text of the B-2 District. These discussions focused on safety issues related to outdoor placement of LP gas cylinder cages and ice storage containers. The issues that were raised by the Plan Commission were as follows:

1. The potential for vehicles to crash into the LP cages.
2. The potential requirement of protective bollard installation for LP cages.
3. The potential hazard of an LP cage fire or explosion.
4. The placement of LP cages and ice containers.
5. The safety of employees who have to go outside to unlock the containers.

Let me just take a step back, that again this item was before the Plan Commission three times already, but the situation is we had received a number of requests from gas station/convenience store owners in the Village of Pleasant Prairie to have some minimal outside storage. The outside storage would be for ice machines or ice container storage units as well as LP storage tanks and be able to sell those to the public.

So what the staff did was we went around in Pleasant Prairie and those areas that were in proximity to Pleasant Prairie in the City of Kenosha and identified all the different stations that we had and convenience stores. We identified what type of parking that they had in front of their store, and then we continued to take aerial photographs—well, we obtained aerial photographs and we took pictures to identify exactly who was in compliance and who wasn't in compliance and where these particular units were located.

So I'm going to go through these pretty quickly for each of the stations that are in Pleasant Prairie. State Line Citgo down at the State Line at 12720 Sheridan Road. They have a pretty clean site. We actually just did the liquor license inspection and what we did notice is that they

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had one ice machine or storage container that they have on the north side of the building. No other type of LP or ice storage was present.

The next we looked at was BP Connect at 10477 120th Avenue. Again, they have a pretty clean site. These photos were taken last year, 2007, but what we did notice is that they also have added an ice storage chest on the south side of their building. They have some pallet storage which now is inside the building that they're not allowed to have any other outside storage.

The next was the U.S. Kenosha Truck Stop or Phillips 66. This is at the intersection of Highway C and I-94. This actually was just recently purchased or is being purchased by the Wisconsin DOT, so this station is actually going to be relocated, but they did have an ice storage as well as a number of other things outside their building.

The next was Pantry 41 Citgo, and this is at 7511 118th Avenue. They have a pretty clean site. They do not have any ice storage or LP storage outside of their facility.

The next is PDQ at 8800 75th Street. They have no outside storage of any type. They are one of the companies that did request to have LP and/or ice outside of their facility.

The Truesdell Mini Mart located at 8531 75th Street has both ice and LP storage currently. Again, most of these that have these types of facilities they shouldn't have them but they have been requesting actually for over a year to have it made legal by ordinance to allow these types of uses. But for the most part our uses have been pretty clean in Pleasant Prairie in following the zoning law.

The vacant station at 4417 75th Street was just recently leased. They previously had an ice machine out there. This was the previous owner. Not too much of anything else on the site.

And then finally there's a Mobil station at 4503 75th Street. This is actually closed, so even though it looks like there's some activity there, anything that's there at the station now should all be removed because there's no occupancy at this location. In fact, we just recently sent out some notice to them to remove the drums and the tires and anything that was left after they vacated.

My assistant Tom also put a chart together identifying all the ice storage containers and the sizes at all of the different facilities. I'm just going to run through them. They vary in size, shape, location with every facility that we've looked at. What we did find out is that they're pretty much a needed location for storage device. Their freezer space inside their stores is limited, and since we are just north of the State line a lot of people are stopping to get gas and ice en route to their destinations.

Also, we looked at LP gas storage. Tom put together a chart that identifies which areas currently have these types of facilities. Again, he's noted some of them in the City that are in proximity to Pleasant Prairie and what they look like. They come in all shapes, sizes, heights, locations.

So the amendments that you have before you that the Plan Commission did recommend at their last meeting, the amendments propose for no more than one ice storage container and no more

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than one liquid propane or LP gas cage per gasoline station/convenience store property as a permitted use in the B-2 District which would mean that it does not need to come back to the Plan Commission or to the Board for any further action once the ordinance change goes into effect.

As the ordinance currently states, no other outdoor storage or displays of material, merchandise, vehicles, etc. is allowed in the B-2 District except as may be allowed with a conditional use permit. The ordinance that the staff drafted is in your packets. All of the concerns that were originally addressed by the Plan Commission at the public hearings that they held are addressed within the ordinance with respect to not having these ice machines or LP storage in front of any windows or doors or exits. That these units need to be set adjacent to the building and they must have either a raised sidewalk or bollards or something protecting the LP storage tanks from being run into. Then they address maintenance of these types of storage containers; address the number and does address the fact that we want to make sure that these aren't another vehicle for additional signage of any type as well.

So I believe over the last eight months or more the staff has addressed all the concerns by the Plan Commission in bringing this ordinance forth before the Village Board. As Andy kidded, I know that the gas stations/convenience stores all are very much interested in being allowed to sell these two different types of products outside.

John Steinbrink:

Jean, I'm seeing actually self-service propane thing show up. Home Depot out in Lake Geneva has one where you put your money in and it actually dispenses the canister. Does that fall under the same criteria as we're looking at here?

Jean Werbie:

Well, the intent, let's see, both the ice storage bins and the LP storage cages are intended to be locked at all times and only to be unlocked by the employees. So this ordinance does not address self-service LP.

John Steinbrink:

This would be much the same as a vending machine.

Jean Werbie:

Right, our ordinance does not allow self-service or vending type LP or ice.

John Steinbrink:

That will probably be the next one we have to address.

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Jean Werbie:

That would be up to the Plan Commission or the Board to talk about. That never even came up.

Mike Serpe:

Our biggest concern on the LP tanks were the location on the building with reference to cars parking in front of them possibly going over the parking block and then hitting the LP tanks and possibly causing an explosion. The staff has addressed the concerns of the Plan Commission and the concerns of the Plan Commission were accepted and I would move approval of this as well.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Mike, second by Monica. Further discussion on this item?

Clyde Allen:

I still have a few concerns and questions. I guess the first question is to Chief Guilbert and Chief Wagner who are not here, but do they really believe it's safe to have the cylinders out there with only a raised sidewalk to stop the vehicle from hitting the gas cylinder cage? That kind of bothers me. That was brought up by the Planning Commission and I don't think that's too safe. I could be wrong. That's still a question I have.

The other question I have is safety for the employees there if they've got to be locked at all times. I notice the one at BP, I rode around town, saw every one of them, looked at them, BP is pretty well tucked in the back. I don't know that it's locked. If they've got to be locked at all times, if you have one employee there that's available to go unlock this thing or if they have two it sure does set them up after dark for an assault or robbery to take place. I just have a concern with always being locked. I see the first time something happens to an employee that has to unlock one of these ice machines when they haven't locked them in the past that we get dragged into it. That's still a concern.

The other one is the State Line Citgo. Is that locked? That was pretty vulnerable as well.

The last question I have is Truesdell has the gas cylinders in front in front of a window. I believe that's nonconforming.

Jean Werbie:

It's illegal.

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Clyde Allen:

It's illegal. There's no possible place for them to move that to. If the sidewalk goes all the way around they would have to take sidewalk space somewhere, do something to redesign their sidewalks just to sell LP gas. The comment was also made that we have a tough time enforcing what we do have now. What are we going to do to enforce it once this ordinance passes? You can hold their liquor license as hostage. I just have some questions. We do need to look out for the facilities as well without putting a burden. I know I like to shop within the Village anytime I can, and Truesdell right now I think is the only LP I can go to in the Village right now. If they have to get rid of it what are we saying to some of the businesses? It's just a concern. Maybe I'm making a mountain out of a mole hill but I still have questions.

Mike Pollocoff:

I can answer the one on behalf of the Chiefs. The intent of having the LP on a sidewalk that's raised, if you just have it there and if it's close that's not going to help you. There has to be enough space so that a car pulling up just doesn't miss the brake or over extend and tap or go into the LP cage. So there's got to be a big enough sidewalk so when you hit that curb that stops the vehicle. Is it as effective as a bollard? If it's going very fast maybe that would be effective, but that was the intent is to take the existing sidewalks from the building and use those as a guard to keep that on there. And that sidewalk would have to be sufficient enough that the car when the wheels hit wouldn't extend into the cage where the LP is.

Jean Werbie:

I can address all the other questions, the first of which had to do with the locking of the storage units for the LP tanks as well as the ice. Typically they are locked during the day for most of the gas stations if not all of them. The problem with not locking them is ice can be taken without them being locked during the day. One of the conditions and one of the understandings with most of our gas stations if not all of them is that there's never just one employee on duty, that there's at least two if not more. In all cases where we just completed a liquor license, in every case there was at least two or three employees that were in each of the gas stations. Our gas stations are not open 24 hours a day. I think there's just one that was grandfathered in. So because of that there aren't employees at risk 24 hours a day at these facilities.

The PDQ and two of the others actually have ice storage inside, and so the whole purpose of their outside chest was actually to move the ice from one location to the other so people can get it inside, not so that a clerk had to keep running outside to get the ice.

With respect to Truesdell's, they actually have a location on the east side of their buildings that's without windows and without doors that they could actually put their LP storage tank setup. And the only reason why I said that it's not permitted right now is because their conditional use permits expressly had prohibited it. And what we had told them is that while we're working through this process we were not going to do any enforcement because some were violating, some weren't. I said let's get through this process and find out exactly how the Board is going to rule on this before we do any enforcement on it. But it's no different than any other violation.

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If you look at our gas stations and convenience stores they're amongst the cleanest sites anywhere that you would see and it's because we do enforce them, especially when we receive complaints at liquor license time. I can honestly say that there are one or two gas stations that we have to watch a little bit more closely than others, but we do a good job. We believe in enforcing and telling them what they need to do in order to keep their site neat and clean.

With respect to, again, employees going out I'm not seeing it as much of a problem because they have to unlock those facilities in order to assist the patrons. And it's no different than any other gas station that's selling rock salt and some other big bundles and mulch and all those other things. They typically don't drag everything all the way into the cashier. A lot of times they just bring the tags or something inside and then they're loading it outside. So, again, what we're trying to do is keep the sites neat and clean and presentable. We're trying to keep it a safe situation. We're trying to make it easy on the gas stations to allow selling these two additional products which typically aren't sold at a number of other places but it's something that's needed in more of a short order. And we feel that we've addressed all of the concerns.

In fact, when we did the liquor license inspections last week we told them that this ordinance was coming before the Board and what they might expect. Like I said, there was only one or two that needed to make some modifications.

Clyde Allen:

Were they all aware that they had to keep them locked at all times?

Jean Werbie:

I don't know that every single one was. I know that we discussed it with a couple of them where we saw unlocked, like one side of the ice chest was locked and one was unlocked.

John Steinbrink:

Jean, Mike and Clyde touched on the fact that when you pull in the tires hit the curb. The idea of the space left there was enough to walk through. And that was before we even started putting ice machines and propane tanks up there. One thing they have to be concerned about is if people back into the stalls especially with a pickup truck or an SUV. That distance of overhang from the wheels to the bumper is greater when they back in with that potentially pinning somebody there or backing into whatever the fixture is there. So this forward and backwards there's a difference where the wheels hit and the overhang is completed so it's something you may want to look at. Maybe having them signage in no backing into stalls if there's inappropriate room. If they've got plenty of room then it's not an issue.

Mike Serpe:

Clyde brought up a good point about the locked icebox and the locked propane. That made me think a little bit. As a government why are we telling somebody we have to lock something up.

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What if this proprietor elected not to lock his front door when he left at night? I'm not going to lock it.

Jean Werbie:

I think the concern came from the Police Chief in that we wouldn't want to see something that is unlocked so that somebody could grab something out of it and throw it through a window. That was the biggest concern and that's a concern with other types of establishments as well.

Mike Serpe:

Now we're making an ordinance and not that we're going to enforce that portion of it. I don't know that anybody is going to give somebody a ticket because they don't have their icebox locked, but after Clyde brought this up I'm thinking of it a little stronger. I think that's pushing us onto somebody else a little bit too much. You go up to a gas station right now and fill up your tank and if you didn't want to pay for it just take off. If you get caught you pay the consequences. But, you know what, it happens and it's happening every day. I don't know how far we have to push ourselves to have these businesses lock up an ice chest or a propane. If they want to take the chance that somebody wants to steal that that's their loss, not ours.

John Steinbrink:

Further comment or question? Hearing none we have a motion and a second.

Mike Serpe:

I make the motion to approve but could we make a couple of adjustments on this? Would it have to come back to us if we were to?

Mike Pollocoff:

No, you could rescind your motion if the second does it and then you come back with an amendment to the ordinance.

Mike Serpe:

I'm not speaking for Clyde but if that's the way it goes I would be willing to accept the ordinance minus the locking of these facilities. I don't think it's up to us to tell somebody how to run their business or how to secure it. I just don't think it belongs in the ordinance. With that I'll withdraw my motion.

Monica Yuhas:

And I'll withdraw my second.

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Mike Serpe:

And then I would move approval of the ordinance minus the provision for the locking of the—

Jean Werbie:

The (4) (c) [6] provision, shall be kept locked at all times, except when being used by the employee?

Mike Serpe:

Yes.

Monica Yuhas:

Is that your motion?

Mike Serpe:

Yes.

Monica Yuhas:

Then I'll second.

John Steinbrink:

Now we have a new motion and a second. Is there discussion on this motion?

Clyde Allen:

Yes, the other part about being in front of a window where some of them are illegal, nonconforming, whatever you want to call it, are they going to be made to move these? How are we going to enforce it? It boils down to you can have an ordinance but if you're not going to enforce it, if you're not going to do anything what good is the ordinance?

Jean Werbie:

We'll send notification out to the owner with the ordinance indicating that they have so many days to relocate it. There's one in the Village that's in front of a window and that's the one that would need to be relocated. At this time it doesn't have permission to be there at all, and this ordinance would allow them to be on that property. So just by moving it he'd be able to still have it. Again, it's just like all the other ordinances and I think we do a pretty good job in maintaining nice sites on these gas stations.

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Clyde Allen:

Just a comment. I understand they need to be clean, clear and they are and the stations here are nice and the businesses are kept up nice. I just have some concerns.

Jean Werbie:

That comment also came from the Police Chief. He did not want a solid obstruction outside of the window from the inside.

John Steinbrink:

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

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #08-19 FOR A ZONING TEXT AMENDMENT TO AMEND SECTION 420-119 K(4) OF THE VILLAGE ZONING ORDINANCE RELATED TO OPERATIONAL STANDARDS AND TO SECTION 420-119 D(1)(C) OF THE VILLAGE ZONING ORDINANCE RELATED TO CONDITIONAL USES IN THE B-2, COMMUNITY BUSINESS DISTRICT WITH THE DELETION OF SECTION (4) (C) [6] RELATING TO THE LOCKING PROVISIONS; SECONDED BY YUHAS; MOTION CARRIED 3-1 WITH ALLEN DISSENTING.

B. Receive Plan Commission Recommendation and consider Ordinance #08-20 for a Zoning Map Amendment to rezone the property located at 9249 Old Green Bay Road from the B-2, Community Business District to the I-1 Institutional District in order to be in compliance with the Village's adopted Comprehensive Land Use Plan.

Jean Werbie:

Mr. President, the staff recommends that we table this item this evening to have an opportunity to sit down with the property owner in order to go through some of the issues that were raised and to make sure that there's a clear understanding of exactly what the staff and the Plan Commission are advancing forward to the Village Board.

Clyde Allen:

I make a motion to table.

Mike Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike. It takes no other action except those in favor?

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Jane Romanowski:

Do you want it tabled or postponed? Tabled comes back to the next meeting, postponed holds it off until it comes back.

Jean Werbie:

I'd recommend then that it be postponed.

John Steinbrink:

The motion then is to postpone.

Clyde Allen:

Motion to postpone.

Mike Serpe:

Second.

ALLEN MOVED TO POSTPONE CONSIDERATION OF ORDINANCE #08-20 FOR A ZONING MAP AMENDMENT TO REZONE THE PROPERTY LOCATED AT 9249 OLD GREEN BAY ROAD FROM THE B-2, COMMUNITY BUSINESS DISTRICT TO THE I-1 INSTITUTIONAL DISTRICT IN ORDER TO BE IN COMPLIANCE WITH THE VILLAGE'S ADOPTED COMPREHENSIVE LAND USE PLAN; SECONDED BY SERPE; MOTION CARRIED 4-0.

C. Consider Property and Liability Insurance Proposals.

Kathy Goessl:

This year we have two proposals for our liability and property insurance coverage. The Village is actually entering its second year of a third year bid cycle for our liability insurance. Last year the Village requested proposals from all interested companies. This year we were initially going to renew with Community Insurance until Wausau came in with a proposal that was priced substantially Community's renewal proposal. This chart shows the comparison between our current year, Community Insurance coverage in terms of dollars we are spending, and then the proposals that came in from Wausau and also Community.

Last year's proposal from Community was \$340,000. That includes property and auto damage through the Local Government Property Insurance Fund, but the rest of the coverage except for the boiler coverage is through Community Insurance. There were estimated dividends of \$42,000 with Community this year. Community's dividends are based on a fixed 10 percent and a slider based on our experience. At the current time we have a claim that's out there that's substantial

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that needs to be subrogated, but they don't subrogate the claims until after the claim is finished in terms of medical treatments and those types of things. So the date that Community will re-evaluate that claim will be October 1st. So depending on whether it gets subrogated or not will depend on whether we get the dividend from Community this year. The dividends are estimated. They're not definite on anybody's dividends.

But for this year I'll go through the different coverage and the comparisons between Wausau and Community. In total Wausau is currently below Community about \$34,000 and that includes dividends. Community just today came in and reduced their premium a couple thousand dollars, but I'll be talking off of this chart as long as this is the chart that we have up here and not to be confused. But the difference actually at the end is a couple thousand dollars difference once we're all done.

Liability insurance, currently Wausau has come in at \$101,919 and Community \$126,060. This is our biggest difference of \$24,000 between Wausau and Community. This coverage includes our auto liability, our general liability, law enforcement liability, public official's liability and umbrella liability.

The next category is Workman's Comp. This category is not much different. Basically the State tells the insurance carriers how to price this. It's based on our payroll and our experience mod. I have another sheet after this to look at our experience mod and some pricing. But currently there's a slight difference based on a couple things, different little tweaky things that the carriers do. But it actually went up from last year that's due to our payroll is going up. This is based on an experience mod times a rate times our payrolls. So both the companies, of course, are above this last year's premium.

The property and auto damage, neither of the carriers, Wausau or Community, quoted this policy. This is actually through the Local Government Property Insurance Fund. On this one we have currently for property a \$25,000 deductible. We switched that last year. And then with our auto we have deductibles of \$1,000 and \$2,000 on our auto physical damages. The premium there is the same. Either if we go with Wausau or Community we would also go through Local Government and the same premium.

And boiler and crime, with this one Wausau actually covers its own crime, but for both Community and Wausau they have Hartford Steam Boiler that does the coverage. Depending on which company requests a quote from Hartford they do give different quotes. Actually the quotes that are shown here including in both these lines are actually the Community quote for boiler and machinery through Hartford. The portion there is \$7,959 through Hartford that Community was able to obtain a quote from them. Wausau's quote actually from Hartford was a lot greater, almost \$5,000 greater, \$13,270. I spoke with both the agents and Wausau is able to spin that off and not have that coverage underneath them, and Community is willing to keep that coverage with them even if we do not go with them. So for both those columns we stuck the premium that Community obtained for boilers and equipment and machinery. Crime-wise crime is through Wausau, and then through Community it's through F & D.

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So the total actual premiums that we'll pay out will be with Wausau \$379,526 and with Community \$403,856 for a difference in this area of \$24,300. Dividends are estimated. Wausau has offered us a fixed dividend of 25 percent. That's the \$52,403. At this point Wausau has paid dividends every year for a number of years. Even when they switched and were taken over by their parent company they still pay dividends out at that year also. So they offered us a 25 percent and they have paid their dividends in the past.

Other dividends, for Community it's \$42,580. That is based on a 10 percent fixed and then a 10 percent based on claims. We've been with Community for four years, and the first three years based on our claims we would have gotten around 21 percent dividends. But this last year, depending on whether the claim is subrogated or not, right now we're only estimating 10 percent. But three out of the four years we would have gotten 20 and some percent, low 20's, so I put the 20 percent in here as the dividend estimate for Community. So then it nets out and gives you the net premium for both the companies. The difference is \$34,153.

As I said before, Community did reduce their premium by a couple thousand dollars, \$2,800 so that different is \$2,800 less at this point. We've been with Community for the last four years. We've been very happy with their coverage, their loss control services, claim handling and their steady premium. Their premiums have not increased any more than a couple percentages in terms of their base coverage or liability coverage. Workman's Comp. will always vary based on our mod as well as our payrolls.

One thing I'd like to show you with Community is what we believe they have done for us in terms of their loss prevention services. This is actually the premiums that we paid on our Workman's Comp. It's based on experience and as our experience gets better or worse the mod actually changes and that mod is actually what's used to calculate our premiums. And all the insurance carriers need to use the same mod for the Village. So over the last four years when we initially started with Community our mod was over one. One is like the average for municipalities. With their loss prevention services we were able to reduce our mod down to this next year going into this next 2008-09 we're at a .81 mod. So we've saved over the years because the mod is dropping a lot of money in terms of premium differences. If you were at a one for this next year instead of a .8 you'd be paying \$50,000 more in premium for our Workman's Comp.

So we've been very pleased with Community's service and their claim handling. It actually doubles up with the Village in terms of claim handling. Community has a loss prevention person that comes out to our site. And just recently our account was taken over by a sales rep from Fitzgerald Clayton and they also have a loss prevention person that has teamed up with the Community loss prevention to offer us their services. So they each look at the Village and determine which ones they specialize in. Like one specializes more in looking for this type of loss or controlling this type of loss versus the other.

So I've been very happy in the last four years with Community, and I'm sorry to see that the price difference is there in terms of the \$35,000. The Village was with Wausau for more than 10 years before Community. So right now based on the price I'm actually recommending to switch to Wausau for liability coverage and commercial crime. I'm recommending to stay with the Local

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Government Property Insurance Fund for property and automobile physical damage, to keep the property deductible at \$25,000, and to keep the auto physical damage deductibles at \$1,000 and \$2,500. And also to stay with Hartford Steam Boiler through Community for our boiler and machinery coverage. We've had both the agents from Wausau and Community here, and they would both like to speak briefly concerning their coverage. So if you would like to have them come up and speak. Either Carol or Jim?

John Steinbrink:

We just ask that you give us your name and address for the record.

Carol Willick:

Absolutely. My name is Carol Willick and I reside at 15105 Watertown Plank Road in Elm Grove, Wisconsin. As Kathy mentioned I have been your agent since September. Prior to that my husband was your agent but he switched jobs and no longer had access to Community Insurance. And I've been very pleased to work with Kathy over the last seven months. I know the price differential is significant, but if you bear with me I'll try to keep this to about five minutes and just point out some of the value added services that we provide that hopefully you will see add up to more than the price differential.

This is very similar to what Kathy pointed out just a little while ago. But something that bears thinking about, if your mod had stayed at 1.01 as it was when Community Insurance took it over, over the course of the last four years you would have had significantly more going out to pay for premiums for Workers Compensation. As you can see, each year it adds up to the savings that Kathy put together for you on her display. So, again, because we have such very dedicated loss control people and claims people we do our very best to get your claims down, because it's very important for us that you pay as little as possible. We understand, too, that taxpayers do not like it when more money is going out than should be. But, if again, if you weight this out in conjunction with the premium savings, this far takes care of and outweighs the premium savings showing up there.

As far as Fitzgerald, Clayton, James and Kasten, again, Kathy did a great job talking about the fact that you have a new agent, a new agency on Board, and we have significant services to offer as well. In addition to loss control personnel we have a woman on staff who her job is to look at your mod to find if there are any claims that could be taken out of their, any reserves that could be put down before your mod is calculated, and she also has certain dates during the course of the year that she will monitor things to see if we can't get that mod down a couple more points which could mean a couple more thousand dollars. To date she has saved \$600,000 for our clients and we've only been tracking this for five years. So \$600,000 savings by Margaret in five years is a pretty nice chunk of change.

I'm going to pass out one other quick piece here. This piece goes over the various services that my company provides above and beyond Community Insurance Corporation. So we also have full-time in-house claims management that are available 24/7 to help with any claims that could come up. I mentioned the unit stack card filings that Margaret does where she saved a significant

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amount of money. Mod master is something she does also, again, to make sure everything is in line. And I believe you did have a situation a few years ago where something was misclassified and it did mean a significant amount of dollars coming back to the Village when that misclassification was corrected.

Also, we do have some seminars throughout the course of the year. We offer four as an agency. Community Insurance offers an additional four, so right there you have eight seminars for free during the course of the year all geared at keeping your claims low so that, in turn, equates to a lower cost to you.

One thing that bears mentioning, too, is Community Insurance has a deductible fund escrow account with a liability. And what that means is if your claims are lower than what we project that money comes back to the Village with interest. And that's something unique to Community Insurance. If you would think to go to a higher deductible there are more funds available to pay claims and that fund then would be a possibility of coming back to you with interest. But, again, it depends on what your claims experience would be.

One last piece and then I promise I'll end. I know I had sent out a letter late on Friday from my kitchen table actually and hopefully all of you had a chance to review that. This is just kind of a piece to go along with the letter I sent out to Kathy and copied all of you in on. I wanted to bring up some of the training things that we have available that going forward I'm not sure if Wausau would have available. The big one would be the FATS machine, and that's the firearms training simulator. That I looked into it and if you go and send your police department to a tech school it's going to cost in the neighborhood of \$12,000 plus and that's if everybody can get in to train in the time I was figuring. I was trying to be conservative. If you're with Community Insurance that machine is yours for two weeks so that people can come in and train on it as they fit it into their schedule so they're not taking extra time off for travel. They're not adjusting their schedule to a tech's schools, and that's something that I think is a very valuable plus in our column.

We have policy differences as well. CIC's policy is geared for municipalities. That's all they do. They do public entities. So there are no exclusions and specific ISO wording that would limit your coverage. The biggest area I found that's going to drop you down to a reduction in coverage would be in the employee benefits liability. Employee benefits liability right now is an endorsement I believe on the Wausau policy. I speak with some knowledge because I worked for Wausau for the first ten years of my career. From what I understand they still endorse employee benefits liability onto their general liability policy, and they put a \$1 million maximum on it. That is the claims made endorsement on an occurrence policy. And so with that being such the underwriter we have working for us who used to work for Wausau within the last year said that the umbrella doesn't go over that. So, quite frankly, you're going from \$5 million in coverage from employee benefits liability down to \$1 million which is significant and those claims are on the rise.

So I do have on page 2 a number of questions you might want to ask if you are, indeed, set on changing carriers. At least it gives you some food for thought. And if you do decide to leave us this year I certainly hope that the door will be open in the future. But I certainly would hope that what I've shown you and demonstrated to you might help you think to stay one more year. And

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if you do, indeed, want to take this to bid next year that you weight it out next year when you can really line up the different levels of benefits and coverage and limits and also then weight out the premium. I thank you for your time and I'll keep my fingers crossed.

John Steinbrink:

Are there any questions for the lady on any insurance? You want to wait for the end? Alright, thank you.

Jim Veltman:

My name is Jim Veltman, 1737 Centennial Lane, Racine, Wisconsin. I'm the agent for Wausau Insurance Company. When I first contacted Kathy to visit with her on the insurance program one of the things we talked about was not just the price of the program, which I know is a very important item, but also the services that are going to be provided. Wausau has been a municipal underwriter for the last between 50 and 60 years. We're one of the largest underwriters of not only Workers Compensation but municipal insurance in the State of Wisconsin.

When Kathy and I went over our proposal we spent probably an hour of the hour and 20 minutes that we had together talking about the services that Wausau will provide, and Wausau Signature Agency which is the agency that I represent. I'm sorry I don't have all that material with me today, but I can touch a little bit on some of the highlights by the material that I've given you.

As I mentioned, we insure over 150 municipalities in the State of Wisconsin. We provide all the coverage with the exception of the public officials and the crime coverage and the boiler with Wausau Insurance. Now, that means you'll be dealing with a Wausau underwriting who is a municipal underwriter. That's all they do. When you talk about our loss prevention folks they're located out of Milwaukee, Wisconsin. I've already sat down with our loss prevention people to being to lay out a plan of action that we'll work with you over the next year as it related to pick up where you are right now and bring other plans to the table for you.

We also offer a wide variety of both webinars and seminars. We have our home office training program for our business insurance program, and we have specialized training specific for municipalities. This is a very large book of business for Wausau in the State of Wisconsin and we have committed not only underwriters but also loss prevention and claims management people. So the people that you'll be dealing with are municipal-only type of claim people and loss prevention. They'll also work on schools but that's the extent of what they do.

One of the numbers, on number three we talked about how we help you reduce your claims. That is our PPO savings. You might be familiar with that from your health insurance, and what that says if you utilize our network, and in Southeastern Wisconsin our network covers about 90 percent of the claims flow through out network. Last year we had a 30.639 percent savings. What does that mean to you? It means fewer dollars paid. It means a lower experience modification factor, and it means we help get your employees back to work quicker. That is our commitment to all of our compensation customers, and in Wisconsin that is our driving line.

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We are a member of the Liberty Mutual family of companies. We are an A rated carrier. I think when you look at any insurance company one of the things you have to be extremely comfortable with is the financial stability of that company. That tells you whether they have the dollars to pay not only dividends but also provide the services and give you a level pricing. Over the last four years or so it's been a very what we would call a soft market, which means none of my customers have been seeing rate increases other than the things we can't control, if your experience mod goes up or your payrolls go up. That's outside of our control. You buy additional vehicles that's outside of our control. My customers this year are seeing level to reduced pricing in the areas that we can control which is your base rate. What you do from an exposure standpoint that's going to work through from a mathematical standpoint.

One of the things that we continue to do is look for various options in improvement. Remember, our municipal program has been in place for over 20 years, and what we've seen, and it's a State wide program, we may see a claim in Northern Wisconsin, we'll take that experience to modify our program. I just touched on a couple of the things that we have here. This year for the first time we're offering at no cost an option to purchase your umbrella should you find a claim to exhaust those limits. Now, in Wisconsin considering you have a \$50,000 cap on liability and a quarter million on auto, and that has held up for a number of years, it's highly unlikely that you will have a claim that will touch the \$5 million that we're looking at. But should you have that claim we agree up front to sell you another \$2 million at the premium on a pro rate basis which means if we're half way through the year you pay half the premium. It's just the way of us to say to you we want to make sure there's never any question as to the liability limits that we are providing to you.

We're also offering a number of improvements in our public official's policy. These are areas that we've been visiting with our market on and asking them to address. We have policy limits for back wages, for personal injuries. We have third party wrongful acts in the event that one of your employees is harassing someone else that's coming onto your property. These are all enhancements to our program and things that we've added over the last year as we've dealt with the municipalities of Wisconsin.

On the next page you'll see our umbrella does ride over our general liability, our auto liability and our police professional coverage. It does not ride over the public officials. I've given you options of \$1, \$2, \$3, \$4 and \$5 million. You can choose which of those you feel are appropriate. We are seeing claims from public officials. The majority of those claim dollars are expense dollars. I can't tell you for \$5 million aggregate for all lines of insurance we'll pay more than a \$3 million auto and a \$3 million—what I can tell you that in the State of Wisconsin in the 34 years that I've done insurance for municipalities I have not seen a claim exceed \$1 million primarily because of the caps we have in place, \$50,000 for liability and the \$250,000 for auto. I've been with insureds of mine that have had catastrophic auto claims and the cap has held up so I think it's a very sound program to be.

We do not have a deductible on our general liability. We do not have a deductible on our auto liability. We do not have a deductible on your police professional. And one of the things I showed Kathy was a review of your claims for the last five years, and you have paid in excess of \$25,000 on deductibles. We do have a deductible for our public official's policy but we do not

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have deductibles for our other lines. Looking at that claim history that Kathy provided to me I saw three claims that were public official related one of which had a payment on it. I think that's important to look at that because we do not have a deductible that you've been paying around \$5,000 to \$6,000 a year for some of those support lines. Again, it's not making Community Insurance good or bad, it's just a different way of looking at it.

Our deductible for our Worker's Compensation is a level deductible. It pays at audit which is 60 days after expiration and it is a flat dividend. It's not based on your claims. It's a level dividend that will be paid at audit. A little bit farther on you'll see some of the information. What I can tell you since '74 when I started with Wausau we have never not paid our flat dividend and for the amount that we projected and that's a history that we're very proud of.

Safety training and loss prevention those are all things that we provide through our agency and also through our carrier. We have onsite loss prevention in Milwaukee. We also have an 800 number. If you have a question in regards to anything that's loss responsive or loss control you call that 800 number and visit with those folks. They work normal hours so there's no issue on that.

A couple other things quickly and I do appreciate your time. The premium summary is there, that's obviously been taken care of. There's some information on our dividends. This was just for a three year period just in our municipalities. I wanted to hopefully give you a comfort level that when you look at our dividend it is very likely that we're going to pay it because we have always paid it.

And the last is a list of my customers. These are the individual municipalities that as an agent that I work with and I gave you two things. I gave you obviously the name of it and I also gave you the inception date. What I'm hoping to let you have an idea to look at is does Wausau rotate our customers on a regular basis or do they stay with us? Most of my customers have been with me I think on average I told Kathy it's about seven and a half years and that includes the two I wrote last year so they kind of pulled my average down.

We are committed to a fair premium but it has to be a premium that's going to be profitable. That's how we priced it and we're committed to providing services to make as a very good insurance buy for your Village. And I appreciate your time and the opportunity.

John Steinbrink:

Comments or questions for either of the speaker?

Mike Serpe:

Both companies obviously are very reputable. A while back we were with Wausau and I can't remember but there was some concern we had with them a number of years ago and I don't recall what that was.

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Mike Pollocoff:

When we changed to Community there was two levels of concerns. One was price. At that time Wausau was higher, but the other issue that I was concerned about was their level of effort and their capabilities to help us manage risk as far as Workman's Comp. and those types of things. They had started out really strong with that. Like I said, they had been our insurance company for almost ten years but then it kind of waned. And municipal risk is peculiar risk. We do things that a lot of places don't do, so we were looking for somebody that would help us manage that outside of hiring out and creating a department that was going to do risk management. So at the time we felt and I think it bore out is one of the strong points of Community was that they had a very aggressive program in that area. I think the difference in prices last year was less than \$5,000.

Kathy Goessl:

Yeah, around \$5,000. Wausau was cheaper than Community.

Mike Pollocoff:

At that point given, again, the efforts that they were making in the Workman's Comp. area my recommendation and Kathy's was to stay with Community. And I think when you look at that chart that shows what we were able to keep bringing the mod down it was worthwhile. That being said \$34,000 is \$34,000. Wausau has given us indication that they can carry out the goals we have for helping us maintain our risk at low levels and keep our experience levels down, and I guess we'll see with that within a year.

We're fortunate that we have two good carriers proposing. I don't know if people realize that but there is not a lot of insurance companies beating the door down to insure municipal governments. They're typically not that—we're hard to get quotes on. And we've had two good companies quote this. I guess that's a long answer to the question but that's really what brought that about.

Mike Serpe:

I have one more. Kathy, what was the estimate during the budget process or insurance this year?

Kathy Goessl:

The estimate is based on no dividends being paid. We budgeted throughout the Village, RecPlex and utilities almost \$424,000 so we're looking at almost a \$100,000 difference.

Mike Serpe:

And this graph is kind of interesting. I would hope that if it is Wausau that it's the bid that we expect the same results.

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Mike Pollocoff:

That's my hope. I don't think Wausau would have a flat line. That would be disappointing. But we expect them to work with us to keep that going down. In a way that's difficult. We had an employee that was in a Village vehicle who was going through an intersection and he was broadsided by a truck that ran a red light. That's an incredible event that he had no control over and he can't help and it's going to affect our—in some ways depending on how that works out that's going to drive our experience. Some things we can't help. Some things Wausau or Community can't help. But it's managing the things that we can manage and not creating preventable problems and that's where we want to be.

I know that's what I'm going to be looking at in the coming year if the Board doesn't select Wausau is that's one of those areas that we work hard to maintain. One of the reasons we work so hard on it all the time is we have a lot of younger employees, we have a lot of part-time employees as a community and that's constantly enforcement that we always require. We do a lot of training with our full-time employees, too, to make sure they're up to speed. We're engaged in dangerous work, some of the most dangerous work you can do, and that's why we need to stay after our employees to make sure they're doing everything as safely as possible.

Jim Veltman:

Jim Veltman, 1737 Centennial Lane. That's one of the things that I think has always been our strength. Mike, I don't know what happened in the past, I wasn't involved in that, but I would encourage you to look at an account like Caledonia. I'm only bringing this up because this was discussed at a public meeting. Their experience mod is 1.44. This year it's going to be in the low 7's and a lot of that is related to what they've done and our support to help them do that. I'm sure we all have great success stories and that's very important because if we don't have those you really should be asking yourself whether our premium is a good buy.

Our loss prevention people are ready to come and I gave Kathy an example of an action plan that we actually put together for another one of our municipalities. That's the way that we'll operate. We'll look at your claims, we'll look at what's going on and we'll develop a plan with you and with your input and then we will carry that out throughout the year, modify it as need be. We've had great success in helping our customers reduce their mod because that's what a comp. carrier can do for you. If we can't do that then the dividends are great but that's where there's a lot of premium savings to be generated. Appreciate that.

John Steinbrink:

Thank you.

Clyde Allen:

My question is, I'm sorry, Jim, you could have stayed up there. To purchase an umbrella for an additional \$2 million what's the premiums on that?

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Jim Veltman:

Your umbrella right now is \$3,773. Let me just make sure I get the right number. That is for a \$2 million umbrella limit. Now, are you asking me should you choose to purchase an additional \$2 million?

Clyde Allen:

I thought you said the original umbrella was for \$1 million and we could purchase a \$2 million increment.

Jim Veltman:

No, our umbrella is \$2 million and you may purchase at no up front cost if needed an additional \$2 million at that premium. It's called pro rata which means if half the year is expired you'll pay half the premium. That's not an option we have. That's an obligation we have to you. That's one of the improvements we added to our plan this year.

John Steinbrink:

Before the gentleman leaves are there any questions for him? Thank you. Any other comments or questions? The one comment was that they asked that we keep the door open. I think the door is always open. Kathy and Mike and everybody on the staff does a great job of going through these and finding the best rate out there for us, not only the best rate but the best fit for our situation which is important. So to answer the question the door is always open.

Clyde Allen:

With that I'll make a motion to accept the Wausau bid.

Monica Yuhas:

I'll second.

John Steinbrink:

Motion by Clyde to accept the Wausau bid, second by Monica. Further discussion?

Mike Serpe:

Thanks to Community. The bidding process is always going to be there with us. You've done good for us so far and who knows what the future is going to bring but thanks.

John Steinbrink:

We have a motion and a second.

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ALLEN MOVED TO APPROVE WAUSAU INSURANCE COMPANY AS THE VILLAGE'S PROPERTY AND LIABILITY INSURANCE CARRIER EFFECTIVE APRIL 1, 2008; SECONDED BY YUHAS; MOTION CARRIED 4-0.

D. Consider appointment to the Kenosha Area Convention and Visitors Bureau Board.

Mike Pollocoff:

Mr. President, we have your memorandum with the recommendation for the appointment of John Roscioli as a representative from the Village. The term would extend until May 1, 2010. I've attached a brief community description of John that he provided us.

John Steinbrink:

John had addressed us earlier during citizens' comments and we appreciate that. We appreciate your interest in the Village in helping serve with it. Also with us tonight we have Dennis DuChene the new President of the Kenosha Visitors Tourism Bureau. I don't know if Dennis cares to say anything or promote anything coming up. I know he's working on the Civil War Museum. You can give people a heads up when that's coming up.

Dennis DuChene:

Dennis DuChene, 8710 36th Avenue, Kenosha, Wisconsin. I'd just like to thank the Village Board for all their support they have for tourism and everything they've done for us. I certainly would like to welcome John should you choose to approve him tonight to the Board and I look forward to working with him. I think he'll be a great addition. That's all I have. Thank you.

Mike Serpe:

John, with that I would make the motion to approve John Roscioli.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde. Any other discussion on that item?

SERPE MOVED TO APPOINT JOHN ROSCIOLI TO THE KENOSHA AREA CONVENTION AND VISTOR'S BUREAU BOARD TO MAY 1, 2010; SECODED BY ALLEN; MOTION CARRIED 4-0.

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John Steinbrink:

Thank you, Dennis, because I think we just had the State tourism convention in Lake Geneva and what we learned is how much tourism does not only for our community but for the whole State. I talked about this before but I can't emphasize it enough. Nobody thinks of Kenosha or Pleasant Prairie as a tourism mecca, but the thousands of dollars it brings into the community makes a difference, especially with the merchants and the hotels and everybody that's in the community. Actually, it brings more people in for the shopping over at Prime Outlets and those are all tax dollars that come into our community and our State, and those are tax dollars that aren't charged to the local and State taxpayers so that makes a big difference. John, welcome aboard.

E. Consent Agenda

- 1) Approve a Letter of Credit Reduction for the Bain Station Crossing Development.**
- 2) Approve Bartender License Applications on file.**

Mike Serpe:

Move approval.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde.

**SERPE MOVED TO APPROVE CONSENT AGENDA ITEMS 1 AND 2 AS PRESENTED;
SECONDED BY ALLEN; MOTION CARRIED 409.**

7. VILLAGE BOARD COMMENTS

Mike Serpe:

I called Germantown myself a couple weeks ago to find out about broadcasting the Board meetings. And I found out the same information that Bob Babcock did and even a little bit more, that Time Warner had given the Village of Germantown two grants in two different years worth \$15,000 each towards videotaping the Village Board meetings. The person I talked to also said that at some point in time that money is going to have to be re-spent again out of their own budget to replace the cameras and everything else. It was the same figure, about \$4,800 a year, that they pay out to have people come in and video record.

When we discussed the budget we weren't discussing whether or not we were going to video record the meetings. We didn't discuss putting cameras in squad cars. My statement was made mid term of the budget year now that the request is coming to video record these meetings, and

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the cost came up at \$26,000 or \$34,000, whatever the figure was. And my statement was that before we spend it on video recording meetings I would rather see it be spent on officer safety.

So it wasn't that I turned my back on the cops during budget time. We didn't discuss it at that time, and I only made a reference to that, rather than spend the money mid term during the budget year on something like video recording the meetings I would be against. I don't think there was one Board member that said they were against video recording the meetings. We're not. We'll address it at the right time. And when we have enough money to do so I'm sure it will be done but not until then.

Clyde Allen:

Two comments. First, regarding citizens' comments, I don't want anybody to ever think they shouldn't make comments. I know some of you do a lot of homework in your comments. Whether sometimes we agree or disagree I appreciate hearing what you have to say. I really do. I think that's very important so I really don't like to hear the attitude that it's not welcome because it certainly is and I do want to continue to hear it.

The other item was regarding Mr. Ricchio. I was going to make a motion to table it. I think we need some dialogue. I think that was apparent from Planning Commission and I would really encourage Mike, Jean, whoever is necessary to start some good dialogue with Mr. Ricchio. I'll leave it at that. Thank you.

John Steinbrink:

Just to respond to Mr. Babcock, you take things too personal sometimes maybe. I don't know if the shoe entirely fit on that comment I made at that time. But one thing with the questions you ask folks such as Senator Wirth and Lieutenant Governors do you think televising meetings is a good thing and, of course, they say yes. But if you were to propose that question to them do you think televising local meetings when you have other things out there looming of probably more safety importance to the community versus televising the meeting you may get a different reaction or answer from them. So it's all how the question is posed there.

Earlier you heard Mr. Braig talk about the problems with the digging in the right of ways, AT&T. This has a direct correlation to the Village in televising meetings. We had a pretty good cable ordinance in the State before. Unfortunately TV for everyone kind of eroded that and we lost that. We lost a lot of the consumer protections. One thing we lost are the PEG channels and that was the vehicle that was out there to help communities to do what everybody wants to have done here, televise meetings, get it on board and get it done right. Unfortunately it comes at the cost of some slick promotion and some heavy lobbyists in Wisconsin. It was an item I didn't favor up there because of what it did to the consumer rights, what it did to the local channels and what it's going to eventually do to the cost of cable on the line. This is a proposal that's going to save everybody a lot of money.

Well, unfortunately in States such as Texas which they promoted it didn't happen there. In fact, cable is costing more in the State of Texas and some of those other States. But Wisconsin

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jumped on the bandwagon, we put it forward, they promised more jobs to the union workers. Unfortunately we saw crews come in from out of State, non union folks doing the work. Now the unions are upset and saying foul on AT&T, you didn't play by the rules. That's what's going to happen further down the line.

So hopefully we're going to get something back. It's always hard to give it back when you give it away. But the communities, Sun Prairie is a fine example of that, what's going to happen to their PEG channels and a lot of other major communities around the State. So unfortunately some of the things where people were promised something and didn't get it it's going to affect what we have for quality here in the Village. We lose a lot of our rights; we're down the drain with this also. That's unfortunate because every time these companies go into the right of way and they dig where they're not supposed to be digging, they get away with things they shouldn't be doing, it's going to cost the taxpayers money and that's our money. Every one of us is a taxpayer in this community. Any other comments from Board members?

8. ADJOURNMENT

ALLEN MOVED TO ADJOURN THE MEETING; SECONDED BY SERPE; MOTION CARRIED 4-0 AND MEETING ADJOURNED AT 7:55 P.M.